

RULES AND REGULATIONS

of the

PLANNING BOARD

of the

**TOWN OF ROCKLAND
MASSACHUSETTS**

UNDER THE SUBDIVISION CONTROL LAW

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**RULES AND REGULATIONS
OF THE ROCKLAND PLANNING BOARD**

SECTION I
GENERAL PROVISIONS

A. Purpose (Section 81M of Chapter 41 G.L.)

“The subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provisions of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel: for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, and street lighting and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions...”

B. Authority

Under the authority vested in the Planning Board of the Town of Rockland by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these amended rules and regulations governing the subdivision of land in the Town of Rockland, effective on or about September 13, 2006.

C. Reference

For matters not covered by these rules and regulations, reference is made to Sections 81K to 81GG inclusive, of Chapter 41 of the General Laws as amended, hereafter referred to as the Subdivision Control Law.

D. Applicability

No person shall make a subdivision within the meaning of the Subdivision Control Law of any lot, tract or parcel of 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 public utilities therein, unless and until a definitive plan of such subdivision has been submitted to and approved by the Board as hereinafter provided.

E. Effect of Prior Recording of Plans

The recording of a plan of land prior to the effective date of the Subdivision Control Law in the Town, showing the division thereof into existing or proposed lots, sites, or other divisions and ways furnishing access thereto, shall not exempt such land from the application and operation of the Subdivision Control Law except as provided in Section 81FF of Chapter 41 G.L.

F. Definitions

For the purpose of these rules and regulations, the following words and terms used herein are hereby defined as follows:

- **Applicant** – A person (as hereinafter described) who applies for approval of a plan of a subdivision or who applies for a determination that approval is not required. The applicant (or applicants) shall be the owner (or owners) or the duly authorized agent or representative of the owner(s), or his or their assigns of all land included in the subject request for action before the Planning Board.
- **Board** – The Planning Board of the Town of Rockland.
- **Definitive Plans** – The plans of a subdivision as submitted (with appropriate application) to the Board for approval in accordance with and containing the information required under Section II, D.
- **MHD Specifications** – Commonwealth of Massachusetts, Massachusetts Highway Department “Standard Specifications for Highways and Bridges,” latest edition.
- **MHD Standards** – The Construction Standards of the Massachusetts Highway Department, latest edition.
- **Engineer** - A Registered Professional Engineer designated by the Board to act as its agent.
- **General Laws** – The General Laws of the Commonwealth of Massachusetts, Tercentenary Edition, with all additions thereto and amendments thereof. (Abbreviated G.L.)
- **Lot** – An area of land in one ownership, with definite boundaries ascertainable or to be ascertainable of record, and used, or set aside and available for use, as the site of one or more buildings and buildings accessory thereto or for any other definitive purpose.
- **Municipal Services** – Sewers, surface and subsurface water drains, water pipes, fire hydrants, gas pipes, electric lines or ducts, telephone lines or ducts, cable television lines or ducts, fire alarm cables and boxes, streetlights, and their respective appurtenances.
- **Owner** – As applied to real estate, the person (as hereinafter defined), holding title to a parcel, tract or lot of land, as shown by the record in the appropriate Land Registration Office, Registry of Deeds or Registry of Probate.
- **Person** – An individual, two or more individuals, partnership, corporation, association, society, or any entity recognized by the General Laws, having common or undivided interests in a tract of land. Person shall also include, to the extent allowed by the General Laws, agents, administrators, executors, heirs, devisees, successors, and assigns.
- **Preliminary Plan** – The plan of a proposed subdivision as may be submitted in accordance with and containing the information required under Section II, C. for discussion and consideration by the Board prior to the preparation of definitive plans.
- **Print** – A reproduction of an original drawing – dark line on white background.

- **Roadway** – A portion of a way, which is designed and prepared for vehicular traffic.
- **Site** – A portion of a lot, tract or parcel of land provided for the location of a building, with the necessary or convenient amount of land adjacent to such building used or to be used in connection with such building.
- **Zoning By-Law** – The most recent zoning by-laws of the Town of Rockland including all amendments thereto.
- **Street** – A public way, or a way having in the opinion of the Board, sufficient width, suitable grades and adequate construction to provide for the proposed use of the land abutting thereon or served thereby.
- **Way** – A way shall be the full strip of land designated as a way or street as distinguished from the roadway.

G. Planning Board Procedures

Notice of all Planning Board meetings, including date, time, and place will be posted at the Office of the Town Clerk. Except for executive sessions as provided for in Section 23A of Chapter 39 of the General Laws as amended, meetings of the Planning Board shall be open to the public to attend. Anyone desiring to meet with the Board shall do so by appointment. To secure an appointment, all applicants shall notify the Town Planner or the Secretary to the Board at least ten (10) days prior to a regularly scheduled meeting. In such notice, the applicant shall state his name, address and a brief outline of the nature of the business to be discussed with the Planning Board. Any person attending an advertised public hearing may address the Board at the pleasure of the Chairman without prior notice and in so doing, shall state his name, address and person represented, if any.

All meetings of the Board shall be conducted formally under the Direction of the Chairman of the Board. In the absence of the Chairman, the Vice-Chairman shall act as Chairman. In the absence of both the Chairman and the Vice-Chairman, the Clerk shall act as Chairman. A majority of the members of the Board shall constitute a quorum but less than a majority may vote to adjourn, subject to the meeting being rescheduled as hereinafter provided. In the event of there being less than a quorum present at any scheduled meeting, the Chairman shall reschedule a meeting as soon as practicable thereafter. Meetings of the Planning Board shall be conducted in accordance with the provisions of Section 23-B of Chapter 39 of the General Laws, as amended.

The records of the Planning Board shall be maintained in the manner set forth in Section 23A of Chapter 39 of the General Laws as amended and may contain such other matters as the Board at its discretion may deem appropriate.

The Planning Board may require an applicant to produce evidence of ownership, or authority of an agent, representative or assign.

H. Planned Unit Development Guidelines

The following Guidelines are in effect only if the Planned Unit Development concept is a permitted use under the Zoning By-Law. Planned Unit Development, if so permitted, must be approved by the Planning Board, and must meet the following development standards as well as the Zoning By-Law.

1. General Size of Planned Unit Development
 - a. Plot and lot sizes and dimensions, and the location and height of buildings, if meeting the standards of these guidelines, may be freely disposed and arranged provided the construction conforms to comprehensive plans approved, pursuant to these guidelines, by the Planning Board. In reviewing and approving all plans, the Planning Board, in addition to the standards set forth herein, may use the standards of the Subdivision Rules and Regulations as well as the opinions of the Planning Board's Engineer, the Town Planner, and the Town Water and Sewer Consultants. The Planning Board shall have full power to require modifications in the plans submitted by any applicant.
 - b. No tract, parcel or lot, or tracts, parcels or lots shall be developed as a Planned Unit Development unless it shall contain twenty (20) or more acres of adjoining and contiguous land and shall contain sufficient access to a State highway or to the Town road system as designated on the official or zoning map of the Town of Rockland as amended. For the purpose of this Section, internal streets, roads and rights-of-way shall not be deemed to divide acreage of a Planned Unit Development.

2. Buffer Areas
 - a. The landowner shall provide and maintain a buffer zone no less than fifty (50) feet wide from all external lot lines of a Planned Unit Development, except that portion which fronts upon an existing external street or roadway. Such a buffer zone shall be kept in its natural state where wooded; and, when natural vegetation is sparse or nonexistent, the landowner may be required to provide a year-round visual screen as determined by the Planning Board.
 - b. No principal or accessory use or structure, including parking or loading areas, shall be permitted within the required buffer area; but the Planning Board may, upon a finding of reasons therefore, permit a portion of a buffer area to be used for utility easements or streets to insure access to or from adjacent property.
 - c. The required buffer area may be included in the area of the Planned Unit Development for the purpose of computing compliance with the open space requirements of these guidelines, but no common recreation areas shall be located within the buffer area nor shall any common recreational area be considered as a part of any buffer area.

3. Boundary Line and Internal Street Setback Requirements
 - a. Boundary Line Setback Requirements – All buildings, structures and uses shall be set back no less than twenty-five (25) feet from all external streets.
 - b. Internal Street Setback Requirements – All buildings and structures for principal or accessory nonresidential uses shall be set back no less than twenty-five (25) feet from any public or private street within a Planned Unit Development.

4. Building Height

No building or structure shall have a height greater than as provided in Section V.A. of the Zoning By-Law.

5. Distance Between Buildings

The minimum distance between any two buildings other than buildings containing common walls and used as townhouses shall not be less than as computed under the following formula:

$$S = \frac{\{LA + LB + [2 (HA + HB)]\}}{5}$$

where: S = Required minimum horizontal distance between any wall of Building A at any given level, and any wall of Building B, at any given level, or the vertical prolongation of either.

LA = Total length of Building A. Building A shall be that structure which is of equal or greater length of the two buildings selected.

LB = Total length of Building B.

HA = Height of Building A. The height of Building A is the average height above the finished grade of the structure.

HB = Height of Building B. The height of Building B is the average height above the finished grade of the structure.

Example: Building A is 120 feet long and 28 feet high

Building B is 110 feet long and 26 feet high

$$S = \frac{\{(LA+LB) + [2(HA+HB)]\}}{5}$$

$$S = \frac{\{(120' + 110') + [2(28' + 26')]\}}{5}$$

$$S = \frac{\{(230') + [2(54')]\}}{5}$$

$$S = \frac{\{(230') + (108')\}}{5}$$

$$S = \frac{338'}{5} \text{ or } 67.6 \text{ feet, which rounds to } 68'$$

6. Land Use Density

- a. No areas devoted to single-family detached residential structures shall have a density in excess of four units per acre exclusive of all street rights-of-way.
- b. No area or areas devoted to multi-family residences shall have a density in excess of fifteen units per acre exclusive of all street rights-of-way.
- c. Each of the above residential density limitations shall be mutually exclusive of each other and shall not be cumulative.
- d. For purposes of determining the total number of allowable dwelling units, the applicant must submit a "grid" subdivision plan to the Planning Board, which complies with the plan regulations set out in the Rules and Regulations Governing the Subdivision of Land. The prepared "grid" subdivision will only encompass that portion of said land, which is not defined as wetlands under the Massachusetts Wetland Protection Act.

The total number of dwelling units within a Planned Unit Development shall not exceed the total number of dwelling units, which would be permitted on the non-wetland portion of the parcel developed in a traditional (or grid) manner.

7. Common Recreation Areas

In connection with the residential structures there shall be provided at least one (1) square foot of common recreation area for each two (2) square feet of residential floor area. The required common recreation area shall be provided in a lot, or lots, of at least 21,780 square feet that is free of structures associated with the residences in the Planned Unit Development. Common recreation areas shall be delineated on plans submitted to the Planning Board for review with the size of the area noted. Provisions for delineating this area in the finished development, method of delineation subject to Planning Board approval, shall be made by the developer. Common recreation areas shall be developed with either active or passive recreational facilities or both. No facility in which the residents of the Planned Unit Development are excluded by outside or private membership shall qualify for the purpose of the requirements herein.

8. Open Space

- a. Requirement – Each Planned Unit Development shall develop and maintain the following required open space:
One (1) square foot of open space for each one (1) square foot of total gross floor area of the Planned Unit Development, but in no event shall less than thirty-five (35) percent of the gross land area of the Planned Unit Development be open space.
- b. Computation – Any required open space may include common recreation areas and required buffer areas for computation purposes. In no case shall more than thirty (30) percent of the required open space consist of areas defined as wetlands by the Massachusetts Wetlands Protection Act.
- c. Modification – The Planning board, at its discretion, shall have the right to reduce the required minimum area of open space if all of the following conditions are met:
 1. If one or more tracts, parcels or lots are required to be dedicated for public use or public purpose including, but not limited to, schools, fire stations, police facilities, libraries, or other similar municipal uses, but not including utility, sewer or storm water drainage easements; water or sewer improvements, roadways, or any other recreational facilities or other similar dedication required by these guidelines.
 2. If the area of open space shall not be less than thirty (30) percent of the total area of the Planned Unit Development.
 3. If the total reduction in said open space shall not be greater than one (1) acre or part thereof in open space for every one (1) acre or part thereof of lands required for public use or public purpose dedication.

9. Circulation and Off-Street Parking Requirements

In a Planned Unit Development, off-street parking facilities shall be provided in accordance with the following requirements:

- a. Size of Parking Stalls – Each off-street parking space shall have an area of not less than two hundred (200) square feet, exclusive of access drives or aisles; shall measure ten (10) feet in width by twenty (20) feet in length; and shall be surfaced so as to be usable for parking. Except in the case of one- and two-family dwellings, no parking area shall be established with less than three (3) spaces.

- b. Number of Parking Spaces Required – The number of off-street parking spaces required shall be as set forth in Section V.C. of the Zoning By-Law.
- c. Access – There shall be adequate provision for ingress and egress to all parking spaces. Access drive or driveways shall be no less than twelve (12) feet wide for ingress or egress and twenty-four (24) feet wide for both ingress and egress except that for single- or two-family dwellings access drive or driveways shall be not less than ten (10) feet wide for both ingress and egress and may be utilized for part or all of the parking area requirements. No driveway or access drive shall be closer than fifty (50) feet to the point of intersection of the street lot lines of any two intersecting streets.
- d. Size of Aisles and Driveways – The width of all aisles or driveways providing direct access to individual parking stalls shall be in accordance with the following requirements:

<u>Parking Angle (degrees)</u>	<u>Aisle Width (feet)</u>
0 (parallel)	12
30	12
45	13
60	18
90 (perpendicular)	25

- e. Only one-way traffic shall be permitted in aisles serving parking spaces placed at an angle other than 0 or 90 degrees.
- f. Location – All off-street parking or loading areas for uses other than single-family detached dwelling shall meet the minimum setback requirements.
- g. Modification in the Number of Required Parking Spaces – The number of required off-street parking spaces may be increased or reduced by the Planning Board after review and written approval by both the Engineer and the Planning Consultant. In no event shall the increase or reduction exceed twenty (20) percent of the amounts specified in Section V.C. of the Zoning By-Law.
- h. Mixed or Multiple Uses – In the case of mixed or multiple uses within a single structure or building or in the use of land, the amount of off-street parking required shall be determined by the sum of the requirements of the various uses computed separately in accordance with Section V.C. of the Zoning By-Law, except where the applicant can demonstrate to the satisfaction of the Planning Board that another method of computation will adequately serve the proposed mixed or multiple use.

10. Off-Street Loading Requirements

In any Planned Unit Development, off-street loading berths shall be provided and maintained on the same lot with such building in accordance with the requirements of Section V.C. of the Zoning By-Law.

11. Streets

- a. The right-of-way and pavement widths of all internal streets, roads and vehicular traveled ways shall be determined from sound planning and engineering standards in conformity to the estimated needs of the full proposed development and the traffic to be generated thereby. They shall be adequate in size, location and design to

accommodate the maximum traffic, parking and loading needs and the access of fire-fighting and police vehicles. All streets and roads, either dedicated public streets or privately owned and maintained or any combination thereof, shall be subject to Sections III and IV of these Rules and Regulations and all other Town By-Laws and regulations as well as the laws of the Commonwealth of Massachusetts with regard to design and construction.

- b. The Planning Board shall be guided by the following criteria of street grades, but shall have the authority to modify same where exceptional circumstances warrant:
 1. Six (6) percent for residential feeder streets.
 2. Ten (10) percent for local residential streets.
- c. Exceptions to these limitations shall be made after review and written approval by either the Engineer or Planning Consultant or both as required by the Planning Board.
- d. When deemed necessary by the Planning Board, the landowner shall provide a continuous street circulation system with adjoining land areas.
- e. Where an official zoning map, concept plan or master plan has been adopted, the proposed street system shall conform to the proposals and conditions shown thereon, except as may be modified by the Planning Board or governing body, as provided by law.

12. Other Improvements

- a. All utility improvements including storm drainage systems, sanitary sewage collection and disposal and water supply systems shall be in accordance with Sections III and IV of these Rules and Regulations and the standards and procedures as established by other local, county and state regulations. Said improvements shall be subject to review and approval by the Engineer and Town Boards, as well as appropriate county and state agencies.
- b. Electric, Gas and Telephone Service – Electric, gas and telephone service shall be provided by the developer in concert with the appropriate public utilities providing such service. Said service shall be provided as part of an underground system. If such facilities cannot be reasonably provided due to topography or geologic conditions of the land or due to technological circumstances; and, if the landowner shall adequately demonstrate the lack of feasibility of such an undertaking to the satisfaction of the Planning Board, a waiver of this requirement may be granted by the Planning Board.
- c. Street Improvements – Monuments, street names and other traffic control devices, shade trees, street lights, sidewalks, curbs, fire hydrants, and all aspects of street construction, as well as other improvements shall be subject to local regulations and Engineer approval.

13. Review Procedure

The submission and approval of any Planned Unit Development shall be subject to all Town, County and Commonwealth laws, rules and regulations governing the subdivision of land in the Town of Rockland and for purposes of such review a Planned Unit Development shall be considered a subdivision of land. Applications for a special permit allowing development under Section V, H, of the Zoning By-Law shall include the following:

- a. All items as included and detailed under Section II, D, herein.

- b. In addition to the above, the subdivision plans and grading plans as described in Section II, D, shall contain the following:
 1. Dimensional details for all buffer areas, proposed buildings, distance between buildings, setback lines, common recreational areas, open space, parking, and off-street loading areas.
 2. Computation forms, prepared by a Registered Professional Engineer shall also be submitted in support of all area and density calculations and ratios.
 3. The application may also be accompanied by other such exhibits of an architectural nature as may be appropriate to assist in reviewing the merits of the proposal.
 4. The application form to be used shall be the same as that used by the Zoning Board of Appeals for Special Permits.

14. Site Plan Review

All Planned Unit Developments are subject to Site Plan Review by the Planning Board as outlined in Section I.I of these Rules and Regulations.

I. Site Plan Review Guidelines

Applications under the Site Plan Review requirements of the Zoning By-Law shall be governed by the following:

1. The applicant shall supply to the Planning Board:
 - a. Name and address of owner (if owner is a corporation, the name and address of the corporation and the name of the president and secretary shall be submitted).
 - b. Title of development (if applicable).
 - c. Block and lot number and street address of proposed activities.
 - d. Name, address and license number of person preparing site plan.
 - e. Date of site plan.
 - f. An application form, included in Appendix A as Form L, shall be submitted.
 - g. Copies of all zoning variances or special permits pertaining to the property shall be submitted.
2. Location Map
 A location map, delineating the location of the site with reference to surrounding areas and existing street intersections within two hundred (200) feet, shall be submitted. This map should also include a north arrow, scale, location of buildings within two hundred (200) feet and the identification of zoning district boundaries within two hundred (200) feet.
3. Design and Construction
 All streets and roads, either dedicated public streets or privately owned and maintained or any combination thereof, shall be subject to Sections III and IV of these Rules and Regulations and all other Town By-Laws and regulations as well as the laws of the Commonwealth of Massachusetts with regard to design and construction. Design and construction of all utilities shall also be subject to Sections III and IV of these Rules and Regulations and all other Town By-Laws and regulations as well as the laws of the Commonwealth of Massachusetts.
4. Site Plan Details
 The information listed below shall be included on the site plan, which shall be prepared by a professional engineer, land surveyor or architect. Maps, as required, shall be drawn to a scale of not less than one (1) inch equals fifty (50) feet and include the following:

- a. Existing features:
 - 1) Location of existing buildings or structures.
 - 2) Existing lot line dimensions (bearing and distances).
 - 3) Boundaries of the property including required building or setback lines, lines of existing streets, lots, easements and areas dedicated to public use, including grants, restrictions and rights-of-way.
 - 4) All distances as measured along right-of-way lines of existing streets abutting the property to the nearest intersection with any other street.
 - 5) Location of existing buildings on the site, which shall remain and all other structures such as walls, fences, culverts and bridges. Structures to be removed shall be indicated by dashed lines.
 - 6) Location and elevation of all storm drainage structures, whether publicly or privately owned, with pipe sizes, grades and directions of flow.
 - 7) Existing contours at two (2) foot intervals where slopes are less than ten (10) percent, and five (5) foot intervals where slopes are greater than ten (10) percent. Where any changes are proposed, finished grades should be shown as solid lines and existing grades as dashed lines.
 - 8) The location of significant natural features such as rock outcrops, watercourses, ponds, marshes, wooded areas, depressions and flood lines.
- b. Proposed Activities
 - 1) Layout of proposed buildings or structures.
 - 2) A survey, prepared and sealed by a licensed surveyor, shall accompany the site plan and shall show the boundaries of the parcel and the limits of all proposed streets, recreation areas, and other property to be dedicated to public use. The plan shall be accompanied by other such exhibits of an architectural nature as may be required by the Planning Board.
 - 3) All proposed easements and public and community areas; all proposed streets with profiles indicating grading; and cross sections showing roadway widths, the locations and widths of sidewalks, and the location and size of proposed utility lines.
 - 4) The proposed use or uses of land and buildings including floor space, number of employees, housing units or any other capacity measurement as relevant.
 - 5) All proposed means of vehicular ingress and egress to and from the site including the location and size of driveways and curb cuts and the location of traffic channels and controls as applicable.
 - 6) All proposed building materials and architectural treatments.
 - 7) The location and design of any proposed off-street parking areas and/or loading areas showing the size and location of parking bays, aisles and barriers.
 - 8) Location of all proposed water lines, valves, hydrants, sewer lines, or alternative means of water supply or sewage disposal and treatment.
 - 9) Location of all proposed stormwater facilities including manholes, catch basins, piping, detention basins, etc., as may be required for proper mitigation of stormwater runoff.
 - 10) The proposed location, kind, direction and intensity of illumination, and time of proposed outdoor lighting.
 - 11) The proposed screening, landscaping and planting, and natural vegetation to remain; the areas to be planted; and the type of vegetation to be utilized. Existing trees of four or more inches in caliper shall also be shown.

- 12) The location, dimensions and details of all signs.
- 13) Any additional information or data as may be required by the Planning Board.

5. Procedures for Site Plan Review and Approval

- a. Six (6) copies of the application form shall be completed and submitted to the Planning Board or Town Planner at the office of the Town Clerk, together with six (6) copies of all maps and written material. The application form and site plan shall be submitted to the Board or Town Planner no less than two (2) weeks prior to a regularly scheduled meeting.
- b. Upon submission of an application for site plan approval, all applicants shall be required to submit specified fees in accordance with the following schedule:

<u>Use</u>	<u>Fee</u>
Two family plans	\$50.00 per unit
Multi-family plans	\$50.00 per unit
Other uses:	
<5,000 sq.ft.	\$100.00
5,000 to 10,000 sq.ft.	\$150.00
10,000 to 15,000 sq.ft.	\$200.00
Every additional 5,000 sq.ft. or portion thereof	\$50.00

The fee shall be paid by certified check or money order made payable to the “Town of Rockland”.

- c. Upon submission of the site plan, the Applicant shall distribute copies of the complete application along with Form K to the following boards, agencies and professionals¹:
 - 1) Engineer for the Planning Board
 - 2) Building Inspector
 - 3) Chief of Police
 - 4) Fire Chief
 - 5) Highway Department
 - 6) Board of Health
 - 7) Water Department
 - 8) Sewer Department
 - 9) Other municipal, county or Commonwealth agencies as deemed necessary by the Board or Town Planner.

If, in the opinion of the Town Planner and/or Planning Board, the plan contains adequate information for review by the Planning Board, it will be formally accepted and the applicant will be so notified. The applicant will then be placed on the agenda for formal presentation of the project to the Board. If, in the opinion of the Town Planner and/or Planning Board, the site plan is lacking in content, the plan will be returned to the applicant with appropriate comments and will not be scheduled for hearing at a Planning Board meeting.

¹ Before the public hearing, the Applicant shall verify that a completed Form K has been submitted to the Planning Board from each of the boards, agencies and professionals to which the application has been distributed. The deadline for receiving the completed Forms K shall be one week before the scheduled public hearing.

d. Review

- 1) The Planning Board shall review the site plan at a regularly scheduled meeting within forty five (45) days after formal acceptance. The applicant shall be notified at least seven (7) days prior to the meeting of its scheduled time and place.
- 2) According to the review process, the Planning Board shall take the recommendations of the agencies, boards and professionals, as listed above, into account, but shall have the authority to proceed in the absence of any recommendations.
- 3) At the Planning Board meeting, the applicant and all other interested parties shall be given the opportunity to be heard.
- 4) At the Planning Board meeting, within thirty (30) days of the meeting, or within a mutually agreed upon time extension, the Planning Board may approve, conditionally approve, or disapprove the site plan.
- 5) If the plan is disapproved or approved conditionally, reasons therefore shall be set forth in the written minutes of the Planning Board meeting and forwarded to the applicant within fourteen (14) days.
- 6) If the Planning Board requires a substantial change in the site plan, the applicant shall submit an amended plan as detailed below. If, by motion of the Planning Board, a change or changes are considered minor, conditional approval may be given, subject to the submission of an amended plan indicating the changes.
- 7) If the Planning Board requires professional assistance in order to properly review a proposal, the applicant shall pay for such assistance.

e. Amended Site Plan Applications

Amended site plan applications shall be filed with the Planning Board and shall be considered at the next regular meeting of the Planning board, provided that the amended application is received no less than fourteen (14) days before the scheduled meeting date.

f. Construction Inspection

Construction inspection shall be in accordance with Section V of these Rules and Regulations.

g. Temporary Certificate of Occupancy

The Planning Board may authorize the Building Inspector to issue a temporary certificate of occupancy, not to exceed a maximum of one hundred and eighty (180) days, if the delay in meeting the requirements of the site plan approval is in the best interests of the community, or if the delay was caused by factors beyond the control of the applicant.

SECTION II
SUBMISSION OF PLANS

A. Certification of Plans and Professional Assistance to the Board

1. Plan Certification

All plans submitted to the Board shall include a certification as to their conformance with these rules and regulations and as to the validity of their content, executed by a person registered in the Commonwealth of Massachusetts as a Land Surveyor or Professional Engineer or both as required by the Board.

All surveys shall be in conformance with Massachusetts General Laws, 250 CMR 6.00. The Board suggests that the person responsible for the design of the subdivision and the preparation of the plans represent the owner at any meeting with the Board.

2. Professional Assistance to the Board

The Planning Board reserves the right to engage professional assistance in reviewing any and all plans submitted for its consideration. All costs and fees for such assistance shall be paid by the applicant in accordance with the guidelines established herein.

- a. All Preliminary Subdivision Plan submissions shall include a certified check, cashier's check or money order in the amount of one thousand dollars (\$1,000.00) or an amount equal to one hundred dollars (\$100.00) per lot in the subdivision and fifty dollars (\$50.00) per one hundred (100) feet of roadway in the subdivision, whichever is greater, payable to the "Town of Rockland". The Rockland Town Accountant will deposit this money in a special review security account for the sole purpose of paying the fees of the consultant chosen by the Rockland Planning Board to review the Preliminary Subdivision Plan submission on behalf of the Board. The balance in this account shall not fall below five hundred dollars (\$500.00). If a payment is made that brings the balance of this account below five hundred dollars (\$500.00), the applicant shall make a payment to the Town of Rockland that will restore the account to its original balance. After all review activities are complete, the Board has taken all actions on the submission and all fees of the consultant have been paid, the applicant is eligible for a refund of his review security. Such refund shall be equal to the balance remaining in the account and shall include all interest accrued on the monies in the account. If the applicant plans to submit a Definitive Subdivision Plan based on the Preliminary Subdivision Plan, he may choose to leave this review security account open and make a deposit in the account, which will bring it to the level specified below.
- b. All Definitive Subdivision Plan submissions shall include a certified check, cashier's check or money order in the amount of two thousand dollars (\$2,000.00) or an amount equal to two hundred dollars (\$200.00) per lot in the subdivision and one hundred dollars (\$100.00) per one hundred (100) feet of roadway in the subdivision, whichever is greater, payable to the "Town of Rockland". The Rockland Town Accountant will deposit this money in a special review security account for the sole purpose of paying the fees of the consultant chosen by the Rockland Planning Board to review the Definitive Subdivision Plan submission and to inspect the construction of all ways and installation of utilities on behalf of the Board. The balance of this account shall not fall below one thousand dollars (\$1,000.00). If a payment is made

which brings the balance of this account below one thousand dollars (\$1,000.00), the applicant shall make a payment to the Town of Rockland that will restore the account to its original balance. After all review and construction activities are complete, all fees of the consultant have been paid and all lots on the subdivision have been released by the Planning Board, the applicant is eligible for a refund of his review security. Such refund shall be equal to the balance remaining in the account and shall include all interest accrued on the monies in the account.

- c. If the consultant fees for performance of a special task, such as a traffic study, exceed the review security account balances established above, the applicant is required to make a deposit in the review security account established for his project equal to the fees charged for the performance of the special task.
- d. The applicant must authorize all payments to consultants from the review security account in writing. If the applicant disagrees with the charges for services rendered, the Planning Board will hear the complaint and render a decision on the amount to be paid. All decisions of the Planning Board will be final.
- e. In the event an approved Definitive Subdivision is sold, the review security account established by the original applicant will remain open, and the responsibility for its maintenance will remain that of the original owner, until the new owner establishes an account of equal value with the Town of Rockland. The original applicant may arrange for the transfer of the account to the new owner as part of the sales agreement.
- f. Requests for refunds of review security monies must be made in writing to the Planning Board. The Board will forward approved refunds to the Town Accountant with directions to close the review security account and release the monies to the applicant.
- g. All consultant appointments made by the Planning Board are subject to an administrative appeal process. An appeal must be filed in writing with the Rockland Board of Selectmen and must be limited to claims the appointed consultant has a conflict of interest or does not possess the minimum, required qualifications. The required time limits for action upon an application by the Rockland Planning Board shall be extended by the duration of the administrative appeal. If the Board of Selectmen issues no decision within one month following the filing of the appeal, the selection made by the Planning Board shall stand.

B. Plan Believed Not to Require Approval

1. Procedure and Submission Requirements

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land, and who believes that his plan does not require approval under the Subdivision Control Law, shall file the following with the Planning Board at a regularly scheduled public meeting:

- a. An original and three copies of a properly executed Form A (see Appendix A). The application shall be signed by the Owner(s) of all land contained in the lot or lots in question.
- b. The original plan, on linen or other material suitable for recording, and 4 prints of the plan.
- c. A copy of any variances issued by the Zoning Board of Appeals, which are relevant to any lot(s) being created.

- d. A filing fee of fifty (\$50.00) dollars per lot, whether being combined or divided, as shown on the plan. Payment, in the form of a bank check or money order, shall be made payable to the Town of Rockland.
- e. A notice, for filing with the Town Clerk by delivery or registered mail (postage prepaid), stating the materials submitted for the Planning Board's review and the date of submission of said materials (see Appendix A – Form I). This notice is to be accompanied by a copy of the application and shall be stamped received by the Planning Board at the public meeting before filing with the Town Clerk.

2. Required Information

If the plan shows the division of an existing lot into two or more lots, the plan shall show, as a minimum, the dimensions of the entire lot and the area and frontage dimensions of all lots resulting from the division of the existing lot. If a plan is submitted to the Board for endorsement under this section, and the plan contains a lot or loss, which do not conform to the area and frontage requirements of the Zoning By-law, a copy of any variance granted by the Zoning Board of Appeals relative to such lots shall accompany the plan.

3. Board Action

If the Board determines that the plan does not require approval, it shall without a public hearing and within twenty-one (21) days of submission, endorse on the plan the words "Planning Board approval under Subdivision Control Law not required." Such endorsement shall not be deemed to constitute any determination of compliance with requirements of the Zoning By-Law. Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action.

If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within twenty-one (21) days of submission of said plan, so inform the applicant and return the plan. The Board shall also notify the Town Clerk of its determination.

C. Preliminary Subdivision Plan

A preliminary plan of the subdivision may be submitted to the Planning Board and to the Board of Health by the applicant for discussion and consideration by the boards prior to the submission of definitive plans. The submission of such a preliminary plan will enable the applicant, the Planning Board, the Board of Health and other municipal agencies to discuss and clarify the potential site development problems relating to such subdivision before preparation of definitive plans. Therefore, it is strongly recommended that a preliminary plan be filed in every case.

1. Procedure and Submission Requirements

An applicant seeking approval of a preliminary plan shall file the following with the Town Planner or the Planning Board's designee:

- a. An original and seven (7) copies of a properly executed Form B (see Appendix A). The Owner(s) of all land within the proposed subdivision shall sign the application.
- b. Eight sets of prints of the preliminary plan which will be distributed by the Town Planner or the Planning Board's designee to the Engineer for the Planning Board, the

Conservation Commission, and the other Town Boards as appropriate, with the remaining sets retained for the Board's use and files.

- c. A filing fee to defray administrative and advertising costs of five hundred dollars (\$500.00). Payment, in the form of a bank check or money order, shall be made payable to the "Town of Rockland". The Board reserves the right to obtain professional assistance in its review of an applicant's proposal. The applicant shall pay for such assistance. In addition, the applicant shall pay any design review expenses incurred by the Sewer Commission and/or Water Department during their review of the plans.
 - d. A list of the names and addresses of all abutters, as determined from the most recent tax list and certified by the Rockland Assessors Office.
 - e. A sketch plan, generally at the same scale as the Town Assessor Sheets (80 scale), showing the relationship of the proposed street layout to the existing streets as well as their relationship to abutting property.
The purpose of this sketch plan is to facilitate evaluation of the proposed street layout(s) with respect to traffic circulation within the development and coordination with the existing street system of the Town, streets in neighboring subdivisions and for future projection of streets or for access to adjoining property, which is not yet subdivided.
 - f. Copies of all zoning variances or special permits pertaining to the property shall be submitted.
 - g. A completed Form H (see Appendix A).
 - h. The applicant shall provide proof that three sets of prints and a copy of the completed application have been filed with the Board of Health.
 - i. The applicant shall also, by delivery or registered mail (postage prepaid), give written notice to the Town Clerk stating the date of submission of the preliminary plan. Said notice shall be accompanied by a copy of the completed application form and should include a list of the items submitted for the Board's review (see Appendix A – Form I). The Town Planner or the Planning Board's designee must stamp the list before submitting it to the Town Clerk.
 - j. Certified copies of the most recent deeds to the property for which a subdivision is proposed.
 - k. To expedite the review and approval process, the Planning Board may direct the Applicant to distribute copies of the complete application along with Form K to the boards, agencies and professionals listed on Form K. The Applicant shall fill out the appropriate information on Form K indicating the comments are due one week before the scheduled public hearing. The Applicant shall verify that the completed Forms K have been submitted to the Planning Board.
2. Plan Contents
The preliminary plan shall be drawn at a scale of one (1) inch equals forty (40) feet (1"=40') or such other scale as the Board may accept. Said preliminary plan shall show sufficient information about the subdivision to form a clear basis for discussion of potential site development problems prior to the preparation of definitive plans. Such information shall include:
- a. A title block containing the name of the subdivision, name and address of the applicant, record owner, engineer, surveyor, the date and scale.
 - b. North point and legend.

- c. Boundary lines of the subdivision with the location and ownership of abutting property, and if registered land, the case number.
- d. Approximate boundary lines of proposed lots, with their approximate areas and dimensions.
- e. Zone or district boundary lines established by the Zoning By-Law, which divides or bounds the area to be subdivided.
- f. The existing and proposed lines of streets, ways, easements, and any public areas within the subdivision in a general manner.
- g. A schematic representation of the proposed system for water distribution and sewage collection, including the location and size of all existing pipes in, or adjacent to, the subdivision.
- h. A schematic representation of the proposed system of drainage, including existing natural waterways, showing the approximate locations of all inlets, outlets, pipes and drains and other appurtenances to the proposed drainage system.
- i. Proposed and existing topography in a general manner.

3. Board Action

During the discussion of the preliminary plan, the completion information required for the definitive plan, the financial arrangements, and the provision of municipal services will be discussed. Before acting on the preliminary plan, a Public Information Session shall be held by the Board to afford the abutters and residents of the Town an opportunity to review and comment on the proposed development. The Board shall give notice of such a meeting by advertisement in a newspaper of general circulation in the Town in each of two successive weeks. The first notice shall be published not less than fourteen (14) days before said meeting. The applicant is responsible for mailing copies of said meeting notice, by certified mail, return receipt requested, to all owners of land abutting upon, or lying within one hundred (100) feet of, any tract of land of the applicant, any part of which is included in the proposed subdivision, as appearing on the most recent tax list.

The Board shall act on the preliminary plan within forty-five (45) days of the date of submission and may approve, disapprove, or approve with modifications such preliminary plan and shall notify in writing the applicant and the Town Clerk of its action.

In case of disapproval, the Board shall advise the applicant of the specific reasons for which the plan is disapproved, thus enabling the applicant to resubmit the plan, provided the plan is corrected to comply with the requirements of the Board and with the Zoning By-Laws in effect at the time of resubmission. If the preliminary plan is approved, the rules and regulations of the Board in effect at the time of submission of such preliminary plan shall govern the definitive subdivision plans evolved from such preliminary plan, provided such definitive plans are submitted within seven months of the submission date of the preliminary plan. Further, approval of a preliminary plan does not constitute approval of a subdivision, but it shall be deemed an expression of approval of the general layout on the preparation of definitive plans, which must be submitted for approval of the Board in accordance with these regulations.

D. Definitive Subdivision Plans

Definitive plans shall conform substantially to the preliminary plans as approved but may constitute only that portion which is proposed to be recorded and developed at the time.

1. Procedure and Submission Requirements

An applicant seeking approval of definitive plans, or approval of a street profile, or for revision of subdivision plans previously approved, where such revisions, in the opinion of the Board, require a public hearing, shall file the following with the Board:

- a. An original and nine (9) copies of a properly executed Form C (see Appendix A).
The application shall be signed by the Owner(s) of all land within the proposed subdivision, and shall identify all easements, restrictions and mortgages to which the land within the subdivision is subject and all easements and restrictions appurtenant to such land over the land of others.
- b. The original drawings and ten (10) sets of prints shall be distributed by the Town Planner or the Planning Board's designee to the Engineer for the Planning Board, the Conservation Commission, the Water Commissioners, the Sewer Commissioners, the Highway Department, the Fire Department, the Police Department and other Town Boards as appropriate, with the remaining sets retained for the Board's use and files. Additional sets of prints will be made available by the applicant at the Board's request.
- c. A filing fee to defray administrative and advertising costs of seven hundred dollars (\$700.00). Payment, in the form of a bank check or money order, shall be made payable to the "Town of Rockland". The Board reserves the right to obtain professional assistance in its review of an applicant's proposal. The applicant shall pay for such assistance. In addition, the applicant shall pay any design review expenses incurred by the Sewer Commission and/or Water Department during their review of the plans.
- d. Copies of all zoning variances or special permits pertaining to the property shall be submitted.
- e. A completed Form H (see Appendix A).
- f. A list of names and addresses of all abutters, as determined from the most recent tax list and certified by the Town Assessor's office.
- g. Sketch plan as outlined in Section II, C., 1., paragraph e for preliminary plans.
- h. Plans showing watershed areas and calculations supporting the design of all culverts and drainage systems, as prepared by and bearing the seal of a Registered Professional Engineer.
- i. The centerline of all proposed ways in the subdivision shall be laid out in the field and staked at one hundred (100) foot intervals.
- j. Certified copies of the most recent deeds to the properties for which a subdivision is being proposed.

The applicant shall also by delivery of registered mail (postage prepaid), give written notice to the Town Clerk stating the date of submission of the definitive plan to the Town Planner or the Planning Board's designee. Said notice must be accompanied by a copy of the completed application form and a list of the items submitted for the Board's review (see Appendix A – Form I). The list must be stamped "received" by the Town Planner or the Planning Board's designee before submitting it to the Town Clerk.

Within ten (10) days of submission of plans and application to the Board, three (3) copies of the application and three (3) sets of prints must be filed with the Rockland Board of Health along with such other data as the Board of Health may require. Proof of this submission to the Board of Health must be presented to the Town Planner or the Planning Board.

- k. To expedite the review and approval process, the Planning Board may direct the Applicant to distribute copies of the complete application along with Form K to the boards, agencies and professionals listed on Form K. The Applicant shall fill out the appropriate information on Form K indicating the comments are due one week before the scheduled public hearing. The Applicant shall verify that the completed Forms K have been submitted to the Planning Board.

2. Required Plans

The definitive plan submittal shall include the following drawings:

- a. A subdivision plan or plans which are intended to show the proposed layout of lots and ways within the subdivision. Of the drawings constituting the definitive plan submittal, the subdivision plan or plans are the only one(s) which are intended to be recorded in the Registry of Deeds or to be filed with the Recorder of the Land Court.
- b. Construction drawings, which are intended to provide complete detail to facilitate construction of the proposed street and installation of the municipal services. The drawings, in general, shall consist of plans, profiles, and construction details, along with references to standard specifications for materials and construction methods. The drawings shall be of sufficient detail that the Board could use them in soliciting bids from contractors if it became necessary for the Board to complete the project through default of the applicant.
- c. Grading plans, which show the existing topography of the site and the proposed changes to the topography that will result from development.
- d. Two colored-coded sets of plans for the Board's use. Colors shall be as follows:
wetlands – blue, existing vegetation – light green, proposed vegetation / landscaping – dark green.

3. Plan Contents

The required drawings for a definitive plan submittal shall show the following details clearly and accurately on sheets 24" x 36" with a 3/4" border:

- a. The subdivision plan shall be drawn at a scale of one (1) inch equals forty (40) feet (1"=40') and if multiple sheets are used, an index sheet showing the entire subdivision shall accompany them. All plans shall be drawn in black ink upon mylar or any other media acceptable to the Registry of Deeds and/or Land Court. A locus plan at a scale of one (1) inch equals two thousand (2,000) feet (1"=2,000') shall be shown on the index sheet of a multiple sheet submittal, or shown on the subdivision plan itself if an index sheet is not required. The subdivision plan shall contain the following information:
 1. A title block containing the name of the subdivision, name and address of the applicant, record owner, engineer, surveyor, the date and the scale.
 2. North point and legend.
 3. Boundary lines of the subdivision with the location and ownership of abutting property, and if registered land, the case number and ties to the Land Court Survey.

4. Location, width and character of all rights-of-way, town ways, streets or private ways or other easements existing or proposed within and abutting the subdivision.
5. Sufficient data to determine readily the location, direction and length of every way and lot line of the proposed subdivision, and to establish these lines on the ground from existing permanent monuments.
6. Location of all permanent monuments properly identified as to whether existing or proposed.
7. Identification of all lots to include area, frontage, and lot number (sequenced from one [1]).
8. Location of natural waterways, swamps, and water bodies within and adjacent to the subdivision.
9. Suitable space near the title block of each sheet for recording thereon the action of the Board.
10. A certification on each subdivision plan filed, as follows: “I hereby certify that an actual survey of the perimeter of the subdivision was made on the ground in accordance with the Rules and Regulations of the Registry of Deeds on or between
_____ and _____
(date) (date)

(dated) (Registered Land Surveyor)”

- b. The construction drawings shall include plan and profile sheets for each one thousand (1,000±) feet of proposed road construction drawn at a horizontal scale of one (1) inch equals forty (40) feet (1”=40’) and a vertical scale of one (1) inch equals four (4) feet (1”=4’). Details shall be included on separate sheets and drawn at such a scale to adequately describe the proposed construction. Construction drawings may be drawn in pencil and each sheet shall be stamped and signed by a Registered Professional Engineer. The following information shall be shown:
 1. The exterior lines and centerline of all proposed ways with fifty (50) foot centerline stations, tangent bearings, angle points, points of intersection, points of curvature, points of tangency, intersection angles, length of curves, radii of curves, and length of tangents.
 2. Sufficient data shall be provided to readily determine the location and direction of the centerline of every way, and to establish the centerlines on the ground.
 3. The location of all permanent monuments properly identified as to whether existing or proposed.
 4. The width and sidelines of all roadways including curb lengths and radii at intersections.
 5. The location of natural waterways, swamps and water bodies within and adjacent to all proposed ways and drainage easements.
 6. The proposed system of drainage to include the size, material, and location of all subsurface drains, storm drains, and culverts, and the location of all catch basins and manholes within and adjacent to the subdivision. Pipe invert elevations shall be given at all drainage structures and outfalls, and the method of conducting the drainage to a natural waterway shall be shown.
 7. All existing and proposed municipal services and their appurtenances.

8. All existing and proposed building footprints.
9. Profiles showing the existing centerline and exterior line grades and the proposed finished centerline grades. Each line shall be differentiated from the other in line weight and type. Elevations, existing and proposed, shall be shown at fifty (50) foot stations along the centerline, except on vertical curves where proposed elevations shall be shown at twenty five (25) foot stations and at the points of curvature and tangency. Rates of grade in percent shall also be shown. All elevations shall refer to mean sea level as established by the US Coast and Geodetic Survey. The location and description of at least two (2) permanent benchmarks (U.S.C. & G.S. disks) shall be referenced on the drawings and each plan/profile sheet shall show the location and elevation of at least two (2) temporary benchmarks available for use during construction.
10. Profiles shall also indicate the location of any intersecting public or private ways, the location of existing and proposed storm drains with pipe invert elevations and rate of grade, subsurface drains, and all existing and proposed municipal services and their appurtenances.
11. Construction details shall generally include, but are not limited to the following:
 - a) Typical roadway cross sections including sidewalk, green strip and municipal services.
 - b) Storm drain catch basins and manholes.
 - c) Sanitary sewer manholes and service connections or septic system design details.
 - d) Watermain appurtenances including service connections.
 - e) Pipe trench sections to include the method of pipe bedding in both earth and rock.
 - f) Subsurface drain details.
 - g) Retaining walls and headwalls.
 - h) Guardrail.
 - i) Streetlights and fire alarms.
 - j) Street signs.
 - k) Tree planting and landscaping details
 - l) Details of any structure or feature proposed for control or retention of storm water runoff.
- c. The grading plans shall be drawn at a scale of one (1) inch equals forty (40) feet (1"=40') and may be prepared utilizing good quality sepia or mylar transparencies of the subdivision plans with the following information added thereto:
 1. Existing and proposed topography of all land included in the subdivision at a two (2) foot contour interval. The Planning Board may require contours at one (1) foot interval if the topography warrants.
 2. All existing and proposed surface drainage features.
 3. The edges and centerline, with stations, of all proposed roadways and existing streets.

4. If the topographic data was prepared from aerial photography, each plan shall contain the following certification:

“I hereby certify that this plan was compiled by photogrammetric methods from aerial photography dated _____, and meets or exceeds National Map Accuracy Standards. _____.”
(Date) (Engineer or Surveyor)

4. Performance Guarantee

Before approval of a definitive plan of a subdivision, the Board shall require that the construction of ways and the installation of municipal services be completed within two years of the date of the application. The Board requires the construction of ways and installation of municipal services in a subdivision be secured by a bond or surety as described below in clause “a” and the lots in a subdivision be secured by a covenant as described below in clause “b”:

- a. Final approval with bonds or surety. The applicant shall file a performance bond or deposit money or negotiable securities in an amount determined by the Board to be sufficient to cover 1) the full cost of constructing the ways and installing the municipal services, as estimated by the Engineer for the Planning Board, and 2) an amount equal to forty percent (40%) of the construction cost to provide for increases in construction costs during the term of the bond or surety and to cover the costs to the Town to obtain another contractor to complete an unfinished project. To assist the Board in determining the bond amount, the applicant shall submit to the Board a completed Form G (see Appendix A). The Engineer will review this estimate for the Planning Board before a final amount is established for the bond.
- b. Final approval with a covenant. The applicant shall prepare a Form D (see Appendix A) stating that no lot in the subdivision shall be sold and no building shall be erected thereon until the improvements shown on the plans and specified in Section IV are constructed and installed so as to serve the lots adequately. The definitive plan to be recorded shall acknowledge there is a covenant which runs with the land shown on said plan. The covenant, as approved in a separate vote of the Board and referred to on the plan, will be recorded in the Registry of Deeds at the time the definitive plan is recorded. When the subdivider has completed the required improvements shown on the plans and specified in Section IV for any lots in the subdivision, he may request a Release of Conditions for said lots. If the improvements have been completed to the satisfaction of the Board, the Board will then execute and deliver to the subdivider such Release, which shall be in a form suitable for recording in the Registry of Deeds (see Appendix A – Form E). Thereafter, the conditions relating to such lots so released shall terminate.
- c. Time for Completion. Every applicant shall state in his application the time within which he agrees to complete the ways, and install the public utilities, if any are required, in the subdivision, and approval of all plans shall be upon the condition that all ways shown thereon and public utilities required by the Board shall be completed and installed within the time so specified. The Board will decline to approve any plans unless the applicant agrees to complete the ways shown thereon and install the

public utilities aforesaid at least within two (2) years of the date of his application. If the ways in any subdivision are not completed and the utilities aforesaid installed within the time agreed to by the applicant or so required by the Board, no such way shall thereafter be laid out, constructed, completed or opened for public use unless and until a new application is filed with and approved by the Board.

5. Review by the Board of Health

The Board of Health shall report to the Planning Board, in writing, their approval or disapproval of the plans. In case of disapproval, the Board of Health shall make specific findings, the reasons for them, and, where possible, make recommendations for adjustments.

6. Public Hearing

Before taking final action on a definitive plan submittal, a public hearing will be held by the Board. The Board shall give notice of the public hearing by advertisement in a newspaper of general circulation in the Town in each of two successive weeks. The first notice shall be published not less than fourteen (14) days before said hearing. The applicant will be responsible for mailing copies of the hearing notice by certified mail, return receipt requested, to all owners of real estate abutting upon the land included in such plan or lying within one hundred (100) feet of any tract of land of the applicant any part of which is included in the proposed subdivision, all as appearing on the most recent tax list, and to all mortgagees of record, if any, known to the Board, of the land within the proposed subdivision. The Board will provide the notices of the public hearings to the applicant but the applicant shall arrange and pay for the transmittal of the notices to all abutters. The applicant shall make himself the return addressee on the return receipt and shall bring all receipts to the hearing for crosschecking against the certified abutters' list they previously provided to the Board. If an abutter was contacted by some means other than certified mail, the applicant shall provide proof of such contact. If the notice was not successfully delivered by certified mail, the intact letter shall be provided to the Board as proof of a "good faith" attempt at notification. Any objection to the sufficiency of the notice may be raised at the hearing.

7. Approval, Modification, or Disapproval

After the required hearing, and within ninety (90) days of submission of the definitive plans, the Board shall take final action thereon. The Board may approve, approve with modifications, or disapprove said plan. If the Board modifies or disapproves said plan, it shall state in its vote, the reasons for such action, and shall so notify the applicant. The action of the Board with respect to said plans, copies of which shall be filed with the Town Clerk, shall be by vote and sent by certified mail to the applicant. Final approval, if granted, shall be endorsed on the original drawings by the Board but not until the statutory twenty (20) day appeal period has elapsed following the filing of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. The Board will file notice of the action taken with the Town Clerk within fourteen (14) days of the vote of the Board or by the last day on which action must be taken, whichever occurs first. It is strongly suggested that the applicant assist the Board by obtaining signatures on the plans from those Town Boards/Agencies involved in the subdivision process prior to submittal of the plan to the Board for their endorsement. A sample format of the signature blocks required is shown on Form J (see Appendix A). In

the case approval of the definitive plans shall not constitute the laying out or acceptance by the Town of any ways within a subdivision.

8. Recording of Plan

After the return of the applicant of the definitive plans, as approved and endorsed, the applicant shall cause to be recorded at the Registry of Deeds and, in the case of registered land, with the Recorder of the Land Court, said plan with covenant, if any, and shall pay all fees and costs related to registry of the plans. After the Board approves such plans, or modifications thereof, it shall be recorded within six (6) months, or said approval will no longer be valid. Furthermore, the applicant shall notify the Board of such recording, submitting evidence thereof satisfactory to the Board. Upon receipt of notification of recording, the Board shall file one print of the definitive subdivision plans with the Building Inspector. Where approval with covenant is noted thereon, the Building Inspector shall issue no permit for the construction of a building on any lot within the subdivision, except upon receipt from the Board of a copy of the Certificate of Performance (see Appendix A – Form E) releasing the lot in question.

9. Revision of Definitive Plan

No revision or change of the definitive plans can be made without the prior approval of the Planning Board. This includes any revision of any nature whatsoever of the definitive plans. If the applicant desires to make revisions due to field conditions or for any reason whatsoever, he shall submit a print of the plan or plans to be revised with a colored pencil representation of the changes he proposes to make. The Board will consider such change in the same manner as consideration of the original plan, and approve, disapprove or modify the requested change with or without a public hearing as the Board may determine. The change as approved shall then be incorporated on the original definitive plans or a cloth reproduction thereof, and prints shall be filed as required of the original plan. The modified plan to be filed at the Registry of Deeds shall note that it supersedes a previously approved plan.

10. As-Built Plans Required

Before the Board will release the interest of the Town in a performance bond or surety or issue a release of the covenant, the applicant shall be responsible for, filing with the Board, as-built plans of the ways of the subdivision. The as-built plans shall be clearly identified as such, and shall include the profile plans and shall meet the requirements as to format and content as given for definitive plans. The profile plans shall contain as-built elevations along the centerline of the roadway at one hundred (100) foot intervals, at the rims, inverts, inlets and outlets of all drainage and sewer structures, and the approximate depths to installed municipal services. The as-built plans shall reflect the as-built conditions of all work and appurtenances constructed as a requirement of the subdivision and shall show the precise location, size, type, etc. of all municipal services installed as part of the subdivision, including but not limited to the components of water, sewer and drainage systems, other public utilities, elevations, slopes, street layout monuments, etc., as necessary to show that design requirements have been met and changes documented. The drawings shall also show the outline of all building foundations constructed on lots accessed by the subdivision roadway(s) and the locations of utility service connections to these buildings. If a structure accessed by the roadway(s) of the subdivision has an on-site sewage disposal system, the rim and invert elevations of

the septic tank and the location of the tank and leaching field will be provided on the as-built plans. As a condition precedent to the preparation of the as-built plans, the applicant shall engage the necessary engineering services to properly record the location of the municipal services installed, and the as-built plans shall contain a certification by such engineer that the municipal services were installed in the locations as shown on the plans. The as-built plans shall be submitted as a condition of the release of the bond or covenant, as required for the approval of the definitive plans, and as a condition of recommending acceptance of the ways by the Board at a Town Meeting.

11. Release of Performance Guarantee

Upon the completion of the improvements as shown on the plans and as required herein, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant may request and agree on terms of release with the Board, or he may send, by registered mail to the Town Clerk or Town Planner, a written statement in duplicate that the said construction or installation in connection with such bond, deposit or covenant, has been completed in accordance with the requirements contained in these rules and regulations, such statement to contain the address of the applicant, and the Town Clerk or Town Planner shall forthwith furnish a copy of said statement to the Board. If the Board determines that said improvements have been completed, it shall release the interest of the Town in such bond and return the bond or the deposit to the person who furnished same, or release the covenant by appropriate instrument (see Appendix A – Form E), duly acknowledged, with a copy to the Building Inspector. If the Board determines that said improvements have not been completed, it shall, within forty five (45) days, specify to the applicant, in writing, the details wherein said improvements fail to comply with its Subdivision Rules and Regulations.

12. Reduction of Bond or Surety

Upon written application of the applicant stating reasons therefore, in penal sum of any such bond, or the amount of any deposit held hereunder may, from time to time, be reduced at the discretion of the Board and the obligations of the parties thereto released by said Board in part. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required.

SECTION III
DESIGN STANDARDS

A. General

With respect to all subdivisions, the Board requires that the land shall be suitable for building without danger to health, that the proposed ways shall be suitably located to accommodate the prospective traffic and to afford adequate light, air and access, including access of fire fighting equipment, and other emergency vehicles to buildings and that said ways to be coordinated so as to compose a convenient system considering the prospective character of the development, and may require such provision for the construction and installation of ways and public utilities as in its opinion will justify the subdivision.

The specifications contained in this section shall be considered the minimum requirement of the Board. "MHD Specifications" referred to are the Commonwealth of Massachusetts, Massachusetts Highway Department "Standard Specifications for Highways and Bridges," latest edition.

B. Streets

1. Location and Alignment

- a. All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safe vehicular travel. Due consideration shall also be given by the sub- divider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- b. The proposed streets shall conform to the Master or Study Plan, as adopted in whole or in part by the Board, and street names shall be subject to approval by the Board.
- c. Provision satisfactory to the Board shall be made for the proper projection of streets, or for access to adjoining property, which is not yet subdivided.
- d. Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Board, such strips shall be in the public interest.
- e. Street intersections with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted without a specific waiver from the Board.
- f. Proposed streets shall intersect existing or and other proposed streets at right angles for a distance of at least 100 feet from the intersecting street lines. Minimum deviation by waiver from this requirement may be permitted by the Board if no alternative is proven.
- g. Sight Distance.
 - 1) All roadway design shall take into consideration safe sight distances not only at intersections but also along the traveled way, in accordance with appropriate AASHTO requirements. Clear sight distance shall take into account topography, density of dwelling units, and horizontal and vertical alignment.
 - 2) There must be an unobstructed sight distance along both approaches of both roads at an intersection and across their included corners for a distance sufficient to allow the operators of both vehicles approaching simultaneously to see each other in time to prevent a collision. The clear sight distance shall conform to the AASHTO requirements for sight distance at at-grade intersections for passenger vehicles (Case III-Stop Control on Minor roads and as shown in Figure 1,

Appendix B.) The sight triangles shown in Figure 1 shall be free of any obstructions which would block visual contact. Any object located within the sight triangle, including structures, trees, vegetation, fences, cut slopes and embankments, high enough to constitute a visual obstruction shall be removed or lowered. In plan view, the triangle is formed by measuring twenty (20) feet from the edge of pavement of the through street along the centerline of the proposed approach street. The intersection sight distance values (legs AB and BC) shall be as shown in the table below:

Design Speed-Through Street (Posted speed + 10 mph)	Intersection Sight Distance (AB & BC)
50 m.p.h.	500 ft.
45 m.p.h.	450 ft.
40 m.p.h.	400 ft.
35 m.p.h.	350 ft.
30 m.p.h.	300 ft.

- h. Way lines shall be parallel or concentric. In all cases, the centerline of the paved surface shall be coincidental with the centerline of the right of way, unless specifically excepted by the Board.
- i. Leveling areas having a maximum slope of one percent (1%) for 100 feet shall be provided at every intersection or terminus of Residential Feeder or Industrial streets. Leveling areas having a maximum slope of one percent (1%) for 50 feet shall be provided at every intersection or terminus of Local Residential streets.
- j. All changes in grade exceeding one half of one percent (0.5) shall be connected by vertical curves.
- k. Block length shall not exceed two thousand (2000) feet or be less than five hundred (500) feet.
- l. Pedestrian ways, bicycle paths or bridle trails up to fifteen (15) feet wide may be required by the Planning Board where deemed necessary, such as across through blocks of over hundred (800) feet in length.
- m. No cul-de-sac may be constructed off another cul-de-sac.
- n. Proposed streets must be located such that all setback requirements, with respect to existing buildings on abutting properties, are properly maintained.

2. Street Classification and Dimensional Requirements

- a. The following classification shall apply to the streets in a subdivision:
 - 1) Local Residential Streets are streets providing access to a maximum of ten (10) residential parcels and are to be designed primarily for passenger vehicles and light trucks.
 - 2) Residential Feeder Streets serve general residential areas connecting Local Residential Streets with existing town streets and highways and other existing or potential Local Streets.
 - 3) Industrial Streets are to provide access to and within commercial and industrial areas as they may exist or as they may be zoned. This classification is further divided into “Primary Industrial Streets” and “Secondary Industrial Streets.” A Primary Industrial Street serves as a major access into and/or through a commercial or industrial district. All other streets in such districts not qualifying as a Primary Street shall be defined as a Secondary Industrial Street.

- b. For the purpose of classification, all streets in a subdivision or planned unit development containing apartments or multi-family dwellings shall be considered as Residential Feeder Streets.
 - c. Streets shown on a residential subdivision plan submitted for approval, which may qualify as a Local Residential Street based on number of lots for the proposed subdivision, shall be classified as a Residential Feeder Street if the street may serve as access to more than ten lots upon future development of adjacent land areas.
 - d. The Board shall determine the classification of the various streets in a subdivision, using as a guide the above and the Master Circulation Plan of the Town as such plan provides at the time of submission.
 - e. Dimensional requirements shall be as shown in Table 1, Appendix B.
3. Subsurface Soil Data
- a. The Board may require subsurface soil information to evaluate the adequacy of the roadway design. Such information may include test pits, borings or probings along each proposed street, primarily at locations such as cut sections, areas of questionable foundation material, and areas of potentially high groundwater elevations. The requirement for and location of test points shall be established through a cooperative process between the engineer for the Planning Board and the engineer for the applicant. At a minimum, test pit data is required at locations every eight hundred (800) feet along roadway centerlines and in areas where the proposed final roadway grade is three (3) feet or more below existing grade. In addition, probings are required at twenty-five (25) foot intervals along the centerline and sideline where the roadway crosses areas of unsuitable material.
 - b. Borings and test pits shall be to a depth at least four (4) feet below finished grade and the boring logs submitted to the Board shall indicate their location, depth and existing ground elevation, a classification of the soil strata by depth, depth at which groundwater or rock is encountered, if any, and the date of the test.
 - c. Probings shall be used to determine the depth of unsuitable material and the data shall be submitted to the Board on one-inch equals twenty feet (1"=20') scale drawings showing the roadway centerline (with stations) and sidelines, and test locations with existing ground elevations and the depths of unsuitable material.
 - d. All subsurface soil investigations shall be made in the presence of a representative of the Board, their designated engineer or the Town Planner.
 - e. All soil logs to be submitted to the Board shall be stamped by a Registered Professional Engineer.
4. Dead-End Streets
- a. Dead-end streets shall be defined as: A permanent or temporary, dead-end street, or series of dead-end streets intersecting with each other in such a way as to provide sole access to and from an existing street, for not more than eight dwellings, total. This category, is meant to include, but not be limited to cul-de-sac, loop, hammerhead turnarounds, and other dead-end street types.
 - b. Dead-end streets shall not be longer than six hundred (600) feet unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. The length of a dead-end street shall be measured along its centerline, from the sideline of the existing, intersecting way to a point on the turnaround which is the farthest point from sideline of the existing way.

- c. Dead-end streets shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred (100) feet, and a property line diameter of at least one hundred and twenty (120) feet.
- d. Through streets indicated on the plan, that are not constructed to provide for through traffic, shall provide for temporary turn-arounds of the same dimensions as above, before any houses on such streets shall be occupied.
- e. Any easement in a turn-around other than an easement appurtenant to a lot abutting the turn-around shall terminate upon the approval and recording of a plan showing extension of said way, except in such portion of said turn-around as is included in said extension, and upon the recording of a certificate by the Board of the construction of such extension.

C. Subsurface Drains and Stormwater Management

1. Subsurface Drains or Subdrains

In areas where the finished grade of the roadway is less than four (4) feet above the water table or in areas where less than four (4) feet of fill is placed above water in swampy places or any standing water, or in other areas, where in the opinion of the Board the roadway subgrade or slopes in cut sections must be drained, a system of subdrains shall be designed for such areas. Subdrains shall be installed in all ledge cuts, and shall extend at least fifty (50) feet beyond the limits of such cuts. The subdrain shall consist of a minimum of one longitudinal drain for each side of the paved roadway. In addition, laterals may be required as directed by the Board in areas in which an undue amount of water could accumulate in the subgrade or within the slopes of cut sections. The system of subdrains shall be discharged into the storm drain system or otherwise disposed of in a manner satisfactory to the Board.

2. Stormwater Management

- a. General – The proposed storm water drainage system shall not contribute pollutants to existing storm water systems, surface waters or groundwater on or off the site. The proposed storm water system shall also have no adverse impacts on adjacent property by creating ponding, significant changes in the water table or increases in water discharge as noted herein.

Storm water drainage systems shall implement “Best Management Practices” and conform to the guidelines described in these Rules and Regulations and Massachusetts Department of Environmental Protection (DEP) Stormwater Management Policy.

Plans and calculations shall be developed in coordination with the Board, Planning Director, Town Engineer and the Conservation Commission. The following objectives shall guide the design:

- 1) Ensure no increase in the rate and volume of run-off from pre-development to post-development conditions.
- 2) Protect existing abutting homes and property.
- 3) Prohibit direct discharges into any water body or resource area.
- 4) Enhance groundwater recharge.
- 5) Create aesthetically pleasing designs which minimize disruption to existing natural and topographic features on the site and enhance views of the natural environment.

- 6) Minimize future maintenance of the system.
- 7) Ensure public safety.
- b. Design requirements – The storm drainage design shall be prepared by a Professional Engineer registered in the Commonwealth of Massachusetts and his stamp shall appear on all drawings, computation sheets and working plans submitted to the Planning Board for review.
Design of the storm water drainage system shall consider the entire tributary watershed.
- c. Calculations – Provide calculations demonstrating that the peak rate and volume of storm water run-off leaving the post-development site will not exceed that leaving the pre-development site for the 2-, 10-, 25- and 100-year storm events. Design calculations to determine the size of all pipes, culverts and basins shall be submitted to the Board for review. Calculations shall be clearly organized, detailed and accompanied by a written narrative.
Sizing of the piping system shall be based on the Rational Method. Storm water run-off shall be determined by using methods developed by the U.S. Soil Conservation Service (SCS). Drainage calculations shall include a drainage plan showing tributary areas, downstream areas affected by run-off, soil types and surficial cover characteristics (e.g., forest, grass, pavement) for both pre- and post-development conditions.
- d. Drainage System – A complete storm drainage system shall be designed for each street. The drainage system shall intercept storm water from adjacent lots, permit unimpeded flow of all natural waterways, and eliminate undesirable or unnatural accumulation of water on any portion of the subdivision or surrounding property. The storm drainage system shall include pipe, catch basins, manholes, channels/swales, culverts, headwalls and all other related items that may be required to complete the system to the satisfaction of the Board. Should said system require connection to the municipal system on land outside the subdivision, proof of necessary easements and written approval from the Highway Superintendent must be provided to the Board.
- e. Drainage Structures
 - 1) Drains – Drain pipes shall be designed for the twenty-five (25) year storm event. The minimum velocity at design flow will be 2.5 feet per second (fps). The maximum velocity for all pipes shall be 10 fps. A minimum of 2.5 feet of cover shall be required over drain pipes. Drain pipes shall be reinforced concrete (Class III minimum) and have a minimum diameter of 12 inches. Where adjacent property is not subdivided, provision shall be made for extension of the drainage system by continuing pipe to the boundary of the subdivision and providing a manhole for proper future connection.
 - 2) Culverts - Culverts shall not be designed as drains with slope considerations. Culverts shall be designed for the one hundred (100) year storm event and on the assumption that the entire drainage area is built up to the density allowed by the current zoning bylaws. Calculations to determine the size of the culvert as well as headwater, tailwater, entrance and discharge conditions must be provided. The minimum culvert size shall be 18 inches. Culverts shall be reinforced concrete pipe (Class III minimum).

- 3) Headwalls - Concrete or rubble masonry headwalls shall be provided at both ends of culverts and the discharge ends of storm drains. Storm drain and culvert discharges should be designed with inverts above "normal tailwater" elevation. Headwalls shall be set on a 6 inch thick layer of ¾" to 1-½" crushed stone. They shall conform in all respects to MHD Specifications.
- 4) Scour/Erosion Protection - The discharge ends of all drains shall be protected with a rip rap apron having a width of not less than three times the nominal diameter of the pipe which shall extend not less than ten times the nominal pipe diameter from the end of the discharge pipe. Rip rap aprons shall consist of a layer of stone conforming to MHD specification M2.02.3. Rip rap aprons shall be set on a 6 inch thick base layer of ¾" to 1-½" crushed stone and be of appropriate depth (thickness) to provide a stable and durable area to dissipate discharge velocities. Where the Board has approved exit velocities greater than 8 fps, a stilling basin of suitable design shall be provided in addition to the required rip rap aprons.
- 5) Channels/Swales – The one hundred (100) year storm event shall be used for design of channels/swales. When earth and stone-paved open channels/swales are used, the typical section should have a flat bottom and side slopes no steeper than 3:1 (horizontal to vertical) with the top of the slope at least one foot higher than the design water surface. The velocity allowed in an open earth channel/swale at design flow shall not exceed 6 fps. Whenever possible, channels/swales shall be grassed to promote aesthetics and contaminant removal.
- 6) Inlets - Inlets shall have an adequate waterway opening to pass the design runoff for a twenty-five (25) year storm event with not more than 0.2 ft. of surcharge. Grates and frames shall be cast iron suitable for the loads which can occur either during the construction or afterward. Inlets shall be constructed of reinforced pre-cast concrete sections conforming to MHD Specifications. Inlets shall be set on a minimum 6 inch thick layer of ¾" to 1-½" crushed stone. Inlets shall be used in off-street locations and the grate frame shall be mortared in position with the top 0.2 ft. below the grade of the surrounding finished ground surface.
- 7) Catch Basins - Drain inlets located in streets shall be reinforced pre-cast concrete catch basins with a minimum sump of 48 inches. Catch basins shall be located in pairs, one on each side of the road, at all low points or sag curves in the roadway, at intervals of not more than three hundred (300) feet on continuous grades of the roadway, and at or near the corners of the roadway at intersecting streets as required to collect the storm water runoff. Catch basins shall be located along edges of pavement but shall not be located within driveway curb cuts or at sidewalk handicap access ramps. Catch Basins shall be set on a minimum 6 inch thick layer of ¾" to 1-½" crushed stone. Series connections between catch basins shall not be allowed unless approved by the Board.
- 8) Manholes - Manholes shall be constructed of reinforced pre-cast concrete and be provided with a solid cast iron frame and cover. A manhole shall be used at every change in pipe size or direction, either vertical or horizontal, and at all pipe intersections. Manholes shall be installed at intervals not to exceed 300'. The word "Drain" shall be cast into the manhole covers. Manholes shall be set on a minimum 6 inch thick layer of ¾" to 1-½" crushed stone.
At manholes where the outlet pipe is larger than inlet pipe, the crown of the outlet pipe shall be at the same elevation or lower than the crown of the lowest inlet pipe. Where inlet and outlet pipes are of the same diameter, the crown of the outlet pipe

shall be a minimum 0.2' below the crown of the inlet pipe. A shaped invert is not required but the bottom of the manhole shall be finished at the same grade as the outlet pipe invert.

Inlets, catchbasins and manholes shall conform in all respects to MHD Specifications.

- f. Drainage Basins – Detailed plans for all detention/retention basins and pre-treatment basins are required. At a minimum, they shall include cross sections, soil profiles, seasonal high groundwater elevation, stormwater control structures, and emergency overflow. Drainage basins shall conform to the following requirements:
- 1) Subsurface detention/retention basins shall not be permitted without a specific waiver from the Board. In order for the Board to consider such a waiver, the Applicant must satisfy the Board that an open-air basin is not feasible, logistically.
 - 2) Bottom of basin shall be a minimum of two (2) feet above seasonal high groundwater level and shall be vegetated to promote filtration and removal of contaminants. Permanent standing water is discouraged unless the basin is located adjacent to or hydrogeologically connected to a wetland or water body.
 - 3) Pre-treatment shall be provided to remove contaminants from the stormwater prior to entering a detention/retention basin. Contaminants to be removed include sediment, grit, oil and debris. Pre-treatment facilities may include lined siltation basins, sediment forebays, oil/water separators and oil/grit separators. Oil/water and/or oil/grit separators shall be provided for all parking lot drains with paved areas in excess of 1,000 square feet. No water will be permitted to recharge or leach into the ground without pre-treatment for removal of oil and sediment.
 - 4) Basins shall be designed to retain the one hundred (100) year storm event with at least one foot of freeboard at the maximum water level. The one hundred (100) year storm water level shall be shown on the plans. All basins shall be designed with an emergency overflow spillway with appropriate erosion protection.
 - 5) Retention facilities shall be designed to retain stormwater for a minimum of twenty-four (24) hours and dissipate within seventy-two (72) hours based on the infiltration rate of the soil. Infiltration rate used for design shall be twenty-five (25) percent of the measured percolation rate (e.g. percolation rate=2 min/in., infiltration rate=8 min/in.).
 - 6) Test holes will be required for all basins to determine soil profile and seasonal high ground water level. Percolation tests will be required for any basin or leaching facility designed for recharge of stormwater into the ground.
 - 7) Detention basins shall be designed for optimum contaminant removal by maximizing the distance from inlet to outlet.
 - 8) Side slopes in basins shall not exceed 3:1 (horizontal to vertical) and the maximum depth of a basin shall not exceed five (5) feet. Fences or vegetative screening around basins may be required by the Board.
 - 9) All inlets and outlets shall be equipped with stainless steel bar/trash racks to prevent entry by children and animals.
 - 10) Basins and associated outlet aprons and swales shall be incorporated into separate land parcels exclusively for purposes of stormwater management.
 - 11) An access road that allows maintenance equipment full access to the pre-treatment facility, detention/retention basin, inlets, outlets and emergency spillway shall be provided.

- 12) Basins shall have emergency outfalls with rip rap aprons to provide energy dissipation and erosion protection. Outfall invert elevations should be above the one hundred (100) year stormwater elevation.
- 13) A fifty (50) foot buffer zone of existing vegetation shall be retained between all basin components and adjacent uses, structures and parcel property lines. A thirty (30) foot buffer zone of existing vegetation shall be retained between all point source discharges of stormwater and surface waters and/or wetlands.

D. Easements

1. Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least twenty (20) feet wide, centered on the installed utility. More than one utility may be allowed in one easement. Additional widths shall be provided, if required by the Planning Board, for construction equipment and/or site conditions. The Board may allow easements adjacent and parallel to street lines if required for electric, telephone, cable television and fire alarm conduit installation. Slope easements shall be provided where necessary to insure roadway shoulder slope stability.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a storm water easement or drainage right of way of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, and to provide for construction and maintenance or other necessary purposes over such areas.
3. Wherever a drainage way, water course, channel or stream extends beyond the exterior boundary of a subdivision whether on land of the applicant or land of other ownership, the Board may require that there be provided a stormwater easement or drainage right of way of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, and to provide for construction and maintenance over such land or lands.
4. No building shall be erected or constructed within an easement.
5. The applicant shall supply certified copies of all easements which are of record at the time of filing. Prior to the recording of a definitive plan, the applicant shall supply to the Board the original grants of easements to be recorded with the definitive plan. The applicant is responsible for recording all easement documents following endorsement of the definitive plan by the Board. Proof of recording shall be submitted to the Board within thirty (30) days of endorsement of the plan.

E. Preservation of Existing Natural and Cultural Features and Sites

1. Due regard shall be shown for all natural features, such as large trees, water courses, stone walls, scenic points, historic sites, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision.
2. In order to preserve as much of the natural vegetation as possible, the Applicant shall remove only those trees that are absolutely necessary for the construction of the ways, structures and utilities. Cuts and fills for roadway construction shall be done in a manner that preserves natural vegetation wherever possible. The Applicant shall take all appropriate measures to protect those trees that are to remain and shall mark those trees to be removed.

3. Existing contours shall be preserved in so far as practical. In any event, no change shall be made in existing contours, which adversely affects any land abutting the proposed subdivision. Subdivisions shall be designed so as to minimize the necessity for excessive cut or fill.
4. Stone walls shall not be removed or buried unless approved by the Board and shall be reconstructed and used in subdivision design.
5. Historic, natural and cultural sites may include houses and other buildings, foundations, industrial sites, etc., surveyed by the Historical Commission or eligible to be surveyed by the commission, archeological sites, trails and paths related to both the Native Americans or the early history of the town and the country. To determine the importance of such historic, natural and cultural sites the Planning Board may require the developer to provide a report on the historical, cultural and/or natural significance of the site, at developer's expense, by a person of competent expertise to make such a report.

F. Public Utilities

1. Before approving subdivisions, the Board will require that the applicant show that there is, available to the subdivision, suitable in quantity and quality, water supplies, electric, gas and other utilities which the Board may deem necessary under Section III, A.
2. All sewers, surface water drains, water, and gas pipes, electric, telephone and cable television (exclusive of transformers) and fire and police alarm wires within the limits of a way shall be placed underground and shall be installed after the way has been constructed to subgrade but before the base course of pavement is installed.
3. Connections for sewer, drain, water, gas, electric, telephone and cable television service from the main structure on the way to the exterior line of the way, shall be constructed for each lot whether or not there is a building thereon, except that the Board may waive such requirement, in whole or in part, in the case of a lot to be used for a park, playground or for any other purpose for which, in the opinion of the Board, such connections shall not be required.
4. Streetlights will be installed and located on a suitable wood or aluminum pole. The number of streetlights, spacing, materials specifications and construction methods shall be in accordance with, and approved by, the local electric utility company.
5. With the exception of storm drains, for which design criteria are established herein, all public utilities shall be designed in accordance with the requirements established by the utility company, Town Board or Department having jurisdiction over the separate utility and approved by the Engineer for the Board.

G. Lots

1. Lots shown on the plan shall comply with the area, frontage, width, and other requirements of the Rockland Zoning Bylaw applicable or in force at the time of application. All portions of the tract being subdivided shall be taken up in lots, streets, public lands, or other proposed uses, so that remnants and landlocked areas shall not be created.
2. Lots shall not be clear cut, and shall not be cleared prior to the establishment of the binder course of pavement on the roadway. All clearing shall be done in accordance with the approved Erosion and Sediment Control Plan as specified under Section III.H of these Rules and Regulations.

H. Erosion Control

1. A soil erosion and sediment control plan shall be included with the definitive plan submission for approval by the Board. The soil erosion and sediment control plan shall contain acceptable provisions to adequately control erosion and sedimentation on the site based on the best available technologies.
2. The soil erosion and sediment control plan shall be prepared by a registered professional engineer and consist of a map identifying affected and altered areas and a narrative. The map shall show superimposed on “existing conditions sheets” the following:
 - a. Existing and proposed topography at 2 foot intervals, identifying areas of cut and fill and planned grades and slopes.
 - b. Soil types.
 - c. Areas of proposed disturbance including cleared, excavated, filled or graded areas, proposed roadways, drainage system areas, and general areas to be developed.
 - d. Location and design details for all proposed soil erosion and sediment control measures.
3. The narrative shall address the following in detail:
 - a. Areas subject to flooding or ponding.
 - b. Proposed surface drainage system description.
 - c. Proposed grading and permanent vegetative cover.
 - d. Protection of existing vegetation to be preserved.
 - e. Relationship of development to topography.
 - f. Proposed alterations to shorelines, marshes and wetlands.
 - g. Flood control easements.
 - h. Wetlands impact.

I. Summary Data

1. The applicant shall submit the following data:
 - a. Soils data including test pit logs, boring logs and seasonal high water table
 - b. Drainage calculations as specified in Section III.C.2
 - c. Soil erosion and sediment control plan as specified in Section III.H
 - d. Population and school enrollment
 - e. Water use
 - f. Sewerage flow
 - g. Traffic study
 - h. Wildlife.

SECTION IV
CONSTRUCTION SPECIFICATIONS

A. General

The specifications contained in this section shall be considered the minimum requirement of the Board. "MHD Specifications" referred to are the Commonwealth of Massachusetts, Massachusetts Highway Department "Standard Specifications for Highways and Bridges," latest edition.

B. Order Of Construction And Notification Of Commencement Of Work

1. The Planning Board, Town Engineer and all affected Town departments and public service utility companies shall be notified in writing at least 2 work days prior to the commencement of each of the following:
 - a. Installation of temporary erosion control facilities
 - b. Clearing and grubbing
 - c. Grading
 - d. Installation of storm drainage facilities including vegetation of all stormwater basins
 - e. Installation of water and sanitary sewer facilities
 - f. Excavation for underground gas, electric, telephone, cable television and fire alarm systems
 - g. Placing of material for sub-base
 - h. Spreading of gravel in or above sub-base
 - i. Installation of curbing and curb inlets
 - j. Laying of bituminous concrete binder course
 - k. Construction of retaining walls
 - l. Spreading of gravel in sidewalks
 - m. Laying of bituminous concrete or cement concrete for sidewalks and aprons
 - n. Final grading of slopes
 - o. Spreading of loam for grass plots
 - p. Laying of bituminous concrete top course
 - q. Setting of bounds

The order of tasks outlined above shall be followed as near as possible during construction. Stormwater basins shall be constructed and vegetated prior to any road construction.

2. Work commenced without notification as stipulated above shall be performed at the developer's own risk. Any work performed by Town Engineer or his designee necessitated by lack of proper notification shall be at the developer's expense.

C. Roadway – Clearing, Grubbing and Subgrade

1. No construction of any type nor clearing of existing vegetation may take place on a parcel for which a subdivision is proposed until a definitive plan approved by the Board has been recorded in the Registry of Deeds and proof of such recording has been presented to the Board.

2. Each way appearing on the plans shall be constructed for its full length and width in conformity with these specifications and the cross section shown on the typical road cross section in Appendix B.
3. The maximum width of clearing allowable for roadway construction is the width of the right of way for said roadway.
4. The entire width of the way shall be cleared of all top soil, subsoil, peat, brush, stumps, other unsuitable material and all trees not intended to be preserved. Trees intended to be preserved shall be protected by suitable boxes or fenders or wells if in fill. Applicants are strongly urged to maintain as much natural vegetation on the site as is practicable, especially mature trees beyond the curb line of the proposed road but still within the right of way.
5. All ledge or large boulders shall be removed to a depth of thirty-six (36) inches below the finished grade of way.
6. All fill and undisturbed soils within four (4) feet of the finished grade shall be non-frost susceptible and shall not contain more than three (3) percent passing the 0.02 millimeter sieve to a minimum depth of four (4) feet below the finished grade.
7. The entire width of the way shall be brought to subgrade as shown on the cross section plan. The subgrade shall be prepared to required lines and grades, and all fill shall be constructed in six (6) inch lifts. The subgrade shall be compacted to a minimum of 92% of maximum dry unit weight and at, or near, optimum moisture content as determined by the ASTM D 1557-66T, Method D. Preparation of the subgrade shall be approved by the Planning Board Engineer before any subsequent construction is permitted.

D. Installation of Public Utilities and Drainage

1. Time of Installation

All utilities, drainage, house connections and other incidental underground pipes, lines, wires, or conduits shall be installed as soon as the subgrade is completed and before any gravel is placed.

2. Water Service

Watermains and their appurtenances, including service connection and hydrants, shall be installed in accordance with the requirements and specifications of the Abington / Rockland Joint Water Works or their Agent and as shown on the approved plans.

3. Drainage System

The subsurface drainage system, subdrains, catchbasins, manholes and drain outfalls shall be installed to line, grade and location as shown on the approved plans. In cases where water is encountered in the trench excavation, the Engineer for the Board may require that the pipe be embedded in three-eighths inch (3/8") washed stone (conforming to Section M2.01.4 of MHD Specifications) to twelve (12) inches over the top of the pipe. The installation of the storm drainage system, including the method of construction and the quality of material used, shall conform to MHD Specifications and these Rules and Regulations. Drain piping, catch basins and manholes shall not be backfilled until inspected and approved by the Town Engineer or his designee.

4.

4. Sanitary Sewer System

If a sanitary sewer system is required to be installed, all materials and construction methods shall conform to the requirements of the Rockland Sewer Commission, and the installation shall be inspected and approved during construction by the Engineer for the Sewer Commission.

5. Underground Gas, Electric, Telephone, Cable Television and Fire Alarm Systems

Underground utilities shall be installed as required in accordance with the specifications of the Utility Company, Town Board or Department having jurisdiction over the separate utility and approved by the relevant Board's or Department's Engineer or Agent.

E. Completion of the Roadway

1. Curbing

- a. Vertical granite curbing shall be provided along both sides of the way. When a road in a subdivision intersects with an existing roadway that does not have curbing, a six (6) foot section of granite curbing, which slopes down to existing ground, will be provided on both sides of the intersection along the existing street. Granite curb shall conform to material and construction methods of Section M9.04.1 for Type VA4 curb of MHD Specifications. Granite curb inlets shall be provided at all catch basins.
- b. Mortar for pointing joints shall be composed of equal parts of air entraining cement and sand with sufficient water to form a workable mixture. The materials shall conform to the requirements of ASTM C-91 and C-144.

2. Roadway Base

After installation of utilities, the gravel base course shall be prepared to lines and grades. The gravel base shall consist of a minimum of ten (10) inches of well graded gravel conforming to M1.03.0, Type c of MHD Specifications, topped with a minimum four (4) inches of dense graded crushed stone conforming to M2.01.7 of MHD Specifications. The base course shall be constructed in maximum lifts of six (6) inches and shall be compacted to a minimum of 95% of maximum dry unit weight and at, or near, optimum moisture content as determined by the ASTM D 1557-66T, Method D.

3. Roadway Surface

All roadways shall be paved with Class I Bituminous Concrete, Type I-1, in two (2) courses (a binder course and a wearing course) to the widths and depths required in Table 1 of Appendix B. Materials and construction methods shall comply with Section 460 of MHD Specifications.

F. Sidewalks

Sidewalks shall be five (5) feet wide of either cement or bituminous concrete. Sidewalk base shall consist of six (6) inches of gravel conforming to M1.03.0, Type c, and two (2) inches of gravel conforming to M2.01.7 of MHD Specifications. Sidewalk pavement shall consist of two (2) courses (2" binder and 1" finish) of bituminous concrete, or four (4) inches (six (6) inches at driveways) of cement concrete, placed over the compacted gravel base. Materials and construction methods shall comply with the above and Section 701 of MHD

Specifications. The location and slope shall be as shown on the typical road cross section in Appendix B.

G. Grass Plots

All unpaved areas within the limits of the right of way shall be dressed with screened loam, rolled and seeded. The depth of loam in these areas shall be six (6) inches, and the location and grading shall be as shown on the typical road cross section in Appendix B.

H. Shade Trees

Shade trees, of species and size as directed by the Board, shall be retained or planted. There shall be at least three (3) trees for every one hundred (100) feet, spaced evenly, on each side of the street. They shall be located as directed by the Board or the Tree Warden. The usual location will be five (5) to six (6) feet behind the sidewalk. Trees to be planted shall have a minimum height of twelve (12) feet with eight (8) foot head clearance and shall be at least three (3) inch caliper at forty-two (42) inches from ground level.

I. Side Slopes

The area outside the right of way shall be sloped at a rate not exceeding three (3) horizontal to one (1) vertical in cut sections. This slope shall be carried to meet the grade of the existing ground. In fill sections, this slope shall not exceed four (4) horizontal to one (1) vertical, and shall also be carried to meet the grade of the existing ground. All such slopes shall be loamed, rolled and seeded in accordance with the requirements of Section IV-F.

J. Retaining Walls

When the final grades cannot be constructed according to the above slope ratio, a retaining wall shall be constructed. The design and type of wall construction shall be submitted to the Planning Board for approval prior to installation. Retaining walls shall be located outside the street layout lines of the development in order to support the street or the adjacent land. Retaining walls shall be constructed in accordance with MHD Specifications.

K. Fire Alarms and Hydrants

Fire alarm cable, pedestal, and box shall be provided, placed, installed and wired by the applicant under the supervision of the Superintendent of Fire Alarms and the Department. The applicant shall make all necessary arrangements with the Chief of the fire Department for installation and supervision, and any expenses incurred by the Town on the above shall be paid by the applicant. Fire hydrants shall be so located that no hydrant is more than three hundred and fifty (350) feet away from the nearest hydrant. The location of hydrants shall be approved by the Rockland Water Department and shall also have the approval of the Chief of the Rockland Fire Department. The actual installation shall be by the applicant.

L. Monuments

Precast concrete or granite monuments shall be set on both sidelines of the roadways at all angle points, beginnings and ends of all curves, and at any other points as directed by the Engineer for the Board so as to properly bound the right of way for acceptance by the Town of Rockland. These concrete or granite monuments shall be a minimum of three (3) feet in length, dressed to five (5) inches square on the top, with a three eighths inch (3/8") drill hole in the center of the top. These bounds shall be set so that the top is even with the finished grade, and they shall not be set until after all construction, which could disturb the bound, is completed.

M. Street Signs

Street signs of the type commonly used on public ways in the Town of Rockland, in accordance with MHD Specifications, and bearing the names of the intersecting streets as indicated on the Definitive Plan, shall be erected at all intersections of streets in the subdivision. Such signs shall be subject to the approval of the Board. Upon commencement of construction, a temporary street sign(s) shall be erected at all intersections in a subdivision, for purposes of safety, as an aid to emergency vehicles, which may have to report to the site.

N. Cleaning Up

After the completion of all construction, the entire area of the subdivision shall be cleared of all debris and objectionable materials, and all catch basins, manholes and headwall inlets and outlets shall be cleaned to insure unrestricted flow of drainage through the subdivision. Following completion of this clean up, the Engineer for the Board will make a final inspection.

SECTION V **INSPECTIONS**

A. General

All work performed as a consequence of these Rules and Regulations shall be subject to the review of the Board, which shall approve and accept, or disapprove and reject, each phase or portion of such work, and at completion, shall recommend the acceptance of all work or disapproval of the work with reasons therefore. The Engineer for the Board will act as its agent in the inspection of the work to insure compliance with these Rules and Regulations and the Definitive Plan or Site Plan evolved there from, and to report to the Board his recommendations as to approval or disapproval of the work. The Engineer will make inspections as hereinafter prescribed to check the adequacy of the work at various stages prior to such work being covered by subsequent work. However, the Board, its Engineer, the Town Planner and such other persons as the Board may designate, reserve the right to inspect the work at any time. Therefore, the applicant shall, at all times, maintain safe and convenient access to all areas for inspection purposes. All work, which has been disapproved or is not acceptable to the Board, shall be corrected to comply with the requirements of the Board for acceptance. The Board shall consider any work, which has been covered prior to inspection and acceptance, thereby making inspection difficult, as not acceptable. Such work shall be uncovered as directed by the Engineer and made available for proper inspection as required herein. The release of the performance guarantee shall depend on acceptance of all work prescribed herein. At points indicated in Sections III and IV, and as further described hereinafter, the Engineer shall inspect construction and materials for the Board or other authorized agent, and no further work may be started unless and until written approval at each such point has been given.

B. Pre-Construction Meeting

The Applicant shall schedule a pre-construction meeting with the Planning Board, the Planning Board's Engineer, the Applicant and Applicant's contractor prior to commencement of any work on an approved project.

C. Notification to the Engineer

1. The applicant shall notify the Engineer for the Board directly at least forty eight (48) hours in advance that the work has progressed to a stage where an inspection is required.
2. If, at the time of inspection, the Engineer finds that the work is not at the proper stage of completion or that the work has been covered or otherwise obscured, he shall notify the applicant and the Board of his requirements to make the work ready or available for inspection. The applicant shall notify the Engineer again when the work is ready as prescribed in Section V-C-1.
3. The applicant shall be liable for all costs and fees incurred by the Board as a result of a request by the applicant for an inspection of work, which in the opinion of the Board, was not at an acceptable stage of completion for such inspection.

4. The inspection of the work shall not relieve the applicant of any of his obligations to fulfill the requirements of any part of the construction specifications.

D. Lines and Grades

1. Prior to the inspection of any phase of the work, it shall be the applicant's responsibility to provide sufficient line stakes and grade stakes to insure that a proper inspection may be made. These horizontal and vertical control stakes must be laid out to conform to the lines and grades shown on the approved Definitive Plans, Site Plan or any approved amendment thereto.
2. The Engineer will advise the Board at any time during construction that he believes the work has not been laid out to conform to the lines or grades shown on the approved plans. In such cases, the Board may employ a Registered Land Surveyor to check the lines and grades. The applicant shall pay all costs incurred by the Board as a result of checking the work.

E. Inspections of Required Improvements

The Engineer will make the following inspections of the required improvements for the Board or other authorized agent. Additional inspections may be made or caused to be made by the Board when, during construction, it is believed warranted. As indicated in Section V-C-1 of these Rules and Regulations, it is solely the responsibility of the applicant to contact the Engineer for the Board and arrange for his presence at the site to conduct an inspection.

1. First Inspection. When all clearing, grubbing and excavation of topsoil, subsoil, and other unsuitable material have been completed, an inspection will be made. No fill shall have been placed prior to the time of this inspection.
2. Second Inspection(s). An inspection will be made of the completed drainage system, before backfilling. It may be necessary, if the drainage system is of significant size, to inspect the system in various sections during construction and prior to backfilling of each section. The applicant, who shall give proper advance notice to the Engineer as required in Section V-C-1, shall determine the frequency of inspections. Backfill of any portion of the drainage system shall not be made until after receipt of written notification of approval by the Engineer or the Board or their authorized agent. At the same time, or at such other time as the work may be available, an inspection will be made of the completed water, sewer, gas, fire alarm, electric, telephone and cable television (as applicable). This may be accomplished in sections as with drainage inspections. Backfill of any of the above utilities shall not be made until after receipt of written notification of approval by the Engineer or the Board. Installation of some of the aforementioned utilities may require supervision by the authorized agents of some of the other Town Boards or utility companies, so contact with the appropriate Boards and utility companies should be made before undertaking the installation of the utility they are responsible for.
3. Third Inspection. After all utility trenches have been backfilled and compacted, and the road subgrade has been prepared, an inspection shall be made. The gravel base course shall not be placed until after receipt of written notification of approval of the prepared subgrade by the Engineer or the Board.

4. Fourth Inspection. After placing, shaping and compaction of the gravel base course has been completed, as required in Section IV-E-2, an inspection shall be made. Where precast concrete or granite curb is to be used, it shall be installed prior to this inspection.
5. Fifth Inspection. An inspection shall be made during placement of the bituminous concrete base course. The Engineer shall verify that the temperature¹ and thickness of the bituminous concrete is in accordance with MHD Specifications and these Rules and Regulations. No paving shall take place during inclement weather as determined by the Engineer.
6. Sixth Inspection. An inspection shall be made during placement of the surface course of bituminous concrete. The Engineer shall verify that the temperature¹ and thickness of the bituminous concrete is in accordance with MHD Specifications and these Rules and Regulations. No paving shall take place during inclement weather as determined by the Engineer.
7. Seventh Inspection. An inspection shall be made after completion of sidewalks, grass plots, side slopes, and placement of monuments and street signs.
8. Eighth Inspection. A final inspection shall be made of all subsequent work required herein, and will include final cleanup.

F. Engineer's Report

1. After each inspection is made, the Engineer shall submit a completed report to the Board. Such report will be written on a copy of the form herein given (see Appendix A – Form F) or on a similar form.
2. If the Engineer determines that the work has been performed in accordance with these Rules and Regulations and the Definitive Plans or Site Plan, he shall so certify on the report form. In the event that the Engineer determines that the work is not acceptable, he shall so certify on the report form and give the reasons therefore. His recommendations for corrections or improvements to make the work acceptable shall be included in the report.

G. Inspection Expenses

The applicant shall pay for all expenses to the Town resulting from an inspection activity on behalf of the Planning Board, and no bond or condition shall be released until the applicant has paid all such expenses to the Town.

¹ Temperature of bituminous concrete during placement shall be between 250° F and 320° F.
Rockland Rules & Regulations

SECTION VI
ADMINISTRATION

A. Waiver of Compliance with Requirements

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

B. Laying Out Ways in a Subdivision as Public Ways

Approval of a Definitive Plan shall not constitute the laying out or acceptance by the Town of any way shown on such plan as a town way, or the establishment as a public improvement of any reserved area, work or improvement in the subdivision shown on the plan. The ways shown on such plan shall not become public ways unless and until laid out and accepted under the provisions of Section 21 to 24 inclusive of Chapter 82 of the General Laws, or Acts in amendment thereof or substitution therefore.

C. Validity

The validity of any section or portion of a section or of any provision of the foregoing Rules, Regulations, and Requirements shall not affect the validity of any other section, portion of section or provision thereof.

SECTION VII
AMENDMENTS

- | | |
|----------------------|--------------------|
| A. Adopted: | March 24, 1976 |
| B. First Amendment: | September 6, 1989 |
| C. Second Amendment: | March 14, 1990 |
| D. Third Amendment: | September 13, 2006 |

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APPENDIX A

INDEX TO FORMS

- A. Application for Endorsement of Plan Believed Not to Require Approval
- B. Application for Approval of a Preliminary Plan
- C. Application for Approval of Definitive Plans
- D. Covenant
- E. Certificate of Performance
- F. Report of Inspection for Construction of Required Improvements
- G. Construction Cost Estimate for Performance Guarantee
- H. Agreement to Terms of Payment for Professional Assistance to the Town of Rockland Planning Board
- I. List of Items Submitted for Review and Notice of Filing for Town Clerk
- J. Sample Signature Blocks
- K. Plan review Form – Request for Review Comments
- L. Site Plan Review Application

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FORM A
APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL
(See Section II, B for Submission Requirements and Procedures)

Date: _____, 20____

To the Planning Board of the Town of Rockland

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

1. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount of frontage and area requires by the Rockland Zoning By-Law, with said frontage located on a public way, namely _____.

or

The division of land shown on the accompanying plan is not a subdivision because.....
(explain below)

2. Address/Location of Property: _____

Assessor's Reference (map/lot): _____

3. Name of Owner: _____
Address: _____

4. Name of Applicant: _____
Address: _____

5. Name of Engineer/Surveyor: _____
Address: _____

6. Deed of Property recorded in _____ Registry,
Book _____ Page _____

Date: _____ Signature of Owner: _____

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Note: This form is to be made out with an original and three copies. The Planning Board will complete the following page and return one copy to the applicant and file one copy with the Town Clerk.

For Planning Board Use **ONLY**:

Date: _____, 20__

To the Town Clerk of Rockland:

The attached application and accompanying plan were received by this Board on _____, 20___. Subsequent action by this Board is as follows:

_____ Plan endorsed by this Board on _____, 20__ and returned to the applicant.

_____ The Board ruled on _____, 20__ that the plan requires approval under the Subdivision Control Law and has returned the plan, without endorsement, to the applicant.

ROCKLAND PLANNING BOARD

By: _____
Chairman

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FORM B
APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN
(See Section II, C For Submission Requirements And Procedures)

Date: _____, 20__

To the Planning Board of the Town of Rockland:

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

1. Name of Owner: _____
Address: _____
2. Name of Applicant: _____
Address: _____
3. Name of Engineer/Surveyor: _____
Address: _____
4. Deed of Property Recorded in _____ Registry,
Book _____ Page _____
5. Location and Description of Property (including Assessor reference identification):

Date: _____ Signature of Owner: _____

Note: This form is to be made out with an original and nine copies. The original and seven copies are to be filed with the Planning Board, one copy with the Town Clerk, and one copy with the Board of Health.

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For Planning Board Use ONLY:

Date: _____, 20__

To the Applicant and the Town Clerk of Rockland:

The attached application and accompanying plans were received by this Board on _____, 20___. Subsequent action by vote of this Board as recorded in the minutes for the meeting of _____, 20___, is as follows;

_____ Plans approved.

_____ Plans approved subject to conditions contained in a separate letter to the applicant dated _____, 20__

_____ Plans disapproved for reasons detailed in our letter to the applicant dated _____, 20__

ROCKLAND PLANNING BOARD

By: _____
Chairman

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FORM C
APPLICATION FOR APPROVAL OF DEFINITIVE PLANS
(See Section II.D for Submission Requirements and Procedures.)

Parentheses are used to indicate alternative provisions. The applicant should strike out the provisions not applicable in the particular case.

If enough space is not provided in the form for an adequate statement on any required point, the complete statement should be made on sheets attached to the application and referred to therein.

Date: _____, 20____

To the Planning Board of the Town of Rockland:

The undersigned applicant(s) being the owner(s) of all land included within the proposed subdivision shown on the accompanying plans, desire(s) to subdivision such land, and submit(s) such plans as definitive plans in accordance with the Rules and Regulations of the Planning Board Governing the Subdivision of Land in the Town of Rockland and makes application to the Board for approval of said plans.

Said plans have () have not () evolved from a preliminary plan submitted to the Board on _____, 20____, and approved () approved with modifications () disapproved () on _____, 20____.

The following information is contained on separate sheets appended to and a part of this application (Exhibit A):

1. Location and description of property (including Assessor reference identification).
2. Identification of all the mortgages, liens, easements, restrictions and other encumbrances on the whole or any part of said land.
3. Description of easements and restrictions appurtenant to said land over the land of others.

The applicant(s) covenant(s) and agree(s) for himself (themselves) (itself) and his (their) (its) heirs, executors, administrators, successors and assigns:

1. To construct and complete the proposed ways shown on said plans as approved by the Board and to install all public utilities therein required by the Board within _____ months from the date of this application.
2. To construct and complete said ways, and to install all public utilities therein required by the Board, in accordance with all Rules and Requirements of the Board in force at the date of this agreement and in accordance with the specifications set forth in Section IV of these Rules and Regulations.

Note: Applicant to strike one of the following paragraphs (3) as not applicable.

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3. That before the approval of the plans to which this application relates becomes effective the applicant(s) will cause to be filed with the Board a duly executed bond in a form satisfactory to the Board, to secure performance of and compliance with all agreements, conditions and requirements contained in this application, or imposed by the Board in accordance with the law and the Board's Rules and Regulations, in a penal sum equal to the full cost of constructing the ways and installing the public utilities shown on said plans in the manner prescribed by the Board, as estimated by the Board, and secured either by the execution thereof by an indemnity or surety company satisfactory to the Board as surety thereon, or by the deposit with the Town Treasurer money or negotiable securities sufficient, in the opinion of the Board, to secure performance.

3. The applicant(s) request(s) that the Board approve the plans to which this application relates without requiring a bond, on condition that no lot in the subdivision shall be sold, and no building shall be erected, until the ways are completed and the public utilities, if any are required, shown on said plan are installed, in accordance with the specifications laid down by the Board so as to adequately serve such lot, and he (they) (it) agree(s) that if this request is granted, he (they) (it) will fulfill such condition until compliance therewith is evidenced by a certificate of the Board. Prior to endorsement of approval on the plans, the applicant(s) further agree(s) to submit, to the Board, a properly executed Form D, Covenant.

4. That if this application is approved, the applicant(s) will cause the plan of the subdivision to which it relates to be recorded in the Registry of Deeds of Plymouth County within forty five (45) days after such approval and that the applicant(s) will not sell, or offer to sell, any of the lots within the subdivision until such plan is so recorded.

This application is accompanied by an original drawing of the definitive plans and all other plans, maps, forms required, and ten (10) sets of prints, all on the forms or in the manner prescribed by the Board, and all required fees, subject to the understanding that any fees incurred by the Board in review of this proposal will be paid by the applicant(s).

Witness the signature and seal of the undersigned this day of _____, 20____.

Owner(s): _____

Assents of Mortgagees

Appended to this application is Exhibit A, consisting of _____ pages.

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Name of Applicant if other than Owner: _____

Address: _____

Name of Engineer: _____

Address: _____

Name of Surveyor: _____

Address: _____

Note: This form is to be made out with an original and ten (10) copies. One copy, with a completed and stamped Form I, shall be filed with the Town Clerk. One copy, with three sets of prints, shall be filed with the Board of Health. The original and remaining copies will be filed with the Planning Board.

For Planning Board Use ONLY:

Date: _____, 20__

To the Above Applicant and the Town Clerk of Rockland:

The above application and accompanying plans were received by this Board on _____, 20__
Subsequent action by vote of this Board as recorded in the minutes for the _____, 20__
meeting is as follows:

_____ Plans approved

_____ Plans approved subject to conditions contained in a separate letter to the
applicant dated _____, 20__

_____ Plans disapproved for reasons detailed in the Board's letter to the
applicant dated _____, 20__

ROCKLAND PLANNING BOARD

By: _____
Chairman

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FORM D
COVENANT

The undersigned _____ of _____ County, Massachusetts, hereinafter called the “applicant”, having submitted to the Rockland Planning Board a Definitive Plan of a subdivision entitled _____ dated _____, 20____ made by _____ does hereby, in consideration of the approval of said plan by said Planning Board without requiring a performance bond, covenant and agree with said Planning Board and the successors in office of said Board, pursuant to G.L. (Ter. Ed.) C 41, Sec. 81U, as amended, that:

1. The applicant is the owner of record of the premises included in the subdivision shown on said plan, and there are no mortgages of record or otherwise on said premises except such as are described below and are subordinated to this covenant;
2. This covenant shall run with the land included in said subdivision and be binding upon the executors, administrators, heirs and assigns of the applicant and their successors in title to the premises shown on said plan;
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with said plan as approved by said Board and the applicable Rules and Regulations of said Board before such lot may be built upon or conveyed;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded;
7. It is understood that lots within said subdivision shall, respectively, be released from the foregoing conditions upon the recording of a Certificate of Performance signed by a majority of said Planning Board and enumerating the specific lots released;
8. It is understood that the Planning Board will not sign a Certificate of Performance unless the applicant is currently up to date on all payments due the Engineer for the Planning Board for professional services rendered in review and inspection of the project on behalf of the Board.

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IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this _____ day of _____, 20__.

Applicant's Signature: _____
Applicant's Address: _____

Owner's Signature: _____
Owner's Address: _____
(if different) _____

Description of Mortgages: _____

(Give complete names and Registry of Deeds reference.)

Assents of Mortgagees:

COMMONWEALTH OF MASSACHUSETTS

_____ ss _____, 20__

Then personally appeared the above named _____

And acknowledged the foregoing instrument to be _____
_____ free act and deed, before me.

Notary Public

My commission expires: _____

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FORM E
CERTIFICATE OF PERFORMANCE
(Covenant Approval Release)

Rockland, Massachusetts, _____, 20__

The undersigned, being a majority of the Planning Board of the Town of Rockland, Massachusetts, hereby certify that the requirements for work on the ground called for by the Covenant dated _____, 20__, and recorded in Plymouth District Deeds, Book _____, Page _____ (or registered in Plymouth Land Registry District as Document No. _____, and noted on Certificate of Title No. _____, in Registration Book _____, Page _____) have been completed to the satisfaction of the Planning Board as to the following enumerated lots shown on Plan entitled

Recorded with said Deeds, Plan Book _____, Plan _____, (or registered in said Land Registry District, Plan Book _____, Plan _____) and said lots are hereby released from the restrictions as to sale and building specified thereon.

Lots designated on said Plan as follows:

Majority of the Planning Board of the Town of Rockland:

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 20__

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

Notary Public

My commission expires: _____

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FORM F
ROCKLAND PLANNING BOARD
REPORT OF INSPECTION FOR CONSTRUCTION OF REQUIRED IMPROVEMENTS

Subdivision Name: _____

Street Address: _____

Station: _____ to Station _____

Applicant: _____

Contractor: _____

Date: _____, 20_____

Inspection No.: _____

Inspection of: _____

Remarks: _____

Recommendations: _____

I certify that the items(s) described above has (have) been constructed in
conformance with the Definitive Plan and the Rules and Regulations of the
Rockland Planning Board:

(Seal)

Professional Engineer

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FORM G
ROCKLAND PLANNING BOARD
CONSTRUCTION COST ESTIMATE FOR PERFORMANCE GUARANTEE

Subdivision Name: _____

Centerline Length _____ feet

	<u>Construction Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Estimated Cost</u>
1.	Clear and Grub				
	50' ROW		l.f.		
	60' ROW		l.f.		
2.	Construct to Subgrade				
	50' ROW		l.f.		
	60' ROW		l.f.		
3.	12" Gravel Base Course				
	Roadway		l.f.		
	30' Roadway		l.f.		
	36' Roadway		l.f.		
4.	Bituminous Concrete				
	3" D, ' W		l.f.		
	3" D, 30' W		l.f.		
	5" D, 30' W		l.f.		
	5" D, 36' W		l.f.		
5.	Curbing				
	Berm		l.f.		
	Precast Concrete		l.f.		
	Granite		l.f.		
6.	Catch Basins		each		
7.	Manholes				
	Sewer		each		
	Drain		each		
8.	Drain Pipe				
	8" HDPE Subdrain		l.f.		
	12" RCP		l.f.		
	15" RCP		l.f.		
	18" RCP		l.f.		
	24" RCP		l.f.		
	36" RCP		l.f.		
	" RCP		l.f.		
	" RCP		l.f.		

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<u>Construction Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Estimated Cost</u>
9. Sewer Pipe (Material:) 8" diameter 12" diameter " diameter			l.f. l.f. l.f.	
10. Water Pipe (Material:) 8" diameter 12" diameter " diameter			l.f. l.f. l.f.	
11. Hydrants			each	
12. Gate Valves			each	
13. Service Connections to Property Line Water Sewer			each each	
14. Sidewalk			l.f.	
15. Topsoil and Seeding: Grass Plots and Side Slopes			l.f.	
16. Shade Trees			each	
17. Fire Alarm			each	
18. Street Lights			each	
19. Underground Wiring (Trench Only)			l.f.	
20. Survey Bound			each	
21. Street Sign			each	
22. Incidental Items: Headwall Guard Rail Rip Rap Retaining Wall			each l.f. s.y. l.f.	

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<u>Construction Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Estimated Cost</u>
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23. As-Built Plans	2 sets	l.s.		
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Total Estimated Cost:

= SUBTOTAL

Note: Above unit prices shall be based on the most recent prices available to the contractor constructing the project and shall represent the pricing structure used by said contractor in the preparation of his bid for the work to be performed. All prices are subject to the approval of the Board and the Engineer for the Board and will be adjusted as they request.

40% Adjusted over period of construction	=	0.40 x Subtotal	
(2 year maximum period)	=	0.40 x	
	=		(a)
Total Guarantee Required	=	Subtotal + (a) from above	
	=		

Estimate Prepared by: _____
Registered Professional Engineer

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FORM H
AGREEMENT TO TERMS OF PAYMENT FOR PROFESSIONAL ASSISTANCE
TO THE TOWN OF ROCKLAND PLANNING BOARD

The Rockland Planning Board has the right to engage professional assistance, as required, in the review of any and all plans submitted for their consideration. Said assistance may be in the form of an individual or firm with expertise in the subject area with which the Board requires assistance. The applicant shall pay all the costs of professional assistance on behalf of the Board.

The firm(s) or individual(s) providing assistance to the Board will furnish the Board with bills detailing services rendered on the applicant's project. The Town of Rockland will pay the consultant's fees with funds deposited by the applicant in a review security account in accordance with Section II, A., 2. The applicant agrees to properly maintain the review security account and make required deposits within thirty (30) days. The applicant understands that failure to do so is a breach of the Rules and Regulations governing the Subdivision of Land in the Town of Rockland and grounds for disapproval of a Preliminary or Definitive Subdivision Plan.

Under no circumstances will an applicant make a direct payment to the Board's selected consultant or will the Board's selected consultant make a direct billing to the applicant. All correspondence regarding review and/or inspection services on behalf of the Board must be routed through the Planning Board.

_____, as an
applicant before the Rockland Planning Board and proponent for the project known as
_____ on
_____ Street/Road have read the above
agreement and understand its meaning and intent. I/We also understand that signed plans will
not be released by the Planning Board until final payment for services rendered has been made.
By signing below, I/We agree to the terms described in this document.

Signature(s) of Applicant(s): _____

Address: _____

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FORM I
LIST OF ITEMS SUBMITTED FOR REVIEW AND
NOTICE OF FILING FOR TOWN CLERK

Date: _____, 20_____

Project Name: _____

Location: _____

Applicant: _____

Address: _____

Type of Submission:	Form A	_____
	Preliminary Subdivision	_____
	Definitive Subdivision	_____
	Site Plan Review	_____
	Design Review	_____

Items Submitted:

_____	Copies of Form A	_____	Original and three (3) prints of ARN Plan
_____	Copies of Form B	_____	Eight (8) sets of prints of Preliminary Plans
_____	Copies of Form C	_____	Original and ten (10) sets of prints of Definitive Plans
_____	Copies of Form L	_____	Copies of Watershed Plan
_____	Filing Fee	_____	Copies of Drainage Calculations
_____	Copies of Certified Abutter's	_____	Copies of Form H
_____	Copies of Sketch Plans (re: Street layout)	_____	Copies of Site Plans
_____	Copies of Design Review Plans		

As an applicant before the Rockland Planning Board, I have made a complete submission, as indicated above, to the Town Planner. These materials were submitted on the above noted date which will be the official date used when determining the Board's time to act on a submittal. These materials were received by the Town Planner, on behalf of the Planning Board, as indicated by the stamp and signature below:

Date: _____, 20_____

Signature: _____
Town Planner or Planning Board Designee

THIS PAGE INTENTIONALLY LEFT BLANK

Rockland, Massachusetts Date: _____, 20__

Approved: Date: _____, 20__

I hereby certify that the notice of approval of this plan by the Planning Board has been received and recorded at this office and no Notice of Appeal was received during the twenty (20) days next after such receipt and recording of said Notice.

Rockland Board of Health

_____ Town Clerk

Date: _____, 20__

Approved: Date: _____, 20__

This Subdivision approved subject to a restrictive agreement

between _____
and the Rockland Planning Board, to be recorded herewith.

Rockland Water Commissioners

Approved: Date: _____, 20__

Rockland Sewer Commissioners and Drainage Committee

Rockland Planning Board

The following shall appear in the extreme left hand margin of the Subdivision Plan:

Approved: Date: _____, 20__

Approved: Date: _____, 20__

Approved: Date: _____, 20__

Superintendent, Highway Department

Superintendent, Water Department

Chief, Fire Department

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FORM K
ROCKLAND PLANNING BOARD

PLAN REVIEW FORM
REQUEST FOR REVIEW COMMENTS

Project Name & Address: _____

Applicant Name & Address: _____

Contact Name, Address
& Phone _____

Date: _____

To:

- | | |
|---|--|
| <input type="checkbox"/> Building Inspector | <input type="checkbox"/> Fire Department |
| <input type="checkbox"/> Town Engineer | <input type="checkbox"/> Police Department |
| <input type="checkbox"/> Board of Health | <input type="checkbox"/> Highway Department |
| <input type="checkbox"/> Water Department | <input type="checkbox"/> Sewer Commission |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Selectmen | |
| <input type="checkbox"/> Other (please specify) _____ | |

Attached please find the application for: Site Plan Review
 Definitive Subdivision

The Planning Board requests that you review the enclosed application. We would appreciate your completing the form below and returning it by the date stated below. Failure to comment shall be deemed lack of opposition.

Comments due by: _____

- Concur with proposal (Explain on reverse side)
- Need more information (Explain on reverse side)
- Cannot concur with proposal (Explain on reverse side)
- Comments Included

Reviewer's Signature _____ Title _____ Date _____

Please return to Planning Board

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FORM K
ROCKLAND PLANNING BOARD

CERTIFICATION OF RECEIPT OF APPLICATION

Department delivered to: _____

Project Name: _____

Received by: _____

Print Name

Title

Signature

Date Received: _____

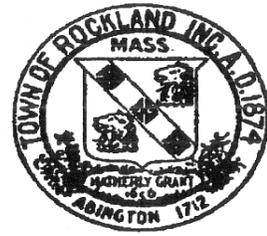
The Applicant is required to submit signed copies of this page to the Planning Board for each department, board, agency or professional to which an application package has been delivered. Page 1 will be completed and returned directly to the Planning Board by the department, board, agency or professional.

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Town of Rockland PLANNING BOARD

242 UNION STREET

ROCKLAND, MASSACHUSETTS 02370



SITE PLAN REVIEW APPLICATION FORM

Date of Application: _____

Name of Applicant/Owner: _____

Address: _____

Title of Development/Site: _____

Assessor's Map #: _____ Lot #: _____

Site Plan prepared by: _____

Address: _____

Plan and application was received by the Rockland Planning Board
 on the _____ day of _____ 20____

FEE \$ _____ (payable at the time of plan approval)

VOTE OF ROCKLAND PLANNING BOARD

On the _____ day of _____ 20____

The Rockland Planning Board voted to:

1) _____ the Site Plan
 (approved/disapproved)

2) Reasons for Disapproval: _____

3) Approval of Site Plan with the following conditions:

SIGNATURE OF BOARD MEMBERS

COMMENTS

 CHAIRMAN

 Vice-Chairman

 Clerk

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APPENDIX B

DIMENSIONAL REQUIREMENTS AND DETAILS

- A. Table 1 – Street Dimensional Requirements
- B. Typical Road Cross Sections
- C. Figure 1 – Sight Distance

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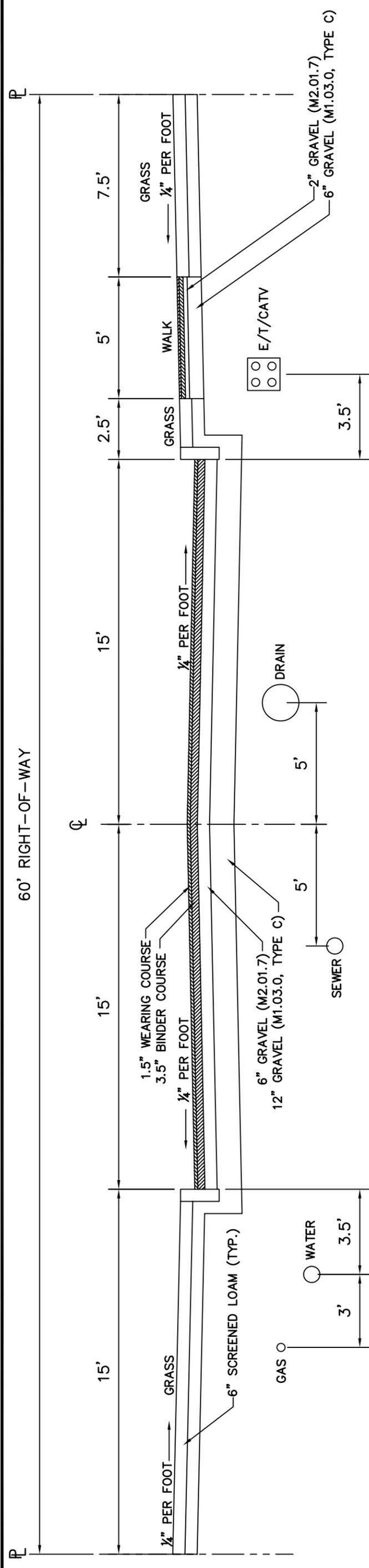
**TABLE 1, APPENDIX B
STREET DIMENSIONAL REQUIREMENTS**

Characteristic	Local Residential	Residential Feeder	Industrial Primary	Industrial Secondary
Right-of-way width	50'	60'	60'	60'
Pavement width	26'	30'	36'	30'
Depth of Gravel Base (M1.03.0, Type c)	10"	10"	12"	12"
Depth of Gravel Base (M2.01.7)	4"	4"	6"	6"
Depth of Bituminous Concrete Binder Course	2"	2"	3-1/2"	3-1/2"
Depth of Bituminous Concrete Wearing Course	1-1/2"	1-1/2"	1-1/2"	1-1/2"
Minimum horizontal centerline radius	100'	300'	500'	100'
Minimum centerline tangent between reverse curves	100'	150'	200'	100'
Curb radius at intersection	30'	30'	50'	50'
Maximum centerline profile grade	10%	6%	5%	8%
Minimum centerline profile grade	0.5%	1%	1%	1%
Maximum grade of leveling area at approach to intersections from sideline of street	1% for 50'	1% for 100'	1% for 100'	1% for 100'
Minimum sidewalk width	5'	5'	5' *	5' *

* One side only.

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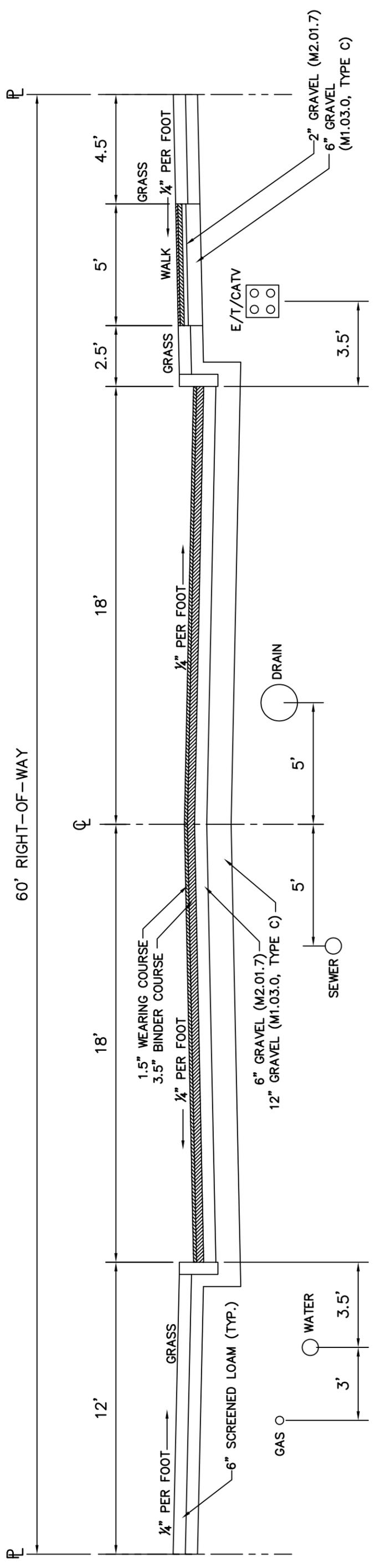
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- MINIMUM COVER REQUIREMENTS:
1. GAS MAIN = 2'
 2. WATERMAIN = 5'
 3. DRAIN LINE = 2.5'

SECONDARY - TYPICAL SECTION

NOT TO SCALE

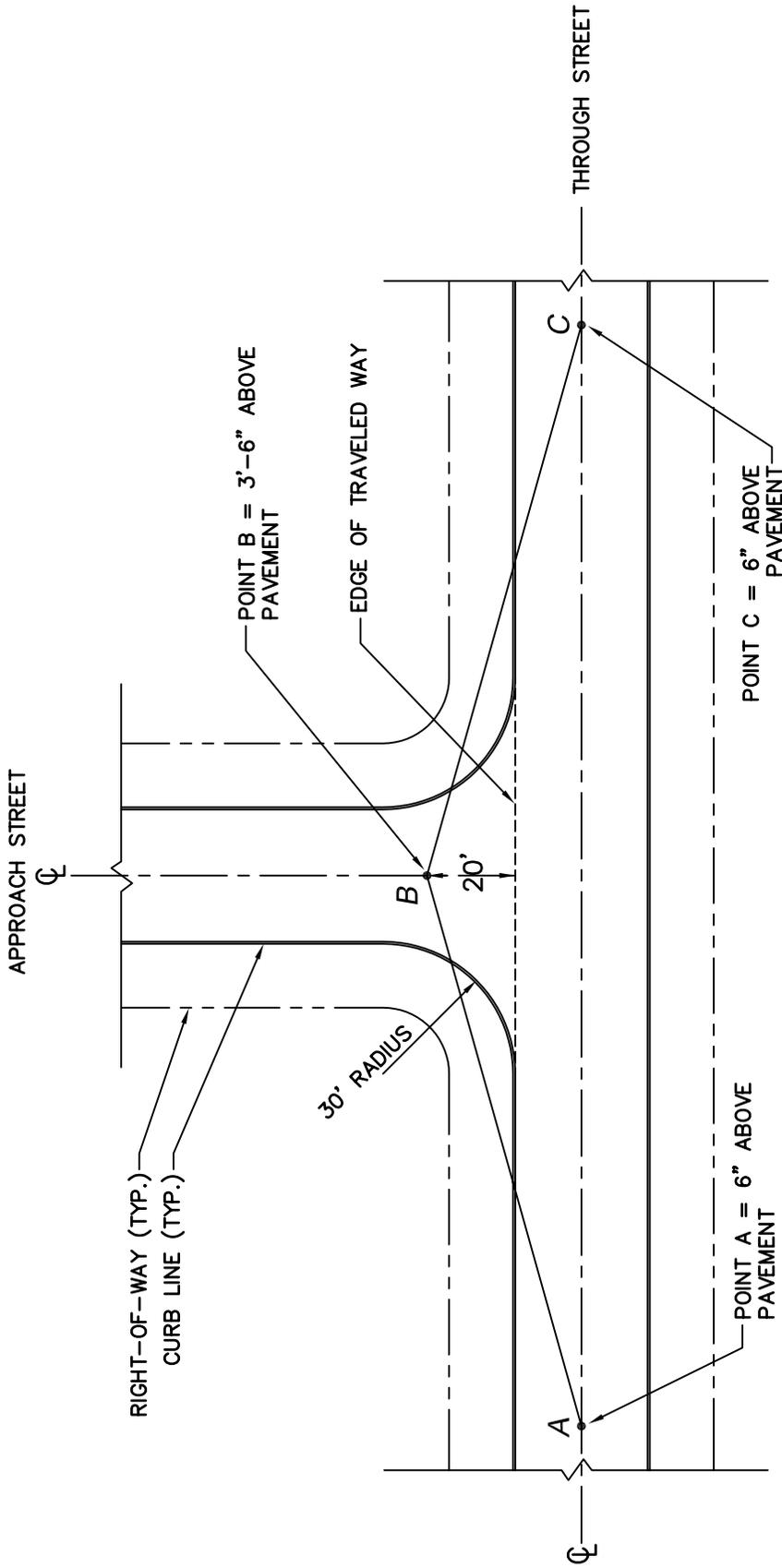


- NOTE:
1. SHADE TREES SHALL BE PLANTED FIVE (5) FEET BEHIND SIDEWALK ON SIDEWALK SIDE AND HALFWAY BETWEEN CURB AND PROPERTY LINE ON OPPOSITE SIDE.
 2. SUB-BASE SOIL MATERIAL SHALL BE NON-FROST SUSCEPTIBLE TO A MINIMUM DEPTH OF FOUR FEET BELOW FINISH GRADE.

PRIMARY - TYPICAL SECTION

NOT TO SCALE

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DESIGN SPEED THROUGH STREET (POSTED SPEED + 10 MPH)	SIGHT DISTANCE (AB & BC)
50 MPH	500 FT
45 MPH	450 FT
40 MPH	400 FT
35 MPH	350 FT
30 MPH	300 FT

SIGHT DISTANCE
NOT TO SCALE

FIGURE 1