

TOWN OF EAST BRIDGEWATER



RULES & REGULATIONS GOVERNING THE SUBDIVISION OF LAND

Adopted by Planning Board vote following public hearing June 15, 2020

**175 Central Street
East Bridgewater, Massachusetts 02333**



Rules & Regulations Covering the Subdivision of Land

INDEX

SECTION 1 – AUTHORITY AND PURPOSE.....	1
SECTION 2 – PLANS BELIEVED NOT REQUIRED APPROVAL (FORM A PLANS).....	2
A. General Purposes.....	2
Submission.....	2
Plan Requirements and Content	2
Determination that Approval is not Required.....	2
Determination that Approval is Required	2
SECTION 3 – PROCEDURE FOR THE SUBMISSION OF SUBDIVISION PLANS (FORM B).....	3
A. Preliminary Plans.....	3
General Procedures and Fees.....	3
Contents.....	3
Procedure.....	4
B. Definitive Plans.....	4
General Procedures and Fees.....	4
Contents.....	5
Performance Guarantee.....	9
Forfeiture of Bond.....	10
Evidence of Satisfactory Performance.....	10
Inspection of Work.....	11
Review by the Board of Health.....	12
SECTION 4 – DESIGN STANDARDS FOR SUBDIVISIONS.....	13
A. Suitability of the Land.....	13
B. Suitability of Ways.....	13
Location and Alignment.....	13
Street Width.....	14
Street Grades.....	14
Design Standards for Streets.....	15
Waivers	15
Dead End Streets.....	15
Turnarounds.....	15
Temporary Turnarounds.....	15
Street Extensions.....	15
Adequate Access.....	15
C. Easements.....	16
D. Water Supply.....	16
E. Drainage.....	16



Rules & Regulations Covering the Subdivision of Land

F. Compliance with Zoning By-Law.....	17
G. Lots of Abnormal Size.....	17
H. Open Spaces and Natural Features.....	17
I. Proposed Development of Applicant's Other Contiguous Land.....	17
J. Construction Standards.....	17
SECTION 5 – REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION.....	18
A. Street and Roadway.....	18
B. Utilities.....	19
C. Sidewalks.....	21
D. Monuments.....	21
E. Curbing.....	21
F. Wall of Slope Support.....	21
G. Street Signs.....	22
H. Street Lighting Equipment	22
I. Inspections.....	22
SECTION 6 – REFERENCE AND EFFECTIVE DATE.....	23
APPENDIX AND FORMS.....	23
APPENDIX A – ROADWAY AND DRAINAGE CONSTRUCTION SPECIFICATIONS	24
A. Clearing and Grubbing	24
B. Excavation	24
C. Fill	24
D. Trenches	25
E. Drainage	26
F. Road Pavement	27
G. Bituminous Concrete Roadway Construction	29
H. Bituminous Concrete Sidewalks	32
I. Grass Area Within Road Layout	32
APPENDIX B – STORM DRAINAGE	34
A. Watershed Area	34
B. Runoff Computations	35
C. Culvert Hydraulic Data	35
D. Plans	35
E. Profiles	35



Rules & Regulations Covering the Subdivision of Land

APPENDIX III – SCHEDULE OF FEES PAYABLE FOR SUBDIVISIONS PROCESS (Currently being updated)

SECTION 7 – ROADWAY ACCEPTANCE PROCEDURES.....	49
Overview	49
Timeline: Approximately 120 Days Prior to Town Meeting	51
1. Applicant to Submit Petitioner and Documents to Board of Selectmen	51
a. Title Certification	
b. Copies of Deeds and Other Instruments	
c. As Built Plans	
d. Roadway Acceptance or Definitive Subdivision Plans	
e. Legal Descriptions	
f. Fees	
Timeline: Approximately 90 Days Prior to Town Meeting	51
2. Vote to Intent to Layout as a Public Way	51
3. Referral to Planning Board & Planning Board Review	51
4. Warrant Article	52
Timeline: Approximately 45 Days Prior to Town Meeting	52
5. Notice to Owners	52
Timeline: Approximately 30 Days Prior to Town Meeting	52
6. Adopt Order of Layout	52
Timeline: Approximately 7 Days Prior to Town Meeting	52
7. File Layout with Town Clerk	52
Town Meeting	52
8. Town Meeting Vote	52
Timeline: Within 14 Days of Town Meeting	53
9. Update Title Certification	53
Timeline: Within 120 Days of Close of Town Meeting	53
1. Acquisition of Land and Easements	53
2. Acquisition by Grant	53
a. Grant of Easement	53
b. Taxes	53
c. Subordination of Mortgages	53
d. Acceptance	53
e. Recording	53
3. Acquisition by Eminent Domain	54
a. Waiver of Appraisal, Damages and Relocation Benefits	54
b. Indemnification	54
c. Order of Taking	54



Adopted by Planning Board vote following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

d. Recording	54
e. Notice of Taking	54
Waivers	54
ATTACHMENTS.....	55
A. Grant of Easement	55
B. Subordination of Mortgage	58
C. Waiver of Appraisal, Damages, and Relocation Benefits	59



Rules & Regulations Covering the Subdivision of Land

SECTION 1

Authority & Purpose

The following rules and regulations, as amended, relating to subdivision control have been adopted by the Planning Board of the Town of East Bridgewater by Virtue of the authority granted in Massachusetts General Laws, Chapter 41., Section 81 D, as amended, for the purpose of protecting the safety, convenience and welfare of the inhabitants of the Town, by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of the Planning Board and of the Board of Appeals under the subdivision control laws, 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 insuring compliance with the applicable zoning by-law; for securing adequate provision for water, sewerage, drainage, underground utility service, 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 town and with the ways in neighboring subdivisions

It is not the purpose of the Rules and Regulations to define or interpret the Subdivision Control Law of the Commonwealth of Massachusetts. For any information as to procedure, etc. there under, see Massachusetts General Laws, Chapter 41, Section 81 A through 81 GG.

If any section or clause of these regulations is held invalid by a court or competent jurisdiction, the remainder shall not be affected thereby.



Rules & Regulations Covering the Subdivision of Land

SECTION 2

Plans Believed Not to Require Approval (Form A Plan and Estate Lot)

A. GENERAL PROCEDURES AND FEES.

1. SUBMISSION:

Any person, wishing to cause to be recorded in the Registry of Deeds, or to be filed with the Land Court a plan of land, who believes that the plan does not require approval under the Subdivision Control Law in accordance with Section 81 P, Chapter 41, of the General Laws, shall submit to the Planning Board:

- a. A properly executed Form A application in duplicate together with an original plan suitable for recording and 3 paper copies and an electronic copy.
- b. A filing fee of \$100.00 per plan sheet with 1 lot plus \$50.00 for each additional lot over 1.

2. PLAN REQUIREMENTS AND CONTENT:

- a. Plan shall be drawn to a scale of 1" to 40', or larger provided the sheet size shall not exceed 24" x 36".
- b. North point and date shall be shown.
- c. Name and address of owner of record.
- d. Name, address and seal of Registered Land Surveyor.
- e. Name of all abutters shall appear as they appear on the most recent tax list. (Owners across streets are considered abutters.)
- f. Where plan shows adjoining land of applicant, evidence shall be furnished on the plan of adequate remaining area and frontage and existing buildings within 50 feet of lot line.
- g. Location of all existing buildings or structures on subject property.
- h. Zoning classification shall be identified.
- i. Space for Boards signature with caption "Approval under the Subdivision Control Law not required".
- j. Locus must be shown on plan at a scale of 1" = 800'.
- k. House Numbers of adjacent property must be shown on plan.

3. DETERMINATION THAT APPROVAL IS NOT REQUIRED

If the Board determines that the plan does not require approval, it shall, without a public hearing and within twenty-one (21) days of submission, endorse on the plan the words, "Planning board Approval Under the Subdivision Control Law Not Required." This endorsement shall not imply that the Plan which has been submitted complies with the Zoning Bylaw of the town of EB. The signed Original of said plan shall be returned to the applicant.



Rules & Regulations Covering the Subdivision of Land

DETERMINATION THAT APPROVAL IS REQUIRED

If the Board determines that the plan does require approval under the SUBDIVISION CONTROL LAW, it shall, within twenty-one (21) days of submission of said plan, give written notice of its determination to the Town Clerk and the applicant.

SECTION 3

Procedure for the Submission of Subdivision Plans (Form B Plan)

A. PRELIMINARY PLANS

1. GENERAL PROCEDURES AND FEES

- a. A Preliminary Plan of a subdivision should be submitted by the subdivider for discussion and approval by the Planning Board and the Board of Health. The submission of such a Preliminary Plan will enable the subdivider, the Planning Board, other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared.

The Preliminary Plan may be drawn on tracing paper with pencil, preferably on a scale of one inch to each forty (40) feet and 3 paper prints and an electronic copy shall be filed at the office of the Planning/Building Department. The developer must give notice of application to the Town Clerk as required under Chapter 41, Section 81 S of the General Laws, as amended.

A filing fee of \$300.00, shall be paid at the time of filing with the Planning/Building Department. In the event that a definitive plan is subsequently filed within one year, then the afore mentioned fee may be applied as a credit against the definitive plan filing fee.

- b. All fees for review by Planning Boards Consultant shall be paid by the applicant. Please refer to Table 2 of the Appendix for the amount and explanation of the Consultant's Fee.

2. CONTENTS

Said Preliminary Plan should show sufficient information about the subdivision to form a clear basis for discussion of its problems and the preparation of the Definitive Plan, Such information shall include the following:

- a. Name (If any) of subdivision, north point, date, scale, zoning classification, and elevation referred to the town standard base.
- b. Name and address of owner, subdivider and designer, engineer or surveyor



Rules & Regulations Covering the Subdivision of Land

- c. Name of all owners, public or private, of abutting real estate, as they appear on the most recent tax list together with the acreage of each abutting parcel.
- d. The names, widths and exterior lines of existing ways, public and private, the location and character of other easements, public or private within or adjacent to the subdivision, the exterior lines of proposed ways and other public places or areas.
- e. Major site features such as existing stone walls, fences, buildings, rock ridges and outcroppings, wetlands, water bodies and waterways.
- f. Topography, with two (2) foot contour intervals. The Board may require topography to include sufficient adjacent land where streets are projected to prove practicality of proposal.
- g. Proposed system of drainage, including adjacent natural waterways showing direction of flow and existing highway drainage.
- h. Proposed water distribution system showing type and size of mains.
- i. Approximate boundary lines of proposed lots showing areas and dimension.
- j. The center line of proposed roadways, at even stations (1+00, 2+00 etc.) cul-de-sacs and drainage areas shall be staked on the parcel when plan is submitted.

3. PROCEDURE

The Preliminary Plan will be studied by the Planning Board and the Board of Health, to determine whether it is in compliance with the requirements of design adopted by the Planning Board.

The Board may give such preliminary plan its approval with or without modification, or disapproval. Approval does not constitute approval of a Subdivision but does facilitate the preparation of the definitive plan. The Board shall send a notice of its action to the Town Clerk and to the applicant within forty-five (45) days after the date of submission.

B. DEFINITIVE PLANS

1. GENERAL PROCEDURES AND FEES

Every person submitting a definitive plan of land to the Board for its approval shall, pursuant to MGL, c. 41, sec. 81T, file written notice that he has submitted such a plan with the Town Clerk, by delivery or by registered mail, postage prepaid. If the notice is given by delivery the clerk shall, if requested, give a written receipt to the person who delivered such notice. The date of filing with the Board shall be certified on such notice by the Board or its authorized representative.



Rules & Regulations Covering the Subdivision of Land

- a. Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval, shall file with the Board the following: An original drawing of the Definitive Plan and 13 contact prints thereof. (The original drawing will be returned after approval or disapproval): a properly executed Form B Application; and a filing fee of \$400.00. Also, the applicant/owner must establish an account with the Town Treasurer for the cost of outside consultants used by the Planning Board to review the Engineering content of the plan. Please refer to the SCHEDULE OF FEES PAYABLE FOR THE SUBDIVISION PROCESS in the Appendix for the amount and explanation of said account.

The subdivider will be required to pay for the actual cost of the Public Hearing Advertisement within 15 days after the hearing date in addition to other fees. The definitive plan shall not be deemed to have been submitted to the Board until all required fees and material have been delivered to the Planning/Building Department and proper notice has been given to the Town Clerk.

- b. Inspection fees shall be paid to the Planning/Building Department by the subdivider upon request for inspection or reinspection. Where it is deemed necessary by the Board to make borings or core samples, such cost shall be borne by the subdivider. In subdivision developments exceeding two (2) lots the Board shall designate a representative to be present on the site during gravel base installation and bituminous road surfacing installation which cost shall be borne by the subdivider. Please refer to the SCHEDULE OF FEES PAYABLE FOR THE SUBDIVISION PROCESS for the amount and explanation of the Construction fee. NOTICE SHALL BE GIVEN TO THE PLANNING/BUILDING DEPARTMENT AT LEAST 24 HOURS PRIOR TO COMMENCEMENT OF THE AFORE MENTIONED WORK.

Release from covenant or bond shall not be made until inspection fees have been paid, Checks must be in the form of certified funds payable to the Town of East Bridgewater. A release of \$50.00 per lot will be payable to the Town upon request for release of covenant.

- c. Prior to release of lot or lots the subdivider shall deposit an amount with the Town of East Bridgewater equivalent to \$100.00 for each boundary monument as shown on the definitive plan. Deposit to be returned after submission of certification from a Registered Land Surveyor that bounds have been accurately installed.
- d. Prior to release of lots, the subdivider shall deposit a minimum amount of \$2,000.00, plus \$300.00 per lot over 5 lots, with the Town of East Bridgewater as security for the later submission to the Board of an accurate "AS BUILT PLAN" showing layout and other data as per data III.B.5.a.
- e. Prior to approval by the Board and release of any lots the subdivider shall deposit with the Town of East Bridgewater a "Subdividers Highway Equipment Fee Account" - a non-refundable sum of money equal to \$2.00 per linear foot of proposed roadway measured at the center line of the proposed road. (Per Town By-law)



Rules & Regulations Covering the Subdivision of Land

- f. At the time of filing of the Definitive Plan, the applicant shall also file with the Board of Health a copy of said plan as required by the Subdivision Control Law Section 81 u.

2. CONTENTS

THE PLAN SHALL COMPLY WITH THE FOLLOWING:

- a. The Definitive Plan shall be prepared by a Registered Engineer and a Registered Land Surveyor and shall be clearly and legibly drawn in black waterproof ink on a size of 24" x 36" outside dimensions. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision at a scale agreed by the Board. The index sheet shall also show street stationing as established by the profile plans.
- b. The horizontal scale shall be 1" to 40', unless the Board approves a more convenient scale, The vertical scale shall be one-tenth (1/10) of the horizontal scale.
- c. All elevations shall be referred to United States Coast and Geodetic Survey Bench Marks.
- d. A title stating the name of the subdivision, the date, the scale, the name and address of the applicant and of the Registered Engineer and a Registered Land Surveyor who prepared the plan and the zoning district or districts in which the subdivision is located.
- e. The true magnetic north point.
- f. The location and name of adjacent subdivisions, the name of all abutting owners, public and private, as shown on the most recent tax list, including owners of land separated from the subdivision only by a street and such others to whom notice is to be sent as required by law, and the location of abutting parcels and size of same.
- g. The names, widths and exterior lines of existing ways, public or private and the location and character of other easements, public or private, within or abutting the subdivision.
- h. The name, widths and exterior lines of proposed ways and parks which the applicant proposes to locate within the subdivision and total area dedicated to roadway.
- i. The lines, boundaries, areas and lot number of all lots into which the subdivision is to be divided.
- j. The location of all fences, walls, buildings, waterways, well and hydrants and permanent monuments of metal, stone, or reinforced concrete; identified as to whether existing or proposed.



Rules & Regulations Covering the Subdivision of Land

- k. Data to readily determine the location, bearing and length of every way line, lot line and other boundary line shown on the plan, whether straight or curved, sufficient to reproduce the same on the ground, with all bearings referred to the true meridian, or magnetic north point, with monuments at all points of curvature and at change in direction of street side lines or where designated by the Board.
- l. Topography, with two (2) foot contour intervals which shall extend beyond the boundaries of the property a sufficient distance to indicate the effect of the subdivision on abutting property.
- m. Profiles of proposed ways, utilities, water and drainage therein at a horizontal scale of forty (40) feet to an inch and a vertical scale of four (4) feet to an inch. Such profiles shall be stationed on the center line and shall show the existing surface of the ground on the center line and both exterior lines at each fifty (50) foot station and the sills and steps of all houses abutting upon the way.

The proposed center line grade of the roadway shall be shown in a heavy black line. The proposed exterior line profile shall show the elevation of intersections of tangent stations, rates of slope, vertical curves and data pertaining thereto in figures. The existing center line shall be shown in a fine black line, the easterly or northerly sideline shall be shown in a fine black dotted line, the westerly or southerly sideline shall be shown in a black dash line. A key to the side lines shall be noted on each sheet. The center line of proposed roadways at even stations 1+00, 2+00 etc., cul-de-sacs and drainage areas shall be staked on the parcel when plan is submitted. Also, refer to "Design Standards For Streets" on page 15.

- n. Size and location of existing and proposed water mains, surface water drains, sewers and their appurtenances. Rim elevations and invert elevations for all manholes and catch basins shall also be shown.
- o. Size and location of existing and proposed gas pipes, location of existing and proposed electric and telephone facilities, together with the appurtenances. All utilities except drainage shall not be placed under road surfaces). All utilities from main supply lines that service buildings which cross roadways shall be installed in sleeves of adequate size to allow services to be replaced without disturbing the paved road surface.
- p. Cross sections of proposed ways, planting strips and sidewalks,
- q. A space for the attestation signatures of the members of the Planning Board, on each sheet of the definitive plan.
- r. A relative error of closure not in excess of one (1) in twelve thousand (12,000) for the roadway layout.
- s. All Watershed Protection areas or Flood Plain areas which fall within any boundaries of the



Rules & Regulations Covering the Subdivision of Land

subdivision must be clearly shown, as well as any wetlands, brooks, marshy sections or water bodies within 100' of the subdivision.

- t. A plan for the control of erosion and siltation both during and after construction phases. Such plan shall include a proposed construction sequencing, temporary and permanent erosion control planting, special constructions and swale and stream scour protection.
- u. Drainage calculations prepared by the applicants engineer including design criteria used, drainage area and other information sufficient for the Board to check the size of any proposed drain, culvert, bridge or retention area.
- v. If private on lot sewerage systems are proposed, sufficient percolation test and test pits shall be taken by the applicant to clearly indicate the general sub surface soil suitability and certified to be a Registered Sanitarian or Registered Engineer concerning observation of test pits.
- w. In connection with any definitive plan or plan for access ways submitted for review by the Planning Board including access ways to multiple-family dwelling facilities, Mobile Home Park, Industrial Facility, Retail and Service Facilities, the Board may require with the submission, an Environmental Impact Statement prepared by a Registered Professional Engineer which shall clearly show the relation of the proposed project to the total environment of the Town and its inhabitants.

The Environmental Impact Statement should examine the existing conditions, identify all impact of the proposed project, and analyze these impacts to determine the significance of each. Where possible, quantitative measures should be used to define the magnitude of the impacts. Alternatives to the proposed project should also be discussed in the Environmental Impact Statement.

This statement shall include the following general categories as information to be furnished:

NATURAL ENVIRONMENT

- 1. Air
- 2. Noise
- 3. Land
- 4. Wildlife
- 5. Surface Water
- 6. Ground Water

MAN-MADE ENVIRONMENT

- 1. Surrounding land use
- 2. Density
- 3. Zoning
- 4. Architecture
- 5. Historic Buildings or sites



Rules & Regulations Covering the Subdivision of Land

PUBLIC FACILITIES

1. Water supply, flow pressure and distribution
2. Sanitary sewerage connection, distribution and facilities
3. Storm drainage facilities
4. Disposition of Storm Water
5. Solid Waste Disposal
6. Traffic Facilities
7. Electric Power
8. Gas

COMMUNITY SERVICES

1. Schools
2. Recreation
3. Police
4. Fire
5. Public Works

ECONOMIC CONSIDERATIONS

1. Cost-benefit ratio
2. Time Schedule

DESIGN CONSIDERATIONS

1. Open Space Planning
2. Retention of natural vegetation and contours
 - x. Natural water courses and ponds may not be altered, filled, drained or relocated. Any pond that has been in existence for over 25 years shall be considered to be a natural pond.
 - y. A location plan of the subdivision at a scale of 1 in. = 800 ft. showing the exterior lines of all proposed streets in the subdivision and their location in relation to one or more existing street or portions thereof.
 - z. Any special construction details or other pertinent information which the Board may request as necessary to evaluate the feasibility of the proposed design of the subdivision. Such information may include copies of agreements granting the developers rights essential to development of the land and construction work involved, including the right of access over existing ways and the right to discharge storm water drainage upon the land of others.

3. PERFORMANCE GUARANTEE



Rules & Regulations Covering the Subdivision of Land

Before endorsement of a definitive plan, the Board shall require provision for the construction of ways and installation of municipal services in accordance with the rules and regulations of the Board. Such construction and installation shall be secured by one or in part by one in part by another, of the following methods as provided in Chapter 41, section 81 u.

- a. By filing a bond, deposit of money or negotiable securities which shall be payable to the Town of East Bridgewater in an amount sufficient in the opinion of the Board to secure performance of ways and services required for completion of the subdivision or any part thereof. The Board may require evidence of an adequate rating of the Bonding Company and may limit securities to 60% of market value and require a national market. Construction and installation shall be completed within (1) one year, as per the Covenant. In establishing an amount of collateral, the Board will consider the effects of inflation, cost of bid preparation and minimum labor costs which the Town may incur as well as time and weather factors.
- b. By a Covenant executed and duly recorded by the owner running with the land, whereby such lots may not be built upon or conveyed. Where the entire subdivision is not completed, the subdivider will be expected to establish temporary turnarounds and cause the water and drainage systems to be functional. Reference to a Covenant shall be endorsed on the plan.
- c. By delivery to the Board of an agreement with a first mortgage, satisfactory to the Board as to time amount and manner of payment, 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 of funds by the lender, to be released upon approval by the Planning Board, to secure the construction of ways and installation of services required by the Board. Construction shall be completed within one year and failing that, the balance of funds held by the Town of East Bridgewater must be made available to the Board without any precondition of default or foreclosure, for completion of the work at the option of the Board.

4. FORFEITURE OF BOND

- a. The failure to complete the construction of ways and the installation of municipal services within that portion of the subdivision covered by a bond, mortgagee's agreement, deposit of money, or negotiable securities within a period of one year from the date of acceptance of the bond agreement, money or securities or the execution of a covenant, shall be grounds the Planning Board to rescind its approval of the subdivision plan except as to those lots which have theretofore been released, unless an extension is granted by the Board. Such extension will be subject to review of the sufficiency of the "Performance Guarantee".
- b. Construction of all ways and the installation of all municipal services of a portion of the subdivision covered by a "Performance Guarantee" shall be completed in accordance with the applicable rules and regulations of the Board before any additional portion of the subdivision will be released from the Covenant.



Rules & Regulations Covering the Subdivision of Land

5. EVIDENCE OF SATISFACTORY PERFORMANCE

Before the Board will release the interest of town in the deposit required in Section 3 (B) (3) or, in the case of approval with covenant, issue a final release of covenant:

- a. The applicant shall file with the Board a certified copy of a final acceptance plan (with accompanying profile) for each street in the subdivision (or in the case of approval with covenant, of the streets serving the lots for which a release is desired).

Certification shall be by a registered engineer employed by the applicant, and shall indicate that all easements, streets, sidewalks, monuments, sewers, storm drains, water lines, hydrants, underground telephone and electricity, and their appurtenances have been constructed in accordance with lines and grades of said plan and are accurately located as shown thereon. The plan shall indicate the invert grades of all storm drainage at all catch basins and manholes within the subdivision.

- b. The applicant shall execute an instrument transferring to the Town without cost valid unencumbered title to all roadways including sanitary sewers, storm drains, water mains and appurtenances thereto, constructed and installed in the subdivision.

Said instrument shall convey all the developers' interests in any easements in connection with the subdivision.

c. INSPECTION OF WORK:

All materials and each part or detail of the work shall be subject to inspection by the Planning Boards Agent.

The Planning Board Agent shall be allowed access to all parts of the work and shall be furnished with such information and assistance by the Contractor as is required to make a complete and detailed inspection. (such assistance may include furnishing labor, boats, tools, equipment, etc. at no expense to the Board).

If the Planning Board Agent so requests, the Contractor, at any time before acceptance of the work, shall remove and uncover such portions of the finished work as may be directed. After examination, the Contractor shall restore said portions of the work to the standard required by the specifications.

Should the work so exposed or examined prove unacceptable, the uncovering or removing and the replacing of the covering or making good of the parts removed, will be at the Contractors expense.

Any work done or materials used without authorization by the Planning Board Agent may be ordered removed and replaced at the Contractor's expense.

The Contractor shall furnish written information to the Planning Board Agent stating the original sources of supply of all materials manufactured away from the actual site of the work. In order to insure a proper time



Rules & Regulations Covering the Subdivision of Land

sequence for required inspection and approval this information shall be furnished at least two weeks (or as otherwise directed by the Planning Boards Agent) in advance of the incorporation in the work of any such materials.

For the purpose of observing work that affects their respective properties, inspectors for the municipalities, public agencies and the utility companies shall be permitted access to the work, but all official orders and directives to the Contractor will be issued by the Planning Boards Agent. Such inspection shall in no sense make any unit of government or political subdivision a party to this Contract and shall in no way interfere with the rights of either party hereunder.

The inspection of work shall not relieve the Contractor of any of his obligations to fulfill the terms of the Contract as herein prescribed by the plans and specifications.

Failure to reject any defective work or materials shall not in any way prevent later rejection when such defect is discovered, nor obligate the Planning Board to make final acceptance.

The Contractor shall give prior notice to the Planning Board Agent when work on the various items is to be performed by him or his Subcontractors. If work is suspended on any item, prior notice shall be given to the Planning Boards Agent before resumption of such work. Except in case of an unforeseen emergency, neither the Contractor nor any Subcontractor shall perform any work requiring inspection at hours other than during normal work day without prior approval of the Planning Boards Agent.

6. REVIEW BY THE BOARD OF HEALTH

At the time of filing the Definitive Plan, the applicant shall also file with the Board of Health, in accordance with the Subdivision Control Law, Section 81 U. Also the Planning Board recommends a copy of the Definitive Plan should be filed with the Department of Public Works and the Conservation Commission.



Rules & Regulations Covering the Subdivision of Land

SECTION 4

Design Standards for Subdivisions

A. SUITABILITY OF THE LAND

No plan of a subdivision of land, in any of the districts designated as residential under the Zoning By-Law, shall be approved, unless after adequate investigation, the Planning Board determines that the land can be used for residential purposes with adequate water supply and used without danger to health and that the plan will not detract from the value and attractiveness of abutting property.

B. SUITABILITY OF WAYS

1. LOCATION AND ALIGNMENT

- a. All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel with a minimum of congestion. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- b. The proposed street shall conform to the Master Plan as adopted in whole or in part by the Planning Board.
- c. Provision shall be made for the proper projection of streets and for access to adjoining property which is not yet subdivided.
- d. Proposed streets which are obviously in alignment with other streets already existing and named shall bear the names of such existing streets. No other proposed streets shall duplicate the name of existing street. All proposed street name shall be approved by the East Bridgewater Planning Board. Proposed Street names should reflect the history of the town or be related to the land features of the subdivision. Persons names except for historical names are not acceptable.
- e. Reserve strips prohibiting access to streets or adjoining property shall not be permitted except where in the opinion of the Planning Board such strips shall be in the public interest.
- f. Street jogs with center line offsets of less than one hundred and twenty-five (125) feet should be avoided. Streets should be continuous and in alignment with existing streets as far as practicable.
- g. The minimum centerline radii of curved streets shall be one (100) feet. Greater radii may be required for principal streets.



Rules & Regulations Covering the Subdivision of Land

- h. Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street less than sixty (60) degrees. Street alignments with long tangent sections (greater than 300') are to be avoided unless topographic conditions or other design elements warrant.
- i. Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than twenty (20) feet.

2. WIDTH

The minimum width of street rights-of-way shall be forty (40) feet. Greater width shall be required by the Planning Board when deemed necessary present and future vehicular travel.

3. GRADES

Grades of streets shall be not less than 1.0%

4. DESIGN STANDARDS FOR STREETS:

	RESIDENTIAL			COMMERCIAL	INDUST
	Local 40'	Minor 40'	Secondary 50'		
Right-of-Way	40'	40'	50'	50'	50'
Travelled Way	20'	20'	26'	26'	32'
Grade: -(maximum)	10%	10%	8%	8%	8%
-(Watershed Dist)	6%	6%	6%	6%	6%
Curbing	1.5' ccb	1.5' ccb	1.5' ccb	2.0' ccb	V.G
Pavement Thickness	<<	2 1/2 " + 1 1/2"	>>	4" + 2"	4" + 2"
Sidewalks	none	1 - 4'	2 - 4'	2 - 4'	1 - 4'
Centerline Radius	100'	100'	300'	200'	200'
Cul-de-Sac ROW Radius	50'	60'	-	60'	60'
Roadway Radius	47'	50'	-	50'	50'
Center Island Radius	30'	30'	-	20'	20'
Utilities	UNDERGROUND			UNDERGROUND	



Rules & Regulations Covering the Subdivision of Land

DEFINITIONS:

LOCAL STREET - A street which in the opinion of the Planning Board has been designated to be permanently dead end and which services no more than 12 single family dwellings.

MINOR STREET - A street which in the opinion of the Planning Board is being used or will be used primarily to provide access to abutting lots and will not be used for through traffic.

SECONDARY STREET - a street intercepting one or more minor or local streets and which, in the opinion of the Planning Board, is used or will be used to carry a substantial volume of traffic from such minor or local streets to a major thoroughfare which connects the various parts of the Town. This would include principal entrance streets which provide access to large subdivisions or groups of subdivisions.

5. WAIVER

Waiver of Design Standards will be considered by the Planning Board when evidence is presented that the design standards of Section IV would not be in the best interest of the Town.

6. DEAD - END STREETS

Dead-end streets shall not be longer than nine hundred (900) feet and shall be provided at the closed end with a turn-around having an outside roadway diameter as required in SECTION 4.B.4. The center of the turn-around shall be a landscaped area or naturally vegetated. A Hammer Head turnaround or other such design may be used where possible.

7. TURNAROUNDS

A turnaround may be omitted on a roadway not exceeding two hundred (200) feet where said roadway provides insufficient frontage for more than one lot.

8. TEMPORARY TURNAROUNDS

Temporary turnarounds on non-through streets shall be constructed wherever the developer requests release of lots and the entire roadway is not completed.

9. STREET EXTENSIONS

Where streets are to be constructed beyond an existing turnaround, it is a condition of approval that the turnaround surface be removed and the street constructed in accordance with Section V.

10. ADEQUATE ACCESS

Not more than one building designed or available for use for dwelling shall be erected, placed or converted



Rules & Regulations Covering the Subdivision of Land

to use as such on (a) any lot in subdivision, or (b) elsewhere in the Town without the consent of the Board; and such consent will be conditional upon the providing of adequate ways furnishing access to each building site in the same manner as otherwise required for lots in a subdivision, and the filing of plans in the same manner.

C. EASEMENTS

1. Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least twenty feet wide.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Planning Board may require relocation of same or that there be provided a storm water easement or drainage right-of-way, of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, to provide for construction or other necessary purposes.
3. No building or on-lot sewerage system shall be erected or maintained within an easement.
4. All easements shall be bounded with permanent markers along (1) one side at angle points or if none at intervals of no less than 100'.

D. WATER SUPPLY

No subdivision of land shall be approved by the board unless all lots therein are provided with water by connecting to a municipal water supply system. Water mains and their appurtenances must be installed in accordance with the Rules and Regulations of the Town of East Bridgewater Department of Public Works and approved by the Department of Public Works. Connection to the public water supply shall be made at no cost to the Town.

E. DRAINAGE

1. Drainage shall be designed to take care of the surface and subsurface water of roadways and adjoining land.
2. Street drainage designs shall be of the type known as "manhole systems". This is one in which the water collected in the catch basin empties into an intermediate manhole in a main drain laid in the street.
3. Storm water shall be directed to enter the nearest natural water course. If necessary, proper easements must be secured by the applicant in the name of the Town of East Bridgewater.
4. Where ground water is encountered under the street layout, drainage piping and/or subdrains shall be extended to the areas in question and shall be tied into the main drainage system whether or not such drains are shown on the final plan as approved by the Planning Board. Method of installation



Rules & Regulations Covering the Subdivision of Land

and piping material shall meet the approval of the Board.

5. The quantity of storm water carried by drains shall be determined by the Rational Method; and the design frequency of storm drainage shall be ten years: for bridges and culverts - fifty (50) years.

F. COMPLIANCE WITH ZONING BY-LAW.

No plan of a subdivision shall be approved unless all the lots shown on the plan comply with the Zoning By-Law of the Town of East Bridgewater.

G. LOTS OF ABNORMAL SIZE.

In case a tract is subdivided into parcels larger than normal building lots, the Planning Board may decline to approve the plan unless such parcels are arranged so as to allow the opening of proper future ways and logical and proper subdivision.

H. OPEN SPACES AND NATURAL FEATURES.

Although not required by these rules and regulations, it is recommended that consideration be given in proper cases to the provision of a park or parks suitably located for playground or recreation purposes and for providing light and air. Areas may be reserved for such purposes by appropriate endorsement on the plan. It is also recommended that due regard be shown for all natural features, such as large trees, water courses, scenic points, historic spots and similar community assets, which, if preserved, will add attractiveness and value to the property.

I. PROPOSED DEVELOPMENT OF APPLICANT'S OTHER CONTIGUOUS LAND.

The Planning Board may decline to approve a plan of a subdivision if the applicant owns land contiguous to that shown on the plan and fails to furnish sufficient data to enable the Board to relate to the proposed subdivision and the applicant's remaining land. Such data shall include the lines of proposed ways and lots approximate grades and such other details as the Board may reasonably require.

J. CONSTRUCTION STANDARDS.

Unless otherwise specified, all work and materials used in the work to be done shall conform to the requirement of the Commonwealth of Massachusetts Department of Public Works Standard and Specifications for Highways, Bridges and Waterways, latest edition and amendments thereto, and of the Construction Manual, Part 3, Construction Standards by the MDPW as most recently revised.



Rules & Regulations Covering the Subdivision of Land

SECTION 5

Required Improvements for an Approved Subdivision

A. STREET AND ROADWAY

1. All ways shall be constructed and water lines, sewers, and surface water drains shall be installed therein in accordance with the following specifications of the Planning Board of East Bridgewater. Refer to Appendix A.
2. The entire area of each street or way shall be cleared of all stumps, brush, roots boulders, like material and all trees not intended for preservation.
3. Within each street, the roadway (including shoulders) shall be excavated for the full length and width to a depth of at least sixteen (16) inches below the finished surface or filled to a sub-grade the top of which is at least (16) inches below the finished surface. If the soil is soft or yielding, or contains rocks, boulders, clay or sand pockets, peat or other material detrimental in the opinion of the Planning Boards Agent to the subgrade, such material shall be removed to such additional depth as required by the Planning Boards Agent and replaced with material compacted to 95% maximum density based upon AASHO Test Designation T-99 Method C. Where fills exceed one (1) foot in depth, the material shall be placed in layers of approximately eight (8) inches in thickness and each successive layer shall be compacted based upon the afore mentioned AASHO Method C.
4. All trees intended for preservation shall be protected from injury by means of boxes or fenders. Trees of a variety approved by the East Bridgewater Planning Board shall be provided in the planting strip as specified by the East Bridgewater Planning Board.
5. At the time the road is at subgrade, all water and drainage pipes shall be laid under the supervision of the East Bridgewater Water Department and the Planning Board Agent. Approval shall be secured before continuing with the road construction.
6. All roadways shall be provided with a foundation, above subgrade consisting of at least twelve (12) inches of good binding gravel, rolled and compacted to a centerline grade four (4) inches below the proposed finish grade as shown on the profile, to be located insofar as practicable, centrally within the street right-of way. Gravel shall be spread in two equal layers each of which shall be thoroughly watered and rolled to true line and grades with a roller of not less than ten (10) tons. The gutter grade shall be four (4) inches below center line grade and the curb grade shall be three (3) inches above gutter grade. Any depressions that appear during and after rolling shall be filled with gravel and rerolled until the surface is true and even.
7. Refer to Section 4 (B)
8. After the base course is in place, castings shall be adjusted to line and grade so as to meet the finished surface.



Rules & Regulations Covering the Subdivision of Land

9. All shoulders shall have a base course of eight (8) inches of good quality, clean sharp gravel, and not less than six (6) inches of good loam to form the planting strip of not less than two (2) feet between the sidewalk and the roadway. Planting strips shall be seeded with perennial type grass seed.

10. The grading at the intersection of ways shall be so designed as to be safe and convenient for travel and to direct the flow of surface water in a suitable manner, to the satisfaction of the Planning Boards Agent.

11. Dust control shall be provided at all times for all roadway construction as required by the Planning Boards Agent.

12. The density and tests of all pavements shall be such that they conform to Section 460.21 of the MDPW Standard Specifications for Highways and Bridges. The Board may, at the applicant's expense, require core tests to assure itself that the required amount of bituminous concrete has been uniformly spread through the roadway. At intervals of fifty (50) feet or less, tests shall be made. It is the contractor's responsibility to provide suitable and acceptable coring equipment. The Boards representative shall be present when the sampling is made. It is the applicant's responsibility to collect the weight slips and turn them over to the Planning Boards Agent for computation.

B. UTILITIES

1. All sewers, surface water drains, water and gas pipes and electric, together with their appurtenances, within the limits of a way shall be placed underground and shall be installed after the way has been excavated to subgrade, and prior to completion of roadway foundations. All water mains and laterals within the exterior lines of the street shall be installed not less than five (5) feet below the finished grade of the street. Where rock or clay occurs, trenches shall be excavated to a depth of six (6) inches more below the bottom of any water pipe, drainpipe or sewer pipe.

The trenches shall be filled to the bottom of the pipe with suitable base materials containing no stone having any dimension greater than two (2) inches. Fill material used for back filling shall be placed and compacted by hand or by vibrating equipment around the water mains and drains to a depth of one foot above these units before completing the remaining filling. See Notes Section III B-2-o.

2. The developer of a street or way shall install at his own expense the required water pipes, gate valves, boxes, fittings and hydrants, in order to provide adequate water for service and fire protection. No pipe to be less than eight (8) inch diameter. Hydrants to be placed every five hundred (500) feet, with gates at every hydrant, and at the beginning of the line and at one-thousand (1000) foot intervals in the main line. If a dead-end street, a hydrant and bleeder are to be located at the end of the line. All water pipes, gate valves, boxes, fittings and hydrants are to be as specified by the East Bridgewater Department of Public Works.

3. The excavation of trenches, the character and position of the pipes, joints, fittings and appurtenances, including hydrants, the methods and material of back-filling and other matters relating to the installation of



Rules & Regulations Covering the Subdivision of Land

water pipes shall conform to the East Bridgewater Water Department Regulations, the water survey made by the engineers for the town year of 1951, the recommendations of the Department of Public Works, so far as applicable, and shall be subject to the approval in writing of the Department of Public Works.

4. "Manhole covers, water gates, etc. shall be set so that they are one half inch below the finished surface of the street and shall be set in a bed of high early strength cement mortar prior to the application of the finished bituminous concrete pavement. A minimum of twenty-four (24) hours shall be allowed for "setting" time of the mortar.

5. Adequate disposal of surface water shall be provided. A minimum of twelve (12) inch reinforced concrete Class III pipe in sound condition shall be used or other products approved by the Planning Boards Agent and Highway Surveyor. Tight joints shall be required. Catch basins shall be built using Massachusetts State Standards on both sides of the roadway at intervals of not more than four hundred (400) feet on continuous grades, at low points in the roadway, and near the corner of the roadway at intersecting streets.

Catch Basins to Catch Basin Connections will be allowed for certain conditions of small water sheet flows, otherwise all Catch Basins shall be connected to the drainage system through manholes. Man- holes shall be provided at all changes in alignment, grade or drainpipe size. The maximum distance between manholes shall not exceed four hundred (400) feet. Pitch of drainage pipe shall be a minimum on one-quarter (1/4) inch per foot. All concrete pipes shall be reinforced and have not less than thirty (30) inches of cover or other method or products approved by the Planning Board and Department of Public Works.

Manholes shall have cement floors with inverts and shall be precast of cement to meet Massachusetts State Specifications for standard manhole four (4) foot diameter, the ring and cover to meet Massachusetts State specifications for standard manhole frame and cover twenty-six (26) inches in diameter. Manhole castings shall be set in a full bed of mortar for a minimum of twelve (12) inches around the casting and to a minimum depth of nine (9) inches. catch basin castings shall be set with a slope of two and one half (2 1/2) inches and castings shall be set in a full bed of mortar for a minimum of twelve (12) inches around the casting.

Catch basins to be built of precast cement with cement floor, standard basin to be four (4) foot diameter and six (6) foot six (6) inches deep: frame and grate to be standard twenty-four (24) inch by twenty-four (24) inch and to be set flush with the finish roadway. Curb inlets, when required, shall be set to the line of the street and to meet the grade of curbing and shall be set in a full bed of mortar. They shall have a minimum gutter mouth of four (4) inches.

All open-ended pipes over fifteen (15) inches in diameter shall be provided with a vertical grate protection permanently attached to the end of the pipe. Horizontal distance between the vertical bars of the grate shall be approximately six (6) inches.

All backfill shall be of clean gravel fill. The use of any debris is prohibited. No backfill shall be put in place until all pipe has been inspected by the Planning Boards Agent who shall be notified by the applicant when the system is ready for inspection.



Rules & Regulations Covering the Subdivision of Land

6. Connections for sewer, drain, water and gas from the main structures in the way to the exterior line of the way shall be constructed for each lot whether or not there is a building thereon, except that the Planning Board may waive such requirement, in whole or in part, in the case of a lot to be used for a park, playground or for any other purpose for which, in the opinion of the Board, such connections shall not be required.

C. SIDEWALKS

Sidewalks of not less than four (4) feet -in width shall be constructed as required in SECTION 4.B.4, starting at the property line, in conformity with the following specifications: They shall consist of two (2) inches of bituminous concrete applied over a gravel base compacted to not less than six (6) inches of gravel with a minimum two (2) ton roller: and the bituminous surface course to be compacted to two (2) inches by a minimum two (2) ton roller.

D. MONUMENTS

Monuments shall be installed at all street intersections and at all points of change in direction or curvature of streets and easements. Such monuments shall be 5" x 5" reinforced concrete bound 36" in length to conform to the standard specifications of the Land Court and shall be set according to such specifications. No permanent monuments shall be installed until all construction which would destroy or disturb the monuments is completed.

E. CURBING

SEE SECTION 4.B.4.

F. WALL OR SLOPE SUPPORT

Where the grade of the way is above or below the grade of the adjacent land, walls or slopes shall be constructed in conformance with the approval of the Planning Board and shall not exceed one (1) foot vertical to three (3) horizontal, and in any event, sufficient to support the way or the adjacent land, as the case may be.

If the grades of the land are changed in an area within twenty-five (25) feet of a natural water course, the banks of the water course shall be stabilized at the same time in accordance with Planning Board and Conservation Commission.

G. STREET SIGNS

Street Signs shall be erected of a style approved by the Department of Public Work.

H. STREET LIGHTING EQUIPMENT

Street lighting equipment shall be provided by the subdivider by means of overhead fixtures rated at not less than 1000 lumens located between twenty (20) and twenty-four (24) feet in height above the roadway, and to be located at all intersection of roadways, end of cul-de-sacs and other curves in the roadway.



Rules & Regulations Covering the Subdivision of Land

I. INSPECTIONS

1. The developer shall notify the Planning Board twenty-four (24) hours before commencing any operation concerning the installation of drainage, water and its services, roads, sidewalks and curbing. In the event of an interrupted installation of any of the above services, it is required that the developer re-notify the Planning Board that they intend to recommence the installation. Inspection of road construction shall be made by a qualified person appointed by the East Bridgewater Planning Board. Inspection will be required and shall be requested as follows:

1. When roadway is grubbed;
2. When road is at sub grade;
3. When drainage is being installed;
4. When water mains are being installed;
5. When underground utilities are being installed;
6. When road is being brought to rough grade;
7. When road is at finish grade, before paving;
8. When base coat of bituminous concrete is being installed;
9. When finish coat of bituminous concrete is being installed;
10. When sidewalks are being constructed;
11. When Loam and seeding are completed.

All required inspections shall be signed off by the Department of Public Works and the Planning Board designee.

2. Any development which progresses beyond an inspection stage without the approval of the Planning Board, the Department of Public Works will be required to return the construction to status necessary to perform the necessary inspection. Clearing operations and removal of all surplus material are included as a requirement for final approval and prior to any further construction. Refer to Section III Inspection of Work.

3. The applicant shall employ at their own expense, a recognized testing laboratory, acceptable to the Planning Board, to test and certify in writing to the Board that the binder course and the surface course are in conformance with these rules and regulations.



Rules & Regulations Covering the Subdivision of Land

SECTION 6

A. REFERENCE

For matters not covered by these rules and regulations, reference is made to Section 81 K to 81 GG, inclusive, of Chapter 41 of the General Laws and amendments thereto.

B. EFFECTIVE DATE

Approved as Amended - March 26, 1962: September 24, 1962: November 8, 1965: May 14, 1984: February 26, 1990; and March 4, 1991.

APPENDIX

APPENDIX I - ROADWAY AND DRAINAGE CONSTRUCTION SPECIFICATIONS	24
APPENDIX II - STORM DRAINAGE	34
APPENDIX III - SCHEDULE OF FEES PAYABLE FOR THE SUBDIVISION PROCESS (Currently being updated)	
SAMPLE FORM A APPLICATION	38
SAMPLE FORM A CHECKLIST	39
SAMPLE FORM B PRELIMINARY APPLICATION	40
SAMPLE FORM B PRELIMINARY CHECKLIST	41
SAMPLE FORM B DEFINITIVE APPLICATION	42
SAMPLE FORM B DEFINITIVE CHECKLIST	43
SAMPLE COVENANT	45
SAMPLE RELEASE	46
SAMPLE COVENANT AND PARTIAL RELEASE	47
SAMPLE ROAD CONSTRUCTION SIGN-OFF SHEET	48



Rules & Regulations Covering the Subdivision of Land

APPENDIX A ROADWAY AND DRAINAGE CONSTRUCTION SPECIFICATIONS

A. CLEARING AND GRUBBING

1. Vegetation

Remove all existing trees, brush, dead wood and other organic matter, and all rubbish, debris and other objectionable material from within the street lines.

Grub and remove stumps, roots larger than three (3) inches and matted roots to a depth of twenty four (24) inches below pavement subgrade or existing ground in areas where fill less than 3 feet in height to the pavement base subgrade will be constructed.

2. Topsoil

Strip available topsoil and stockpile for use within the subdivision.

B. EXCAVATION

1. Unsuitable Material

Remove solid rock, boulders over 18 inches in diameter, clay lumps and clay layers to a minimum depth of 12 inches below pavement base subgrade and backfill the excavation with approved fill material and compact.

Completely remove peat and other organic materials and replace with approved fill material and compact.

C. FILL

1. Preparation

No fill shall be constructed until clearing, grubbing, topsoil stripping and the removal of organic or other unsatisfactory material has been satisfactorily completed.

Existing ground surfaces steeper than one vertical to four shall be plowed, scarified, a manner which insures bonding of the fill material to the existing soils.

2. Material

Fill material shall be suitable existing material obtained from excavations or borrowed from off site sources,



Rules & Regulations Covering the Subdivision of Land

and shall be granular soils free of roots, organic material, rubbish, stones over six (6) inches in diameter, and frozen soil.

Fills shall not be constructed with material from rock excavation.

3. Compaction

Place fill material in successive horizontal layers of eight (8) to twelve (12) inches in loose depth and compact with approved equipment to at least 90% of laboratory maximum density (ASTMD 1557, Method D). Completely compact each layer before placing the next layer.

DO NOT place, spread or compact fill material while ground or fill material is frozen or partially thawed, or during unfavorable weather conditions. Fill material which has excessive moisture content shall not be compacted until the material has been aerated by grading, harrowing or other methods to remove the excessive moisture.

D. TRENCHES

1. Excavation

Excavate trenches to the minimum width required for pipe and appurtenance installation with the sides as nearly vertical as safely possible.

Install sheeting or shoring as required and in conformance with Federal and State safety regulations.

Remove soft, unyielding, or other material unsuitable for pipe bedding to a minimum depth of six (6) inches, or as directed, below the bottom of pipe or structure and replace with sand, gravel, crushed stone or approved granular material and compact.

When pipes are to be installed in new fill, place and compact the fill to a minimum height of three (3) feet above the top of the pipe grade before excavating the pipe trench.

Keep trenches free of water until backfilling is completed.

Accurately grade and shape the trench bottom to provide uniform bearing and support for the pipes and appurtenances.

2. Backfill

Backfill around and to a minimum depth of twelve (12) inches over the pipe shall be selected granular material free of stones larger than 2 inches in diameter.



Rules & Regulations Covering the Subdivision of Land

Place and compact backfill around and to a minimum depth of twelve (12) inches over the pipe in successive horizontal layers of six (6) inches loose depth, Place the remaining backfill, and backfill around appurtenances, in successive horizontal layers of eight (8) to twelve (12) inches loose depth.

Compact each layer to at least ninety (90)% of laboratory maximum density (ASTMD 1557, Method D) before placing the next layer.

E. DRAINAGE

1. Materials

- a. Pipe: reinforced concrete, twelve (12) inch minimum diameter; bell and spigot type for pipe up to thirty six (36) inches in diameter, tongue and groove type over thirty six (36) inches.
- b. Pipe Joints: tarred oakum and cement mortar or flexible watertight neoprane gaskets, ASTM-C443,
- c. Manholes and Catchbasins: Precast or cast-in-place reinforced concrete with a minimum inside diameter of forty eight (48) inches.
- d. Precast Structure Joints: mastic or rubber gasket, or cement mortar.
- e. Pipe Ends: Plain or reinforced cast-in-place concrete walls or precast reinforced concrete flared end sections.
- f. Concrete: Portland cement concrete, three thousand (3,000) pounds per square inch minimum compressive strength after twenty eight (28) days curing.
- g. Frames, Grates, and Covers: grey cast iron, ASTM A-48. Manhole frames and covers shall be LeBaron Foundry Co. Catalog No. LK110A, with the word "DRAIN" embossed on the cover, or approved equal. Catch basin frame and grate shall be LeBaron Foundry Co. Catalog No. LK120 frame with waffle (Type F) grate, or approved equal.

2. Pipe Installation

Pipe sections with broken bells, chipped ends, cracked barrels, or other defects shall not be used.

Clean the joint and caulk a gasket of tarred oakum into the bell. Fill the remaining spaces with cement mortar. Thoroughly wet concrete pipe joints before placing the mortar. Install pipe with neoprene gaskets in accordance with the manufacturer's instructions.

Lay the pipe to true straight line and grade with the sections tightly butted together with the bell or groove ends upstream and with a firm bearing throughout each pipe section. No pipe shall project into a catch basin



Rules & Regulations Covering the Subdivision of Land

or manhole more than four (4) inches.

3. Structure Installation

Accurately grade and compact the soil to provide a firm, level and uniform bearing.

Set precast structures plumb and completely fill the space in the wall openings around the pipes with cement mortar.

Lay concrete blocks on cast-in-place or precast concrete base.

Fill all joints completely with mortar and point the inside joints.

4. Existing Structure Connections

Cut holes in existing structure walls for new pipe connections to the minimum size required for pipe insertion.

Completely fill the space around the pipe with cement mortar or grout for the full thickness of the wall.

No pipe shall project into an existing structure more than four (4) inches.

F. ROAD PAVEMENT

1. Materials

- a. Road and Curb Base: Hard durable stone and coarse sand free of organic material, clay, surface coatings, deleterious materials and uniformly graded within the following:

ROAD BASE	
<u>SIEVE</u>	<u>PCTG (%) PASSING BY WEIGHT</u>
3 inch	100
2 inch	95-100
1/2 inch	50-85
No. 4	40-75
50	8-28
200	0-8
CURB BASE	
1 inch	100
3/4 inch	90-100
1/2 inch	10-50
3/8 inch	0-20



Rules & Regulations Covering the Subdivision of Land

No. 4

0-5

- b. Granite Curb: Light gray in color.

Monolithic Cape Cod Berm shall be eighteen (18) inches width and three (3) inches in thickness at the outer edge.

- c. Bituminous Concrete:

Aggregates shall consist of coarse aggregates of clean, sound, durable, natural sands manufactured from crushed stone or gravel, or any combination of natural and manufactured sands.

Aggregates shall conform to the following graduation:

SIEVE	PERCENT BY WEIGHT PASSING	
	BASE COURSE	TOP COURSE
1 inch	100	100
3/4 inch	80-100	80-100
1/2 inch	55-80	50-76
3/8 inch	80-100	
No. 4	28-50	50-76
8	20-38	37-54
16	26-40	
30	8-22	17-31
50	5-15	10-23
100	6-16	
200	0-5	2-7

Asphalt cement shall conform to ASTM D 946, penetration grades: 85-100. Percent by weight in the mix shall be 4.5 to 5.5 Base Course, and 5.5 to 7.0 Top Course.

Liquid asphalt for tack coat shall be RC-2.

The developer shall furnish to the Planning Board's Agent, a specific job mix formula for the particular uniform combination of materials indicating and certifying that the bituminous concrete materials conform to these specifications.

2. ROAD BASE CONSTRUCTION

- a. Preparation

DO NOT begin placement of road base material until all earthwork and utility installation work has been



Rules & Regulations Covering the Subdivision of Land

completed.

Shape the subgrades to the proposed profile grade and cross- section. Remove any large stones, clay and other materials in non- conformance with Section 2, Excavation, and Section 3, Fill, of these specifications.

b. Placement

Minimum total depth: twelve (12) inches.

Place material in two (2) equal depth layers with approved equipment over the full width of the roadway on the prepared subgrade.

Compact each layer with approved equipment to at least 95% of a laboratory maximum dry density (ASTM D 1557, Method D).

3. GRANITE CURB

a. Preparation

Excavate a trench at least eighteen (18) inches wide to a minimum depth of six (6) inches below the bottom of the curb stones. The edge of the trench shall be six (6) inches from the curb line into the roadway. Shape the excavation to a uniform surface and tamp.

Place curb base material in the full width of the trench for curb foundation and compact.

Set the stones on the foundation true to line and grade with the front face vertical with a seven (7) inch reveal. Add or remove curb base material as necessary to adjust the stones and to provide full, uniform support.

Backfill behind the curb with additional curb base material.

DO NOT set curb and curb base material or backfill on frozen or thawing subgrade.

Fill the space between curb stones with cement or mortar and point the mortar joints.

At driveway openings, tilt the last curbstone so that the top of the stone is at finish road pavement grade at the edge of the driveway.

G. BITUMINOUS CONCRETE ROADWAY CONSTRUCTION

1. Bituminous Concrete Pavement



Rules & Regulations Covering the Subdivision of Land

SEE SECTION 4.B.4 FOR REQUIREMENTS

a. Preparation

Complete the road base and curb construction. The developer may place the bituminous concrete base before curb construction. When the curb is installed, the bituminous concrete base shall be cut back a minimum of six (6) inches from the face of the curb.

After the curb is set, the space shall be backfilled with cement concrete.

Fine grade the road base to the proposed profile grade and cross-section.
Set all utility frames, boxes, etc. to the required finished grade and cross slope.

When the placement of the top course will be delayed and the street open to public use, the utility frames, boxes, etc. shall be temporarily set to the base course surface grade. The said frames, boxes, etc. shall be reset to finish surface grade just prior to the placement of the top course. Bituminous concrete removed to facilitate resetting shall be replaced with cement concrete.

The contact surfaces of curbing and utility frames and boxes shall be given a thin uniform coating of tack coat material.

Thoroughly remove all sand, dust, and other deleterious material from previous bituminous concrete courses before placing the next course.

b. Equipment

Pavers: Self-propelled, equipped with hoppers, tamping, or vibrating devices, distributing screws, adjustable screeds operated either manually or automatically, equipment for heating screeds, and equalizing devices. The spreader shall be capable of spreading hot bituminous mixtures without leaving indented areas, tearing, shoving, or gouging, and capable of producing a finished surface conforming to smoothness requirements specified below. The spreader shall be capable of confining edges of strips to true lines without use of stationary side forms and capable of placing the course to required thickness.

Spreaders shall be designed to operate forward at variable speeds and in reverse at traveling speeds of not less than one hundred (100) feet per minute.

Steel Wheel Rollers: Self-propelled, three-wheel and tandem types, weighing not less than twenty thousand (20,000) pounds each. The three wheel rollers shall have a minimum weight of three hundred (300) pounds per inch of width of rear wheel. Wheels shall be equipped with adjustable scrappers, water tanks, and sprinkling apparatus for keeping the wheels wet to prevent bituminous mixture from sticking to wheels. Rollers shall be capable of reversing without backlash and be free from worn parts. Roller wheels with flat and pitted areas or projections that leave marks in pavement will not be permitted.



Rules & Regulations Covering the Subdivision of Land

c. Placement

Bituminous concrete shall not be constructed on wet subgrade or previous courses and during rainy weather. Bituminous concrete shall be delivered to the work site at a temperature of not less than two hundred sixty (260) degrees F. No mixture shall be placed unless the breakdown and intermediate rolling can be completed by the time the material has cooled to one hundred seventy (170) degrees F and provided the density of the completed material attains at least 95% of the laboratory compacted density.

d. Spreading

The mechanical spreader shall be adjusted and speed regulated so that surface of the course will be smooth and continuous without tears and pulling, and of such depth that, when compacted, surface will conform with cross-section, grade, and contour indicated.

Mixture shall be placed in consecutive adjacent strips having a minimum width of thirteen (13) feet, except when edge strips require a lesser width to complete an irregular area. The maximum length of a strip shall be such that the temperature of the mixture at the longitudinal and transverse joints shall not be less than one hundred fifty (150) degrees F when the abutting mixture is placed.

A sufficient number of experienced shovelers and rakers shall follow the spreading machine, adding hot mixture and raking mixtures as required to produce a course that, when completed, will conform to all requirements specified herein. Broadcasting or fanning of mixture over areas being compacted will not be permitted. When segregation occurs in mixture during placing, the spreading operation shall be suspended until cause is determined and corrected. Irregularities in alignment of the course left by mechanical spreader shall be corrected by trimming directly behind the machine. Immediately after trimming, edges of the course shall be thoroughly compacted by tamping laterally with a lute. Distortion of course during tamping will not be permitted.

e. Hand Spreading In Lieu of Machine Spreading

In areas where use of machine spreading is impractical, mixture shall be spread by hand. Spreading shall be in a manner to prevent segregation. Mixture shall be spread uniformly with hot rakes in a loose layer of thickness that, when compacted, will conform to required grade and thickness.

f. Compaction

Rolling shall begin as soon after placing as mixture will bear roller without undue displacement. Delays in rolling freshly spread mixture will not be permitted. Speed of rollers shall be slow enough at all times to avoid displacement of hot mixture. Displacement of mixture resulting from reversing direction of roller or from any other cause shall be corrected at once by use of rakes; fresh mixture shall be applied or removed where necessary. Alternate passes of roller shall be varied slightly in length.



Rules & Regulations Covering the Subdivision of Land

Mixtures that become contaminated or are defective shall be removed. Skin patching of an area that has been rolled will not be permitted. Holes the full thickness of course shall be cut so that sides are perpendicular and parallel to direction of traffic and edges are vertical. Edges shall be sprayed with tack coat material. Fresh paving mixture shall be placed in holes in sufficient quantity so that finished surface will conform to grade and smoothness requirements.

Transverse Joints: The roller shall pass over the unprotected end of freshly placed mixture only when placing of course is discontinued or when delivery of mixture is interrupted to the extent that unrolled material may become cold. In all cases, edge of the previously placed course shall be cut back to expose an even, vertical surface the full thickness of the course. In continuing placement of strip, the mechanical spreader shall be positioned on transverse joint so that sufficient hot mixture will spread to obtain a joint after rolling to conform to required density and smoothness specified herein. When required, the fresh mixture shall be raked against joints, thoroughly tamped with hot tampers, smoothed with hot irons, and rolled.

Longitudinal Joints: Edges of previously placed strip that have cooled or are irregular, honeycombed, poorly compacted, damaged or otherwise defective, and unsatisfactory sections of the joint shall be cut back to expose clean, sound surface for full thickness of the course as directed. When required, fresh mixture shall be raked against the joint, thoroughly tamped with hot tampers, smoother with hot irons, and rolled.

H. BITUMINOUS CONCRETE SIDEWALKS

1. Materials

Sidewalk Subbase: road base material, minimum compacted thickness - six (6) inches. Materials and construction shall conform to Section 5C of these specifications with the following revision: minimum weight of steel wheel roller shall be two (2) tons.

I. GRASS AREA WITHIN ROAD LAYOUT

1. Material

Topsoil shall be a natural, friable soil representative of productive soils in the vicinity, free of subsoil, foreign matter, roots, and stones larger than one (1) inch in diameter.

Lawn seed shall not exceed 1% weed content and shall be fresh, clean new crop seed composed of the following varieties mixed in proportions and testing minimum percentages of purity and germination indicated:

<u>COMMON NAME</u>	<u>PROPORTION BY WEIGHT</u>	<u>PURITY %</u>	<u>GERMINATION %</u>
Kentucky Bluegrass	10	85	80
Red or Chewings Fescue	6	97	80
Redtop	2	92	90



Rules & Regulations Covering the Subdivision of Land

White Clover

1

96

90

If seed is mixed by producer, the producer shall furnish a guarantee statement of composition of mixture and percentage of purity and germination of each variety. If seed is to be mixed at the site, it shall be delivered in original packages bearing producer's certification of germination and purity.

Commercial fertilizer shall consist of an N-P-K mixture, either 5-10-5 five (5) parts nitrogen, ten (10) parts phosphorous, five (5) parts potassium or 4-12-4 four (4) parts nitrogen, twelve (12) parts phosphorous, four (4) parts potassium. The above fertilizer shall be transported in containers which will insure proper protection and handling.

2. Construction

- a. Steep Slopes: All lawn areas steeper than one (1) vertical to three (3) horizontal shall be sodded or planted with soil fixing shrubs or vines.
- b. Finish Grading: All areas which have been regraded or stripped of topsoil shall be scarified, leveled and brought to an accurate subgrade. Topsoil shall be spread after subsoil fills are properly settled and the subsoil has been scarified to insure proper bond. The settled topsoil shall meet the approved finish grade and shall be at least four (4) inches deep. Where existing topsoil is satisfactory, the seed bed shall be prepared by plowing or tilling to a depth not greater than the topsoil thickness, then harrowing and dragging thoroughly. The settled topsoil shall meet the approved finish grade and shall be at least four (4) inches deep.
- c. Preparation of Seed Bed: A few days before seeding, commercial fertilizer (as specified above) shall be evenly distributed at the rate of twenty-five (25) pounds of fertilizer per one thousand (1,000) and raked into the soil.
- d. Lawn Seeding: The surface of the ground shall be raked to provide a clean, even surface meeting the approved finish grade. After raking, the area shall be uniformly seeded at the rate of four (4) lbs. of seed per one thousand (1,000) square feet of lawn area. After seeding, the entire area shall be rolled with a hand roller not exceeding one hundred (100) lbs. of weight per foot of width. All seeded areas shall be sprinkled with a fine spray avoiding runoff of water and shall be protected by the installation of temporary fences or signs.
- e. Maintenance: All seeded areas shall be watered and maintained until a thick stand of grass is established. After three or four weeks of favorable growing weather, all bare spots shall be recultivated, reseeded, raked and rolled as in the original work.
- f. Seasonal Limits: Seeding shall be done during the proper season. No seeding shall be done in frozen soil or during unfavorable weather conditions.



Rules & Regulations Covering the Subdivision of Land

APPENDIX B

STORM DRAINAGE

The following data must accompany the definitive plans of all subdivisions:

1. Watershed Area: An outline of the watershed area. The total acreage shall be shown and storage areas, and other runoff controls shall be indicated.

2. Runoff Computations: A ten (10) year storm frequency shall be used.
The following methods may be used for determining the peak rate of runoff:

a. Rational Method (for areas 0-200 square miles) $Q = CIA$

Q = the runoff in cubic feet per second

C = the coefficient of imperviousness

(0.90 for pavement, 0.35 minimum for other topography)

I = the intensity of rainfall in inches per hour

A = the drainage area in acres

REFERENCES: For concentration time, see the "Design Data Book for Civil Engineers: by Elwyn E. Seelye of "Hydraulic Design Series No. 4" published by the Bureau of Public Roads. For intensity, see "Rainfall Intensity Duration Frequency Curve for Boston, Massachusetts, Department of Commerce Technical Bulletin No. 25". This rainfall intensity information is also available from the Weather Bureau State Climatologist, 1000 U.S. Custom House, Boston, Massachusetts. Another excellent reference is the "Handbook of Concrete Culvert Pipe Hydraulics" available from the Portland Cement Association.

b. Izzard Method (for areas 0-1000 acres)

REFERENCES: "Concrete Pipe Handbook" prepared by the American Concrete Pipe Association, page 285, figure 2. Note that the graph represented is for a twenty-five (25) year frequency, therefore, a factor of 0.8 should be used for a ten (10) year frequency.

c. Peak Rates of Runoff (small watersheds)

This method is outlined in "Hydraulic Design Series No. 2" and may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C.

Note: The designer should employ more than one method to serve as a check. Drainage calculations must accompany the preliminary and definitive plans.



Rules & Regulations Covering the Subdivision of Land

3. CULVERT HYDRAULIC DATA: The following information shall be noted in the calculations:

- a. Location of control: i.e. inlet or outlet;
- b. Depth of water at the outlet if effective by a downstream restriction;
- c. Critical depth and outlet velocity;
- d. Allowable headwater;
- e. Design headwater;
- f. Type of headwall or pipe end structure;
- g. Channel treatment at outlet: e.g. rip rap, stone, etc.

The above data may be shown from hydraulic computations or the designer may employ the use of nomographs prepared by the Bureau of Public Roads. Recommended are the "Hydraulic Design Series No. 3, Design Charts for Open Channel Flow" and "Hydraulic Engineering Circular No. 5, Hydraulic Charts for the Selection of Highway Culverts". Both are available at the U.S. Government Printing Office, Washington 25, D.C., at a nominal fee.

Hydraulic Data will also be required for any stream relocation.

4. PLANS: The following drainage data shall be shown on the proposed plans:

- a. Design Flow (cubic feet per second);
- b. Length, location, type, and size of proposed and existing culverts and pipes;
- c. Slope and inlet and outlet invert elevations;
- d. Length, location and size of stream locations;
- e. Arrows showing direction of flow;
- f. Existing and proposed catch basins and manholes with rim and invert elevations. (Maximum distance between catch basins to be four hundred (400 feet.);
- g. Drainage easements, including a typical section, base width, side slopes, minimum depth of channel and maximum depth of water;
- h. Existing and proposed topography at two (2) foot contour intervals;
- i. Locus plan:

5. PROFILES: The following shall be shown on the profiles:

- a. Catch basins and manholes with rim and invert elevations;
- b. Storm drains: type, size, and slope;
- c. Existing ground surface;
- d. Proposed ground surface.



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

OFFICE OF THE PLANNING BOARD OF EAST BRIDGEWATER, MA

SCHEDULE OF FEES PAYABLE FOR THE SUBDIVISION PROCESS

DESCRIPTION OF FEE(S)	EXPLANATION OF FEE(S)	AMOUNT OF FEE(S)
A "FORM A" APPLICATION FEE (non-refundable)	A filing fee that shall accompany a "Form A" Plan (a plan believed not to require approval under the Subdivision Control Law). This fee is used to partially offset the clerical cost of the application processing and recordkeeping.	\$100.00 per plan sheet plus \$50.00 for each additional lot over one (1) 1 plan with 1 lot = \$100.00 1 plan with 4 lots = \$250.00 2 plans w/1 lot each = \$200.00

PLEASE NOTE: Form A Plans are to be submitted to the Planning/Building Department (2) weeks prior to submitting to the Planning Board for endorsement. Form A Plans are to be reviewed by the office unless the plan is complex. If the plan is complex, the Planning Board's Consulting Engineer will review the plan and the developer/applicant will be billed for the services.

A PRELIMINARY "FORM B" APPLICATION FEE (non-refundable)	A filing fee that shall accompany a Preliminary "Form B" Plan (A plan believed to require approval under the Subdivision Control Law). This fee is used to partially offset the clerical and administrative cost of application processing and recordkeeping.	\$300.00 initial filing fee
---	---	-----------------------------

PLEASE NOTE: If followed within one (1) year by the filing of a "Form B" Definitive Plan, this fee may, at the discretion of the Planning Board, be applied to the Definitive Plan Application.

A PRELIMINARY "FORM B" PLAN CONSULTANT'S FEE (MGL Chapter 44, Section 53G)	A fee that shall accompany a Preliminary "Form B" Plan. This fee is used to directly pay the cost of outside consultants used by the Planning Board to review the engineering content of the plan.	\$1.00 per linear foot of proposed roadway. A \$1,000.00 minimum initial deposit is required.
--	--	--

PLEASE NOTE: The applicant/owner must maintain a minimum balance of \$1,000.00 in the account at all times. Failure to maintain a minimum balance will cause the engineering review to cease. (This action may jeopardize the approval of the Preliminary Form B Application). This fee shall be deposited in an account established by the Town Treasurer and shall be expended at the discretion of the Planning Board without further appropriation. The Planning Board shall withhold endorsement of any action on the Preliminary Form B Application until all outstanding fees are paid.

A DEFINITIVE "FORM B" APPLICATION FEE (non-refundable)	A filing fee that shall accompany a Definitive "Form B" Plan. This fee is used to partially offset the clerical and administrative cost of the application processing and recordkeeping.	\$400.00 initial filing fee
A DEFINITIVE "FORM B" PLAN CONSULTANT'S FEE (MGL Chapter 44, Section 53G)	A fee that shall accompany a Definitive Form B Plan Application. This fee is used to directly pay the cost of outside consultants used by the Planning Board to review the engineering content of the plan.	\$4.00 per linear foot of proposed roadway A \$1,000.00 minimum initial deposit is required.

PLEASE NOTE: The applicant/owner must maintain a minimum balance of \$1,000.00 in the account at all times. Failure to maintain a minimum balance will cause the engineering review to cease. (This action may jeopardize the approval of the Definitive Form B Application). This fee shall be deposited in an account established by the Town Treasurer and shall be expended at the discretion of the Planning Board without further appropriation. The Planning Board shall withhold endorsement of any action on the Definitive Form B Application until all outstanding fees are paid.



Adopted by Planning Board Voted following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

OFFICE OF THE PLANNING BOARD OF EAST BRIDGEWATER, MA

SCHEDULE OF FEES PAYABLE FOR THE SUBDIVISION PROCESS

DESCRIPTION OF FEE(S)	EXPLANATION OF FEE(S)	AMOUNT OF FEE(S)
A CONSTRUCTION REVIEW AND INSPECTION CONSULTANT'S FEE	A fee that shall be paid prior to Planning Board endorsement of an approved Form B Definitive Plan. This fee shall be used to directly pay for the outside consultants used by the Planning Board to review and inspect the construction of an approved subdivision, as set forth in the Subdivision Rules and Regulations.	\$8.00 per linear foot of proposed roadway. A \$2,000.00 minimum initial deposit is required.
PLEASE NOTE: An initial deposit of \$2,000.00 is required and a minimum balance of \$1,000.00 in the account at all times. Failure to maintain a minimum balance will cause the engineering inspections to cease. (This action may jeopardize approval of roadways by the Town). The funds shall be direct deposited in an account established by the Town Treasurer and shall be expended at the discretion of the Planning Board without further appropriation.		
A LOT RELEASE FEE (non-refundable)	A fee that shall accompany all requests for lot releases for any lots within an approved subdivision. This fee is used to partially offset the clerical cost of the lot release preparation, processing and recordkeeping.	\$50.00 per lot
A BOUNDARY MONUMENT DEPOSIT (refundable)	A fee that shall accompany all request for lot releases. This fee shall be included as part of the Guarantee deposited by the developer at the time of lot release.	\$100.00 per boundary marker shown on the approved Definitive Plan.
PLEASE NOTE: This deposit shall be refunded after certification that all boundary markers are in place as per the approved Definitive Plan.		
AN "AS-BUILT" PLAN DEPOSIT (refundable)	A fee that shall accompany all requests for lot releases. This fee shall be included as part of the Guarantee deposited by the developer at the time of lot release.	\$2,000.00 minimum deposit plus \$300.00 per lot over 1 on each approved plan.
PLEASE NOTE: This deposit shall be refunded after certification that the "As-Built" Plan is completed and accepted by the Town.		
A SUBDIVIDER'S HIGHWAY EQUIPMENT FEE (non-refundable)	A fee that shall accompany all requests for lot releases. This fee shall be used by the Highway Department to partially offset the costs associated with adding the new roadway(s) to the town upon acceptance.	\$2.00 per linear foot of proposed roadway.
**NOTE: The "per linear foot of proposed roadway" is measured at the roadway center line.		



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

**FILE ONE COMPLETED FORM WITH THE PLANNING BOARD AND ONE COPY WITH THE TOWN CLERK IN
ACCORDANCE WITH THE REQUIREMENTS OF SECTION: 111-B**

TOWN OF EAST BRIDGEWATER, MA

Date: _____ 20 _____

TO THE PLANNING BOARD:

The undersigned, believing that the accompanying plan of the property located in the Town of East Bridgewater, MA., does not constitute a subdivision within the meaning of the Subdivision Control Law Chapter 41, Section 81P, herewith submits said plan for a determination and endorsement that the Planning Board Approval under the Subdivision Control Law is not required.

Name of Applicant: _____

Address: _____

Name of Owner: _____

Address: _____

Name of Engineer or Surveyor: _____

Address: _____

Deed of Property recorded in Plymouth County Registry Book _____ Page _____

Assessor's Map: _____ Block: _____ Property Address: _____

Location and complete description of property: _____

Signature of Owner _____

Address _____

Email: _____ Telephone # _____



Rules & Regulations Covering the Subdivision of Land

CHECKLIST FOR FILING A "FORM A" PLAN			
ITEM#	INFO O.K.		GENERAL DESCRIPTION OF MINIMUM FILING REQUIREMENTS
	YES	NO	
1			2.A.(1).(a). Completed Form A application in duplicate & original plan + 12 copies
2			2.A.(1).(b). Filing fee paid
3			2.A.(2).(a). Plan scale drawn 1" = 40' / Maximum plan size 24" X 36"
4			2.A.(2).(b). North point shown on plan(s)
5			2.A.(2).(b). Current date and revision number shown on plan(s)
6			2.A.(2).(c). Name and address of the Owner of Record shown on plan(s)
7			2.A.(2).(d). Name, Address, and Seal of the Registered Land Surveyor shown
8			2.A.(2).(e). Name, Address, Plat and Lot no. of all abutters shown on plan(s)
9			2.A.(2).(f). Adjoining land of Applicant described (area, frontage & buildings)
10			2.A.(2).(g). Location of all existing buildings on subject property shown
11			2.A.(2).(h). All Zoning, Classifications shown on plan
12			2.A.(2).(i). Endorsement Block provided on plan ("Approval Not Required...")
13			2.A.(2).(j). Locus of subject property shown on plan(s) drawn at 1" = 800'
14			2.A.(2).(k). Existing house numbers of adjacent property shown on plan(s)

☐ THIS PLAN HAS BEEN REJECTED BECAUSE IT DOES NOT COMPLY WITH THE MINIMUM FILING REQUIREMENTS AS SET FORTH IN THE SUBDIVISION RULES AND REGULATIONS OF THE EAST BRIDGEWATER PLANNING. (Items where this plan are not in compliance are checked above.)

☐ THIS PLAN HAS BEEN REJECTED FOR THE FOLLOWING REASON(S): _____

☐ THIS PLAN HAS BEEN ACCEPTED FOR FILING AS IT MEETS THE MINIMUM FILING REQUIREMENTS AS SET FORTH IN THE SUBDIVISION RULES AND REGULATIONS OF THE EAST BRIDGEWATER PLANNING BOARD.

FOR: TOWN OF EAST BRIDGEWATER PLANNING BOARD

DATE: _____ BY: _____



Rules & Regulations Covering the Subdivision of Land

FORM B

APPLICATION FOR APPROVAL OF PRELIMINARY PLAN

FILE ONE COMPLETED FORM WITH THE PLANNING BOARD AND ONE COPY WITH THE CITY (OR TOWN) CLERK IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION: 4-A.

TOWN OF EAST BRIDGEWATER, MA

Date: _____ 20 _____

TO THE PLANNING BOARD:

THE UNDERSIGNED HERewith SUBMITS ACCOMPANYING PRELIMINARY PLAN OF PROPERTY LOCATED IN THE TOWN EAST BRIDGEWATER, MA, FOR APPROVAL AS A SUBDIVISION UNDER THE REQUIREMENTS OF THE SUBDIVISION CONTROL LAW AND THE RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND OF THE PLANNING BOARD IN THE TOWN OF EAST BRIDGEWATER.

Name of Subdivider: _____

Address: _____

Name of Owner: _____

Address: _____

Name of Engineer or Surveyor: _____

Address: _____

Deed of Property recorded in Plymouth County Registry Book: _____ Page: _____

Assessor's Map: _____ Block _____ Property Address: _____

Location and complete description of property: _____

Signature of Owner _____

Address _____

Email: _____ Telephone # _____



Adopted by Planning Board Voted following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

CHECKLIST FOR FILING A "FORM B" PRELIMINARY PLAN APPLICATION				
ITEM#	INFO O.K.		REFERENCE SECTION OF SUBDIVISION RULES & REGULATIONS	GENERAL DESCRIPTION OF MINIMUM FILING REQUIREMENTS
	YES	NO		
1			3.A.(1).(a).	Completed Form B Application in duplicate & original plan + 13 copies
2			3.A.(1).(a).	Filing fee \$300.00 paid
3			3.A.(1).(a).	Notice of application given to Town Clerk (per MGL Ch. 41, Sec. 81S)
4			3.A.(1).(b).	Consultant's Fees Account established with the Town Treasurer
5			3.A.(1).(a).	Plan is drawn on a scale of 1" = 40'
6			3.A.(2).(a).	Name of proposed subdivision is shown on plan(s)
7			3.A.(2).(a).	All zoning classifications and elevations shown on plan(s)
8			3.A.(2).(a).	North point, date and scale are shown on plan(s)
9			3.A.(2).(b).	Name and address of owner and subdivider are shown on plan(s)
10			3.A.(2).(b).	Name and stamp of Registered Engineer and/or Surveyor on plan(s)
11			3.A.(2).(c).	All abutters shown (with name, address, acreage and map & lot no.)
12			3.A.(2).(d).	Names, widths & exterior lines of all existing ways & easements within and adjacent to the proposed subdivision shown on plan(s)
13			3.A.(2).(j).	The centerline of proposed roadways drawn on plan(s)
14			3.A.(2).(e).	Major site features (existing or proposed) such as stone walls, rock ridges, wetlands, water ways, etc. shown on plan(s)
15			3.A.(2).(f).	Topography of proposed subdivision shown with 2-foot contour levels
16			3.A.(2).(g).	Proposed system of drainage shown on plan(s)
17			3.A.(2).(h).	Proposed Water Distribution System shown on plan(s)
18			3.A.(2).(i).	Approximate boundary lines of proposed lots w/areas & dimensions shown

☐ THIS PLAN HAS BEEN REJECTED BECAUSE IT DOES NOT COMPLY WITH THE MINIMUM FILING REQUIREMENTS AS SET FORTH IN THE SUBDIVISION RULES AND REGULATIONS OF THE EAST BRIDGEWATER PLANNING BOARD.

☐ THIS PLAN HAS BEEN REJECTED FOR THE FOLLOWING REASON(S): _____

☐ THIS PLAN HAS BEEN ACCEPTED FOR FILING AS IT MEETS THE MINIMUM FILING REQUIREMENTS AS SET FORTH IN THE SUBDIVISION RULES AND REGULATIONS OF THE EAST BRIDGEWATER PLANNING BOARD.

FOR: TOWN OF EAST BRIDGEWATER PLANNING BOARD

DATE: _____ BY: _____

NOTE: A COPY OF THIS FORM SHALL BE PROVIDED TO THE TOWN CLERK BY THE APPLICANT WHEN FILING A PRELIMINARY "FORM B" (APPROVAL REQUIRED) PLAN.



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

FORM B

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

FILE ONE COMPLETED FORM WITH THE PLANNING BOARD AND ONE COPY WITH THE CITY (OR TOWN) CLERK IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION: 4-A.

TOWN OF EAST BRIDGEWATER, MA

Date _____ 20 _____

TO THE PLANNING BOARD:

THE UNDERSIGNED HERewith SUBMITS ACCOMPANYING DEFINITIVE PLAN OF PROPERTY LOCATED IN THE TOWN EAST BRIDGEWATER, MA, FOR APPROVAL AS A SUBDIVISION UNDER THE REQUIREMENTS OF THE SUBDIVISION CONTROL LAW AND THE RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND OF THE PLANNING BOARD IN THE TOWN OF EAST BRIDGEWATER.

Name of Subdivider: _____

Address: _____

Name of Owner: _____

Address: _____

Name of Engineer or Surveyor: _____

Address: _____

Deed of Property recorded in Plymouth County Registry Book _____ Page: _____

Assessor's Map: _____ Block: _____ Property Address: _____

Location and complete description of property: _____

Signature of Owner _____

Address _____

Email: _____ Telephone # _____

A LIST OF THE NAMES AND ADDRESSES OF THE ABUTTERS OF THIS SUBDIVISION IS ATTACHED. VERIFICATION WILL BE MADE BY THE PLANNING BOARD.



Adopted by Planning Board Voted following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

CHECKLIST FOR FILING A "FORM B" DEFINITIVE PLAN APPLICATION				
ITEM#	INFO O.K.		REFERENCE SECTION OF SUBDIVISION RULES & REGULATIONS	GENERAL DESCRIPTION OF MINIMUM FILING REQUIREMENTS
	YES	NO		
1			3.B.(1).(a).	Completed Form B Application in duplicate & original plan + 13 copies
2			3.B.(1).(a).	Notice of application given to Town Clerk (per MGL Ch. 41, Sec. 81S)
3			3.B.(1).(f).	Copy of plan filed with the Board of Health (per MGL Ch. 41, Sec. 81U)
4			3.B.(1).(a).	Filing Fee of \$400.00 paid
5			3.B.(1).(a).	Consultant's Fee Account established with the Town Treasurer
6			3.B.(1).(a).	Actual cost of the Public Hearing advertisement paid within 15 days
7			3.B.(1).(b).	Construction Review & Inspection Account established w/Town Treasurer
8			3.B.(1).(b).	Lot Release Fee(s) paid
9			3.B.(1).(c).	Boundary Monument Deposit paid
10			3.B.(1).(d).	"AS BUILT" Plan security deposit paid
11			3.B.(1).(e).	Subdivider's Highway Equipment Fee account established
12			3.B.(2).(a).	Plan drawn on maximum 24" X 36"
13			3.B.(2).(a).	Index sheet included for multiple-sheet plans
14			3.B.(2).(b).	Horizontal scale of plan is 1" = 40'
15			3.B.(2).(b).	Vertical scale is 1/10 of horizontal scale
16			3.B.(2).(c).	Elevations listed as referred to USCGS
17			3.B.(2).(d).	Name of proposed subdivision and date shown on plan(s)
18			3.B.(2).(y).	A locus of the proposed subdivision drawn on scale of 1" = 800'
19			3.B.(2).(d).	The name and address of the applicant is shown on plans(s)
20			3.B.(2).(d).	Name, address and stamp of Registered Engineer and/or Land Surveyor shown on plan(s)
21			3.B.(2).(g).	Planning Board Signature Block on plan(s)
22			3.B.(2).(d).	All Zoning Districts within the proposed subdivision are clearly shown
23			3.B.(2).(s).	All Watershed Protection areas, Flood Plains, Wetlands, Marshes, and waterbodies within and within 100' surrounding subdivision shown
24			3.B.(2).(e).	The true magnetic North point is shown on plan(s)
25			3.B.(2).(f).	All abutters shown (with name, address, acreage and assessor's map & lot)
26			3.B.(2).(g).	The names, widths, and exterior lines of existing ways within and around the proposed subdivision shown
27			3.B.(2).(g).	The location and character of easements within or abutting the proposed subdivision shown
28			3.B.(2).(h).	The name, widths and exterior lines of proposed ways and parks and total area dedicated to roadway shown on plan(s)
29			3.B.(2).(l).	Lines, boundaries, areas and lot numbers of all proposed lots shown
30			3.B.(2).(j).	Location of all proposed or existing fences, walls, waterways, hydrants, monuments, etc. shown on plan(s)
31			3.B.(2).(l).	Intervals
32			3.B.(2).(m).	The profile of all proposed ways, utilities, water and drainage shown
33			3.B.(2).(u).	Drainage calculations prepared by a Registered Engineer shown on plan



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

CHECKLIST FOR FILING A "FORM B" DEFINITIVE PLAN APPLICATION				
ITEM#	INFO O.K.		REFERENCE SECTION OF SUBDIVISION RULES & REGULATIONS	GENERAL DESCRIPTION OF MINIMUM FILING REQUIREMENTS
	YES	NO		
34			3.B.(2).(m).	The centerline grade is shown in heavy black line
35			3.B.(2).(p).	Cross sections of proposed ways, planting strips, sidewalks, etc. shown
36			3.B.(2).(n).	Size and location of existing and proposed water main, surface water drains, sewers, and their appurtenances shown
37			3.B.(2).(o).	Size and location of existing and proposed gas pipes, electrical and telephone facilities shown
38			3.B.(2).(r).	Relative error of closure included with plan(s)
39			3.B.(2).(t).	A plan for the control of erosion & siltation is included
40			3.B.(2).(v).	Sufficient perc. tests and test pits taken for proposed on-lot sewerage systems
41			3.B.(2).(w).	If required by the Planning Board, an Environmental Impact Statement prepared by a Registered Professional Engineer submitted
42			3.B.(2).(z).	Any special construction details or other pertinent information requested by the Planning Board included

☐ THIS PLAN HAS BEEN REJECTED BECAUSE IT DOES NOT COMPLY WITH THE MINIMUM FILING REQUIREMENTS AS SET FORTH IN THE SUBDIVISION RULES AND REGULATIONS OF THE EAST BRIDGEWATER PLANNING BOARD.

☐ THIS PLAN HAS BEEN REJECTED FOR THE FOLLOWING REASON(S): _____

☐ THIS PLAN HAS BEEN ACCEPTED FOR FILING AS IT MEETS THE MINIMUM FILING REQUIREMENTS AS SET FORTH IN THE SUBDIVISION RULES AND REGULATIONS OF THE EAST BRIDGEWATER PLANNING BOARD.

FOR: TOWN OF EAST BRIDGEWATER PLANNING BOARD

DATE: _____ BY: _____

NOTE: A COPY OF THIS FORM SHALL BE PROVIDED TO THE TOWN CLERK BY THE APPLICANT WHEN FILING A PRELIMINARY "FORM B" (APPROVAL REQUIRED) PLAN.



Adopted by Planning Board Voted following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

COVENANT

In consideration of the approval of the East Bridgewater Planning Board of a plan of land entitled, _____ dated _____, 20____ (rev.), Owner, _____ showing a proposed **XXXX** lot subdivision of land off _____ Street in the Town of East Bridgewater, the undersigned being the owner(s) of record of the land included in and comprising said subdivision, hereby agrees and covenants with said Town of East Bridgewater that before building on, or conveying other than by mortgage deed, any lot in said subdivision, it will provide the ways and services to serve said lot.

The provision hereof as to any particular lot or lots shall be released in writing by the East Bridgewater Planning Board either upon provision of security given to it sufficient in its opinion for the construction and completion of the ways and services necessary for such lot or lots, or upon completion thereof without said security.

This agreement and covenant is given and accepted pursuant to the provisions of Chapter 41, Section 81U of the General Laws of Massachusetts, as most recently amended and nothing herein shall be deemed to prohibit a conveyance by a single deed subject to this covenant of either the entire parcel of land shown on said subdivision plan or of all the lots not previously released by the Planning Board.

This agreement and covenant shall run with the land included in this subdivision and shall be binding on the grantees, heirs, executors, administrators, and assigns of the undersigned and shall be the covenant referred to on said plan.

Witness our hands and seals _____ day of _____, 20____
EAST BRIDGEWATER PLANNING BOARD:

On this _____ day of _____, 20____, before me, the undersigned Notary Public, personally appeared _____ and proved to me through satisfactory evidence of identification, to be the person whose name is signed above, and acknowledged to me that they signed it voluntarily for its stated purposes.

_____, seal _____

NOTARY PUBLIC

My Commission expires: _____

OWNER(S): _____



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

RELEASE

The East Bridgewater Planning Board hereby releases from a Covenant dated _____, 20 _____
recorded at the Plymouth Registry of Deeds in Book _____, Page _____, between
the Town of East Bridgewater and _____,
the following lots numbered _____, as shown on a plan entitled _____
_____, dated _____, 20 _____,
Surveyed / Engineered by _____, and recorded in Plan Book _____,
Page _____. A Road / Performance Bond in the amount of \$ _____ has been posted
with the Town of East Bridgewater through the Bank/Bonding Company of _____
to ensure that the owner shall provide adequate access, including snow removal, catch basin cleaning and
street light illumination, and provide adequate security to such lot until the completion of said ways and
services.

NOTE: Prior to the Planning Board accepting a Bond, the applicant shall provide the Planning Board with the
Best Rating Report and Balance Sheet of the Bonding Company. THE PLANNING BOARD RESERVES THE
RIGHT TO ACCEPT OR REJECT ANY OR ALL BONDING COMPANIES.

Witness our hands and seals _____ day of _____, 20 _____.
EAST BRIDGEWATER PLANNING BOARD:

COMMONWEALTH

OF

MASSACHUSETTS

PLYMOUTH

On this _____ day of _____, 20 _____, before me, the undersigned Notary Public, personally appeared
_____ and proved to me through satisfactory evidence of identification, to be the person whose name is signed
above, and acknowledged to me that they signed it voluntarily for its stated purposes.

NOTARY PUBLIC

seal _____

My Commission expires: _____



Rules & Regulations Covering the Subdivision of Land

COVENANT AND PARTIAL LOT RELEASE

In consideration of the approval by the East Bridgewater Planning Board of a plan of land entitled _____ and dated _____ 20 _____, showing a proposed subdivision of land off _____ consisting of a total of _____ lots numbered _____ on an approved definitive plan in the Town of East Bridgewater, the Plan recorded in Plan Book _____, Page _____, Original Covenant recorded in Book _____, Page _____, the undersigned being the owner(s) of record of the land included in and comprising said subdivision, hereby agrees and covenants with said Town of East Bridgewater that in surety for completing construction of the ways and services to serve said lot(s), a BOND In the amount of \$ _____ has been posted with the Town as a performance guarantee.

The particular lots released from those listed above are lot(s) numbered _____. All remaining lots not listed as released remain under covenant and require that before building on or conveying other than by mortgage deed any of these said lots in said subdivision, the ways and services to serve said lots will be provided as shown on the approved plan.

As a further condition agreed to for this release, the ways and services shall also be repaired and maintained by the owner until a final AS BUILT plan has been accepted by the Planning Board, the road has been accepted by the Town and the surety has been released.

Specifically, the surety shall cover the following:

1. Actual improvements required by the approved subdivision plan and all approved revisions thereto;
2. Maintenance and repair of all infrastructure such that the minimum requirements of the Subdivision Rules and Regulations for road construction are met;
3. Routine maintenance, including snowplowing, catch basin cleaning, and all other maintenance associated with maintaining safe and adequate access shall be performed;
4. Cost to provide and illuminate all street lights that are required as set forth on the approved plan.

Any default of these conditions as set forth shall be noted in writing to the owner of record by the Planning Board, and if the defaults have not been corrected within thirty (30) days, the Planning Board shall utilize the surety as required to correct the default(s).

This agreement and covenant is given and accepted pursuant to the provisions of Chapter 41, Section 81U of the General Laws of the Commonwealth of Massachusetts, as most recently amended and nothing herein shall be deemed to prohibit conveyance by a single deed subject to this covenant of either the entire parcel of land shown on said subdivision plan or all the lots not hereby released by the Planning Board.

The undersigned owner(s) hereby agree that all improvements guaranteed by the surety described herein shall be completed not later than _____

After the date of this agreement and agree that after said time, all surety defined herein shall, following thirty (30) days after written notification from the Planning Board, be forfeited to the Town of East Bridgewater to allow completion of improvements per said plan.



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

EAST BRIDGEWATER PLANNING BOARD

Witness our hands and seals this _____ day of _____, 20_____.

Chairman

Member

Vice-Chairman

Member

Clerk

Member

Member

On this _____ day of _____, 20__ before me, the undersigned Notary Public, personally appeared _____ and as known to me, to be the person whose name is signed above, and acknowledged to me that they signed it voluntarily for its stated purposes.

Notary Public:

My Commission Expires:

OWNER(S) or OWNER(S) AGENT:



Adopted by Planning Board Voted following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

ROAD CONSTRUCTION SIGN-OFF SHEET			
At each stage of Road Construction, the Planning Board's Consultant Engineer and the Highway Surveyer must sign off. (Only the Water Commissioner or authorized personnell need sign off the Water Piping.			
STAGE OF CONSTRUCTION	DATE	HIGHWAY SURVEYOR'S SIGNATURE	ENGINEER'S SIGNATURE
GRUBBING			
SUB GRADE			
DRAINAGE			
WATER PIPING		(WATER COMMISSIONER'S SIGNATURE):	
UTILITIES			
ROUGH GRADE			
FINISH GRADE			
BASE COAT			
FINISH COAT			
SIDEWALKS			
LOAM AND SEEDING			
SIGNS			
BOUNDS			
AS-BUILT PLAN			

PLEASE REFER TO SECTION 5. OF THE SUBDIVISION RULES & REGULATIONS OF THE EAST BRIDGEWATER PLANNING BOARD FOR COMPLETE INFORMATION OF ROAD CONSTRUCTION AND INSPECTIONS.

NOTE: AS PER SECTION 5.1.(2)., ANY DEVELOPMENT WHICH PROGRESSES BEYOND AN INSPECTION STAGE WITHOUT THE APPROVAL OF THE PLANNING BOARD'S CONSULTANT ENGINEER AND THE DIRECTOR OF PUBLIC WORKS, THE DEVELOPER WILL BE REQUIRED TO RETURN SAID CONSTRUCTION TO THE STATUS NECESSARY TO PERFORM THE NECESSARY INSPECTION.



Rules & Regulations Covering the Subdivision of Land

SECTION 7

Roadway Acceptance Procedures

Overview

The Planning Board and the Board of Selectmen of the Town of East Bridgewater set forth the following procedures (the "Roadway Acceptance Procedures") for the layout and acceptance of subdivision roads and other ways as public ways. This Roadway Acceptance Procedures document contains the procedures required by law and the guidelines of the Planning Board and the Board of Selectmen and must be followed by applicants who wish to submit roads created under the Subdivision Control Law or other roads for acceptance by the Town of East Bridgewater. Final approval of a Subdivision Plan by the Planning Board does not constitute the laying out or acceptance by the Town of any road or entitle the road to such acceptance.

All applicants who wish to have a private way be accepted as a public way, and their attorneys and engineers, must review, understand and follow these Roadway Acceptance Procedures, provide the required documents, and meet all deadlines. Compliance, with these Roadway Acceptance Procedures and adherence to deadlines will minimize confusion, costs, and delay for all parties. Compliance with the Roadway Acceptance Procedures is the legal and financial responsibility of the applicant. The Roadway Acceptance Procedures are not intended to give legal advice. Applicants should consult with their own attorney to ensure compliance with the Roadway Acceptance Procedures.

The applicant is responsible for requesting the Board of Selectmen in writing to accept the roadway(s), ensuring all documents are complete and correct, and that the Town boards, departments, and Town Counsel are all satisfied with the supplied documentation. The **applicant is responsible for all fees** incurred by the Town in ensuring compliance with the Roadway Acceptance Procedures and completing the Roadway Acceptance Procedures, including, but not limited to, engineering review fees, legal fees, and fees payable to the Plymouth Registry of Deeds to record any and all easements, subordination of mortgages, plans, and other applicable instruments.

Acceptance of a road as a public way involves three (3) main steps:

1. The Board of Selectmen must lay out the road as a public way in accordance with the requirements of MGL. c. 82, §§21-24, which includes a referral of the layout to the Planning Board for its recommendations.
2. Town Meeting must vote to accept a road as a public way.
3. The Board of Selectmen must acquire by gift all easements in the road and drainage, water, sewer, utility, access, buffer, and/or other related easements (the "appurtenant easements") within one hundred twenty (120) days from the close of the Town Meeting at which the road is accepted as a public way.



Rules & Regulations Covering the Subdivision of Land

Compliance with all three (3) steps is necessary for a road to become a public, Town way.

Applicants are strongly cautioned to examine the title to the road they wish the Town of East Bridgewater to accept as a public way and to any lots on which the Town needs appurtenant easements before they commence the Roadway Acceptance Procedures. If the subdivision developer reserved the fee to the road and the appurtenant easements that need to be granted to the Town, the Grant of Easements may be signed only by the developer. However, if the developer did not reserve the fee to the road and/or the appurtenant easements, each and every person owning the fee to the road and/or the lots on which the Town needs the appurtenant easements must grant the Town such easements.

The Town of East Bridgewater will exercise its right to acquire easements by eminent domain only under limited circumstances and in the sole and absolute discretion of the Board of Selectmen. As a condition of acquiring easements by eminent domain, all the owners of the roads and the lots subject to the appurtenant easement must sign a waiver of appraisal, damages, and relocation benefits. It is the Town's preference to acquire an easement in the roadway, rather than the fee— the Selectmen shall, at their discretion, determine if, in any particular instance, they are willing to accept fee or easement interests in the roadway. The **Roadway Acceptance Procedures are mandatory** and refer to the Town being granted an easement in the road and to Grant of Easements. If the Selectmen agree to accept the fee to a road, all references in the Roadway Acceptance Procedures to easement in the road and Grant of Easements shall be deemed to refer instead to the fee in the road and to Deeds.

Detailed procedural steps follow in a timeline format. It is important to note that while the timelines are recommendations and a suggested guide to the process, the actual procedural steps are mandatory. Applicants are encouraged to commence the Roadway Acceptance Procedures as early in the process as possible.



Rules & Regulations Covering the Subdivision of Land

Timelines: Approximately 120 Days Prior to Town Meeting

1. Applicant to Submit Petition and Documents to Board of Selectmen. The applicant must petition the Board of Selectmen in writing to layout a road as a Town way. The petition must include three (3) copies of the following:
 - a. Title Certification: A title certification prepared by an attorney licensed in Massachusetts, running to the benefit of the Town, listing the names and addresses of all persons currently owning the fee to the road (generally either the developer of the subdivision and/or the abutting lot owners) and the lots affected by drainage, water, sewer, utility, access, buffer, and/or other related easements (the "appurtenant easements") to be granted to the Town;
 - b. Copies of Deeds and Other Instruments: A copy of the deed into the applicant, if none of the lots have been conveyed. If any of the lots have been conveyed, the applicant shall also submit a copy of all the deeds out from the developer, deeds either granting or reserving easements to the developer, and any covenants, declarations or other instruments by which the developer retains or reserves the fee in the roadway and appurtenant easements. Unless the developer expressly states in the deed to a lot that the developer is reserving the fee to the road, it is presumed that the lot owner owns the fee to the centerline of the road abutting the lot;
 - c. As-Built Plans: A copy of the definitive subdivision As-Built Plan prepared and stamped by a Massachusetts Registered Professional Engineer and Professional Land Surveyor, showing the existing roadway and all utilities, public and private, above and below grade, and in compliance with the other requirements of the Subdivision Rules and Regulations.
 - d. Roadway Acceptance or Definitive Subdivision Plans: A copy of the Roadway Acceptance, showing the metes and bounds of the road and any and all other easement areas, in recordable form, with a signature block provided for the Planning Board. This plan is referred to as the "Layout Plan."
 - e. Legal Descriptions: Legal description, with metes and bounds, of the road and all other easement areas that are to be conveyed to the Town. Legal descriptions are not required if the metes and bounds of the road and the easement area(s) are clearly shown on the Layout Plan; and
 - f. Fees: The applicant shall reimburse the Town for fees incurred by the Town during the layout and acceptance process. Alternatively, the applicant could be asked to provide a certified check in an amount sufficient in the Selectmen's discretion to cover the Town's engineering, legal, and related fees. The applicant shall reimburse or supplement all acceptance fees from time to time, as and when requested, to ensure that the Town is fully reimbursed for all costs. The Subdivision Road Bond account shall be used for this purpose and when the acceptance process is complete all funds remaining in the Subdivision Road Bond Account shall be returned to the applicant upon receipt of a written request.

Timelines: Approximately 90 Days Prior to Town Meeting

2. Vote of Intent to Layout as a Public Way. The petition is placed on the Selectmen's agenda and the Selectmen formally vote their intention to layout the road as a public way.
3. Referral to Planning Board and Planning Board Review. The Selectmen forward the Layout Plan and legal descriptions to the Planning Board for its report (per G.L. c. 41, §§81G and 81I). The vote to refer to the Planning Board can be taken at the same time the Selectmen vote their intention to lay out the road as a public



Rules & Regulations Covering the Subdivision of Land

way. Once the Planning Board receives such notice, the Planning Board may solicit recommendations from the DPW Superintendent, the Police Chief, the Fire Chief, and/or other officers or boards. The Planning Board may forward the Layout Plan and legal description to the Town's engineer for review and comment. The Town's engineer and/or the DPW Department may inspect the road and easement areas to determine if the road has been properly constructed and all subdivision improvements have been properly installed. The applicant must meet with the Planning Board or its designee, if so requested, to review any outstanding issues related to the road and/or the easement areas. The applicant shall correct any deficiencies, at its sole expense.

As Determined by the Board of Selectmen

4. Warrant Article. A warrant article is prepared for each road the Selectmen vote to lay out.

Timelines: Approximately 45 Days Prior to Town Meeting

5. Notice to Owners. The Selectmen shall provide written notice of its layout hearing for the proposed town way at least 7 days in advance to all owners of the land which would be taken for the subject way. The written notice shall be delivered to each owner's usual abode or hand delivered at the applicant's expense.

Timelines: Approximately 30 Days Prior to Town Meeting

6. Adopt Order of Layout: Once the Planning Board has made its recommendations or 45 days lapse since the layout was referred to the Planning Board, whichever is earlier, the Selectmen hold a public meeting to determine if the road is ready for acceptance. The owners and abutters are asked for input in this decision. At this meeting, the Selectmen may vote to lay out the road as a public Town way, or decline to layout the road, or may continue the matter to a later meeting in order to obtain additional information, i.e. Planning Board report, site visit, among others. Abutters will not be formally notified of the continued public meeting. For those roads that the Selectmen vote to layout, a formal vote will be taken and an Order of Layout will be signed. The vote and Order of Layout cannot be taken until the Planning Board has made its recommendations or 45 days lapse since the layout was referred to the Planning Board, whichever is earlier.

Timelines: At Least 7 Days Prior to Town Meeting

7. File Layout with Town Clerk: The original signed Order of Layout, the Layout Plan, and the legal descriptions are filed with the Town Clerk.

Town Meeting

8. Town Meeting Vote: Town Meeting must vote on whether to accept the listed road as a public Town way, and authorize the Board of Selectmen to acquire the roadway easement and the appurtenant casements by gift, purchase or eminent domain and appropriate funds for the easement acquisition, if needed. A majority vote is needed to accept a road that is shown on an approved subdivision plan. A two-thirds (2/3) vote is needed to accept any other way. A two-thirds (2/3) vote is needed to appropriate funds for acquisition by purchase or



Rules & Regulations Covering the Subdivision of Land

eminent domain, if needed.

NOTE: roads do not automatically become public ways upon Town Meeting acceptance. In order to complete the Roadway Acceptance Procedures, the Town must obtain easements in the road and/or abutting lots within a certain period of time, as stated below.

Within 14 days of Town Meeting

9. Updated Title Certification. Promptly after Town Meeting, the applicant's attorney must submit to the Town an updated certification listing the names and addresses of persons then owning the fee to the road and all easement areas.

Timelines: Within 120 Days of Close of Town Meeting at Which Road Is Accepted

1. Acquisition of Land and Easements. The Town must acquire the necessary easements by gift and record the easements and Layout Plan within one hundred twenty (120) days of the close of the Town Meeting at which the road is accepted as a public way. The Town must acquire the easements by grant of easements and/or by eminent domain.
2. Acquisition by Grant. The developer and/or the lot owners grant the Town the necessary roadway and appurtenant easements, if any, by gift. The following must occur:
 - a. Grant of Easements: The developer and/or lot owners must grant the Town roadway and appurtenant easements by gift. A form of Grant of Easements is attached (Attachment A). The form must be adapted to fit the particulars of each roadway acceptance;
 - b. Taxes: The Town will confirm that all taxes on the subject property are up to date and have been paid;
 - c. Subordination of Mortgages: If the road and/or the lots to be subject to the Town's easements are encumbered by a mortgage (including lines of credit, whether used or not) or other lien, **it is the applicant's responsibility to provide the Town with a signed Subordination of Mortgage** from each and every mortgagee, expressly subordinating their lien to the Town's easement. A form of Subordination is attached (Attachment B). If the Town does not receive subordinations from all mortgagees, the Selectmen may decide, in their sole and absolute discretion, not to accept the road. If the road and/or lots to be subject to the Town's easements were previously encumbered by a mortgage which has since been released by the mortgagee, the applicant must provide the Town with a certified copy of such release(s);
 - d. Acceptance: The Board of Selectmen will sign an Acceptance of the Grant of Easements, and attach to it a certified copy of the Town Meeting vote authorizing the acceptance; and
 - e. Recording: The Grant of Easements, the Layout Plan, the Acceptances and Town Meeting vote are recorded with the Plymouth Registry of Deeds within the aforesaid one hundred twenty (120) day period, **at the applicant's cost.**



Rules & Regulations Covering the Subdivision of Land

3. Acquisition by Eminent Domain:

- a. Waiver of Appraisal, Damages, and Relocation Benefits: Before the Town will exercise its powers of eminent domain, all persons owning the fee to the road and the lots that will be subject to the Town's easements must sign a Waiver of Appraisal, Damages, and Relocation Benefits. The Selectmen may, in their sole and absolute discretion, decide not to proceed with the Roadway Acceptance until all owners have signed the Waiver. The form of Waiver is attached (Attachment C);
- b. Indemnification: If the road and/or the lots are subject to mortgages (including lines of credit, whether used or not) or other lien and the developer and/or lot owners has not obtained Subordination of Mortgages from the mortgagees, the Selectmen may, in their sole and absolute discretion, require indemnifications from the applicant and/or the lot owners, protecting the Town from liability if the mortgagees bring a claim against the Town. Such indemnification, if required, shall last for the period of time within which mortgagees may bring claims against the Town for the taking;
- c. Order of Taking: The Selectmen sign an Order of Taking, taking easements by eminent domain. A certified copy of the Town Meeting vote authorizing the taking is attached to and recorded with the Order of Taking;
- d. Recording: The Order of Taking, the Layout Plan, and certified Town Meeting vote are recorded with the Plymouth Registry of Deeds within the aforesaid one hundred twenty (120) day period, and within thirty (30) days of the Selectmen's execution of the Order of Taking, at the applicant's cost; and
- e. Notice of Taking: The Town will send notice of the taking by certified mail to the owners and mortgagees affected by the taking, at the applicant's cost.

Waiver(s):

The Selectmen may waive any of the Roadway Acceptance Procedures that are not mandated by statute if, in their sole and absolute discretion, and the circumstances warrant a Waiver.



Rules & Regulations Covering the Subdivision of Land

ATTACHMENT A GRANT OF EASEMENTS

_____ (the "Granter"), having an address of _____, for consideration of One Dollar (\$1.00) paid, hereby conveys and grants to the Town of East Bridgewater (the "Town"), a Massachusetts municipal corporations acting by and through its Board of Selectmen, having an address of 175 Central Street, East Bridgewater, Massachusetts, with Quitclaim Covenants, the following easements on the Grantor's land:

1. A perpetual easement, for all purposes for which public ways are used in the Town of East Bridgewater, in, on, and under a parcel of land shown as " _____," dated _____, prepared by _____, recorded herewith (the "Plan"). Said Roadway Easement Premises are described more particularly in Exhibit A, attached hereto and incorporated herein.
2. A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place (a) a sanitary sewer or sewers with any manholes, pipes, conduits and other appurtenances, (b) pipes, conduits and their appurtenances for the conveyance of water, and (c) a covered surface and ground water drain or drains with any manholes, pipes, conduits and their appurtenances, and to do all other acts incidental to the foregoing, in, over, under, through, across, upon and along the Roadway Easement Premises, including the right to pass along and over the Roadway Easement Premises for the aforesaid purposes.
3. If applicable: A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place a drain or drains with any manholes, pipes, conduits, basins, detention ponds, retention pond, and other drainage facilities, and to do all other acts incidental to the foregoing, in, on, and under the parcels of land shown on the Plan as " _____," " _____," and " _____" (the "Drainage Easement Premises"). Said Drainage Easement Premises are described more particularly in Exhibit B, attached hereto and incorporated herein.
4. If Applicable: A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place sewer pipes, conduits, pump stations, manholes and other sewer facilities and to do all other acts incidental to the foregoing, in, on, and under the parcels of land shown on the Plan as " _____," " _____," and " _____" (the "Sewer Easement Premises"). Said Sewer Easement Premises are described more particularly in Exhibit C, attached hereto and incorporated herein.
5. If Applicable: A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place water lines and pipes, conduits and other appurtenances (the "Water Easement Premises") for the conveyance of water appurtenances and to do all other acts incidental to the foregoing, in, on, and under the parcels of land shown on the Plan as " _____," " _____," and " _____" (the "Water Easement Premises"). Said Water Easement Premises are described more particularly in Exhibit D, attached hereto and incorporated herein.



Rules & Regulations Covering the Subdivision of Land

If applicable: The Grantor also hereby conveys to the Town the sewer, water and drainage facilities within the Roadway Easement Premises, except that the Grantor does not convey and the Town does not accept the sewer laterals, that is, the particular sewers from the sewer main to the individual lots in the subdivision.

The Town shall have the right of entry upon and passage over said Roadway Easement Premises, the Drainage Easement Premises, the Sewer Easement Premises, and the Water Easement Premises (collectively, the "Easement Premises"), together with all reasonable rights of ingress and egress across the Easement Premises for all purposes stated herein and uses incidental thereto, by, without limitation, foot, motor vehicle, and heavy equipment.

The Grantor may grant any easements, leases or licenses to the Easement Premises to others provided that as the use of the Easement Premises by others will not interfere with the Town's rights and easements on the Easement Premises or result in the Town incurring any additional cost or expense. Any easements, leases or licenses granted in violation of this provision shall be null and void.

The Grantor agrees that the Town may assign the rights granted pursuant to this Easement.

For the Grantor's title, see deed recorded with the Plymouth District Registry of Deeds in

Book _____, Page _____.

The Town's Acceptance of this Grant of Easements is attached hereto and recorded herewith.

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

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

On this _____ day of _____, 20 _____, before me, the undersigned Notary Public, personally appeared _____, who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires:



Adopted by Planning Board vote following public June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

ACCEPTANCE OF EASEMENT

The Town of East Bridgewater, acting by and through its Board of Selectmen pursuant to the vote taken under Article _____ of the _____, 20 _____ Annual/Special Town Meeting, a certified copy of which is attached hereto, G.L. c. 82, §§ 21-24, and any other authority in any way appertaining, hereby accepts the foregoing Grant of Easements from _____ on this _____ day of _____, 20 _____.

TOWN OF EAST BRIDGEWATER,
BY ITS BOARD OF SELECTMEN,

Chairman

Vice-Chairman

Clerk

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

On this _____ day of _____, 20 _____, before me, the undersigned Notary Public, personally appeared _____, who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of East Bridgewater.

Notary Public

My Commission Expires:



Adopted by Planning Board Voted following public hearing June 15, 2020
This policy revokes and replaces all previous policies on this topic

Rules & Regulations Covering the Subdivision of Land

ATTACHMENT B SUBORDINATION OF MORTGAGE

_____, having an address of _____,

The present holder of a mortgage from Registry of Deeds in Book _____, Page _____, for consideration of \$1.00 paid, the receipt and sufficiency of which is hereby acknowledged, hereby subordinates the lien of said mortgage to the Grant of Easements granted to the Town of East Bridgewater by the mortgagor, recorded with said Deeds in Book _____, Page _____ or recorded herewith, as if said Grant of Easements had been recorded prior to said mortgage.

Executed under seal this _____ day of _____, 20 _____.

By: _____

Name: _____

Its: _____

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

On this _____ day of _____, 20 _____, before me, the undersigned Notary Public, personally appeared _____, who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:



Rules & Regulations Covering the Subdivision of Land

ATTACHMENT C

WAIVER OF APPRAISAL, DAMAGES, AND RELOCATION BENEFITS

_____ (the "Owner"), having an address of _____, is the owner of property located at _____ in East Bridgewater, Massachusetts, and described in a deed recorded with the Plymouth Registry of Deeds in Book _____, Page _____ (the "Property"). The Owner, in consideration of the sum of \$1.00 paid, hereby acknowledges such consideration to be full compensation for all damages sustained by the owner on account of an eminent domain taking to be made by the Town of East Bridgewater (the "Town"), by and through its Board of Selectmen, pursuant to an Order of Taking to be recorded forthwith, of a permanent public way easement in, on, under, and along the roadway shown as "_____" on a plan entitled "_____" dated _____ prepared by _____ to be recorded with said Deeds [if applicable: and an easement on a portion or portions of the Property, as shown on said plan], and, for himself/herself/themselves and his/her/their successors and assigns; hereby waives, releases and forever discharges the Town and its successors and assigns from all debt, demands, actions, reckonings, bonds, covenants, contracts, agreements, promises, damages, liabilities, and any and all other claims of every kind, nature and description whatsoever, both in Law and Equity, from or in consequences of said taking, consents to said taking, waives an appraisal of damages, waives all rights to damages for said taking, and further waives all relocation benefits under G.L. c. 79A. The Owner acknowledges that the Owner has received a copy of the Order of Taking and the aforementioned plan.

Executed under seal on this _____ day of _____, 20 _____.

Name: _____

By: _____

Title: _____

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

On this _____ day of _____, 20 _____, before me, the undersigned Notary Public, personally appeared _____, who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires: