

# **PLANNING BOARD**

## **RULES & REGULATIONS GOVERNING THE SUBDIVISION OF LAND**

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## **CITY OF ATTLEBORO, MASSACHUSETTS**

*ADOPTED*  
**FEBRUARY 1954**

*AMENDMENTS THROUGH*  
**JUNE 2013**

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ATTLEBORO



**ATTLEBORO PLANNING BOARD'S  
RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND**  
(AS AMENDED THROUGH JUNE 2013)

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# SECTION 1: GENERAL

## **§1.1 PURPOSE:**

These rules and regulations are adopted for purposes of subdivision control stated in MGL CH. 41, §81M. MGL CH. 41 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 subdivision providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases, parks and open areas. The powers of the Board and of a Board of Appeal under the SUBDIVISION CONTROL LAW shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision 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 ensuring compliance with the 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. It is the intent of the SUBDIVISION CONTROL LAW that any subdivision plan filed with the Board shall receive the approval of such board if said plan conforms to the recommendations of the Board of Health and to the reasonable rules and regulations of the Board pertaining to subdivisions of land provided, however, that such Board may, when appropriate, waive regulations as is deemed advisable (MGL CH. 41, §81R). The Board recommends that due consideration shall be given by the subdivider to the attractiveness of the layout in order to obtain the maximum livability and amenity of the subdivision. This would require due regard for all natural features, such as desirable trees, shrubs, water courses, scenic points, historic spots, and similar community assets, which if preserved, will add attractiveness and value to the subdivision. The Board may recommend that areas of a (re)subdivision be set aside for conservation and/or recreation uses in accordance with provisions of MGL CH. 41, §81U. These areas may be transferred to the City by gift or deed.

## **§1.2 AUTHORITY:**

Under the authority vested in the Board of the City of Attleboro by MGL CH. 41, §81Q, said Board hereby adopted these rules and regulations governing the subdivision of land in the City of Attleboro. Such rules and regulations shall be effective on and after May 22, 2013.

## **§1.3 SCOPE:**

These rules and regulations apply, so far as apt, to all new and existing subdivisions of land in the City of Attleboro, including re-subdivisions and modifications; and to the process of subdividing land, recording of plans, installation of improvements, and the building on or sale of lots in subdivision or anywhere in the City not served by an existing way as defined herein.

#### **§1.4 STANDARDS:**

All plans filed with the Board shall comply with the intent and purpose of MGL CH. 41, SUBDIVISION CONTROL LAW, the ZONING ORDINANCE, the City's COMPREHENSIVE PLAN, the Board's RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, as amended and in force as of the date of filing, and the standards and specifications of the Department of Public Works – Highway Division, Water Department, Wastewater Department, Fire Department and the Health Department. All engineering data pertaining to elevations in connection with street profiles and topographic information required by the Board shall use USGS datum. The Board will require connection with the Massachusetts Coordinate System if control points of that system exist within reasonable distance of the subdivision. When reference is made to the Department of Public Works – Highway Division, Water Department, and Wastewater Department, the date of the effective standards is May 2012.

#### **§1.5 ONE DWELLING PER LOT:**

Not more than one building designed or available for use as a dwelling shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere in the City of Attleboro without the consent of the Board. Such consent may be conditional upon the provision of adequate access ways to serve such dwelling (MGL CH. 41, §81Q).

#### **§1.6 RESPONSIBILITIES OF THE APPLICANT:**

It is the responsibility of the applicant to secure all rights, easements, approvals, permits, or licenses necessary, and to present to the Board information that is complete, true and correct. The Board assumes all information submitted to it to be true and correct, unless evidence is presented to the contrary. Should the Board find that it has acted on the basis of incomplete, erroneous, or false information, it shall take such corrective action as may be necessary and legal, including the rescinding or modification of approval of a subdivision.

#### **§1.7 ENTRY ON PRIVATE LAND:**

Members, officers, and agents of the Board may, so far as they deem necessary in carrying out the SUBDIVISION CONTROL LAW, enter upon any lands and there make examinations and surveys and place and maintain monuments and marks (MGL CH. 41, §81CC).

#### **§1.8 RE-SUBDIVISIONS:**

Procedures for re-subdivisions shall follow in all respects the regulations outlined for new subdivisions.

**§1.9 SUBDIVISIONS LOCATED IN A FLOODPLAIN DISTRICT:**

All subdivision proposals and other proposed new developments shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a part of a subdivision proposal or other new development is located within a floodplain established under §17-12.0 FLOOD PLAIN DISTRICT of the ZONING ORDINANCE, it shall be reviewed to assure compliance with the following:

- a. The proposal shall be designed consistent with the need to minimize flood damage;
- b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage;
- c. Adequate drainage systems shall be provided to reduce exposure to flood hazards.
- d. Base flood elevation (the level of the 100-year flood) data the on floodplain boundary shall be provided for proposals greater than fifty (50) lots or five (5) acres, whichever is the lesser, for that portion of the subdivision which lies within a floodplain.

**§1.10 WETLANDS:**

If any part of a subdivision is located within a wetlands area, or within one hundred (100') feet of a wetlands, it shall be subject to the requirements of MGL CH. 131, §40, WETLANDS PROTECTION ACT for example having, a valid Order of Conditions from the Conservation Commission or a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection.

## SECTION 2: DEFINITIONS

Words and terms used herein shall have the meanings assigned to them in MGL CH. 41, SUBDIVISION CONTROL LAW. In addition, unless the context unequivocally indicates otherwise, the meaning of the following words and terms shall be as follows:

**Abutter:** Owner of land having a common boundary line or point, or separated by a way or a body of water not over sixty (60') feet in width, as shown on the most recent City Assessor's tax records.

**Alter:** Any activity, which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Alter may be similarly represented as "alteration of drainage characteristics," and "conducting land disturbance activities."

**Applicant or Subdivider:** Includes an owner, or his agent or representative, or his assigns.

**Best Management Practice (BMP):** Structural, non-structural, and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment. "Structural" BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. "Nonstructural" and "Managerial" BMPs use natural measures and better site design techniques to reduce pollution levels, do not require extensive construction efforts, and/or promote pollutant reduction by eliminating the pollutant source.

**Better Site Design:** Site design approaches and techniques that can reduce a site's negative impact on water quality and the natural environment through the use of nonstructural stormwater management practices. Better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover, disconnecting impervious cover, and using natural features for stormwater management.

**Board or Planning Board:** The Planning Board of the City of Attleboro.

**Concept Stormwater Plan:** A plan submitted as a part of a preliminary plan that shall depict all relevant stormwater information and shall contain the specified elements outline in the checklist in Appendix B of this regulation.

**Conveyance:** Any structure or device, including pipes, drains, culverts, curb breaks, paved swales or man-made swales of all types, designed or utilized to move or direct stormwater runoff or existing water flow.

**Critical Areas:** Areas that may be designated by the Conservation Commission as having sensitive resources that may be negatively impacted by stormwater discharges. Such areas may include, but are not limited to, §319 Impaired Waterways, vernal pools, and the City of Attleboro's Bungay River and Orr's Pond water resource protection districts.

**Definitive Plan:** Final plan of a subdivision, including all special plans and supporting material as required by these rules and regulations, the approval of which by the Board constitutes the approval of a subdivision and, when recorded in due form, confers certain rights and responsibilities on the applicant (MGL CH. 41, §81L).

**Developer:** A person who undertakes or proposes to undertake land disturbance activities.

**Development:** The modification of land to accommodate a new use or expansion of use, usually involving construction.

**Disturbance of Land:** Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

**Drainage Easement:** A legal right granted by a landowner to a grantee allowing the use of private land for the conveyance or treatment of stormwater, and/or access to inspect or maintain one or more stormwater management facilities and/or drainage structures.

**Effective Impervious Area:** Impervious area which is directly connected to a stream or drainage system and that results in measurable runoff from most precipitation events. Effective Impervious Area does not include impervious surfaces that drain directly to pervious areas.

**Erosion and Sediment Control (ESC):** The prevention or reduction of the movement of soil particles or rock fragments.

**Erosion and Sediment Control Plan:** A plan that shows the location and construction detail(s) of the erosion and sediment reduction controls to be utilized for a construction site.

**Final Stormwater Plan:** A plan submitted as a part of a definitive plan that shall depict all relevant stormwater information and shall contain the specified elements outlined in the checklist in Appendix C of this regulation.

**Flood Control:** The prevention or reduction of flooding and flood damage.

**Flooding:** A local and temporary inundation or a rise in the surface of a body of water, such that it covers land not usually under water.

**Grading:** Changing the level or shape of the ground surface.

**Groundwater:** Water beneath the surface of the ground.

**Illicit Connection:** Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the municipal storm drain system, including, but not limited to, any conveyance which allows any non-stormwater discharge including sewage, process wastewater, and wash water to enter the municipal storm drain system, and any connections to the municipal storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency.

**Illicit Discharge:** Any direct or indirect non–stormwater discharge to the storm drain system, except as exempted in §6.3.3 CRITERIA FOR CONNECTIONS TO THE STORM DRAIN SYSTEM of these regulations.

**Impervious Cover:** Any material or structure on or above the ground that prevents water from infiltrating through the underlying soil. Impervious cover is defined to include, without limitation, paved parking lots, sidewalks, roof tops, driveways, patios, and paved, gravel, and compacted dirt surfaced roads.

**Infiltration:** The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

**Low Impact Development (LID):** The incorporation of non–structural and natural approaches to new and redevelopment projects to reduce adverse effects on water quality and the natural environment by conserving natural areas, reducing impervious cover, and better integrating stormwater treatment.

**Lot:** An area of land in one ownership with definite boundaries. Not more than one building designed or available for use for a dwelling shall be erected or placed or converted into use as such on any lot in a subdivision or elsewhere in the City without the consent of the Board.

**Massachusetts Stormwater Management Standards (MASWMS):** The Standards issued by the Department of Environmental Protection (DEP) on January 2, 2008, and as amended, that coordinate the requirements prescribed by State regulations promulgated under the authority of the MASSACHUSETTS WETLANDS PROTECTION ACT, MGL CH. 131 §40, Massachusetts Wetland Protection Regulations 310 CMR 10.00, and the Massachusetts Clean Waters Act, MGL CH. 21, §23–§56. The standards address stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**Municipal Storm Drain System:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man–made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the City of Attleboro.

**Natural Open Space:** A portion of a subdivision that is permanently set aside for public or private use which will not be developed, wherein the topography and vegetation remains unaltered by clearing and grading during construction and protected in perpetuity.

**New Development:** Any construction or land disturbance on a lot, or on a portion of a lot, that is currently in a vegetated state.

**Nonpoint Source Pollution:** Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and man–made pollutants, finally depositing them into water resource areas.

**Non-Stormwater Discharge:** Discharge to the City of Attleboro municipal storm drain system not composed entirely of stormwater.

**Operation and Maintenance Plan:** A plan that defines the functional and organizational mechanisms for the Department of Public Work's ongoing operation and maintenance of a subdivision's stormwater management system.

**Owner:** A person with a legal or equitable interest in property, including a contract purchaser with a valid purchase and sales agreement.

**Person/Party:** Includes any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to City ordinances, administrative agency, public or quasi-public corporation or body, the City of Attleboro, and any other legal entity, its legal representatives, agents, or assigns.

**Point Source:** Any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

**Post-Development:** The conditions that reasonably may be expected or anticipated to exist after completion of the subdivision on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

**Pre-Development:** The conditions that exist at the time that plans for the land development of a tract of land are submitted to the Planning Board. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

**Preliminary Plan:** A plan of a proposed subdivision or re-subdivision of land submitted to the Board for its study and recommendations prior to offering a definitive plan (MGL CH. 41, §81L).

**Preliminary Sketch:** A plan or a print of a plan of a proposed subdivision showing less information than required for a preliminary plan, and serving the same purpose of permitting a preliminary review and modification of a subdivision layout prior to incurring the costs of the final design. Unlike a preliminary plan, a preliminary sketch does not confer exemption from zoning changes (MGL CH. 40A, §6 THE ZONING ACT, CH. 808, Acts of 1975).

**Recharge:** The process by which groundwater is replenished by precipitation through the percolation of runoff through the soil.

**Record Drawing:** Drawings that completely record and document applicable aspects and features of the conditions of a project following completion of construction, also referred to as "as-built" drawings.

**Redevelopment:** Any construction, alteration, or improvement on existing land that contains impervious cover and provided that the activity does not involve an increase in the net amount of impervious cover.

**Resource Area:** Any area protected under, including without limitation, the MASSACHUSETTS WETLANDS PROTECTION ACT, the MASSACHUSETTS RIVERS ACT, or the City of Attleboro LOCAL WETLANDS PROTECTION ORDINANCE.

**Runoff:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**Roadway or Traveled Way:** That portion of street intended for vehicular use, usually the pavement.

**Sedimentation:** A process of depositing material that has been suspended and transported in water.

**Site:** Any lot or parcel of land or area of property where land–disturbing activities are, were, or will be performed.

**Stormwater Management:** The use of structural and/or non–structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates.

**Street:** see “Way”

**Street, Dead–End:** A street, or a system of connected streets, that has only one intersection with an existing public or private through street. Any proposed street that connects solely with a dead–end street shall be deemed to be an extension of the dead–end street.

**Street, Major:** Street designed to accommodate a large volume of traffic; collects traffic from minor and subcollector streets.

**Street, Minor:** Street designed for use by local residential and service traffic; provides access to subcollector or collector streets.

**Street, Subcollector:** Street designed to carry traffic of adjoining residential minor streets; carries higher traffic volumes than minor streets.

**Street, Through:** A street that has at least two (2) separate intersections where vehicles can exit the street with re–passing through either of the intersections.

**TP:** Total Phosphorus. The total concentration of phosphorus found in stormwater runoff. Phosphorus is a nutrient that is commonly the limiting factor in the primary productivity of freshwater resources.

**TSS:** Total Suspended Solids. The portion of the sediment load suspended in stormwater runoff. TSS contributes to turbidity and is a main determination for water quality.

**Subdivision:** The division of a tract of land into two or more lots including resubdivision and, when appropriate to the context, relating to the process of subdivision of the land or territory subdivided; provided, however, that the division of a tract of land into two (2) or more lots shall not be deemed to constitute a subdivision within the meaning of the SUBDIVISION CONTROL LAW if, at the same time when it is made, every lot within the tract so divided has frontage (a) a

public way or way which the City Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the SUBDIVISION CONTROL LAW, or (c) a way in existence before February 1, 1954, and having, in the opinion of the Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting, thereon, or served, thereby, and for the installation of municipal services to serve this land and the buildings erected or to be erected thereon. Such frontage shall be of at least such a distance as required by zoning or other ordinance. Conveyances or other instruments adding to, taking away from, or changing the size and shape of the lots in such a manner as not to leave any lot so affected without the frontage above set forth or the division of a tract of land on which two (2) or more buildings were standing when the SUBDIVISION CONTROL LAW went into affect, into separate lots, on each of which one of such buildings remains standing, shall not constitute a subdivision (MGL CH. 41, §81L SUBDIVISION CONTROL LAW).

**Turnaround:** Pavement, usually circular in layout, located at the end of a dead-end street, which accommodates the turning radius of vehicles.

**Utilities:** Same as municipal services, may include water supply, sanitary sewer, storm drains, fire alarm conduits, electric and telephone wiring, gas supply piping, shade trees and other installations to provide services for buildings and their occupants.

**Water Quality Volume (WQ<sub>v</sub>):** The storage needed to capture a specified average annual stormwater runoff volume for treatment. Numerically, WQ<sub>v</sub> will vary as a function of the drainage area or area of impervious surface.

**Way (or Street):** (a) A public way laid out and accepted by a public authority or a way which the City Clerk certifies is used and maintained as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the SUBDIVISION CONTROL LAW, or (c) a way in existence when the SUBDIVISION CONTROL LAW became effective in the City of Attleboro, having, in the opinion of the Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. No lot shall be deemed to be served by a way to which such lot has no legal or no physical access.

## **SECTION 3: PLANS NOT REQUIRING APPROVAL UNDER SUBDIVISION CONTROL LAW**

### **§3.1 APPLICABILITY:**

A person desiring to record in the Registry of Deeds or file with the Land Court a plan of land or lots all of which meet the applicable zoning requirements for frontage on an existing approved way, as defined here and in the ZONING ORDINANCE, may submit such a plan for determination and endorsement by the Board that the plan does not require approval as a subdivision. To make this determination, the Board must be satisfied by the information on such plan that: (a) street layouts as shown meet the definition of a way, (b) no portion of the original tract will be left without the required street frontage or access, unless identified as “Not A Buildable Lot”, and (c) any conditions, restrictions, or understandings considered by the Board in making its determination shall be a part of them plan, including any explanatory notes thereupon, as opposed to verbal declarations not recorded with the plan. Any tract that is to be divided or recorded shall be shown and dimensioned in its entirety. It is recommended that the location of each lot be defined by reference on the plan to not fewer than three (3) permanent bounds or monuments, existing or to be set. Any and all lots of the owner shall be shown in their entirety, unless the Board otherwise approves a reference to an existing deed or previously recorded plan. If reference is made to a deed or a plan, as described herein, the document must be filed with the application.

### **§3.2 SUBMISSION:**

The original plan and six (6) full size copies of the plan, together with a completed application Form A (see Appendix A), shall be submitted to the Board. On the same date, the applicant shall notify the City Clerk of the submission of the plan by filing with the City Clerk, either by delivery or by registered mail, the copy of the Form A application. If the notice is filed by delivery, the applicant shall request the written receipt thereof and shall return that receipt to the Department of Planning and Land Development. If the notice to the City Clerk is given by registered mail, the applicant must the signed and dated postal service returned receipt to the Department of Planning and Land Development. Submission to the Board shall be made to the Department of Planning and Land Development during regular business hours. If the Board determines that the plan requires approval as a subdivision, the Board shall notify the City Clerk in writing and the applicant by registered mail within fourteen (14) days of plan submission and return the original drawing to the applicant, retaining copies for the Board’s files. The original plan shall be prepared on ink on linen or ink on mylar.

### **§3.3 FEE:**

All applications shall be accompanied by a check payable to the City of Attleboro in the amount required by §8.6 FEE SCHEDULE contained herein and §17-8.6 FEE SCHEDULE of the ZONING ORDINANCE, as applicable.

### **§3.4 CONTENTS:**

Persons submitting plans thought not to require approval shall be prepared to furnish to the Board, at the time of submission, the following information as may be necessary to enable the Board to make the determination whether or not approval is required:

- a. plan size, lettering, and other requirements shall meet the standards of the registry of deeds and definitive plans of these rules and regulations,
- b. scale, date, north point,
- c. name of applicant, owners of abutting property, and the name of the registered land surveyor, his seal and signature,
- d. the plan shall show frontage and area of any lot the boundaries of which are to be changed or redefined,
- e. the location of any building within or lying across the limits of the parcel(s),
- f. gross area of the land shown on the plan in acres or square feet,
- g. net area of each parcel (lot) shown on the plan in square feet,
- h. date of application for endorsement of the plan,
- i. “key sketch” (locus plan), and
- j. deed of reference;

It is recommended that the plans also include the following information:

- k. location of any permanent water bodies, or wetlands by symbols, and boundary of the 100–year floodplain if any,
- l. show buildings on lot and those within one hundred (100') feet of boundaries,
- m. the frontage of any remaining adjoining land owned by the person submitting such plan,
- n. gross area of wetlands in acres or square feet, and
- o. net area of wetlands in each parcel in square feet.

**§3.5 EXPLANATORY NOTATION:**

Where necessary for clarity, the Board may state on the plan, as a part of its endorsement, the reasons for its determination such as, but not limited to, “Since lot ... is not to be used as a separate building lot, but added to adjacent land having the required frontage...” or “Whereas no determination is made hereby regarding the status of the parcel labeled...” or “Whereas lot...is not be built upon...”, followed by “approval under the SUBDIVISION CONTROL LAW is not required with respect to lots...”. Explanatory notes by the Board shall only be placed as a part or next to its endorsement, so as not to be confused with modifications of the plan by the applicant or the surveyor.

**§3.6 FAILURE TO ACT BY THE BOARD:**

If the Board fails to act on a plan submitted under this subsection within twenty-one (21) days after its submission, it shall be deemed to have determined that the approval under the SUBDIVISION CONTROL LAW is not required.

# SECTION 4: PRELIMINARY SUBDIVISION PLANS

## §4.1 PURPOSE AND SCOPE:

A preliminary plan or a preliminary sketch may be submitted prior to the submission of a definitive plan of a subdivision in order to resolve any questions and determine the needed changes before investing in the expensive final design and processing. The Board strongly recommends the submission of a preliminary plan for any subdivision of ten (10) or more lots. For large subdivisions that may be built in sections or phases, the preliminary plan should show the planned subdivision of the entire tract, so that the sequence of operations and relationship of the sections can be understood.

## §4.2 SUBMISSION:

Eleven (11) prints of the preliminary plan and a completed Form B application (see Appendix A) shall be submitted to the Board. On the same date, the applicant shall notify the City Clerk of the submission of the plan by filing with the City Clerk, either by delivery or by registered mail, a copy of the Form B application. If the notice to the City Clerk is filed by delivery, the applicant shall request a written receipt thereof and shall return that receipt to the Department of Planning and Land Development. If the notice to the City Clerk is given by registered mail, the applicant must submit the signed and dated postal service return receipt to the Department of Planning and Land Development. Submission to the Board must be made to the Department of Planning and Land Development during regular business hours. Following the initial review of the preliminary plan, the Board will meet with the applicant and discuss any questions requiring resolution, further information, or plan change. The procedure with respect to a preliminary sketch will be similar, except that the City Clerk need not be notified, since the submission of a preliminary sketch will not confer any rights or exemptions from subsequent changes of these rules and regulations or of the ZONING ORDINANCE which may accrue as a result of a preliminary plan submission.

## §4.3 FEE:

All applications shall be accompanied by a check payable to the City of Attleboro in the amount required by §8.6 FEE SCHEDULE contained herein and §17-8.6 FEE SCHEDULE of the ZONING ORDINANCE, as applicable.

## §4.4 PLAN REQUIREMENTS:

- a. **Plans:** The plan shall be drawn on a scale adequate to show details clearly and acceptable to the Board but not smaller than one inch equals eighty feet (1"=80'). The drawing(s) shall not exceed twenty-four by thirty-six (24"x36") inches in size. If multiple sheets are used, they shall be accompanied by an index showing the entire subdivision.

- b. **Names Required:** The plan shall show the name and address of record owner, subdivider and registered engineer or registered land surveyor.
- c. **Property Identification:** The drawing of the property shall show the names of owners of abutting tracts of land including those of the subdivider or applicant. The Assessor's map numbers identifying the separate parcels shall be furnished.
- d. **Abutters:** Names of all abutters as they appear on the most recent tax list.
- e. **Plan Orientation:** The plan shall show the subdivision name, true north point, date, and scale.
- f. **Lot Information:** Lot lines with approximate dimensions and approximate lot areas that are believed to comply with the ZONING ORDINANCE shall be shown.
- g. **Ways, Easements, and Right-of-Ways:** All ways, private and public, and easements or right-of-ways of any nature bordering on, abutting, or included within the proposed subdivision, shall be shown except utility easements within existing or proposed ways.
- h. **Street Names:** Names of proposed streets shall continue abutting street names or, if new names are required, they shall not duplicate present street names within the City.
- i. **Reserve Strips:** Reserve strips prohibiting access to or from streets or adjoining property shall not be permitted.
- j. **Underground Structures:** The approximate location of existing underground structures including watermains, gas lines, sewer, oil, and local utilities shall be shown on said plans.
- k. **Separate Key Sketch:** A separate key sketch at a scale of one inch equals one thousand feet (1"=1,000') with proposed subdivisions shaded to show relation of the surrounding road networks shall be shown. North points of the plan and key sketch shall be in the same direction on the drawing.
- l. **Concept Stormwater Plan:** The Concept Stormwater Plan shall include each item specified in the current "Checklist for Preliminary Plans" as provided in Appendix B of these Regulations. All items must be submitted at the time of filing to be considered a complete application.
- m. **Existing Structures:** All existing structures within the boundaries of the subdivision, as well as adjacent structures within one hundred (100') feet of the boundaries.
- n. **Natural and Man-Made Features:** The location of waterbodies, streams, open drains, all ditches, natural or man-made, and flowage rights, public and private, rock outcrops and ridges, boundaries of wetlands, delineation of 100-year floodplain elevation (contour line) and other major site features.
- o. **Conservation and Recreation Areas:** Areas set aside for conservation and recreation uses.

- p. **Contours:** The contours of the topographic plan drawn at two (2') foot intervals. This includes proposed as well as existing topography.
- q. **Centerline Stations:** Centerline stations of each street, at fifty (50') foot intervals and corresponding to the data shown on the plan and profile drawings.

**§4.5 ACTION BY THE BOARD:**

Within forty-five (45) days after the submission of the preliminary plan, the Board shall notify the applicant by certified mail and the City Clerk of the approval with or without modifications, or disapproval of the preliminary plan. The notice shall contain a listing of modifications imposed by the Board or of the specific reasons for disapproval, as appropriate. A failure of the Board to act within forty-five (45) days shall not mean an approval of the preliminary plan.

**§4.6 TIME RESTRICTION:**

Unless a definitive plan, prepared in accordance with the approved preliminary plan, including modifications thereof if any made by the Board, is filed with the Board within seven (7) months from the date on which a preliminary plan was submitted, the Board's approval thereof shall be deemed invalidated.

# SECTION 5: DEFINITIVE SUBDIVISION PLANS

## §5.1 FORM:

The definitive plan may consist of several sheets which shall bear the seal of a Massachusetts registered professional engineer on all sheets representing work defined as professional engineering, and the seal of a Massachusetts registered land surveyor on all sheets representing professional land surveying. The sheets must be of uniform size suitable for recording and not larger than twenty-four by thirty-six (24"x36") inches. If multiple sheets are used, an index sheet showing the entire subdivision shall be submitted. All plans shall conform to the rules adopted by the Massachusetts Registry of Deeds Association, and approved by the Attorney General on June 19, 1975.

## §5.2 SUBMISSION:

The original plan and ten (10) full size copies of the plan shall be submitted to the Board together with a completed Form C application (see Appendix A). On the same date, the applicant shall notify the City Clerk of the submission of the plan by filing with the City Clerk, either by delivery or by registered mail, a copy of the Form C application. If the notice is filed by delivery, the applicant shall request a written receipt thereof and shall return that receipt to the Department of Planning and Development. If the notice to the City Clerk is given by registered mail, the applicant must submit the signed and dated postal service returned receipt to the Department of Planning and Development. At the time of submission of the definitive plan, the applicant shall deliver a copy of the definitive subdivision plan to the Conservation Commission, Health Department, Department of Public Works – Highway Division, Water Department, Wastewater Department, and the Fire Department. Submission to the Board must be made to the Department of Planning and Land Development during the regular business hours. The original plan shall be prepared in ink on either linen or mylar.

## §5.3 FEE:

All applications shall be accompanied by a check payable to the City of Attleboro in the amount required by §8.6 FEE SCHEDULE contained herein and §17–8.6 FEE SCHEDULE of the ZONING ORDINANCE, as applicable.

## §5.4 REQUIREMENTS FOR DEFINITIVE PLANS:

Definitive plans shall meet all the requirements of preliminary plans, pursuant to §4.4 PLAN REQUIREMENTS. The following shall also be shown:

- a. **Lot and Other Lines, Points:** Sufficient data to determine readily the location, bearing, and lengths of all lines on the plan and to reproduce the same on the ground. Also, the location of all angle points and tangent points of curves of all ways.

- b. **Monuments:** The location of all existing monuments. Before the Board will release the performance guarantee, the applicant or subdivider shall be required to set sufficient permanent monuments in the subdivision and indicate them on the final plan with the appropriate symbols, so that all line will be readily reproducible on the ground.
- c. **Signature Space:** Suitable space to record the signatures of nine (9) members of the Board or officially authorized person.
- d. **Dates:** Dates of preliminary plan application filing and approval.
- e. **Zoning District:** The zoning district(s), in which the proposed subdivision is located, must be referenced on the plan.
- f. **Physical Environment:** Provide a complete physical description of the proposed development site, including, but not limited to, varieties of vegetation, percent of ground coverage and open space, type of ground coverage, general topography (including surface characteristics and geologic features), and how the proposed project will affect these features.
- g. **Deed:** Reference to deed as recorded in Registry.
- h. **Final Stormwater Plan:** The Final Stormwater Plan shall include each item specified in the current “Checklist for Definitive Plans” as provided in Appendix C of these Regulations. All items must be submitted at the time of filing to be considered a complete application. The Massachusetts registered professional engineer who stamps the plans/drainage calculations shall be present at meetings to discuss the proposed stormwater management system design with municipal officials and/or representatives.
- i. **Erosion and Sediment Control Plan:** The Erosion and Sediment Control (ESC) Plan shall be designed to ensure compliance with the Regulations and to ensure that the Massachusetts Surface Water Quality Standards, (314 CMR 4.00) are met during construction. The ESC Plan shall show the location of and describe the Construction BMPs to be used on the site and the required maintenance, as well as other relevant information, including (as applicable):
  - 1. Locations of the proposed limits of land disturbance on the site, with provisions that the limits must be marked with tape, signs, or orange construction fence by the developer at the site prior to commencing any land disturbance activities, and shall be inspected by the owner or authorized designated agent;
  - 2. Location and technical description of appropriate erosion and sediment control measures proposed to be installed and inspected by the Board or its designee prior to soil disturbance in accordance with the approved plans;
  - 3. Location and technical description of the perimeter sediment control system that shall be installed and maintained around active construction areas such as, but not limited to, borrow or stockpile areas, roadway improvements, and areas within 50 feet of a building under construction, to be inspected by the Board or its designee prior to initial disturbance;

4. Location and means of diversion of offsite runoff from highly erodible soils and steep slopes to more stable areas;
5. A Sequence of Construction for all land disturbance activities exceeding one (1) acre in size (including lot development) that requires stormwater controls to be installed and the soil stabilized, as disturbance beyond the one (1) acre continues. Mass clearing and grading for sites greater than five (5) acres in size shall not be permitted without prior written approval from the Board or its agent;
6. Location of soil stockpiles and provision to stabilize exposed soils within five (5) business days of completion of construction of a given area. Stockpile side slopes shall not be greater than 2:1;
7. Location and description of vehicle tracking pad(s) to be constructed at all entrance/exit points of the site to reduce the amount of soil carried onto roadways and off the site;
8. Location and description of proposed dust controls to be employed on the site, minimizing soil disturbance through applying mulch and establishing vegetation, water spraying, surface roughening, and/or applying polymers, spray-on tackifiers, chlorides, and barriers;
9. A program for monitoring and maintenance of erosion and sediment control measures throughout the course of construction shall be required as part of the Operation and Maintenance Plan;
10. Provisions to ensure that temporary sediment trapping devices are not removed until permanent stabilization is established in all contributory drainage areas, as well as provisions to ensure that stabilization is established prior to converting sediment traps/basins into permanent (post-construction) stormwater management facilities;
11. Provisions to ensure that all facilities used as temporary measurers shall be cleaned prior to being put into final operation and are inspected by the Department of Public Works – Highway Division or its designee, and indicating that areas to be used as post-construction infiltration practices should be protected during construction to prevent compaction;
12. A program for vegetative stabilization of exposed soil through the establishment of permanently growing vegetation;
13. The plan must demonstrate that the area of disturbance shall be kept to a minimum and that disturbed areas remaining idle for more than fourteen (14) days shall be stabilized with hydroseeding or other appropriate stabilization measure(s);
14. The plan must specify that permanent seeding be undertaken in the spring (from March through June) or in the late summer and early fall (from August 1<sup>st</sup> to October 15<sup>th</sup>). During the peak summer months and in the fall after October 15<sup>th</sup>, when seeding is found to be impractical, an appropriate temporary mulch or sod shall be applied. Permanent seeding may be undertaken during the summer if plans provide for adequate mulching and irrigation;

15. The Plan must specify that all slopes steeper than 3:1, as well as perimeter dikes, sediment basins or traps, and embankments must, upon completion, be immediately stabilized with sod, seed, anchored straw mulch, or other approved stabilization measures; areas outside of the perimeter sediment control system must not be disturbed; and
  16. The Plan must specify that the cut side of roads and ditches shall be stabilized immediately with rock rip-rap or other non-erodible erosion control liners, or where appropriate, vegetative measures such as sod.
- j. **Operation and Maintenance Plan:** An Operation and Maintenance Plan (O&M Plan) is required at the time of application for the definitive plan approval. The O&M Plan shall be designed to ensure compliance with the regulations and to ensure that the Massachusetts Surface Water Quality Standards are met in all seasons and throughout the life of the system. The O&M Plan shall be conveyed to the Department of Public Works – Highway Division after construction, which will perform the ongoing maintenance of the system. The O&M Plan shall include:
1. **Map** – A map showing the location of the systems and facilities including, but not limited to, catch basins, manholes/access lids, drain pipes, and stormwater devices;
  2. **Inspection and Maintenance Schedule** – An inspection and maintenance schedule for all permanent stormwater management facilities, including routine and non-routine maintenance tasks to be performed;
  3. **Drainage Easement(s)** – It shall be the responsibility of the developer to make any necessary agreements/easements with any abutter(s) where any aspect of the proposed stormwater management system is to be carried to the boundaries of the subdivision. Such agreements/easements shall be presented to the Board, in recordable form, prior to the approval of a definitive subdivision plan. The recipient of subdivision approval, and any successor-in-title, shall provide and furnish the City of Attleboro the perpetual right, privilege, and authority, entirely at the option of the City of Attleboro, to enter upon any rights-of-way within the subdivision and upon any lot, or easements pertinent to said stormwater management system, within which said system is located, for repair and maintenance purposes of said system.
    - a. Drainage easements shall be provided by the property owner(s) as necessary for:
      - i. Access for facility inspections and maintenance;
      - ii. Preservation of stormwater runoff conveyance, infiltration, and treatment areas and facilities, including flood routes for the 100-year storm event; and
      - iii. Direct maintenance access by heavy equipment to structures requiring regular maintenance.
    - b. Drainage easements shall be a minimum of twenty (20') feet in width and may be larger, as necessary, at the discretion of the Planning Board.
    - c. Drainage easements are required for all areas used for off-site stormwater control, unless the Board grants a waiver.
    - d. Drainage easements shall be recorded with the Bristol County Registry of Deeds.

### §5.5 REQUIREMENTS FOR CONSTRUCTION PLANS AND PROFILES:

Profiles shall be required on all new ways, and a profile of ways as eventually constructed shall be submitted to the Board for approval before the final release of the performance guarantee.

- a. **Scale:** Profiles shall be drawn to a horizontal scale of one inch equals forty feet (1"=40') and a vertical scale of one inch equals four feet (1"=4').
- b. **Bench Marks:** Permanent bench marks shall be established, based on USGS Datum and their location indicated on the plan (s) and profile(s).
- c. **Street Grade:** The final profile of a street shall not exceed a maximum grade of six (6%) percent for subcollector streets or eight (8%) percent for minor streets or be less than a minimum grade of eight-tenths (0.8%) of one percent. All changes in grade shall be converted by suitable vertical curves.
- d. **Drainage:** Provisions for road drainage shall be shown on the profile plan.
- e. **Drainage Easements:** Drainage easements shall be shown, and shall be at least twenty (20') feet wide.
- f. **Contours:** Where finished road grades are in excess of two (2') feet above or below the adjoining property, whether included in the subdivision or not, a plan of the road(s) and adjoining property showing existing and proposed contours at two (2') foot intervals, shall be submitted to the Board.
- g. **Utility Plan:** All subdivisions shall be designed and equipped with aboveground utilities. The plan shall show the location of the lighting easement(s), the number and location of lighting posts, and the type of lamp.
- h. **Excavation:** All profile sheets shall show the volume of earth material to be altered for every one hundred (100') feet of proposed street length within the street right-of-way width inclusive of any earth material to be removed in association with the construction of side slopes adjacent to the right-of-way within a 1:3 slope to a maximum horizontal distance of ten (10') feet (see §17-10.2(B)(3) EXEMPTIONS of the ZONING ORDINANCE).

### §5.6 UTILITIES:

- a. The Board requires all subdivisions to be connected to the municipal water system. Pipe sizes within the subdivision shall be those specified by the Water Department's standards and the municipal ordinances. Existing mains to which water tie-in connections are proposed must be able to deliver a minimum of 750 gallons of water per minute (GPMs), at 20 p.s.i.g. (see NFPA of ISO). If this flow rate is not available, the developer and the Water Superintendent shall enter into negotiations in order to meet the requirement. The Water Superintendent shall notify the Board on the status of the negotiations within forty-five (45) days of the date of submission of the definitive plan.

- b. During housing construction, the Board requires that once watermains and hydrants are installed, and determined to be operational by the Water Department, that they be activated immediately. In no instance shall an occupancy permit be issued unless watermains and hydrants are operational and active. The term “operational” shall mean that watermains have been pressure tested, chlorinated, and charged to the satisfaction of the Water Department. No principal or accessory building shall be erected unless such building is within one thousand (1,000) feet of an active hydrant. Distance shall be measured along the centerline of the roadway. If the Board approves the subdivision subject to a construction phasing schedule, then the foregoing provisions apply only to that phase under construction unless otherwise specified by the Board. Unless the water system is activated immediately upon becoming operational, the Board reserves the authority not to release funds from the performance guarantee and the right not to release lots from covenant until such time the water system is activated. The Board also reserves the authority to condition plan approval by limiting the erection of any building until the water system is first installed, determined operational, and activated (MGL CH. 41, §81Y). The Board may impose a condition which limits the erection of any building until the water system is first operational only in instances when both the Fire Department and the Water Department demonstrate the exigent need, in writing with supporting documentation, for the water system to be first installed, operational and activated prior to the erection of any building.
- c. The Board will require all subdivisions to be connected to the municipal sanitary sewer system where such a connection can be reasonably made. In cases where a lift station is required to enter sewerage into the municipal system, such facilities, and their construction and maintenance, shall comply with the specifications of the Water Department.
- d. Where septic systems are used, the Health Department shall approve them, and where possible, shall be placed on the street side of the house.

**§5.7 COMPLIANCE WITH REGULATIONS OF THE HEALTH DEPARTMENT, DEPARTMENT OF PUBLIC WORKS – HIGHWAY DIVISION, WATER DEPARTMENT, AND WASTEWATER DEPARTMENT**

- a. The Health Department shall, within forty–five (45) days after filing of the plan, report to the Board, in writing, approval or disapproval of the plan or lots thereon. If the department disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such reports, and where possible, shall make recommendations for the adjustment thereof. Every buildable lot shall be provided with means of sewerage disposal satisfactory to the Health Department.
- b. Installation of all surface and underground structures associated with street construction and the stormwater management system shall comply with the standards and specifications of the Department of Public Works – Highway Division.
- c. Installation of all surface and underground structures associated with sanitary sewers and water lines shall comply with the standards and specifications of the Water Department and Wastewater Department.

### **§5.8 PUBLIC HEARINGS:**

Before approval, modification and approval, or disapproval of the definitive plan is given, the Board shall hold a public hearing. Notice of time and place of such hearing, and of the subject matter, sufficient for identification, shall be given by the Board, at the expense of the applicant, at least fourteen (14) days prior thereto, by advertising in newspaper of general circulation in the City of Attleboro. The copy of such notice shall be mailed to the applicant and to all owners of land abutting upon the subdivision, as appearing on the most recent tax list.

### **§5.9 ACTION BY THE BOARD:**

Within one hundred and thirty-five (135) days of the submission of a definitive plan, the Board shall, by vote, approve such plan, with or without modifications, or disapprove it, and within said one hundred and thirty-five (135) days, shall notify the City Clerk of its action. Action of the Board, including any conditions of approval and plan modifications of the specific reasons for disapproval, shall be filed with the City Clerk and mailed to the applicant by registered mail. The one hundred and thirty-five (135) day time limit for the Board's action may be extended by vote of the Board upon a written request by the applicant. Further, the one hundred and thirty-five (135) day time limit shall be reduced to ninety (90) days if the applicant submits the definitive plan within seven months from the date on which the preliminary plan was submitted.

### **§5.10 PERFORMANCE GUARANTEES:**

The Department of Public Works – Highway Division will prepare a line-item estimate of the construction cost of each major improvement associated with an approved subdivision (e.g. streets, stormwater management systems, bituminous concrete sidewalks, sewer lines, watermains, trees and other landscaping features) and forward a total estimated cost to the Board. The estimate will serve as the basis for the performance guarantee mandated by the Board. As each major item is substantially completed, the developer is entitled to ask for a reduction in the bond, the surety or the amount of the first mortgage with lender's agreement. A five (5%) percent retainage will be required on each item to be held until all items have been satisfactorily completed. Before endorsement of its approval of a plan, the Board shall require that the cost of all or any part of the improvements specified in §7.0 be secured by one, or in part by one and in part by another, of the methods described in the following clauses (a), (b), (c), and (d) which method or combination of methods may be selected and from time to time varied by the applicant:

- a. **By A Proper Bond:** Upon approval of a definitive plan of a subdivision, the subdivider may file a performance bond in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements specified in §7.0. Such bond, if filed or deposited, shall be approved as to form and manner of execution by the City Solicitor, and shall be contingent on the completion of such improvements within two (2) years, unless by the Board specifies a different time period.

- b. **By A Deposit of Money or Negotiable Securities:** Upon approval of a definitive plan of a subdivision, the subdivider may file a deposit of money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvement specified in §7.0. Such money or security, if filed or deposited, shall be approved as to form and manner of execution by the City Solicitor, and as to securities by the City Treasurer, and shall be contingent on the completion of such improvements within two (2) years, unless a different time period is specified by the Board.
  
- c. **By A Covenant:** Instead of filing a bond or depositing surety, the subdivider may request approval of his definitive plan on condition that no lot in the subdivision shall be sold, and no building shall be erected, there on, until the improvements specified in §7.0 are constructed and installed so as to serve the lots adequately. Such conditions shall be endorsed upon the plan or contained in a separate vote or agreement, which shall be referred to on the plan recorded in the Registry of Deeds. When a subdivider has completed said required improvements for any lots in a subdivision, he may request a release of covenant for said lots. If the improvements have been completed to the satisfaction of the Board, the Board shall then execute and deliver to the subdivider such release, which shall be in the form for recording in the Registry of Deeds. Thereupon, the conditions related to such lots so released shall terminate.
  
- d. **By A Lender's Agreement:** Instead of filing a bond or depositing surety, the subdivider may deliver to the Board an agreement executed after the recording of a first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be made to the applicant by the lender, which agreement shall be executed by the applicant and the lender and shall provide for the retention by the lender of funds sufficient in the opinion of the Board and otherwise due the applicant, to cover the costs of all or any part of the improvement specified in §7.0. Said agreement shall also provide for a schedule of disbursements which may be made to the applicant upon completion of various stages of the work, and shall be contingent on the completion of such improvements within two (2) years, unless a different time period is specified by the Board.

The penal sum of any such bond held under clause (1) of any deposit held under clause (2) or any amount of funds retained pursuant to any agreement under clause (4) shall bear a direct and reasonable relationship to the expected cost including the effects of inflation, necessary to complete the subject work. Such amount or amounts, shall from time to time be reduced so that the amount bonded, deposited or retained continues to reflect the actual expected cost of work remaining to be completed.

**§5.11 ENDORSEMENT AND RECORDING:**

Upon the filing by the applicant of a covenant or an agreement and bond or other security, and upon expiration of a twenty (20) day period after the approval of a definitive plan without an appeal being filed, the Board shall endorse the original drawings of the approved definitive plan with the signatures of the majority of the Board, date of approval, and any conditions of approval or a reference to the covenant or other instrument(s) containing such conditions and to be recorded with the plan. The City Clerk shall endorse on the plan a statement that no appeal was filed within the twenty (20) days after the notice of plan approve was received by the City Clerk. The original drawings of the definitive plan shall be returned to the applicant for recording in the Registry of Deeds or filing with the Land Court, together with any covenants,

agreements, or statements of condition pertaining thereto. Prior to such recording or filing, the applicant shall obtain and transmit to the Board three (3) prints of the endorsed plan, and to the Building Inspector one (1) print of such plan, and one (1) copy of any covenant, security agreement, or conditions of approval pertaining to such plan.

**§5.12 RELEASE OF PERFORMANCE GUARANTEE:**

- a. **Engineering Certification:** Upon completion of the improvements (construction of ways and installation of municipal services) specified in §7.0, and before release of any performance bond or conditions imposed upon a subdivision or portion thereof the subdivider shall file with the Board a certification by a Massachusetts registered professional engineer that the construction of said improvements is in accordance with the plan(s), profile(s), and any specifications approved by the Board. Engineering certification shall include a certified plan of any portion of the subdivision differing from the initially approved plan as an “As-Built Plan”. If the Board determines that the said construction or installation has not been completed, it shall specify, in a notice sent by registered mail to the applicant, and delivered to the City Clerk, the details wherein said construction and installation fail to comply with the requirements contained in §7.0 (see §7.9(F) INSPECTION AND APPROVAL PROCEDURES). Upon failure of the Board to act within forty-five (45) days after receipt of application by the Board, all obligation under the bond shall cease and terminate. Any bond or surety shall be returned, and any such covenant shall become void.
- b. **Legal Description of Streets and Easements:** Before such release, the subdivider shall also provide the Board with a legal description of all streets and easements in the subdivision, or that portion, thereof, approved by the Board, specifying bearings and distances the boundaries of each street and easement, suitable for recording in the Registry of Deeds, at the time the street(s) and easements are accepted by the City of Attleboro.
- c. **Subdivision Inspection Record:** The applicant, or representative, shall obtain from the Board a subdivision inspection record and shall submit his record to the Board on completion, for release of any or all building lots, release of bond, or release of certified check. An agent designated by the Board shall sign the subdivision inspection record.

# SECTION 6: DESIGN STANDARDS

## §6.1 STREET LOCATION AND ALIGNMENT:

- a. **Safe Vehicular Travel and Attractiveness:** All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safe vehicular travel. The subdivider shall also give consideration shall to the attractiveness of the layout, in order to obtain the maximum livability and amenity of the subdivision.
- b. **Street Alignment and Intersections:** Wherever possible, intersections shall be designed to form a “four-way” intersection instead of a “T” intersection.
- c. **Relation to Other Streets:** As far as practical, all proposed streets shall be continuous and in alignment with existing streets. Where future land development is possible, streets shall extend to the property line, to provide for future continuation (MGL CH. 41, §81M).
- d. **Reserve Strips:** Reserve strips, prohibiting access to streets or adjoining property, shall not be permitted.
- e. **Street Jogs:** Street jogs with centerline offsets of less than one hundred and twenty-five (125') feet should be avoided, and long radius curves substituted.
- f. **Centerline Radius:** The minimum centerline radius of curved streets shall be two hundred (200') feet. A greater radius will be required for subcollector streets.
- g. **Right Angle Intersections:** Streets shall be laid out so as to intersect, as nearly as possible, at right angles. No street shall intersect any other street at less than sixty (60°) degrees.
- h. **Curve Radius at Intersections:** Street lines at intersections shall be joined by curves with a radius of not less than thirty (30') feet. Tangent distances shall be shown on the definitive plan and shall be considered as lot frontage, in complying with the ZONING ORDINANCE.
- i. **Turn-Arounds:** Turn-arounds not less than forty-five (45') feet pavement radius and fifty-two (52') feet street line radius, or other approved designs, shall be required on streets that dead-end within a subdivision. Only a circular turn-around layout, as shown in Figure 1, shall be permitted within a subdivision. A hammerhead turn-around layout, as shown in Figure 1, or a “T” shaped turn-around layout, shall be permitted only in a street extension. The Board reserves the right to allow a hammerhead turn-around layout in a subdivision in connection with a temporary road stub(s).

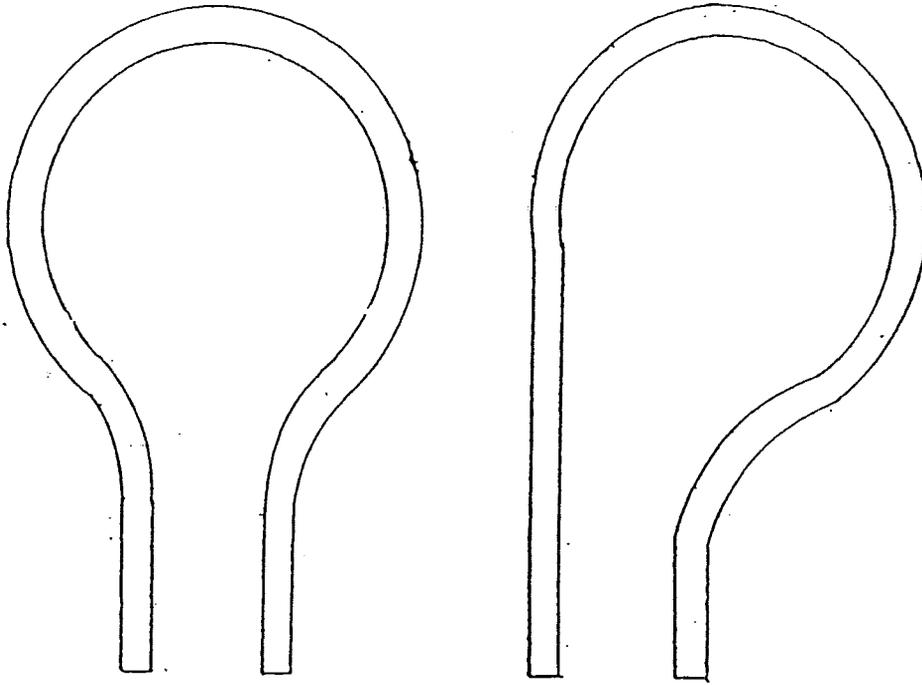
j. **Dead End Streets:** Not more than twenty (20) lots shall be permitted along a dead-end street. This regulation shall apply to all new lots created in conjunction with the road. Pre-existing lots along the through-street that will also abut the dead-end street after its construction (i.e., corner lots) shall not be counted toward this maximum number only if their sole means of vehicular access is from the through-street (see Figure 2). The maximum length of any dead-end street shall not exceed one thousand (1,000') linear feet. The length of a dead-end street shall be measured as follows:

1. For a standard dead-end street, the distance shall be measured along the center line of the road from where it intersects the existing public or private through street. The measured distance shall run through the center of the cul-de-sac to the farthest edge of the right-of-way (see Figure 3).
2. For any loop road configuration, the first step in measuring the road length is to identify the most distant point along the edge of the right of way and draw a perpendicular line across the right of way from that point. This line shall be called the "finish line." The road length shall then be measured along the centerline of the road from where it intersects the existing through-street to where the centerline intersects the finish line. The shortest measurement to the distance line shall be used (see Figure 4).

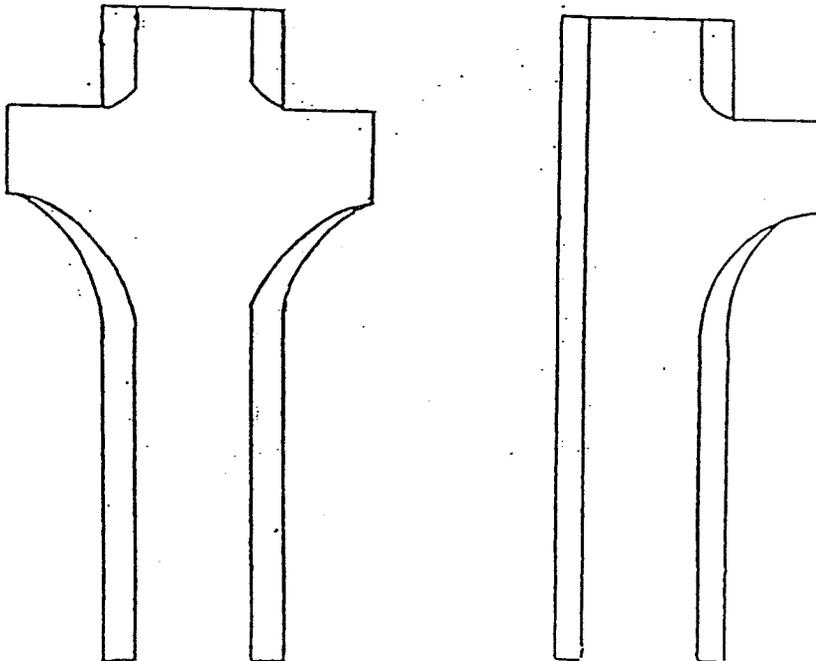
Road spurs may be added to an existing dead-end street. In these cases, the number of new house lots shall be added to the number of existing house lots to determine whether the maximum number of twenty (20) is exceeded. The road spur will also result in a recalculation of the road length if its farthest point from the through-street exceeds the farthest point of the original dead-end. Any road spur off an existing dead-end street shall be designed with a minimum length of two-hundred and fifty (250') linear feet and shall be measured as described in §6.1(j)(1) and §6.1(j)(2) above.

FIGURE 1

TYPICAL LAYOUTS FOR A SUBDIVISION TURN-AROUND  
(Circular Only)

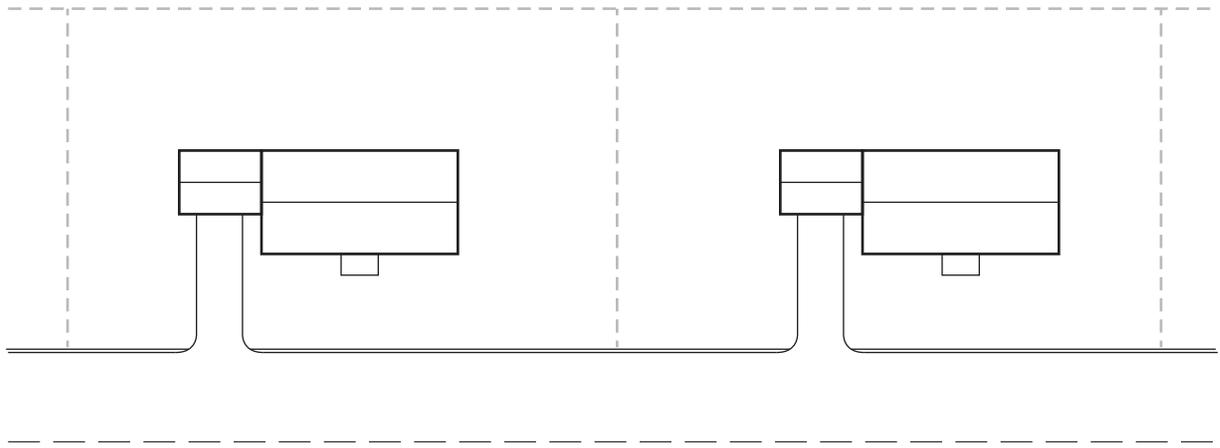


TYPICAL LAYOUTS FOR A STREET EXTENSION TURN-AROUND  
(Hammerhead or Circular)

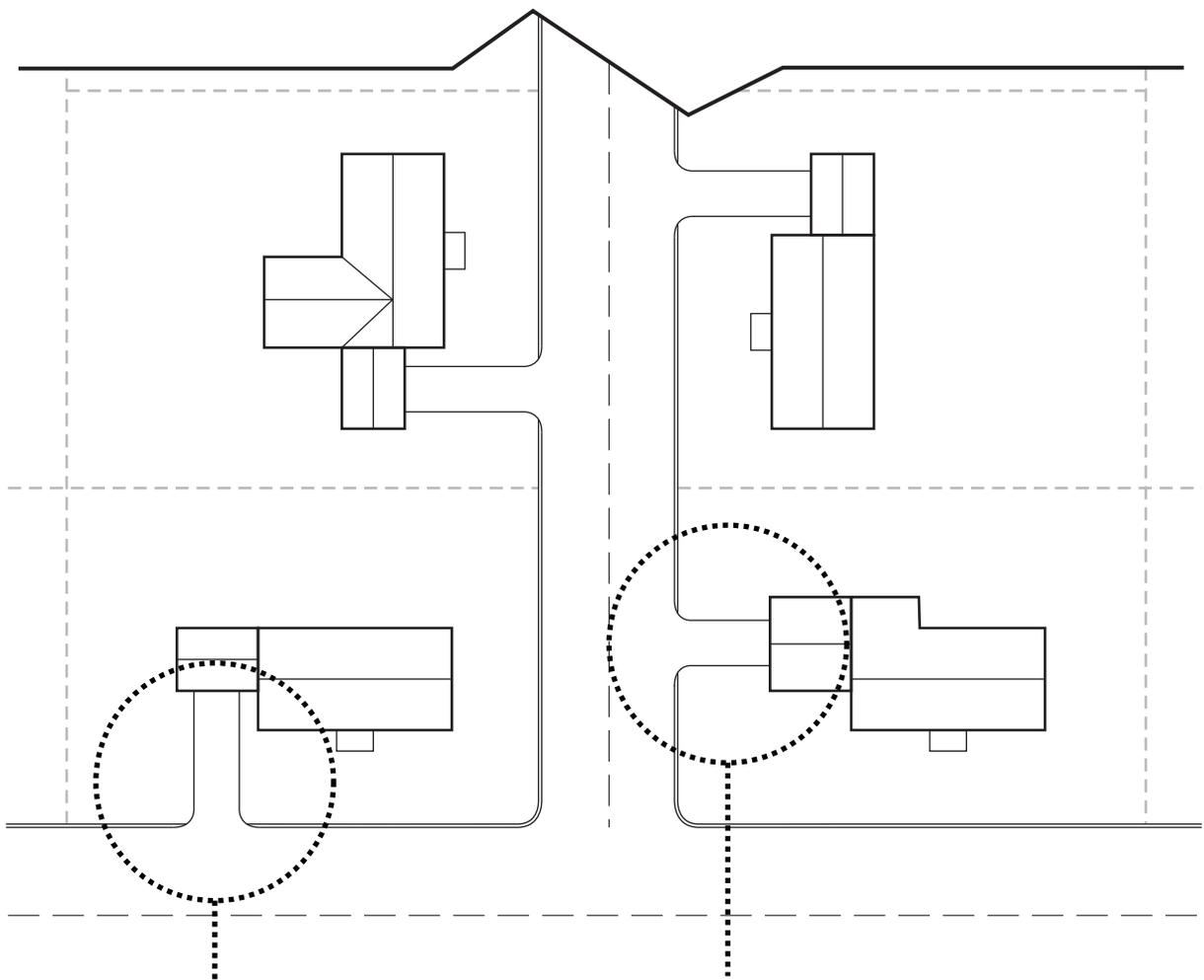


# 1. Pre-existing Conditions

FIGURE 2



# 2. After Construction of Dead End Street



Unchanged access does not count toward maximum standard

Redeveloped lot counts toward maximum standard

FIGURE 3

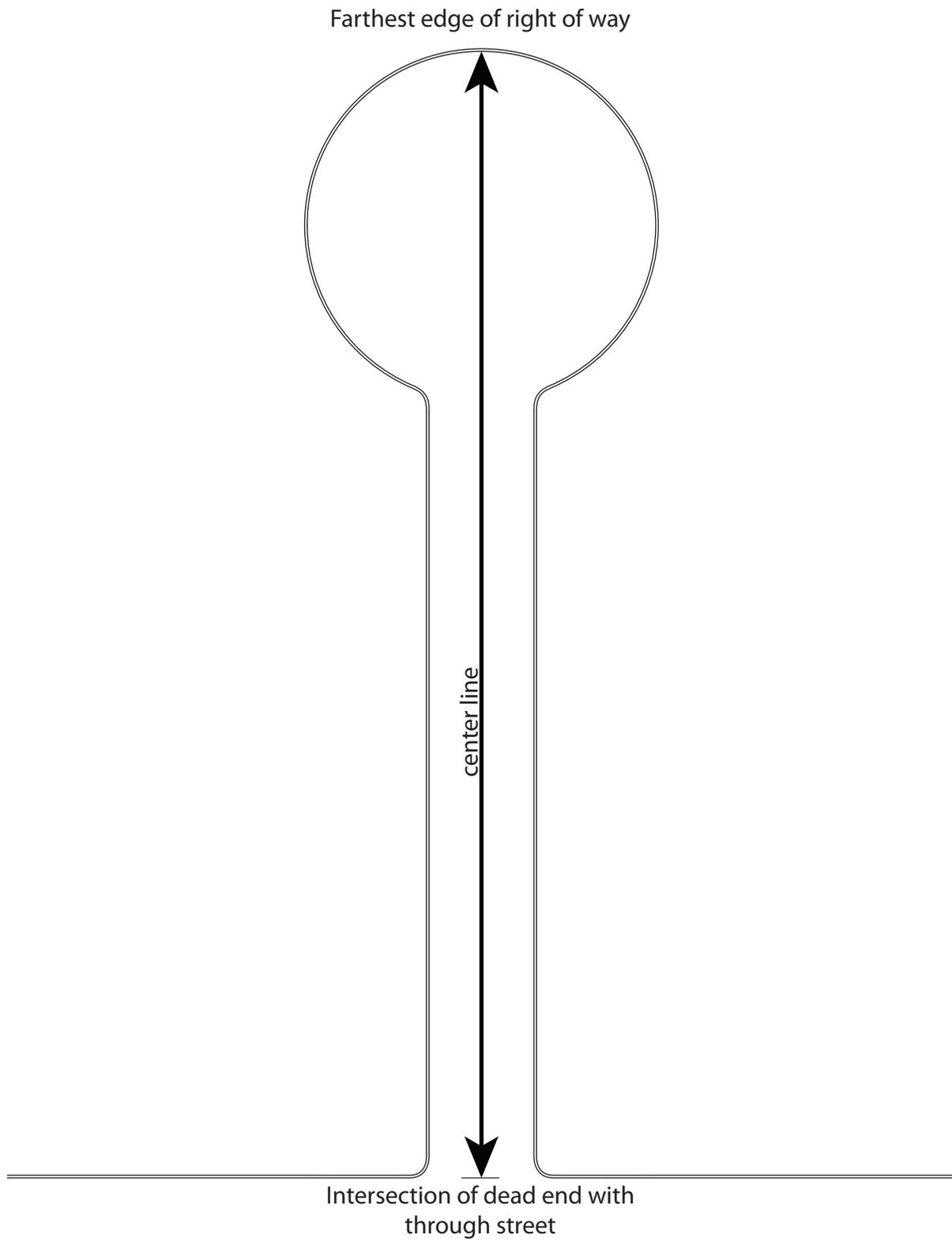
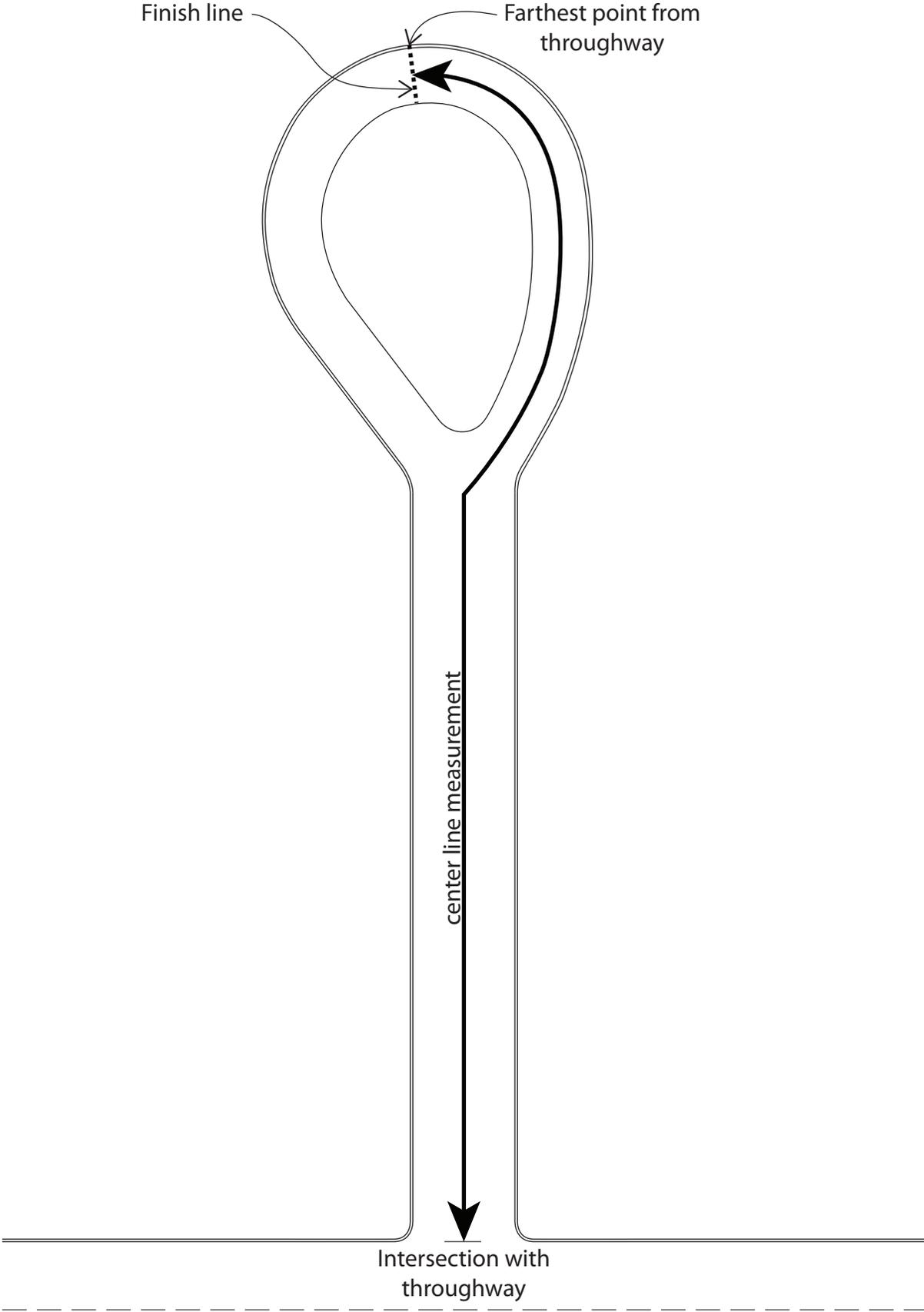


FIGURE 4



## §6.2 STREET WIDTH:

- a. No street in a subdivision shall be less than forty (40') feet in width. Such shall consist of twenty-six (26') feet of pavement plus a bituminous concrete molded berm on each side of the street. Molded berm shall conform to the design and construction specifications of the Department of Public Works – Highway Division.
- b. All minor streets in a subdivision shall be forty (40') feet in width, consisting of twenty-six (26') feet of pavement, plus a bituminous concrete molded berm on each side of the street.
- c. Subdivisions which will consist of forty (40) lots, or have a total area of twenty (20) acres or more, shall be designed with subcollector streets which shall be forty-five (45') feet in width, consisting of thirty-one (31') feet of pavement, plus a bituminous concrete molded berm on each side of the street. Through streets within a subdivision shall also be classified as a subcollector street. Subdivisions may be designed with both minor streets and subcollector streets. In such instances, the design engineer shall label each street with the applicable classification.
- d. The Board reserves the right to require streets to be greater than forty-five (45') feet wide.
- e. Developments consisting of more than twenty (20) lots as described pursuant to §6.1(j) STREET LOCATION AND ALIGNMENT – DEAD-END STREET shall be required to have at least two (2) means of access from a through-street. The distance between access ways serving the development shall not be closer than three hundred (300') feet apart, as measured from their respective centerline.

## §6.3 STORMWATER MANAGEMENT SYSTEMS – PERFORMANCE STANDARDS:

### §6.3.1 CONSTRUCTION STORMWATER MANAGEMENT CRITERIA:

- a. **Erosion and Sediment Control Plan** – At a minimum, the Erosion and Sediment Control Plan shall comply with the performance standards of the most recent version of the *Massachusetts Erosion and Sedimentation Control Guidelines for Urban and Suburban Areas: A Guide for Planners, Designers, and Municipal Officials* published by the Massachusetts Executive Office of Energy and Environmental Affairs (EEA), as well as the following:
- b. **General Criteria** – The following general performance criteria shall be applicable to all erosion and sediment control plans, unless otherwise provided for in these regulations:
  - 1. Measures shall be taken to control erosion within the project area.
  - 2. The removal of existing trees and ground cover is to be kept at a minimum.
  - 3. Wetland areas and surface waters shall be protected from sedimentation.

4. Sediment in runoff water shall be trapped and retained within the project area. All temporary sediment trapping devices shall be designed to retain one (1") inch of runoff from the contributing drainage area.
5. All construction site measures shall be designed to accommodate (safely convey without creating erosive conditions) the 10–year, 24–hour return frequency storm event.

**§6.3.2 POST–CONSTRUCTION STORMWATER MANAGEMENT CRITERIA:**

- a. At a minimum, all subdivisions shall comply with the performance standards of the most recent version of Massachusetts Stormwater Management Standards (MASWMS), as well as the following:
- b. **General Criteria** – The following general performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in these regulations:
  1. **No Untreated Discharges** – All stormwater runoff generated from subdivision activities shall not discharge untreated stormwater runoff directly to a wetland, local water body, municipal drainage system, or abutting property, without adequate treatment.
  2. **Site Design Criteria** – The use of Low Impact Development (LID) measures is required to the maximum extent practicable for new development in order to promote recharge, reduce runoff volumes, and minimize reliance on structural stormwater management measures. The Site Design Criteria require that the site planning process shall be documented and shall include the following steps:
    - a. Identify and map the critical environmental resources at the site as listed in the Preliminary Plan Checklist (Appendix B);
    - b. Delineate potential building envelopes avoiding environmental resource areas and providing a buffer from regulated resources of at least twenty–five (25') feet;
    - c. Document percent of natural open space provided on–site;
    - d. Develop methods to minimize impervious surfaces, and document percent of impervious surfaces proposed on–site;
    - e. Develop methods to disconnect impervious surfaces and document percent of effective impervious cover proposed on–site; and
    - f. Document how each of the applicable Site Design Features listed in the Preliminary Plan Checklist (Appendix B) are considered and incorporated into the site design, as practicable.

**3. Recharge Volume ( $R_e$ ):**

- a. Annual groundwater recharge rates shall be maintained by promoting infiltration through the use of structural and non-structural methods. At a minimum, annual recharge from the post-development site shall approximate the annual recharge from pre-development site conditions.
- b. The  $R_e$  should be determined using the methods prescribed in the latest version of the MASWMS. The recharge requirements shall apply to all activities within the jurisdiction of these regulations except as noted, and unless specifically waived by the Board. The recharge criterion is not required for any portion of a site designated as a stormwater hotspot. In addition, the Board may relax or eliminate the recharge requirement at its discretion, if the site is situated on unsuitable soils or is in a redevelopment area with documentation of prior contaminated soils.

**4. Water Quality Volume ( $WQ_v$ ):**

- a. The prescribed water quality volume required in the sizing of a structural stormwater practice shall be:

1.0 inch x the total impervious area of the drainage area

- b. Structural Practices for Water Quality – All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the most recent version of the MASWMS. For other structural stormwater controls not included in the MASWMS, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Board before being included in the design of a stormwater management system. Structural best management practices (BMPs) must be designed to remove eighty (80%) percent of the average annual post development total suspended solids (TSS) in accordance with the methods and procedures outlined in the latest edition of the MASWMS. In addition, projects proposed within the Orr’s Pond and Bungay River water resource protection districts must be designed to remove both eighty (80%) percent TSS and forty (40%) percent TP. The allowable BMPs and associated TSS and TP removal rates are provided in Appendix D. Practices may be implemented in series to meet required pollutant removals (see the latest edition of the MASWMS for guidance on calculating total pollutant removal from practices in a series). It is presumed that a BMP provides the removal rate listed in Appendix D and complies with this performance goal if it is:
  - i. Sized to capture the prescribed water quality volume;
  - ii. Designed according to the specific performance criteria outlined in the MASWMS;
  - iii. Constructed properly; and
  - iv. Maintained regularly;

**5. Channel Protection (C<sub>p</sub>):**

- a. Protection of channels from bank and bed erosion and degradation shall be provided by attenuating the 24-hour extended detention storage of runoff of the post-development 1-year, 24-hour return frequency storm event.
- b. Exemptions to Channel Protection Requirement – Since there are practical limitations on minimum orifice or weir sizes needed to control C<sub>p</sub>, as well as flow and receiving water considerations, the requirement shall be waived for:
  - i. Small sites (i.e., sites requiring less than 1-inch orifice);
  - ii. Sites with post-development discharges less than 2 cfs;
  - iii. Direct discharges to fourth (4<sup>th</sup>) order or greater streams, lakes, and reservoirs, where the development area is less than five (5%) percent of the watershed area upstream of the development site; and
  - iv. Indirect discharges to an existing drainage network with adequate capacity to accommodate the flows from the site where the ultimate discharge is to a fourth (4<sup>th</sup>) order or greater stream, lake, or reservoir;

**6. Flooding Protection (Q<sub>p</sub>)** – Downstream flood, property, and public safety protection shall be provided by attenuating the post-development peak discharge rates for the 10-year and 100-year 24-hour return frequency storm events to the pre-development rates.

**7. Conveyance Criteria:**

- a. The proposed stormwater conveyance system shall, at minimum, accommodate the runoff from a 25-year storm event. The discharge from any stormwater facility must be conveyed through properly constructed watercourses to provide for non-erosive flows during all storm events. Rip-rap (or other approved energy dissipaters) shall be placed at all flared-end sections, pipe outlets, overflow weirs, drainage swales, and any other location at the discretion of the Board. Rip-rap shall be sized such that the stones will be able to resist movement due to discharge velocity.
- b. If a closed drainage system is proposed, a catchbasin-to-manhole system is required rather than a catchbasin-to-catchbasin system. Manholes shall be provided at changes in direction and wherever there is a change in pipe size. Catchbasins shall be located on both sides of the roadway on continuous grades at intervals of not more than three hundred (300') feet, at low points, and at the corners of intersecting streets. Intervals of less than three hundred (300') feet may be required on steep grades. The Board may ask for an inlet capacity analysis on a case-by-case basis.
- c. All drain lines to be connected to the municipal drain line shall be constructed by way of a drain manhole being installed between the existing drain line and the proposed drain line(s).

- d. Open culverts with a diameter of twelve (12") inches or greater shall be capped with a bar grate. The bar grate shall consist of vertical iron rods spaced four (4") inches on center and shall be removable for maintenance purposes.
8. **Redevelopment Projects** – Redevelopment projects shall, at a minimum, comply with one of the following:
- a. Reduce the total impervious cover by forty (40%) percent from existing conditions;
  - b. Where site conditions prevent a reduction in impervious cover, implement stormwater controls for at least forty (40%) percent of the site's impervious cover; or
  - c. Implement a combination of impervious cover reduction and area treated with stormwater controls that shall equal or exceed forty (40%) percent of the site's impervious cover.
9. **Hydrologic Basis for Design of Structural Practices** – For facility sizing criteria, the basis for hydrologic and hydraulic evaluation of development sites are as follows:
- a. Impervious cover is measured from the site plan and includes any material or structure on or above the ground that prevents water from infiltrating through the underlying soil. Impervious surface is defined to include, without limitation: paved parking lots, sidewalks, roof tops, driveways, patios, and paved, gravel, and compacted dirt surfaced roads. Alternative surfaces (e.g., porous pavement, grass pavers, etc.) are encouraged for low-traffic sidewalks and parking lots, and these areas may be removed from the total impervious area calculations when designing the stormwater system for recharge and water quality criteria only. General design guidance is included in the MASWMS, but there is not one set of required design criteria since alternative paving technology is still evolving and improving. Thus, the applicant shall submit specifications for any proposed alternative surfaces, which shall be reviewed by the Board on a case-by-case basis.
  - b. Off-site areas draining to the site shall be included in the hydrologic and hydraulic analyses.
  - c. The models TR-55 and TR-20 (or approved equivalent) shall be used for sizing stormwater practices.
  - d. The length of sheet flow used in the TR-55 method for time of concentration calculations is limited to no more than one hundred (100') feet for pre-development conditions and fifty (50') feet for post-development conditions.
  - e. For purposes of computing runoff, all pervious lands in the site prior to development shall be assumed to be in good condition regardless of conditions existing at the time of computation.

- f. Detention time for the C<sub>pv</sub> is defined as the center of mass of the inflow hydrograph and the center of mass of the outflow hydrograph.
  - g. The Rational Method will be used for drainage conveyance calculations needed to size components of the selected drainage conveyance system.
  - h. The specified design storms shall be defined as 24-hour, Type III distribution design storm events using the rainfall amounts specified for Bristol County in the *Hydrology Handbook for Conservation Commissioners*.
  - i. Subdivisions shall apply these stormwater management criteria to the land development as a whole. Hydrologic parameters shall reflect the ultimate land development and shall be used in all engineering calculations.
10. **Critical Areas** – Stormwater discharges to critical areas with sensitive resources may be subject to additional criteria, or may need to utilize or restrict certain stormwater management practices at the discretion of the Conservation Commission. The Conservation Commission may designate critical areas on a case-by-case basis based on information brought during the hearing and will do this within fourteen (14) days of opening a public hearing.

**§6.3.3 CRITERIA FOR CONNECTIONS TO THE STORM DRAIN SYSTEM:**

- a. Connections to the municipal storm drain system of the City of Attleboro shall be governed by the following provisions.
- b. **Prohibited Activities:**
  - 1. **Illicit Discharges** – No person shall dump, discharge, cause, or allow to be discharged any pollutant or non-stormwater discharge into the municipal storm drain system.
  - 2. **Illicit Connections** – No person shall construct, use, allow, maintain, or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
  - 3. **Obstruction of Municipal Storm Drain System** – No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Board.

- c. **Exemptions** – Any discharges associated with municipal fire fighting activities are exempt from the discharge prohibitions established by this section. In addition, other non–stormwater discharges or flows (such as, but not limited to, water line flushing and discharge from foundation drains) are exempt from the discharge prohibitions of this section, provided that the source is not a significant contributor of a pollutant to the municipal storm drain system as determined by the Board.
- d. **Suspension Due to Illicit Discharges in Emergency Situations** – The Board may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare, or the environment. In the event any person fails to comply with an emergency suspension order, the Board, its employees and agents may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare, or the environment.
- e. **Suspension Due to the Detection of Illicit Discharge(s)** – Any person discharging to the municipal storm drain system in violation of these Regulations may have their municipal storm drain system access terminated if such termination would abate or reduce an illicit discharge. The Board will notify a violator of the proposed termination of its municipal storm drain system access. The violator may petition the Board for a reconsideration and hearing.

**§6.4 FIRE ALARM SYSTEM:**

- a. At least one (1) fire alarm box shall be required in a subdivision. The location of the fire box(es) shall be specified by the Fire Department. The fire alarm system shall be installed in accordance with the specifications of the Fire Department.
- b. One fire alarm box shall be placed every one thousand and six hundred (1,600') feet of roadway, or fraction thereof, within the subdivision. Distance shall be measured along the centerline of the proposed roadway.
- c. No occupancy permit shall be issued unless the fire alarm box(es) are installed and fully operational. If the Board approves the subdivision subject to a construction phasing schedule, then the fire alarm box(es) only within the phase under construction needs to be installed and fully operational before an occupancy permit is issued.

**§6.5 UTILITY EASEMENTS:**

Easements for utilities across lots, or centered on rear or side lot lines, shall be provided, where necessary, and shall be at least twelve (12') feet wide, or as required by §5.5(E) REQUIREMENTS FOR CONSTRUCTION PLANS AND PROFILES for drains. They shall be shown on plans and described in the manner specified in §5.12(B) RELEASE OF PERFORMANCE GUARANTEE.

**§6.6 OPEN SPACES FOR CONSERVATION AND RECREATION:**

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

**§6.7 OIL LINES:**

Fuel oil distribution lines if used in the subdivision shall be installed under the FPR-7 Regulations, subject to approval of the State Fire Marshall, the Superintendent of Public Works, the Inspector of Buildings, and the Fire Chief.

**§6.8 GENERAL DESIGN REQUIREMENTS:**

Design of utilities and streets not specifically covered herein, shall follow requirements the accepted engineering practice and the standard specifications of the Massachusetts Highway Department where appropriate. The Board shall require submission of detailed design drawings for unusual or special features, such as large culverts, wing and retaining walls, guardrails, bridges and piers, pump stations, package treatment plants, land disposal or wastewater and the like.

**§6.9 RECREATION AREAS:**

The Board may require, where appropriate, the plan to show and designate an area(s) within the subdivision dedicated for recreational purposes. As such area(s) shall not be unreasonable in area in relation to the land being subdivided and to the prospective use of such land, such land shall be generally equal to one (1) acre of land for every twenty (20) dwelling units or fraction thereof. If such land is not conveyed to the City of Attleboro, a twenty (20') foot wide access easement, from a street right-of-way to the recreational land, shall be provided and shown on the plan. Pedestrian ways, bikeways, or bridle path(s) of not less than fifteen (15') feet in width may be requested where deemed desirable to accommodate circulation or access to, for example, schools, playgrounds, parks, or public transportation facilities. Each area reserved for such purposes shall be of suitable area, dimensions, topography and natural character. The area(s) shall be located so as to adequately serve all parts of the subdivision as approved by the Board. The Board may require that these reserved area(s) be located and laid-out so as to be used in conjunction with similar areas of adjoining subdivisions and of future subdivisions. Any land so reserved shall be graded to properly dispose surface water. This provision is subject to MGL CH. 41, §81Q.

**§6.10 DRIVEWAYS:**

Twenty-five (25') feet maximum opening, per lot, shall be allowed.

**§6.11 VARIATIONS:**

Variations from the listed standard designs will be considered by the Board and designs developed.

**§6.12 SPECIAL SUBDIVISION:**

The Board will consider special subdivisions such as for industrial or commercial areas.

# SECTION 7: REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION

## §7.1 TIME REQUIREMENT:

The Board shall require that the construction of roads be completed within twenty-four (24) months of the approval of the plan unless extended by the Board.

## §7.2 CLEARING:

- a. No trees, stumps, brush, turf, roots, and boulders greater than one (1') foot in diameter cleared from a construction site shall be disposed, buried, or covered within the construction site. For purposes of this subsection, the term "construction site" shall mean land within one hundred and fifty (150') feet of the centerline of all streets within an approved definitive subdivision or street extension plan.
- b. No construction debris shall be disposed, buried, or covered within the definitive boundaries of a development site. In instances of an approved definitive street extension plan, the "development site" shall include all lots that are to be serviced by the approved street extension plan.

## §7.3 ROAD CONSTRUCTION:

- a. **Road Beds:** Where road beds are to be built across marsh or swamp areas, the method of construction shall be submitted to the Department of Public Works – Highway Division for approval. Where the sub-soil within the road layout consists of peat or similar spongy material detrimental to the subgrade, it shall be excavated over a width of not less than the full width of the streets, and shall be filled with clean, free-draining, non-decaying material, to hard bottom.
- b. **Cuts and Fills:** The slopes of any cuts and fills required in the construction of the roadway shall not be greater than one (1') foot vertical or two (2') feet horizontal, and shall be properly seeded and protected to prevent erosion. The toe, or break, of the slope shall be at the street boundary.
- c. **Grade and Sub-Grade:** The construction of roadways from the sub-grade to the finish surface shall meet the specifications of the Department of Public Works – Highway Division and conform to the approved definitive plans.
- d. **Berm:** A bituminous concrete molded berm shall adjoin the edge of the street pavement along the entire length of the street except in those areas where open channels are used as a part of the stormwater management plan and in the areas where §7.3(F) ROAD CONSTRUCTION – GRANITE CURB AND INLETS applies in which case said provisions shall prevail. Said molded berm shall conform to the design and construction specifications of the Department of Public Works – Highway Division.

- e. **Granite Curb:** Granite curbing, including transition curbing, shall be installed at the edge of pavement, for the length of curves, at street intersections. Handicap ramps shall be provided.
- f. **Granite Curb and Inlets:** Granite curb inlets, including transition curbing, shall conform to the specifications of the Department of Public Works – Highway Division.
- g. **Safety Features:** Highway guardrails, guard fences, and guard posts shall be constructed where required by the Department of Public Works – Highway Division. A four (4") inch wide white shoulder line shall be painted on both sides of the street pavement along the entire length of the street, except on turnarounds, one (1') foot from the molded berm.
- h. **Roadway Pavement:** See specifications of the Department of Public Works – Highway Division.

**§7.4 SANITARY SEWERS:**

Where sanitary sewers are constructed within a subdivision, their design and installation shall meet the standards of the Wastewater Department. Installation shall be supervised and inspected by the Department of Public Works – Highway Division or by its designated representative. If a sanitary lift station is proposed, the following conditions shall apply. Conditions for lift stations:

1. A lot upon which a lift station is located and all easements on other lots which are pertinent to said lift station, together with the lift station itself, shall be held by a legal entity to be formed by the applicant–owner for the benefit of owners of lots within the subdivision. The documents describing the above legal entity that shall hold the lots and easements shall be reviewed by the City Solicitor and shall be subject to his or her approval. The applicant/owner shall execute such legal documents as are required to effectuate the conveyances above described.
2. The applicant–owner shall provide and furnish the City of Attleboro the perpetual right, privilege, and authority, entirely at the option of the City of Attleboro, to enter upon any streets within the subdivision and upon any lot or easement upon which a lift station is located for purposes of emergency repairs or maintenance of said lift station, but nothing as herein contained shall be construed to impose any legal obligation upon the City to render such services.
3. In the event the City of Attleboro, or any of its Departments, shall enter upon the streets of the subdivision or any lot or easement upon which a Lift Station is located for purposes of emergency repairs or maintenance of said lift station, the owners of lots within the subdivision shall ratably, in accordance with the number of lots owned, bear the total cost of repairs or maintenance to be assessed by the City and billed to such owners.
4. This approval shall not be deemed to waive any obligations the applicant–owner may have to obtain permits or licenses if such are required from any other governmental body, including but not limited to the Conservation Commission, the Zoning Board of Appeals, the State Department of Environmental Protection – Water Pollution Control Division, Environmental Protection Agency, or Federal Flood Control.

5. The City of Attleboro shall in no manner be legally obligated to reconstruct, repair, or maintain any such lift station or incur any expenses relative to any lift station within the subdivision. Owners of lots within the subdivision, and the legal entity, shall both hold the City of Attleboro harmless and indemnify said City for any losses, judgments, or expenses the City of Attleboro shall suffer or incur because of any malfunctioning of said lift station, including but not limited to its alarm system.
6. The legal entity shall not be amended so as to conflict with any conditions, legal or engineering, here set forth, except upon the express written approval of the Attleboro Board.
7. The applicant-owner shall post a performance guarantee with the City of Attleboro based on the estimate given by the Wastewater Department to ensure that the installation of the lift station conform with the mechanical specifications of the Wastewater Department regarding lift stations.

#### **§7.5 WATER SUPPLY SYSTEM:**

The design of the water supply system within a subdivision shall meet the requirements of the Water Department including sizes, location and material of pipe, gates and hydrants and other appurtenances. Any installation, including connections to the City system, and testing, shall be under the supervision of the Water Department.

#### **§7.6 MONUMENTS:**

Monuments shall be installed at all street intersections, at all points of changes in direction or curvature of streets, and at other points where, in the opinion of the Board, permanent monuments are necessary. Such monuments shall be six inches by six inches (6"x6"); shall be four (4') feet in depth; and shall conform to the standard specifications of the Department of Public Works – Highway Division and shall be set according to such specifications. Where placement of a bound is not feasible, alternative monumentation, such as a drill hole in a large rock or masonry shall be provided. No permanent monuments shall be installed until all construction that would destroy or disturb the monuments is completed. Lot and subdivision boundary monuments shall be six inches by six inches (6"x6").

#### **§7.7 SIDEWALKS:**

Sidewalk area, seven (7') feet in width, shall be constructed in accordance with the following provision.

- a. The seven (7') foot sidewalk area shall consist of a five (5') foot wide bituminous concrete sidewalk and a seven and one-half (7.5") inch wide, six (6") inch high, molded berm. Sidewalks shall be constructed along the entire length of the sidewalk area on both sides of the streets within a subdivision except in those areas where §7.3(F) ROAD CONSTRUCTION – GRANITE CURB AND INLETS applies in which case said provisions shall prevail. The sidewalk shall be constructed directly contiguous to the molded berm. The bituminous concrete sidewalk shall consist of an eight (8") inch compacted gravel base and a two (2") inch compacted bituminous concrete top coat. It shall consist

of a minimum 0.25" per foot positive slope pitched toward the street. The balance of the sidewalk area shall be graded such that it is level with the elevation of the sidewalk. Also see §7.3(G) ROAD CONSTRUCTION – SAFETY FEATURES. The balance of the sidewalk easement (one (1') foot and four and one-half (4.5") inches) shall consist of loam and seed unless otherwise specified by the Board.

- b. Concrete sidewalks, in place of bituminous concrete sidewalks, may be required by the Board and may be constructed at the discretion of the builder. If concrete sidewalks are to be constructed, granite curbing shall be required in place of molded berm. Such sidewalks shall be five (5') feet in width and shall be constructed directly contiguous to the curbing and shall conform to the design and construction specifications of the Department of Public Works – Highway Division. It shall consist of a minimum 0.25" per foot positive slope pitched toward the street. The balance of the sidewalk area shall be graded such that it is level with the elevation of the sidewalk. Also see §7.3(G) ROAD CONSTRUCTION – SAFETY FEATURES The balance of the sidewalk easement shall consist of loam and seed unless otherwise specified by the Board.
- c. Driveway openings shall be constructed of bituminous concrete; the associated two (2') foot “round corners” shall consist of molded berm. If, at the discretion of the builder, concrete driveway openings are constructed, then the “round corners” shall consist of granite curbing.
- d. The Planning Board reserves the authority to require that the bituminous concrete sidewalks within the subdivision be extended to connect to an existing or planned constructed sidewalk located outside the subdivision that is within reasonable distance of the subdivision.
- e. In instances when the Planning Board, subject to its discretion, requires a constructed sidewalk (bituminous concrete or concrete) only on one side of the street(s) within a subdivision, the side not containing a constructed sidewalk shall consist of a molded berm pursuant to §7.7(A) SIDEWALKS and a six (6') foot and four and one-half (4.5") inch wide sidewalk strip consisting of loam and seed. All hydrants, utility poles, fire boxes and other such objects typically located within the sidewalk area shall be installed, to the extent possible, on the side of the street(s) not containing a constructed sidewalk.

#### **§7.8 TREES:**

- a. Deciduous trees, of a species approved by the City Forester, shall be planted on each side of each street in a subdivision when required by the Board. Such trees shall be located no further than five (5') feet from the street right-of-way at intervals of approximately fifty (50') feet. Trees shall be at least twelve (12') feet in height, two (2") inches in caliper measured four (4') feet above the approved grade, and shall be planted in at least one-half (0.5) cubic yard of topsoil.
- b. Any trees planted within the street right-of-way shall be clear of any branches from the approved grade level to a point seven (7') feet above the ground level.

- c. At no street intersection shall an obstruction to vision exceeding two and one-half (2.5) feet in height above the street grade be placed or grow on any lot within the triangle formed by the street lot lines abutting the intersection and a line connecting points on these street lot lines at a distance of thirty-five (35) feet from the point of intersection of the street lot lines.
- d. That trees pursuant to §7.8(A) TREES shall be shown on the topographic sheet(s) of the site plan. Further, a typical cross-section, with the requisite specifications contained in §7.8(A) TREES, shall be shown on the construction sheet.

**§7.9 INSPECTION AND APPROVAL PROCEDURES:**

- a. The Board shall control the construction work in the streets or way including all underground installations, of the subdivision by inspection and approval of the work through the services of the Superintendent of Public Works or his agent, whose approval of each operation must be obtained by the subdivider in the aforementioned sequence of work.
- b. It shall be the subdivider's responsibility to notify the Board or the inspection authority when an operation of the work is ready for inspection; and the Board shall cause such inspection to be made within seven (7) days of receipt of such notice, excluding Saturdays, Sundays, and holidays.
- c. When critical operations are in progress such as placing of street pavement or sewer lines, the subdivider's responsible engineer or his agent must be present and available to the Board's inspector. Such operations would include those where delayed inspections would be difficult, if not impossible, to perform. It is the responsibility of the subdivider to notify the Board's inspector previous to the planned operation.
- d. Approval of the inspected work shall be noted in the checklist by the appropriate official, as specified in the check list, before the next operation of work is commenced in the street or way. If corrections are required in the work, they shall be made before approval is given for an operation and before subsequent work is started, unless written authority is given to proceed into the next operation of work while making the required corrections.
- e. The subdivider shall proceed with this work as previously specified and, when completed, shall request inspection and final written approval of the street or way or portion that is under construction.
- f. Failure to carry out the provisions of this subsection shall be cause for the Board to order such work uncovered and done, or redone, as may be necessary to make adequate inspection and correction of the work under construction, at the expense of the subdivider. Final acceptance may be delayed for two (2) years to allow defects to be discovered.

**§7.10 MAINTENANCE:**

During the time homes are under construction on subdivision lots, the ways under construction at the same time shall be maintained in such a condition that emergency vehicles can have access to said subdivision lots. Before homes can be occupied, the road must be completed up to and including the bituminous concrete base.

**§7.11 STREET ACCEPTANCE:**

Once streets within a subdivision have been constructed and completed to the DPW's satisfaction, the developer shall file, with the Board, a final plan(s), prepared on mylar, along with three copies, for the purpose of street acceptance by the Municipal Council. The following materials are required to be submitted:

- a. A plan and profile of each street within the subdivision, consisting of data required by the DPW for As-Built plans such as stations, monuments, bounds, bearings, curves, lengths, tangents, angles, and chords, drawn at a horizontal scale of 1"=40' and a vertical scale of 1"=4', a title block indicating the street being petitioned for street acceptance, a signature block for the Municipal Council with eleven (11) lines to accommodate the signature of each Council member, and a date block,
- b. A legal description of each street,
- c. The engineer's certification for each street,
- d. A street acceptance application for each street,
- e. A conveyance deed for each street, and
- f. A letter from the DPW verifying that all work has been completed satisfactorily.

# SECTION 8: ADMINISTRATION

## §8.1 VARIANCES AND WAIVERS:

Strict compliance with the requirements of the subdivision rules and regulations may be waived, when, in the judgment of the Board, such action is allowed by Federal, State, and Local statutes and/or regulations; is in the public interest; and is consistent with MGL CH. 41, §81R and §1.1 PURPOSE of these subdivision rules and regulations.

## §8.2 REFERENCE:

For matters not covered by these rules and regulations, reference is made to MGL CH. 41, §81K to §81GG.

## §8.3 APPEALS:

As provided for by the MGL CH. 41, §81Z and §81AA, the Zoning Board of Appeals of the City of Attleboro shall act as the Subdivision Board of Appeals and may authorize the issuance of building permits for lots where the denial of such permit under the provisions of MGL CH. 41, SUBDIVISION CONTROL LAW would entail unnecessary hardship or difficulty and where the building need not be related to an approved or constructed way.

## §8.4 SPECIAL FEES ACCOUNT, REVIEW FEE:

- a. **Applicability:** Applications for a street extension plan, street abandonment plan, definitive subdivision plan, preliminary subdivision plan or for a special permit for a planned unit residential development, open space residential development, mobile home park, landfill, or to conduct work within either the Orr's Pond or Bungay River water resource protection district, may be subject to a review fee when, in the opinion of the Board, the nature of a proposed development, or the land, necessitates it to engage the services of an engineering, traffic, hydrogeologic, or other consultant, for subdivision review, site evaluation, and construction and post-construction inspection services.
- b. **Administration:** When the Board concludes that the services of consultant are to be engaged, the following procedure shall be administered by the Director of Planning and Development under the direction of the Board:
  1. Subsequent to a public hearing, and on or by its next regularly scheduled business meeting, the Board shall decide whether it will require a review fee.
  2. The Board shall select a consultant whose expertise is suited to perform the review.

3. The Director of Planning and Development shall inform the applicant, in writing, of the select selected consultant and the review fee (which shall be reasonable).
4. The applicant shall, within fourteen (14) days from the date of the Director of Planning and Development's letter, forward a check, payable to the City of Attleboro, in the amount of the review fee, or may file, within fourteen (14) days from the date of the Director of Planning and Development's letter, proper notification of an administrative appeal of the Board's decision with the City Clerk's Office (see §8.4(C), SPECIAL FEES ACCOUNT, REVIEW FEE – APPEAL PROCESS).
5. Once funds are received by the Board pursuant to this subsection, such monies shall be deposited with the City Treasurer who shall establish a special individual account for these monies which shall be kept separate and apart from other monies. Expenditures from this special account shall be made at the discretion of the Board, without further appropriation, and only in connection with the review of a project for which a review fee has been collected. At the completion of the project, any excess amount in the account attributable to a specific project, including any accrued interest, shall be repaid to the applicant or to the successor-in-interest; a final report of said account shall be available to the applicant or to the successor-in-interest. For purposes of this regulation, any person or entity claiming to be an applicant's successor-in-interest shall provide the Board with written documentation establishing such succession-in-interest.

**c. Appeal Process:**

1. If the applicant makes an administrative appeal, the Municipal Council shall administer appeal procedures subsequent to the filing of proper notification with the City Clerk's Office.
2. The grounds of such appeal shall be limited to claims that the selected consultant has a conflict of interest or does not possess the required minimum qualifications. The minimum qualifications shall consist either of an educational degree in, or related, to the field at issue or three or more years of practice in the field at issue or a related field.
3. The required time limits for action by the Board upon an application shall be extended by the duration of the administrative appeal. In the event that no decision is rendered by the City Council within one (1) month following the filing of the appeal, the selection made by the Board shall stand.

**§8.5 SEVERABILITY:**

The provisions of these rules and regulations shall be severable, and if any provision or the application thereof if found to be invalid, this shall not affect the validity of any other application or provision hereof.

Adopted: February 1954

Amended: March 1975; July 1979; November 1979; December 1980; March 1981; June 1982; July 1986; August 1988; July 1990; October 1990; January 1994; January 1995; August 1995; May 1996; September 1998; July 2008; July 2012; June 2013;

**§8.6 FEE SCHEDULE:**

- a. MGL CH. 41, §81P Plan (Form A)..... \$50.00 plus \$15.00 per buildable lot created that satisfies the minimum lot requirements of the underlying use district
- b. Preliminary Subdivision Plan (Form B).....\$200.00
- c. Definitive Subdivision Plan (Form C)..... \$575.00 plus \$25.00 per lot
- d. (Form D)..... –
- e. Street Extension Plan (Form E).....\$275.00 plus \$1.00 per linear foot of roadway
- f. Appeal of Review Fee (Form F)..... \$0.00
- g. MGL CH. 41, §81W Plan (Form G).....\$575.00
- h. Schematic Plan..... \$50.00
- i. RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, as amended..... \$20.00
- j. Revised Plan..... \$300.00 any plan revision beyond the original plan and the first revised plan (i.e., one (1) plan revision shall be included as part of the application fee)

# **APPENDIX A**

## **APPLICATIONS**



# City Of Attleboro PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
DEPARTMENT OF PLANNING & DEVELOPMENT  
ATTLEBORO, MASSACHUSETTS 02703  
(T) 508.223.2222 (F) 508.222.3046

## FORM A APPLICATION

### PLAN BELIEVED NOT TO REQUIRE APPROVAL UNDER SUBDIVISION CONTROL LAW

File the fully completed original application with the Office of the City Clerk. After filing the original with City Clerk, submit one (1) copy of the application, the mylar plan, and five (5) copies of the site plan to the Department of Planning and Development in accordance with the requirements of MGL Ch. 41, §81P and the local subdivision regulations. All necessary materials must be submitted at the time of filing. **AN INCOMPLETE SUBMISSION OR FACSIMILED APPLICATION WILL NOT BE PROCESSED.**

The undersigned, believing that the accompanying plan of his/her property in the City of Attleboro does not constitute a subdivision within the meaning of the MGL Ch. 41 SUBDIVISION CONTROL LAW, herewith submits said plan for a determination, approval, and endorsement by the Planning Board pursuant to MGL Ch. 41, §81P, SUBDIVISION CONTROL LAW.

**It is the responsibility of the recipient of the approval to present to the Office of the City Assessor and Office of the Building Inspector the receipt indicating that such plan has been recorded at the Registry of Deeds.**

1. Name of Applicant: \_\_\_\_\_

Address and Telephone #: \_\_\_\_\_

2. Name of Property Owner: \_\_\_\_\_

Address and Telephone #: \_\_\_\_\_

3. Name of Engineer or Surveyor: \_\_\_\_\_

Address and Telephone #: \_\_\_\_\_

4. Location of Property: \_\_\_\_\_

5. Deed/Property Recorded In: \_\_\_\_\_

Book: \_\_\_\_\_ Page: \_\_\_\_\_

6. Assessor's Plat #(s): \_\_\_\_\_ Lot #(s): \_\_\_\_\_

- 7. Zoning District(s): \_\_\_\_\_
- 8. Indicate the number of new buildable lots being created, if any: \_\_\_\_\_
- 9. Please describe which property lines are being changed and/or added as shown on the plan.

- 10. Signature of Applicant: \_\_\_\_\_
- 11. Signature of Owner: \_\_\_\_\_
- 12. Signature of Representative: \_\_\_\_\_
- 13. Pursuant of §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, I attest that, to the best of my knowledge, I have paid any and all real estate taxes, excise taxes, or any other municipal charges.

Signature: \_\_\_\_\_  
 Owner

**Please note that pursuant to §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the City Collector and the City Treasurer.**

**Debora Marcoccio, City Collector** \_\_\_\_\_

**Laura L. Gignac, City Treasurer** \_\_\_\_\_

**NOTATIONS TO BE ADDED TO THE FORM A PLAN:**

**PLANNING BOARD ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH THE ZONING ORDINANCE**

**NO DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENT HAS BEEN MADE OR INTENDED BY THIS ENDORSEMENT**

**PLANNING BOARD ENDORSEMENT SHALL NOT BE CONSTRUED AS EITHER AN ENDORSEMENT OR APPROVAL OF ZONING LOT AREA REQUIREMENTS**



# City Of Attleboro PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
DEPARTMENT OF PLANNING & DEVELOPMENT  
ATTLEBORO, MASSACHUSETTS 02703  
(T) 508.223.2222 (F) 508.222.3046

## FORM B APPLICATION

### APPLICATION FOR A PRELIMINARY SUBDIVISION PLAN

File the fully completed original application with the Office of the City Clerk. After filing the original with City Clerk, submit one (1) copy of the application, and eighteen (18) copies of the site plan to the Department of Planning and Development in accordance with the requirements of MGL Ch. 41 and the local subdivision regulations. **AN INCOMPLETE SUBMISSION OR FACSIMILED APPLICATION WILL NOT BE PROCESSED.**

The undersigned herewith submits the accompanying proposed subdivision plan of property, entitled \_\_\_\_\_, located in the City of Attleboro for review and approval as a preliminary subdivision as allowed under MGL Ch. 41, SUBDIVISION CONTROL LAW and the Planning Board's RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, as amended.

1. Name of Applicant: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
2. Name of Property Owner: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
3. Name of Engineer: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
4. Location of Property: \_\_\_\_\_
5. Deed/Property Recorded In: \_\_\_\_\_  
Book: \_\_\_\_\_ Page: \_\_\_\_\_
6. Assessor's Plat #(s): \_\_\_\_\_ Lot #(s): \_\_\_\_\_
7. Zoning District(s): \_\_\_\_\_

8. Indicate the total land area of the site (exclusive of surface waterbodies such as ponds or rivers): \_\_\_\_\_
9. Indicate if there are any wetlands on the site:  Yes  No
10. Indicate if any portion of the site is located within the 100-year floodplain:  Yes  No
11. Indicate the date when the height of the seasonal high groundwater table was measured: \_\_\_\_\_
12. Indicate the location and size of the closest municipal watermain: \_\_\_\_\_
13. Indicate the location and size of the closest municipal sewer line: \_\_\_\_\_
14. Indicate the total number of proposed lots: \_\_\_\_\_
15. Indicate the total number of proposed house lots: \_\_\_\_\_
16. List the name, length and width of all proposed streets: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
17. Indicate the type of the proposed stormwater management system: \_\_\_\_\_  
\_\_\_\_\_
18. Please add any additional information in the space provided below that you think may be helpful to the Planning Board with its review of your proposed preliminary subdivision plan.

19. Signature of Applicant: \_\_\_\_\_
20. Signature of Owner: \_\_\_\_\_
21. Signature of Representative: \_\_\_\_\_
22. Pursuant of §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, I attest that, to the best of my knowledge, I have paid any and all real estate taxes, excise taxes, or any other municipal charges.

Signature: \_\_\_\_\_  
 Owner

**Please note that pursuant to §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the City Collector and the City Treasurer.**

**Debora Marcoccio, City Collector** \_\_\_\_\_

**Laura L. Gignac, City Treasurer** \_\_\_\_\_

**Please note that pursuant to Board of Health policy, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the Health Agent. The Health Department requires percolation tests and deep hole observations to be performed for each proposed buildable lot that will not be connected to the municipal sewer system prior to the filing of said application with the City Clerk's Office. The Health Department requires the submission of all related information and data such as percolation rates. The Health Department further requires the location of all the percolation tests and deep hole observations to be delineated/shown on said plans.**

**Alan Perry, Health Agent** \_\_\_\_\_



# City Of Attleboro PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
DEPARTMENT OF PLANNING & DEVELOPMENT  
ATTLEBORO, MASSACHUSETTS 02703  
(T) 508.223.2222 (F) 508.222.3046

## FORM C APPLICATION

### APPLICATION FOR A DEFINITIVE SUBDIVISION PLAN

File the fully completed original application with the Office of the City Clerk. After filing the original with City Clerk, submit one (1) copy of the application, and twelve (12) copies of the site plan to the Department of Planning and Development in accordance with the requirements of MGL Ch. 41 and the local subdivision regulations. A list of the names and addresses of the abutters, certified by the City Assessor, must accompany this application. The Board will make notification. All necessary materials must be submitted at the time of filing. **AN INCOMPLETE SUBMISSION OR FACSIMILED APPLICATION WILL NOT BE PROCESSED.**

The undersigned herewith submits the accompanying proposed subdivision plan of property, entitled \_\_\_\_\_, located in the City of Attleboro for review and approval as a definitive subdivision as allowed under MGL Ch. 41, SUBDIVISION CONTROL LAW and the Planning Board's RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, as amended.

1. Name of Applicant: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
2. Name of Property Owner: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
3. Name of Engineer: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
4. Location of Property: \_\_\_\_\_
5. Deed/Property Recorded In: \_\_\_\_\_  
Book: \_\_\_\_\_ Page: \_\_\_\_\_
6. Assessor's Plat #(s): \_\_\_\_\_ Lot #(s): \_\_\_\_\_
7. Zoning District(s): \_\_\_\_\_

8. Indicate the total land area of the site (exclusive of surface waterbodies such as ponds or rivers): \_\_\_\_\_
9. Indicate if there are any wetlands on the site:  Yes  No
10. Indicate if any portion of the site is located within the 100-year floodplain:  Yes  No
11. Indicate the date when the height of the seasonal high groundwater table was measured: \_\_\_\_\_
12. Indicate the type of the proposed stormwater management system: \_\_\_\_\_  
\_\_\_\_\_
13. Indicate the location and size of the closest municipal watermain: \_\_\_\_\_
14. Indicate the location and size of the closest municipal sewer line: \_\_\_\_\_
15. Indicate the total number of proposed lots: \_\_\_\_\_
16. Indicate the total number of proposed house lots: \_\_\_\_\_
17. List the name, length and width of all proposed streets: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
18. If any waivers are being requested, state the waiver, cite the (sub)section from which the waiver is being requested, describe the extent of the waiver, and clearly explain in detail the reason and need for the waiver.

19. Please add any additional information in the space provided below that you think may be helpful to the Planning Board with its review of your proposed definitive subdivision plan.

20. It is the responsibility of the petitioner to deliver a copy of the proposed definitive subdivision plan to all of the municipal departments listed below. Signatures certify that plans have been delivered to the following departments before the application has been filed with the City Clerk.

**Signature and Date:**

Planning Board: \_\_\_\_\_

Conservation Commission: \_\_\_\_\_

Public Works Department: \_\_\_\_\_

Water Department: \_\_\_\_\_

Wastewater Department: \_\_\_\_\_

Health Department: \_\_\_\_\_

Fire Department: \_\_\_\_\_

21. Signature of Applicant: \_\_\_\_\_
22. Signature of Owner: \_\_\_\_\_
23. Signature of Representative: \_\_\_\_\_
24. Pursuant of §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, I attest that, to the best of my knowledge, I have paid any and all real estate taxes, excise taxes, or any other municipal charges.

Signature: \_\_\_\_\_  
 Owner

**Please note that pursuant to §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the City Collector and the City Treasurer.**

**Debora Marcoccio, City Collector** \_\_\_\_\_

**Laura L. Gignac, City Treasurer** \_\_\_\_\_

**Please note that pursuant to Board of Health policy, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the Health Agent. The Health Department requires percolation tests and deep hole observations to be performed for each proposed buildable lot that will not be connected to the municipal sewer system prior to the filing of said application with the City Clerk's Office. The Health Department requires the submission of all related information and data such as percolation rates. The Health Department further requires the location of all the percolation tests and deep hole observations to be delineated/shown on said plans.**

**Alan Perry, Health Agent** \_\_\_\_\_



# City Of Attleboro PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
DEPARTMENT OF PLANNING & DEVELOPMENT  
ATTLEBORO, MASSACHUSETTS 02703  
(T) 508.223.2222 (F) 508.222.3046

## FORM E APPLICATION

### APPLICATION FOR A STREET EXTENSION PLAN

File the fully completed original application with the Office of the City Clerk. After filing the original with City Clerk, submit one (1) copy of the application, and eleven (11) copies of the site plan to the Department of Planning and Development in accordance with the requirements of MGL Ch. 41 and the local subdivision regulations. A list of the names and addresses of the abutters, certified by the City Assessor, must accompany this application. The Board will make notification. All necessary materials must be submitted at the time of filing. **AN INCOMPLETE SUBMISSION OR FACSIMILED APPLICATION WILL NOT BE PROCESSED.**

The undersigned herewith submits the accompanying proposed street extension plan of the way named \_\_\_\_\_, and as shown on the plan entitled \_\_\_\_\_, located in the City of Attleboro for review and approval as a street extension plan as allowed under MGL Ch. 41, SUBDIVISION CONTROL LAW and the Planning Board's RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, as amended.

1. Name of Applicant: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
2. Name of Property Owner: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
3. Name of Engineer: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
4. Location of Property: \_\_\_\_\_
5. Deed/Property Recorded In: \_\_\_\_\_  
Book: \_\_\_\_\_ Page: \_\_\_\_\_
6. Assessor's Plat #(s): \_\_\_\_\_ Lot #(s): \_\_\_\_\_

7. Zoning District(s): \_\_\_\_\_
8. Identify the name, length and width of the subject street: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Linear feet proposed to be extended: \_\_\_\_\_
10. Indicate if there are any wetlands within the way:  Yes  No
11. Indicate if any portion of the way is located within the 100-year floodplain:  Yes  No
12. Indicate the date when the height of the seasonal high groundwater table was measured: \_\_\_\_\_
13. Indicate the type of the proposed stormwater management system: \_\_\_\_\_  
\_\_\_\_\_
14. Indicate the location and size of the closest municipal watermain: \_\_\_\_\_
15. Indicate the location and size of the closest municipal sewer line: \_\_\_\_\_
16. Indicate the total number of proposed lots: \_\_\_\_\_
17. Indicate the total number of proposed house lots: \_\_\_\_\_
18. If any waivers are being requested, state the waiver, cite the (sub)section from which the waiver is being requested, describe the extent of the waiver, and clearly explain in detail the reason and need for the waiver.

19. Please add any additional information in the space provided below that you think may be helpful to the Planning Board with its review of your proposed definitive subdivision plan.

20. It is the responsibility of the petitioner to deliver a copy of the proposed definitive subdivision plan to all of the municipal departments listed below. Signatures certify that plans have been delivered to the following departments before the application has been filed with the City Clerk.

**Signature and Date:**

Planning Board: \_\_\_\_\_

Conservation Commission: \_\_\_\_\_

Public Works Department: \_\_\_\_\_

Water Department: \_\_\_\_\_

Wastewater Department: \_\_\_\_\_

Health Department: \_\_\_\_\_

Fire Department: \_\_\_\_\_

21. Signature of Applicant: \_\_\_\_\_
22. Signature of Owner: \_\_\_\_\_
23. Signature of Representative: \_\_\_\_\_
24. Pursuant of §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, I attest that, to the best of my knowledge, I have paid any and all real estate taxes, excise taxes, or any other municipal charges.

Signature: \_\_\_\_\_  
 Owner

**Please note that pursuant to §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the City Collector and the City Treasurer.**

**Debora Marcoccio, City Collector** \_\_\_\_\_

**Laura L. Gignac, City Treasurer** \_\_\_\_\_

**Please note that pursuant to Board of Health policy, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the Health Agent. The Health Department requires percolation tests and deep hole observations to be performed for each proposed buildable lot that will not be connected to the municipal sewer system prior to the filing of said application with the City Clerk's Office. The Health Department requires the submission of all related information and data such as percolation rates. The Health Department further requires the location of all the percolation tests and deep hole observations to be delineated/shown on said plans.**

**Alan Perry, Health Agent** \_\_\_\_\_



# City Of Attleboro MUNICIPAL COUNCIL

GOVERNMENT CENTER, 77 PARK STREET  
OFFICE OF THE MUNICIPAL COUNCIL  
ATTLEBORO, MASSACHUSETTS 02703  
(T) 508.223-2222 (F) 508.222.3046

## FORM F APPLICATION

### APPEAL OF THE REVIEW FEE REQUIREMENT OF THE PLANNING BOARD

File the fully completed original application with the Office of the City Clerk. After filing the original with City Clerk, submit twelve (12) completed forms to the Municipal Council and one (1) completed form to the Department of Planning and Development in accordance with the requirements of the local subdivision regulations.

The undersigned hereby appeals the review fee in the amount of \$\_\_\_\_\_ required by the Planning Board pursuant to §8.4(C) SPECIAL FEES ACCOUNT – APPEAL affecting the following described premises and proposed development as are hereinafter set forth:

1. Name of Appellant: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
2. Name of Property Owner: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
3. Name of Engineer: \_\_\_\_\_  
Address and Telephone #: \_\_\_\_\_
4. Location of Property: \_\_\_\_\_
5. Assessor's Plat #(s): \_\_\_\_\_ Lot #(s): \_\_\_\_\_
6. Name of Proposed Project: \_\_\_\_\_
7. Describe the proposed development in the space provided below:

8. State the grounds for the appeal in the space provided below and clearly, with detail, explain how the selected consultant does not qualify to perform the peer review:

9. Signature of Appellant: \_\_\_\_\_



# City Of Attleboro PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
DEPARTMENT OF PLANNING & LAND USE  
ATTLEBORO, MASSACHUSETTS 02703  
(T) 508.223.2222 (F) 508.222.3046

## FORM G APPLICATION

### APPLICATION FOR MODIFICATION, AMENDMENT OR RECISSION OF AN APPROVED DEFINITIVE SUBDIVISION PLAN

File the fully completed original application with the Office of the City Clerk. After filing the original with City Clerk, submit one (1) copy of the application, and twelve (12) copies of the site plan to the Department of Planning and Development in accordance with the requirements of MGL Ch. 41 and the local subdivision regulations. A list of the names and addresses of the abutters, certified by the City Assessor, must accompany this application. The Board will make notification. All necessary materials must be submitted at the time of filing. **AN INCOMPLETE SUBMISSION WILL NOT BE PROCESSED.**

The undersigned herewith submits the accompanying proposed subdivision plan of property, entitled \_\_\_\_\_, located in the City of Attleboro for **MODIFICATION, AMENDMENT, RECISSION (circle one)** as allowed under §81-W, MGL Ch. 41, Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board.

1. Name of Applicant: \_\_\_\_\_

Address and Telephone #: \_\_\_\_\_

2. Name of Representative (if any): \_\_\_\_\_

Address and Telephone #: \_\_\_\_\_

3. Name of Engineer (if necessary): \_\_\_\_\_

Address and Telephone #: \_\_\_\_\_

4. Location of Property: \_\_\_\_\_

5. Deed/Property Recorded In: \_\_\_\_\_

Book: \_\_\_\_\_ Page: \_\_\_\_\_

6. Assessor's Plat #(s): \_\_\_\_\_ Lot #(s): \_\_\_\_\_

7. Indicate the number of lots within the subdivision (if applicable): \_\_\_\_\_



**Assessor's Lot # \_\_\_\_\_**

\_\_\_\_\_  
Owner's Name, Address and Telephone #

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mortgage Holder's Name, Address and Telephone #

\_\_\_\_\_  
Signature

**Assessor's Lot # \_\_\_\_\_**

\_\_\_\_\_  
Owner's Name, Address and Telephone #

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mortgage Holder's Name, Address and Telephone #

\_\_\_\_\_  
Signature

**Assessor's Lot # \_\_\_\_\_**

\_\_\_\_\_  
Owner's Name, Address and Telephone #

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mortgage Holder's Name, Address and Telephone #

\_\_\_\_\_  
Signature

**Assessor's Lot # \_\_\_\_\_**

\_\_\_\_\_  
Owner's Name, Address and Telephone #

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mortgage Holder's Name, Address and Telephone #

\_\_\_\_\_  
Signature

**Assessor's Lot # \_\_\_\_\_**

\_\_\_\_\_  
Owner's Name, Address and Telephone #

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mortgage Holder's Name, Address and Telephone #

\_\_\_\_\_  
Signature

9. Please describe in detail in the space below the proposed modifications or amendments to the approved plan. Also explain the purpose of the modifications or amendments. In the event the petitioner is requesting a rescission, please describe in detail in the space below purpose of the rescission. Please add any additional information in the space provided below that you think may be helpful to the Planning Board with its review of your petition.

10. It is the responsibility of the petitioner to deliver a copy of the proposed definitive subdivision plan to all of the municipal departments listed below. Signatures certify that plans have been delivered to the following departments before the application has been filed with the City Clerk.

**Signature and Date:**

Planning Board: \_\_\_\_\_

Conservation Commission: \_\_\_\_\_

Public Works Department: \_\_\_\_\_

Water Department: \_\_\_\_\_

Wastewater Department: \_\_\_\_\_

Health Department: \_\_\_\_\_

Fire Department: \_\_\_\_\_

11. Pursuant of §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, I attest that, to the best of my knowledge, any and all real estate taxes, excise taxes, or any other municipal charges have been paid for all of the lots that are the subject of this petition.

Signature: \_\_\_\_\_  
Applicant(s)

Signature: \_\_\_\_\_  
Representative(s)

**Please note that pursuant to §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the City Collector and the City Treasurer.**

**Debora Marcoccio, City Collector** \_\_\_\_\_

**Laura L. Gignac, City Treasurer** \_\_\_\_\_

# COVENANT

## For the Definitive Subdivision Plan Entitled

\_\_\_\_\_  
(type name of subdivision above)

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned \_\_\_\_\_, of \_\_\_\_\_, having submitted an application dated \_\_\_\_\_ to the Attleboro Planning Board for approval of the abovementioned definitive subdivision plan, and having requested said Planning Board to approve such plan without requiring a Performance Bond, does hereby covenant and agree with the City of Attleboro, pursuant to the provisions of Massachusetts General Laws, Ch. 41, §81U, as amended, as follows:

1. The undersigned is the owner in fee simple of all the land included in the aforesaid subdivision.
2. This covenant shall run with said land and be binding upon the heirs, executors, administrators, successors and assigns of the undersigned.
3. The undersigned shall not convey, other than by mortgage deed, any lot in said subdivision and shall not build on any such lot until the ways and municipal services to serve any such lot shall have been constructed and installed: (1) in the manner specified in the aforesaid application for approval of a Definitive Plan, (2) in accordance with the Rules and Regulations Governing the Subdivision of Land as adopted by the Planning Board, and (3) in accordance with the conditions, terms and provisions contained in the definitive plan as defined by the said rules and regulations and as qualified by the Certificate of Approval issued by the Planning Board, dated \_\_\_\_\_; provided, however, that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or parts thereof may sell any such lot, subject only to that portion of this Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to serve such lot.
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 said 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 recordation of the \_\_\_\_\_ lot definitive subdivision plan entitled \_\_\_\_\_.
6. Reference to this Covenant shall be entered upon said definitive plan.

EXECUTED AS A SEALED INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

*COMMONWEALTH OF MASSACHUSETTS*

**BRISTOL, SS** \_\_\_\_\_, 20\_\_

Then personally appeared \_\_\_\_\_ and acknowledged the foregoing instrument to be a fee act.

\_\_\_\_\_  
NOTARY PUBLIC

**MY COMMISSION EXPIRES:** \_\_\_\_\_, 20\_\_

# COVENANT RELEASE FORM

## CERTIFICATE OF PERFORMANCE

### For the Definitive Subdivision Plan Entitled

\_\_\_\_\_

(type name of subdivision above)

The undersigned, being a majority of the Planning Board of the City of Attleboro, Massachusetts, hereby certify that the requirements for work on the ground called for by the Covenant dated \_\_\_\_\_, 20\_\_\_\_, and recorded in \_\_\_\_\_ District Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, (or registered in \_\_\_\_\_ Land Registry District as Document #\_\_\_\_\_ and noted on Certificate of Title # \_\_\_\_\_, in Registration Book \_\_\_\_\_, Page \_\_\_\_\_) have been completed to the satisfaction of the Planning Board as to the following enumerated lots shown on subdivision plan entitled \_\_\_\_\_ recorded with said Deed, 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:

Lot Numbers: \_\_\_\_\_

### MAJORITY OF THE PLANNING BOARD OF THE CITY OF ATTLEBORO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXECUTED AS A SEALED INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

### COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS \_\_\_\_\_, 20\_\_

Then personally appeared \_\_\_\_\_ and acknowledged the foregoing instrument to be a fee act.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_, 20\_\_

# PERFORMANCE BOND – SURETY COMPANY

## For the Definitive Subdivision Plan Entitled

\_\_\_\_\_ (type name of subdivision above)

### SAMPLE

**KNOW ALL MEN BY THESE PRESENTS**, that we, \_\_\_\_\_ as Principal, and \_\_\_\_\_ a corporation duly organized and existing under the laws of the State of \_\_\_\_\_ and having a usual place of business in \_\_\_\_\_, as Surety, hereby bind and obligate ourselves and our respective heirs, executors, administrators, successors and assigns, jointly and severally, to the City of Attleboro, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ dollars. The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, agreements, terms and provisions contained in the following:

1. Application for approval of the definitive subdivision plan entitled \_\_\_\_\_, signed by the principal and dated \_\_\_\_\_.
2. The RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, adopted by the Planning Board.
3. The definitive subdivision plan entitled \_\_\_\_\_, as defined by the said RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, and as qualified by the Certificate of Vote issued by the Planning Board dated \_\_\_\_\_, or this obligation shall be void; otherwise it shall remain in full force and effect.

Whenever the Principal shall be, and is declared by the Planning Board, to be in default under the approved definitive subdivision plan and its Certificate of Approval, the Surety may be promptly remedy the default or shall promptly:

- a. Complete the development of the approved definitive subdivision plan in accordance with its terms and conditions, or
- b. Obtain a bid or bids for submission to the Planning Board for completing the approved definitive subdivision plan in accordance with its terms and conditions, and upon determination by the Planning Board and Surety of the lowest responsible bidder, arrange for a contract between such bidder and Planning Board for such completion, and make available as the work progresses sufficient funds to pay the cost of completion; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof.

**IN WITNESS WHEREOF**, we have hereunto set our hands and seals this \_\_\_\_\_ day and month of \_\_\_\_\_, 20\_\_.

Principal By \_\_\_\_\_  
Title

Surety By \_\_\_\_\_  
Title

# PERFORMANCE BOND – SECURED BY DEPOSIT

## For the Definitive Subdivision Plan Entitled

\_\_\_\_\_ (type name of subdivision above)

### SAMPLE

**KNOW ALL MEN BY THESE PRESENTS,** that the undersigned, \_\_\_\_\_ of \_\_\_\_\_, hereby binds and obligates himself/itself and his/its heirs, executors, administrators, successors and assigns to the City of Attleboro, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ Dollars, and has secured his/its obligation by the deposit with the Treasurer of said City of Attleboro of said sum in money or negotiable securities.

The condition of this obligation is that if the undersigned or his/its heirs, executors, administrators, successors and assigns shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, agreements, terms and provisions contained in the following:

1. Application for approval of the definitive subdivision plan entitled \_\_\_\_\_, signed by the principal and dated \_\_\_\_\_.
2. The RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, adopted by the Planning Board.
3. The definitive subdivision plan entitled \_\_\_\_\_, as defined by the said RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, and as qualified by the Certificate of Vote issued by the Planning Board dated \_\_\_\_\_, or this obligation shall be void; otherwise it shall remain in full force and effect, and that portion of the aforesaid security required to complete the undersign's obligation hereunder shall become the sole property of said City of Attleboro as liquidated damages.

**IN WITNESS WHEREOF,** we have hereunto set our hands and seals this \_\_\_\_\_ day and month of \_\_\_\_\_, 20\_\_.

Principal By \_\_\_\_\_  
Title \_\_\_\_\_



# City Of Attleboro PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
DEPARTMENT OF PLANNING & DEVELOPMENT  
ATTLEBORO, MASSACHUSETTS 02703  
(508) 223-2222 FAX 222-3046

## ENGINEER'S CERTIFICATION FORM

I hereby certify that the definitive subdivision plan entitled \_\_\_\_\_ was prepared in accordance with the instructions of the Planning Board of the City of Attleboro including the plan layout, the design and construction of streets, and the design and construction of underground structures, if any, and that permanent points shown on the plan are in existence on the ground.

Date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Typed Name of Registered Professional Engineer

\_\_\_\_\_  
Signature of Registered Professional Engineer

Imprint and sign Stamp here:

# **APPENDIX B**

## **CHECKLIST FOR PRELIMINARY SUBDIVISION PLAN**

# CHECKLIST FOR PRELIMINARY PLAN

## PREPARATION AND REVIEW

The following shall be submitted to the Planning Board with every preliminary plan application. Please check each box to indicate that you have included the information with your application, detailed where in the plans or reports the information can be found, and sign the statement on page B-3. The application will not be accepted by this department for processing unless: (a) the engineer signs and stamps the certification on page B-3 and (b) all portions of this checklist are filled out and accompany the application at the time of submittal.

- Eighteen (18) prints of the Preliminary Plan
- Plans at a scale not greater than 1"= 80'. Size shall not exceed 24"x36". If multiple sheets are used, an index showing the entire subdivision must be provided.
- Name, legal address, and telephone number of record owner, subdivider and registered engineer and/or registered land surveyor
- Property identification, including names of abutters from the most recent tax list and Assessor's map numbers of the abutting properties
- Subdivision name, true north point, date, and scale
- Lot Information, including approximate dimensions and areas
- Ways, Easements, and Right-of-Ways
- Proposed Street Names
- Approximate location of existing underground structures
- Key sketch at a scale of 1"=1,000'
- Zoning District(s)
- General Project Narrative
- Concept Stormwater Plan which conceptually illustrates at a minimum:
  - Existing topography (2-foot contours) (**see sheet(s) # \_\_\_\_\_**)
  - Perennial and intermittent streams (**see sheet(s) # \_\_\_\_\_**)
  - Mapping of predominant soils from USDA soil surveys (**see sheet(s) # \_\_\_\_\_**)
  - Boundaries of existing predominant vegetation and proposed limits of clearing (**see sheet(s) # \_\_\_\_\_**)
  - Location and boundaries of resource protection areas such as wetlands, lakes, ponds, and setbacks (e.g., buffers, water supply wells, septic systems) (**see sheet(s) # \_\_\_\_\_**)
  - Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainages (**see sheet(s) # \_\_\_\_\_ or indicate N/A**)
  - Location of existing and proposed roads, buildings, and other structures (**see sheet(s) # \_\_\_\_\_**)
  - Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements (**see sheet(s) # \_\_\_\_\_**)

- Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains (**see sheet(s) # \_\_\_\_\_**)
- Existing and proposed catchment areas and drainage flow paths (**see sheet(s) # \_\_\_\_\_**)
- Preliminary location and dimensions of channel modifications, such as bridge or culvert crossings (**see sheet(s) # \_\_\_\_\_ or indicate N/A**)
- Preliminary location, size, and limits of disturbance of proposed stormwater treatment practices (type of practice, depth, area) (**see sheet(s) # \_\_\_\_\_**)
- Site Design Features that document the following:
  - Mapped steep slopes greater than 15% and forest stands exceeding 10,000 square feet in area (**see sheet(s) # \_\_\_\_\_ or indicate N/A**)
  - Delineated building envelopes that avoid steep slopes, forest stands and floodplains, and provide applicable buffers from wetland resource areas (**see sheet(s) # \_\_\_\_\_**)
  - Identification of natural open space provided on-site, and calculation of percent natural open space provided (**see sheet(s) # \_\_\_\_\_**)
  - Methods used to minimize impervious area and calculated total percent impervious onsite (refer to the latest edition of the MASWMS for more information on available methods) (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
  - Methods used to disconnect impervious surfaces and calculated percent of “effective” impervious area (refer to the latest edition of the MASWMS for more information on available methods) (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Preliminary selection and rationale for structural stormwater management practices (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Preliminary sizing calculations for proposed stormwater treatment practices, including contributing drainage areas and storage (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Preliminary landscaping narrative or stormwater report for stormwater treatment practices and any site reforestation or revegetation (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Preliminary erosion and sediment control narrative or stormwater report that at a minimum meets the requirements outlined in these regulations and the Massachusetts Stormwater Standard #8. (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Identification of all anticipated applicable local, state and federal permits (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Identification of all anticipated legal agreements (e.g., off-site easements, covenants, land trusts) (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)

# **APPENDIX C**

## **CHECKLIST FOR DEFINITIVE SUBDIVISION PLAN**

# CHECKLIST FOR DEFINITIVE PLAN

## PREPARATION AND REVIEW

The following shall be submitted to the Planning Board with every definitive plan application. Please check each box to indicate that you have included the information with your application, detailed where in the plans or reports the information can be found, and sign the statement on page C-4. The application will not be accepted by this department for processing unless: (a) the engineer signs and stamps the certification on page C-4 and (b) all portions of this checklist are filled out and accompany the application at the time of submittal.

- The original Definitive Subdivision plan and eleven (11) copies
- Plans at a scale not greater than 1"= 80'. Size shall not exceed 24"x36". If multiple sheets are used, an index showing the entire subdivision must be provided
- Name, legal address, and telephone number of record owner, subdivider and registered engineer and/or registered land surveyor
- Property identification, including names of abutters from the most recent tax list and Assessor's map numbers of the abutting properties
- Subdivision name, true north point, date, and scale
- Lot Information, including sufficient data to readily determine location, bearing, and lengths of all lot lines
- Ways, Easements, and Right-of-Ways
- Centerline Stations of each street, at fifty (50') foot intervals
- Location of all angle points and tangent points of curves of all ways
- Location of all existing monuments
- Proposed Street Names
- Location of existing underground structures
- Key sketch at a scale of 1"=1,000'
- Areas set aside for conservation and recreation uses
- Signature space to record the signatures of nine (9) members of the Board
- Signature block for City Clerk pursuant to §5.11 ENDORSEMENT AND RECORDING
- Dates of preliminary plan application filing and approval
- Zoning District(s)
- Reference to deed as recorded in Registry
- Detailed Project Narrative
- Final Stormwater Plan which illustrates at a minimum:
  - Existing and proposed topography (minimum of 2-foot contour interval) (see sheet(s) # \_\_\_\_\_)
  - Existing and proposed watershed delineations (see sheet(s) # \_\_\_\_\_)
  - Perennial and intermittent streams (see sheet(s) # \_\_\_\_\_ or indicate N/A)

- Mapping of predominant soils from USDA soil surveys as well as location of site-specific borings and/or test pits **(see sheet(s) # \_\_\_\_\_)**
- Boundaries of existing predominant vegetation and proposed limits of clearing **(see sheet(s) # \_\_\_\_\_)**
- Location and boundaries of resource protection areas such as wetlands, lakes, ponds, and other setbacks (e.g., stream buffers, drinking water well setbacks, septic setbacks) **(see sheet(s) # \_\_\_\_\_)**
- Location of existing and proposed roads, buildings, and other structures **(see sheet(s) # \_\_\_\_\_)**
- Location of existing and proposed utilities (e.g., water, sewer, gas, electric) and easements **(see sheet(s) # \_\_\_\_\_)**
- Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains **(see sheet(s) # \_\_\_\_\_)**
- Drainage flow paths **(see sheet(s) # \_\_\_\_\_)**
- Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainages **(see sheet(s) # \_\_\_\_\_ or indicate N/A)**
- Location and dimensions of proposed channel modifications, such as bridge or culvert crossings **(see sheet(s) # \_\_\_\_\_ or indicate N/A)**
- Soils information from test pits or borings at the location of proposed stormwater management facilities, including but not limited to soil descriptions, depth to seasonal high groundwater, depth to bedrock, and estimated hydraulic conductivity. Soils information will be based on site test pits or borings logged by a Massachusetts certified Soil Evaluator, or a Massachusetts Licensed Professional Engineer **(see sheet(s) # \_\_\_\_\_ and/or page(s) # \_\_\_\_\_ of narrative or stormwater report)**
- Site Design Features that document the following:
  - Mapped steep slopes greater than 15% and forest stands exceeding 10,000 square feet in area **(see sheet(s) # \_\_\_\_\_ or indicate N/A)**
  - Delineated building envelopes that avoid steep slopes, forest stands and floodplains, and provide applicable buffers from wetland resource areas **(see sheet(s) # \_\_\_\_\_ or indicate N/A)**
  - Identification of natural open space provided on-site and calculation of percent natural open space provided **(see sheet(s) # \_\_\_\_\_)**
  - Methods used to minimize impervious area and calculated total percent impervious onsite (refer to the latest edition of the MASWMS for more information on available methods) **(see page(s) # \_\_\_\_\_ of narrative)**
  - Methods used to disconnect impervious surfaces and calculated percent of “effective” impervious area (refer to the latest edition of the MASWMS for more information on available methods) **(see page(s) # \_\_\_\_\_ of narrative)**
- Representative cross-section and profile drawings, notes and details of structural stormwater management practices and conveyances (i.e., storm drains, open channels, swales, etc.), which include:

- Locations, cross sections, and profiles of all streams and drainage swales and their method of stabilization (**see sheet(s) # \_\_\_\_\_**)
- Existing and proposed structural elevations (e.g., invert of pipes, manholes, etc.) (**see sheet(s) # \_\_\_\_\_**)
- Design water surface elevations (**see sheet(s) # \_\_\_\_\_**)
- Structural details of outlet structures, embankments, spillways, stilling basins, grade control structures, conveyance channels, etc. (**see sheet(s) # \_\_\_\_\_**)
- Logs of borings and/or test pit investigations along with supporting geotechnical report (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Hydrologic and hydraulic analysis for all structural components of stormwater system (e.g., storm drains, open channels, swales, stormwater management practices, etc.) for applicable design storms, including:
  - Existing condition analysis for watershed boundaries, curve numbers, time of concentrations, runoff rates, volumes, velocities, and water surface elevations showing methodologies used and supporting calculations (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
  - Proposed condition analysis for watershed boundaries, curve numbers, time of concentrations, runoff rates, volumes, velocities, water surface elevations, and routing showing the methodologies used and supporting calculations (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
  - Final sizing calculations for structural stormwater management practices including, contributing drainage area, storage, and outlet configuration (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
  - Stage–discharge or outlet rating curves and inflow and outflow hydrographs for storage facilities (e.g., detention, retention or infiltration facilities) (**see page(s) # \_\_\_\_\_ of narrative or stormwater report**)
  - Dam breach analysis, where necessary, for earthen embankments over eight (8') feet in height and less than 2,000 feet upstream of a road crossing or structure (**see page(s) # \_\_\_\_\_ of narrative or stormwater report or indicate N/A**)
- Final landscaping plans for structural stormwater management practices and any site reforestation or revegetation, including:
  - Location of woody and herbaceous vegetative stabilization (**see sheet(s) # \_\_\_\_\_**)
  - Species, size, planting methods, and maintenance requirements of proposed landscaping (**see sheet(s) # \_\_\_\_\_ and/or page(s) # \_\_\_\_\_ of narrative or stormwater report**)
- Structural calculations, where necessary (**see page(s) # \_\_\_\_\_ of narrative or stormwater report or indicate N/A**)
- Applicable construction specifications (**see sheet(s) # \_\_\_\_\_**)
- Erosion and sediment control plan that at a minimum meets the requirements of these Regulations and the Massachusetts Stormwater Policy Standard #8 (**see sheet(s) # \_\_\_\_\_ and/or page(s) # \_\_\_\_\_ of narrative**)

or stormwater report)

- Sequence of construction (see sheet(s) # \_\_\_\_\_ and/or page(s) # \_\_\_\_\_ of narrative or stormwater report)
- Maintenance plan, which will include:
  - Description of annual maintenance tasks (see page(s) # \_\_\_\_\_)
  - Description of applicable easements (see page(s) # \_\_\_\_\_)
  - Minimum vegetative cover requirements (see page(s) # \_\_\_\_\_)
  - Access and safety issues (see page(s) # \_\_\_\_\_)
- Identification of all anticipated applicable local, state and federal permits (see page(s) # \_\_\_\_\_ of narrative or stormwater report)
- Identification of all necessary legal agreements (e.g., off-site easements, covenants, land trusts) (see page(s) # \_\_\_\_\_ of narrative or stormwater report)

I attest, as the project engineer, that to the best of my knowledge, all items required above are included as part of this stormwater management Definitive Plan application filing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Telephone #: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

STAMP:

## **APPENDIX D**

### **MEDIAN POLLUTANT REMOVAL FOR APPROVED PRACTICES TO MEET WATER QUALITY TREATMENT CRITERIA**

## Median Pollutant Removal for Approved Practices to Meet Water Quality Treatment Criteria

Best Management Practice	Median Pollutant Removal (%) <sup>1</sup>	
	TSS <sup>2</sup>	TP
Constructed Wetlands	80	50
Extended Dry Detention Basins	50	20
Wet Retention Basins	80	50
Water Quality Swales	70	55
Sand Filters/Organic Filters	80	30
Bioretention/Rain Gardens	90	60
Infiltration Basins	80	65
Infiltration Trenches	80	55

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<sup>1</sup> Derived from the 2008 Massachusetts Stormwater Management Standards (MASWMS) Update

<sup>2</sup> TSS removal rates assume practice is designed according to the latest version of the MASWMS and with an appropriate and effective pretreatment system.