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TOWN OF HOLBROOK
MASSACHUSETTS

Rules and Regulations Governing the Subdivision of Land

**Planning Board
Holbrook, Massachusetts**

**Adopted by the Holbrook Planning Board
Under the Subdivision Control Law, Sections
81K to 81GG inclusive, Chapter 41 of the
General Laws of Massachusetts**

Effective Date: February 6, 1976

Revised: September 26, 1991

Revised: January 15, 1998

Revised: January 12, 2000

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[REMAINDER RESERVED FOR FUTURE USE]

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Schedule C - Project Information Summary

Schedule D - Environmental Impact Statement (in accordance with Section 10.0).

Rules and Regulations Governing the Subdivision of Land
(Adopted by the Holbrook Planning Board under
Mass. Gen. L. c. 41 §81K to 81GG inclusive)

SECTION 1.0. AUTHORITY, PURPOSE AND EFFECT

1.1. Authority

1.1.1. Under the authority vested in the Planning Board of the Town of Holbrook by Mass. Gen. L. c. 41 §81Q and the By-Laws of the Town of Holbrook, said Board hereby adopts these rules and regulations governing subdivision of land in the Town of Holbrook.

1.2. Purpose

1.2.1. These subdivision regulations have been enacted 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 insuring 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 these regulations 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-laws; for securing adequate provision for water distribution, sewerage, drainage, underground utility services, fire, police and other municipal equipment, protection of natural water sources, flood control wetland areas, and other requirements where necessary in a subdivision; for protecting, promoting and enhancing the natural beauty and amenities of the Town; and for coordinating the ways in a subdivision with each other and with the ways in neighboring subdivisions.

1.3. Effect & Waivers

1.3.1. The following rules and regulations shall from and after the effective date thereof govern the subdivision of land within the Town of Holbrook and no person shall subdivide land in the Town of Holbrook after such effective date without complying with these regulations and first obtaining from the Planning Board either approval of the Definitive Plan for the proposed subdivision or the endorsement "Approval Under the Subdivision Control Law Not Required" upon such plan. The effective date is when the Board has notified the Register of Deeds and the Recorder of the Land Court of their adoption.

1.3.2. The original rules and regulations governing the subdivision of land in the Town of Holbrook were effective on and after April 8, 1954. These original rules were amended on February 6, 1976, September 26, 1991 and amended and rewritten on January 15, 2008, and further amended and rewritten on January 12, 2000. These prior rules and regulations shall apply to any existing subdivision of land within the Town of Holbrook prior to the effective date of these new rules and regulations. Any extension or modification to an existing subdivision shall comply with these rules and regulations.

1.3.3. **Waivers.** The Planning Board may grant waivers from the Rules and Regulations Governing the Subdivision of Land where opportunities exist to incorporate Low Impact Development strategies and where, in the opinion of the Planning Board, the public interest supports granting such waivers. Low Impact Development is a way to protect the environment and reduce construction costs at the same time. Conventional design and

construction methods generally use expensive systems of curbs, gutters, pipes, and ponds to collect and treat runoff. In contrast, the Low Impact Development approach uses a more decentralized approach; the idea is to reduce the amount of runoff and treat it closer to the source using smaller, less expensive techniques. Basic design strategies seek to reduce the extent of rooftops and paved areas, use infiltration techniques such as bioretention areas and grass swales, and design the site to protect natural features that improve water quality. Acceptable techniques including some of those listed below can be found with the Massachusetts Low Impact Toolkit contained in the Massachusetts Smart Growth/Smart Energy Toolkit
<http://www.eot.state.ma.us/smartgrowth/07toolkit/LID/LID.html>

- Careful site design
- Narrow roadways
- Smaller parking areas
- Bioretention areas (also known as Rain Gardens)
- Vegetated swales
- Grassed filter strips
- Infiltration trenches and dry wells
- Rain barrels and cisterns
- Green roofs

SECTION 2.0. GENERAL

2.1. Definitions.

2.1.1. Where the terms below are defined also in Mass. Gen. L. c. 41 §81L, the definition in said Chapter shall govern, unless a contrary intention clearly appears. In addition, the following words shall have the following meaning:

2.1.2. As used in these rules and regulations, the following words or terms shall have the following meanings:

AASHTO. The American Association of State Highway and Transportation Officials.

ACI. The American Concrete Institute.

Applicant. A person, as hereinafter defined, who applies for the approval of a plan of a subdivision or a person who applied under Section 3.0. The term "Applicant" shall include an owner, or his agent or representative, or his successors and assigns.

Area of Single Access. A permanent or temporary dead-end street, or series of dead-end streets intersecting with each other in such a way as to provide sole access to and from an existing through street for not more than eight (8) dwellings, total. This category is meant to include, but not be limited to, cul-de-sac, loop, hammerhead turnarounds and other dead-end street types.

ASTM: The American Society for Testing and Materials.

Bench Mark. A mark made in a durable object of known position and elevation as a reference point.

Bikeway. A way designed for travel on a bicycle or similar unpowered vehicle.

Board. The Planning Board of Holbrook.

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Certified By. Certified by or endorsed by the Planning Board, as applied to a plan or other instrument required or authorized by the subdivision control law to be recorded, shall mean bearing a certification or endorsement signed by a majority of the members of the Planning Board, or by its chairperson or clerk or any other person authorized by it to certify or endorse its approval or other action and named in a written statement to the Register of Deeds and Recorder of the Land Court, signed by a majority of the Board.

Dead-End. See definition of Area of Single Access set forth herein.

Designer. A Professional Civil Engineer, Landscape Architect or Land Surveyor registered to practice in the Commonwealth of Massachusetts. All work defined as professional engineering or surveying shall be done by or under the direct supervision of a registered professional engineer or surveyor.

Develop. To construct a street, install utilities, erect a house or other structure, or in any way to improve a lot substantially.

Developer. A person (as hereinafter defined) who develops under a plan of a subdivision approved under Section 3.0. of these Rules and Regulations.

Easement. A right acquired by public authority or other person to use or control property for a utility or other designated public purpose.

Frontage. The linear extent of a lot measured in a continuous line along the street right-of-way from the intersection of said right-of-way with one side lot line to the intersection with the other side lot line of the same lot, but not including any portion thereof devoted to a right-of-way or a driveway serving more than one lot or dwelling unit. Frontage must provide vehicular access to the lot from the right-of-way counted for frontage unless otherwise approved by the Planning Board on a Definitive Plan submitted in accordance with Mass. Gen. L. c. 41 or approved by the Planning Board in the same manner as a Definitive Plan.

General Laws (Abbreviated G.L.). The General Laws of Massachusetts. In case of a rearrangement of the General Laws, any citation of particular sections of the General Laws shall be applicable to the corresponding sections in the new codification.

Layout. A full strip of land designated as a street or way as distinguished from the part of the street or way with a paved or compacted surface.

Lot. An area of land in one (1) ownership with definite boundaries used, or available for use, as the site of one (1) or more buildings and buildings accessory thereto, complying with the area, frontage and other minimum requirements of the Zoning By-Laws of the Town of Holbrook.

Modification. Any change to an approved plan signed by the Planning Board.

Monument. A permanent marker to indicate a boundary.

Municipal Service. Services such as sewers, pump stations, street lights, stormwater drains, water pipes, gas pipes, electrical lines, telephone lines, fire alarm system, cable, similar systems and their respective appurtenances.

Owner. As applied to real estate, the person holding the ultimate fee simple title to a parcel, tract or lot of land, as shown by the record in the appropriate Land Registration Office, Registry of Deeds or Registry of Probate.

Planning Board Engineer. A registered professional engineer licensed and registered in the Commonwealth of Massachusetts and so designated by the Planning Board to act as their agent in that capacity.

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Peer Review Consultant. An individual or firm selected by the Planning Board as an outside consultant possessing or employing persons with an educational degree in or related to the field at issue or three or more years of practice in the field at issue or a related field. Said term may include a Planning Board Engineer.

Person. An individual, or two (2) or more individuals, or a group or association of individuals, a partnership or a corporation having common or undivided interests in a tract of land.

Plan: Approval Not Required. A plan of a proposed division, subdivision or resubdivision of land prepared and submitted in accordance with Section 3.0. with the appropriate application to the Planning Board meeting all of the rules and regulations and other requirements for Approval Not Required.

Plan: Definitive. The plan of a proposed subdivision of land prepared and submitted in accordance with Section 3.0. to the Board for approval (with appropriate application) to be recorded in the Registry of Deeds or filed with the Land Court when approved by the Board, and such plan when approved and recorded; all as distinguished from a preliminary plan.

Plan: Preliminary. A plan of a proposed subdivision, or resubdivision of land prepared and submitted together with the appropriate application in accordance with Section 3.0. to facilitate the proper preparation of a definitive plan.

Planning Board Agent. A town employee or consultant authorized by the Planning Board to review divisions of land, subdivisions, and matters in which the Planning Board acts as the Special Permit Granting Authority under the Zoning By-Laws of the Town of Holbrook, and administer the regulations.

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

Registry of Deeds. Registry of Deeds shall mean the Registry of Deeds of Plymouth County, and when appropriate, shall include the Land Court. (Mass. Gen. L. c. 41 Section 81L)

Roadway. That portion of a way which is designed and constructed for vehicular travel.

Rules and Regulations. The Rules and Regulations Governing the Subdivision of Land.

Sidewalk. A way within the street right-of-way, generally parallel to the street, designed for use by pedestrians.

Standard Specifications. "The Commonwealth of Massachusetts, MassDOT, Standard Specifications for Highways and Bridges", 1988 edition, as amended.

Street. A way either shown on a definitive plan submitted, approved and recorded in accordance with the subdivision control law or otherwise qualifying a lot for frontage under the subdivision control law.

Street, Major. A street intercepting one (1) or more minor and/or secondary streets (s) and which, in the opinion of the Board, is used or will be used to carry a substantial volume of traffic (generally, over four hundred (400) vehicles per day) from such minor and/or secondary street (s) to a major street or community facility, and normally including a principal entrance street to a shopping center, industrial park, planned residential area, or a large subdivision, or group of subdivisions, and any principal circulation street within such subdivision.

Street, Minor. A street which, in the opinion of the Board, is being used or will be used primarily to provide access to no more than ten (10) abutting lots and which is not designed to be used for through traffic.

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Street, Primary or Principal. A street which, in the opinion of the Board, is being used or will be used as a thoroughfare within the Town of Holbrook or which will otherwise carry a heavy volume of traffic (generally, over fifteen hundred (1500) vehicles per day).

Street, Secondary. A street which, in the opinion of the Board, will normally carry between one hundred (100) and four hundred (400) vehicles per day.

Sidewalk. A way within the street right-of-way, generally parallel to the street, designed for use by pedestrians.

Subdivision. The division of a tract of land into two (2) or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if at the time when it is made, every lot within the tract so divided has a frontage on (a) a public way, or a way which the Town Clerk of the Town of Holbrook certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective and having in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by the Zoning Bylaw. Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two (2) or more buildings were standing, when the Subdivision Control Law went into effect in the Town into separate lots on each of which one (1) of such buildings remains standing, shall not constitute a subdivision.

Subdivision Control. The power of regulating the subdivision of land granted by the Subdivision Control Law, Mass. Gen. L. c. r 41, §§ 81A through GG inclusive, as hereinafter amended.

Super Elevation. Super elevation is the decimal fraction of a foot of rise per foot of horizontal cross section on a horizontal curve.

Town. Town of Holbrook, unless otherwise specified.

Trails. A path or track made by or reserved for the passage of persons and/or animal, usually through undeveloped land.

Trees, Large. Trees twenty-four (24) inches or more in caliper four (4) feet above the ground.

Walkway. A way designed for pedestrian use, not necessarily parallel to a travelled way, as contrasted to a sidewalk.

Way. A way is synonymous with the terms: road, street, highway and avenue, and shall denote any such line or route for passage, whether public or private.

Way, Accepted. An accepted way is a way which has been accepted as a public way by vote of the Town.

Width. The width of a way shall be the width of the strip of land laid out, designated, acquired and/or dedicated for the use of such way. Such width includes the spaces for vehicular travel, sidewalks, edgestone and planting spaces where required.

2.2. Approved Plan Required.

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

2.3. Source of Information Required.

2.3.1. In those cases in which the land shown on the plan is abutted by land of an owner not the owner of the land as shown, the Board may require a statement from the person who prepared the plan as to the source or sources of the information about the location of boundaries and the ownership of abutting land. A separate form for such statement will be furnished by the Board, Form D-Designer's Certificate (Appendix).

2.4. More Than One Building for Dwelling Purposes on a Lot.

2.4.1. Not more than one (1) building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision, or elsewhere in the Town, without the consent of the Planning Board. Such consent may be conditional upon the providing of adequate ways furnishing access to each such building and adequate improvements in the same manner as otherwise required for lots within a subdivision.

2.5. Fees and Costs

2.5.1. There shall be a minimum Filing Fee for each plan application submitted to the Board for consideration, which fee shall be paid upon submission of the plan and shall be in accordance with the Fee Schedule set forth in the Appendices hereto. All expenses for advertising, mailing, notices, secretarial services, engineering, professional planning review and project monitoring by peer review consultants and legal review as deemed necessary by the Planning Board; plans, construction, inspection, recording and filing of documents and all other expenses in connection with a Preliminary Plan, Definitive Plan and development of a subdivision through the final inspection and approval, shall be borne by the applicant, as a Project Review Fee, and shall be in addition to the filing fee detailed in the Fee Schedule.

2.5.2. The Planning Board shall also have the right to in addition to any filing fees, to impose a Project Review Fee on those matters which also come before the Planning Board under Mass. Gen. L. c. 41 and 40A, when the Planning Board is acting in furtherance of its obligations under the Subdivision Control Law and/or when acting as the permit granting authority for the Town of Holbrook where in the discretion of the Planning Board the size, scale, or complexity of the proposed project and/or its natural and consequential impacts and/or the Town's lack of expertise to review a proposed project is evident. Project review fees shall be submitted at the time of the submittal of the application to the Planning Board, shall be deposited into an account established under Mass. Gen. L. c. 44 §53G, and shall be administered by the Planning Board in accordance herewith. Any application filed without this Project Review Fee shall be deemed incomplete and no review work shall commence until the fee has been paid in full. All review work shall cease if the account is not replenished sufficiently to enable the Planning Board to complete its review and shall be deemed adequate cause for disapproval of the proposed project.

2.5.2.1. The applicant shall place a sum in escrow with the Planning and the Town of Holbrook in accordance with Mass. Gen. L. c. 44, § 53G, to be used for the payment of these costs for the payment of peer review consultant services. The amount will be determined by the Planning Board based on estimates made from similar subdivisions or projects and/or based on estimates received from the Peer Review Consultant selected by the Planning Board. The amount shall be added to as needed, within

thirty (30) days of a request by the Planning Board. The amount determined by the Planning Board may include a contingency representative of the time funds are anticipated to be escrowed and for projected future cost to complete the work.

2.5.3. Failure of the applicant to comply with the requirements of this Section shall be deemed adequate cause for disapproval of the plan.

2.5.4. Upon endorsement of a Definitive Plan, the developer shall place a sum of money in escrow with the Holbrook Planning Board and the Town of Holbrook in an inspection account to be used for the payment of inspection costs in accordance with the inspection schedule (See Section 6.4.). The amount will be determined by the Planning Board based on estimates made from similar subdivisions and shall be added to as needed, within thirty (30) days of a request by the Planning Board. Any sum remaining in escrow at the time of approval of the Definitive Plan shall be credited to this account.

2.5.5. The Planning Board shall have the right to waive any fees in its sole discretion.

2.6. Compliance With These Rules and Regulations and Waivers

2.6.1. All plans and all procedures relating to subdivisions and to plans not requiring approval shall conform in all respects to the provisions of these Rules and Regulations unless otherwise authorized by the Planning Board in writing when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law.

2.6.1.1. Any such requests for waivers from these Rules and Regulations must be submitted by the applicant to the Planning Board in writing. Approval by the Board must be by vote and confirmed to the applicant in writing and shall become a part of the application.

2.6.2. All requirements of these regulations for a definitive plan shall be met except as may otherwise be provided for a planned residential area in the Zoning By-Law.

2.6.3. No rules can affect size, shape, width, frontage or use of lots except that compliance with the requirements of the Zoning By-Law will be required.

2.6.4. No lots shall be released until ten (10) copies of an approved, endorsed and recorded plan have been received by the Town Clerk.

2.7. Compliance With Zoning Bylaw

2.7.1. The Planning Board shall not approve or modify and approve any plan of a subdivision of land unless all buildings, structures and lots shown on said plan comply with the Zoning By-Laws of the Town of Holbrook.

2.8. Criteria for Board Action

2.8.1. The Board in considering any proposed subdivision plan will be concerned with the requirements of the community and the best use of the land being subdivided.

2.8.1.1. Particular attention will be given to width, arrangement and location of streets, sanitation, drainage, size and arrangement of lots, open areas, parks, retention of major site features and to land uses which preserve the character of the Town.

2.9. Other Required Plans

2.9.1. Special permits and certain site plans, e.g., planned residential development, multiple dwellings and mobile home parks, which now or in the future require submittal and/or approval in the same manner as a Definitive Plan shall be submitted in accordance with Section 3.3., except for such items as the Planning Board waives in accordance with Section 6.1. and except that the Performance Guarantee shall be in accordance with Section 3.5.1.2. a.), b.) and d.) only.

2.9.2. Prior to acceptance by the Town private ways not shown on a Definitive Plan and approved by the Planning Board, which are submitted to the Planning Board under authority of Mass. Gen. L. c. 41, §81I, shall comply with the following:

2.9.2.1. As built plans, legal descriptions and deeds shall be filed by the applicant as required in Section 3.3.15.

2.9.2.2. Except for items waived by the Planning Board in accordance with Section 6.1., the way(s) shall meet the Design Standards contained in Section 4.0.

2.9.2.3. Construction of the way(s) shall be in accordance with the applicable requirements of Section 5.0.

2.9.2.4. A maintenance bond shall be posted in accordance with Section 5.14.

SECTION 3.0. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

3.1. Plan Believed Not To Require Approval

3.1.1. Submission of Plan

3.1.1.1. Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law shall submit the plan, the required filing fee, eight (8) contact prints, a copy of their deed, and properly executed forms A and E (See Appendix) to the Planning Board at a regularly scheduled meeting accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination accompanied by a copy of said application and describing the land to which the plan relates sufficiently for identification. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefore.

3.1.1.2. The applicant shall submit a drive or disk-drive (CD, DVD or other acceptable data device,) containing the plan, produced by an AutoCAD or similar computerized drafting system in a format compatible with the Town's system such as AutoCAD Drawing Format (.dwg), Data Exchange Format (.dxf) or ESRI Interchange Format (.e00), registered to Massachusetts State Plane (Mainland) Coordinates, North American Datum of 1983, as part of the application for endorsement of the plan. Orthophotos available from Mass GIS may be used in registering data. If the applicant is unable to provide the above, a fee determined by the Board will be charged to cover the cost of digitizing the plan.

3.1.2. Form and Contents of Plan

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3.1.2.1. Said plan shall be of a scale 1" = 40', the dimensions twelve by eighteen (12 x 18) inches, eighteen by twenty-four (18 x 24) inches, or twenty-four by thirty-six (24 x 36) inches and shall be prepared in such a manner as to meet the Registry of Deeds and/or Land Court requirements for recording and shall contain the following information:

- a.) Identification of the plan by name of owner of record "deed reference" and location of the land in question.
- b.) The statement "Approval Under Subdivision Control Law Not Required", and sufficient space for the date and the signatures of all five (5) members of the Board.
- c.) Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
- d.) In the case of the creation of a new lot, the remaining land area and frontage of the land in the ownership of the applicant shall be shown.
- e.) Notice of any decisions by the Zoning Board of Appeals, including but not limited to variances and exceptions, regarding the land or any buildings thereon.
- f.) A list of abutters from latest available Town of Holbrook Assessors' records unless the applicant has knowledge of any change subsequent to the latest available Assessors' records. Form E, Certified List of Abutters.
- g.) Names and status of private and public streets and ways shown on the plan.
- h.) Bearings and distances of all lines of the lot or lots shown on the plan and the distance to the nearest permanent monument. The plan shall show a minimum of three (3) permanent bounds.
- i.) The location of all existing buildings on the land shown on the plan or within fifty (50) feet of its boundaries including set back and side and rear yard designations as required by zoning.
- j.) Existing contours at two (2) foot intervals and the location of any topographic features which interfere with the use of the frontage for access. Contours shall be based on the U.S. Coast and Geodetic Datum. A benchmark shall be shown on the plan.
- k.) Location of all bounds, brooks, fences, walls and bodies of water and other wetland resource areas, including, but not limited to, streams, brooks, water courses, ponds, lakes and other standing bodies of water as defined under Mass. Gen. L. c. 131 §40, 310 CMR 10.00 and the Holbrook Wetland By-Law and regulations. Said plan shall reflect the average annual high water level with respect to any such bodies of water.
- l.) A locus map at a scale not to exceed one thousand (1000) feet to the inch.
- m.) The statement "Planning Board endorsement of this plan indicates only that the plan is not a subdivision under Mass. Gen. L. c. 41 §81L and does not indicate that the lot is buildable, or that it meets Zoning, Health, Conservation or General By-Law requirements."

3.1.2.2. Applications which are found to be incomplete or submitted without the required filing fee shall be returned to the applicant without the endorsement of the Planning Board and with the finding that insufficient information has been provided to determine whether the plan constitutes a subdivision under Mass. Gen. L. c. 41 §81L.

3.1.3. Endorsement of Plan Not Requiring Approval

3.1.3.1. 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 "Approval Under the Subdivision Control Law Not Required." Such endorsement shall not be deemed to constitute any determination of compliance with requirements of the Zoning By-Law. The Board shall also notify the Town Clerk of its determination.

3.1.3.2. The Planning Board may add to such endorsement a statement of the reason or reasons approval is not required. The original copy of the plan shall be returned to the applicant, who shall file it with the Registry of Deeds within six (6) months, and return a receipt of filing to the Planning Board within seven (7) months. These communications shall be sent by certified mail with return receipt requested.

3.1.4. Determination that Plan Requires Approval

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

3.1.5. Failure of Board to Act

3.1.5.1. If the Planning Board fails to act upon a plan submitted under this section or fails to notify the Town Clerk and the person submitting the plan of its action within twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required, and it shall forthwith make such endorsement on said plan, and on its failure to do so forthwith, the Town Clerk shall issue a certificate to the same effect.

3.2. Preliminary Plan

3.2.1. General

3.2.1.1. The submission of such a Preliminary Plan will enable the subdivider, the Planning Board, the Board of Health, the Superintendent of Public Works, the Police Department, the Fire Department and other Town agencies and owners of property abutting the subdivision to discuss and clarify the details of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in each case. It is also recommended that a "Concept" meeting with the Planning Board be requested by the Applicant prior to the preparation of said plan and application to assure that the requirements of these Regulations are understood and will be met.

3.2.2. Filing Procedure

3.2.2.1. Any person who wishes to create a subdivision may submit a Preliminary Plan, which to be accepted as duly submitted, shall be submitted at a regularly scheduled meeting of the Planning Board and the applicant shall include the following with the submission:

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- a) The Preliminary Plan and eight (8) prints thereof;
- b) Properly executed Application Forms B, D & E;
- c) Any Filing Fee (See Section 2.5.) and Project Review Fees; and,
- d) A copy of the Deed(s) showing current ownership of all land to be divided or subdivided.

3.2.2.2. Any person submitting a Preliminary Plan shall give written notice(s) to the Town Clerk by delivery or registered mail; such notice shall identify the tract, the date of submission, and the name and address of the owner and applicant. (Use Form B and Form C-C)

3.2.2.3. The applicant shall file five (5) contact prints with the Board of Health. The applicant shall obtain a receipt from the Board of Health.

3.2.3. Contents

3.2.3.1. The Preliminary Plan shall be drawn, at a scale of one (1) inch equals forty (40) feet and to form a clear basis for discussion of the details of the subdivision and for preparation of the Definitive Plan, the Plan shall contain the following:

3.2.3.2. Subdivision name, boundaries, north point, date, scale legend, the title, "Preliminary Plan", and the name of the nearest existing way abutting the land in question as part of the deed.

3.2.3.3. Name and address of record owner, deed reference, subdivider and designer, engineer or surveyor, which shall appear in the lower right hand corner.

3.2.3.4. The names of all abutters, as determined from the last assessment, and, if the applicant has knowledge of changes in the list, to new abutters. Form E, Certified List of Abutters.

3.2.3.5. The locus of the land, drawn at a scale of one thousand (1,000) feet to the inch, shown on the plan with sufficient information to accurately locate the plan.

3.2.3.6. Existing and proposed lines of streets, ways, carpaths, and/or rights of way, easements and public or common areas within the subdivision in a general manner. Proposed names and numbers of proposed streets shall be shown in pencil until they have been approved by the Planning Board after review by the Town of Holbrook Fire Chief.

3.2.3.7. Proposed systems of sewage disposal, drainage including adjacent existing natural waterways and water installations, including easements, in a general way and adjacent existing natural waterways intended to receive drainage effluent.

3.2.3.8. Proposed locations of fire boxes, if any, and hydrants.

3.2.3.9. The approximate boundary lines of proposed lots with approximate areas and dimensions with each lot numbered in accordance with the Holbrook Board of Assessors' system.

3.2.3.10. Location, names and present widths of adjacent streets or streets approaching or within reasonable proximity of the subdivision.

3.2.3.11. Profiles of existing grades and approximate proposed finished grades of the streets and utilities at a vertical scale of one (1) inch to each four (4) feet, which may be submitted on separate sheets.

3.2.3.12. Existing and proposed topography, based on U.S. Coast and Geodetic Datum, at two (2) foot contour intervals for "gentle" slopes (zero (0) to five (5) percent) and five (5) foot contour intervals for

"steep" slopes (more than five (5) percent). Bench mark shall be shown on the plan. Indicate spot grades at high and low points on the property.

3.2.3.13. A sketch plan, acceptable to the Board, showing a possible or prospective street layout for any adjacent land owned or controlled by the owner or the applicant of the subdivision.

3.2.3.14. If the Preliminary Plan Application contains more than one (1) sheet or drawing, each sheet or drawing must be titled and numbered and an index showing the contents of each sheet or drawing inserted on the upper left hand corner of the "Preliminary Plan" layout, or as a separate sheet.

3.2.3.15. Major features of the land such as existing walls, fences, monuments, buildings, wooded areas, outcroppings, ditches, wetland resource areas, including without limitation, swamps, water bodies and natural waterways. Where available, aerial photographs may be required.

3.2.3.16. Base flood elevation data as shown in the most recent A zone on the Holbrook Flood Insurance Rate Map (FIRM), and the Flood Boundary and Flood Maps, on file with the Town Clerk, Planning Board and the Building Inspector.

3.2.3.17. Public water supply Zone A, Zone II, Interim Well Protection Areas, area identified on Natural Heritage and Endangered Species Program maps, and any other areas that would affect the development of the property shall be identified on the plans.

3.2.4. Additional Filing Requirements

3.2.4.1. Covenants or restrictions applicable to the area shown on the plan.

3.2.4.2. The zoning classification of land shown on the plan together with any zoning boundary lines within or near the subdivision, if any.

3.2.4.3. Notice of any decisions by the Zoning Board of Appeals, Planning Board and/or Building and/or Zoning Enforcement Officer, including but not limited to variances and exceptions, regarding the land or any buildings thereon.

3.2.4.4. A written, signed and dated document indicating waivers to these Regulations, which may be requested or desired, including the purpose or reason for such waiver.

3.2.5. Approval of a Preliminary Plan

3.2.5.1. The Preliminary Plan, when submitted, will be studied in order to determine whether it is in compliance with the requirements of design adopted by the Board (see Section 4.0).

3.2.5.2. The Planning Board may give such Preliminary Plan approval, with or without modification or suggestion, after the Board's review with the Board of Health, Conservation Commission, Superintendent of Public Works, Police Department, Fire Department and the Planning Board Agent. Such approval does not constitute approval of the subdivision but facilitates the preparation of the Definitive Plan and obtaining final approval thereof.

3.2.5.3. Approval shall be effective for seven (7) months or until a Definitive Plan evolving from the Preliminary Plan is filed, whichever comes first. Within forty-five (45) days after the submission of a

Preliminary Plan, the Board shall notify the applicant by certified mail that the plan has been approved, or that the plan has been approved with modifications suggested by the Board or agreed upon by the applicant, or that the plan has been disapproved. In the event of disapproval, the Planning Board shall state the reasons for its disapproval in accordance with Mass. Gen. L. c. 41, §81U. The Planning Board shall notify the Town Clerk of its approval or disapproval as the case may be. After endorsement, the original of the Preliminary Plan will be returned to the applicant.

3.2.6. Disapproval of a Preliminary Plan

3.2.6.1. In the event of disapproval of a Preliminary Plan, the Planning Board shall state the reasons for its disapproval in accordance with Mass. Gen. L. c. 41, §81U and the original of the plan shall be returned to the applicant.

3.2.7. Failure of the Board to Act

3.2.7.1. If the Board fails to act upon a plan submitted under this section or fails to notify the Town Clerk and the persons submitting the plan of its action within forty-five (45) days after its submission, it shall be deemed to have approval under the Subdivision Control Law and the Planning Board shall forthwith make such endorsement on said plan, and on its failure to do so forthwith, the Town Clerk shall issue a certificate to the same effect.

3.3. Definitive Plan

3.3.1. General

3.3.1.1. The Definitive Plan shall conform substantially to the Preliminary Plan as approved but may constitute only that portion which is proposed to be recorded and developed at the time. The Planning Board may disapprove a Definitive Plan if it violates sound land use planning principles and design, even though all requirements hereinafter enumerated are met. The subdivision rules and regulations and zoning in effect at the time of the submission of the Preliminary Plan shall govern the Definitive Plan if it is duly submitted within seven months.

3.3.2. Filing Procedure

3.3.2.1. For a Definitive Plan to be accepted as duly submitted with these Rules and Regulations and the General Laws of Massachusetts, any person who submits a Definitive Plan of a Subdivision to the Planning Board for approval shall file with the Planning Board all the items required by Section 3.3. and unless previously filed with a Preliminary Plan, the filing fee (see Section 2.5.) and any Project Review Fees. Such submission shall be simultaneously submitted, that is filed with the Town Clerk the day of the Planning Board meeting, at a regularly scheduled meeting of the Board and shall include, as a minimum, the following:

a.) An original drawing of the Definitive Plan and twelve (12) contact prints thereof, dark line on white background.

b.) Two (2) copies of a properly executed application Form C, Application for Approval of a Definitive Plan (see Appendix) including the time within which the applicant agrees to complete the ways and install the public utilities in the subdivision; Form D, Designer's Certificate (see Appendix); and a Certified List of Abutters, Form E, (see Appendix);

c.) A copy of the Deed(s) showing current ownership of all land to be divided or subdivided.

3.3.2.2. The applicant shall file by delivery or registered mail a notice to the Town Clerk (using Form C-C, with required materials) stating the date of submission of such application for approval, accompanied by a copy of the completed Application for Approval of Definitive Plan (Form C) and a copy of all information that was submitted to the Planning Board.

3.3.2.3. In accordance with Mass. Gen. L. c. 41 §81O, Massachusetts General Laws, a written notice of submission shall be given to the Town Clerk by delivery or registered mail. Further, in accordance with Mass. Gen. L. c. 41 §81O a copy of said plan shall be filed with the Holbrook Board of Health.

3.3.2.4. The numbering of all subdivision lots and maps scales shall be consistent with the requirements of the Holbrook Assessors' Office prior to formal submission to the Board to ensure consistency between applicant's and Town's records.

3.3.2.5. The applicant shall file five (5) contact prints with the Board of Health. The applicant shall obtain a receipt from the Board of Health.

3.3.3. Plan Preparation

3.3.3.1. The Definitive Plan shall be prepared by a professional engineer and a land surveyor registered in Massachusetts and shall be clearly and legibly drawn in black, India ink upon tracing cloth, mylar or similar substance to the following standards:

a.) The classification and precision of surveys shall conform to Class A or better of the most recent Massachusetts Land Court Manual of Instructions. It is required that all other survey and Definitive Plan preparation, where not herein specified, be guided by the Manual of Instructions.

b.) The plan shall be at a scale of one (1) inch equals forty (40) feet, or such other scale as the Planning Board may accept to show details clearly and adequately.

c.) Plans and profiles of each individual street shall be at a scale of one (1) inch equals forty (40) feet horizontal and one (1) inch equals four (4) feet vertical.

d.) All elevations shall refer to the most recent U.S. Coast and Geodetic Datum. Sheet sizes shall be twenty-four (24) by thirty-six (36) inches including a two (2) inch border. All plans shall be accompanied by an index sheet at a scale of one (1) inch equals one hundred (100) feet or one (1) inch equals two hundred (200) feet depending on which plat of the Holbrook Assessors' Atlas the proposed subdivision is located, showing the entire subdivision and adjacent streets, and dimensions of the lots and streets and lot numbers.

e.) The Definitive Plan shall be drawn in accordance with the Rules and Regulations of the Norfolk County, Registry of Deeds.

3.3.3.2. Prior to endorsement of the Definitive Plan, the applicant shall submit a drive or disc-disk (CD, DVD,) containing the contents of the layout plan, subdivision plan and topographic plan sheets of the final version of the Definitive Plans, produced by an AutoCAD or similar computerized drafting system in a format compatible with the Town's system such as AutoCAD Drawing Format (.dwg.), Data Exchange

Format (.dxf) or ESRI Interchange Format (.e00), registered to Massachusetts State Plane (Mainland) Coordinates, North American Datum of 1983, as part of the application for endorsement of the plan. Orthophotos available from Mass GIS may be used in registering data. If the applicant is unable to provide the above, a fee determined by the Board will be charged to cover the cost of digitizing the plan. The Massachusetts State Plane coordinates of at least two existing permanent monuments shall be identified on the plans.

3.3.4. Contents

3.3.4.1. The Definitive Plan shall contain the following information and any other information shown on the Preliminary Plan:

- a.) A title, appearing in the lower right-hand corner of the plan, showing the name of the subdivision, if any; the way or ways on which it is located; the legend; the date; scale; the owner and deed reference; the names and addresses of the applicant, and the names and seals of the designer, engineer and surveyor who made the plan.
- b.) North point, whether true or magnetic, benchmark, scale and boundaries of the subdivision.
- c.) The locus of the land drawn at one thousand (1000) feet to the inch shown on the plan with sufficient information to accurately locate the plan.
- d.) Key plan, showing location of the subdivision at a scale of one (1) inch equals one thousand (1000) feet and an accurate index plan at a scale of one (1) inch equals three hundred and thirty (330) feet or similar scale as shown on the individual Assessors' map on which the proposed development is located.
- e.) Location and ownership of abutting property as it appears on Form E, Certified List of Abutters (see Appendix), and if the applicant has knowledge of changes in the list, to the new abutters, including all abutting land owned by the applicant not presently being subdivided.
- f.) Major features of the land, such as existing waterways, wetland resource areas, including, without limitation, swamps and water bodies, marshes, flood plains, natural drainage courses, walls, fences, buildings, large trees twenty-four (24) inch caliper or more, trails, public or common areas, wooded areas, outcroppings and ditches which exist on or near the site at the time of survey. Culverts and water courses not on the locus but which could affect runoff flow onto or off of the property shall be identified. Public water supply Zone A, Zone II, Interim Well Protection Areas, area identified on Natural Heritage and Endangered Species Program maps, and any other areas that would affect the development of the property shall be identified on the plans.
- g.) Subsurface conditions on the tract, location and results of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water, and location and results of soil percolation tests if individual sewage disposal systems are proposed (on a separate sheet). Percolation tests satisfactory to the Board of Health are to be taken on each lot within the subdivision. Any percolation testing shall be witnessed by a representative of the Board of Health, a consultant of the Planning Board's choosing, or other agent of the Town of Holbrook acceptable to the Planning Board.
- h.) Lines of existing and proposed streets, ways, cart paths, lots with an area of each, lot numbers or other designation of each lot, easements, trails, and public or common areas within the subdivision and the centerline radius of all proposed streets. (The proposed names and numbers of proposed streets and lots shall be shown in pencil until they have been approved by the Planning Board).
- i.) Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground in accordance with the MassDOT practices and

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procedures. This shall include the lengths and bearings of plan and boundary lines of all subdivision lot lines including lot frontage on the streets, of the boundary lines of all streets and easements, and the length, radii, tangents, and central angles of all curves in lot lines and street lines. All angle points, or intersections of tangents along the street lines shall be shown. Areas of lots with lot numbers and the area and frontage on public ways as set forth in Mass. Gen. L. c. 41 §81L of adjoining lands of the applicant not included in the subdivision will be shown.

j.) Base flood elevation data as shown in the A zone on the Holbrook Flood Insurance Rate Map (FIRM), and the Flood Boundary and Flood Maps, on file with the Town Clerk, Planning Board and the Inspector of Buildings.

k.) Location of all permanent monuments properly identified as to whether existing or proposed. The distance and bearing to the nearest town, county or state monument on an accepted way and monuments at all points of curvature and changes in direction of street side lines, or where designated by the engineer or Peer Review Consultant retained by the Town.

l.) The zoning district classification of land shown on the plan and the location of any zoning district boundaries that lie within the locus of the plan and the applicable minimum frontage and front, side and rear yard depths for each lot as is required by the Zoning By-Laws.

m.) Minimum building set-back lines on all lots and a sketch plan showing proposed house sites.

n.) Location, names and present widths of streets or private ways bounding, approaching or within reasonable proximity of the subdivision, showing both roadway widths and rights-of-ways widths leading from the subdivision to the nearest public road.

o.) Indication of all easements, covenants or restrictions applying to the land and their purposes, whether or not within the subdivision, including any decision on appeal or any variances or exceptions made by the Zoning Board of Appeals or Planning Board applicable to the subdivision of the land or any buildings thereon.

p.) If the property that comprises the subdivision or any part or boundary thereof has been examined, approved, and confirmed by the Massachusetts Land Court, such information shall be noted on the plat with case numbers and other pertinent references to Land Court procedure, then the same requirement shall apply to any adjoining parcels of land of the applicant.

q.) The location of all common drives accompanied by the proposed declaration of covenants, easements and restrictions.

r.) Sheet number (s) from the Holbrook Assessors' Maps.

s.) Suitable space to record the action of the Planning Board and the signatures of all members of the Planning Board or officially authorized person (and all members of the Board of Health) including where appropriate the words "Deeds of easements to be recorded herewith" or the words "Approved subject to covenant conditions set forth in a covenant executed by, dated, and to be recorded herewith".

t.) In addition to the items in paragraphs h.) and i.) above, the layout plans shall show sidelines, center lines, points of tangent, length of tangents, length of curves, intersection angles, and radii of the curve for each street in the sub-division, together with all buildings, walks, walls, drives and other existing fixtures, within one hundred (100) feet of the sidelines of such street, including the existing street(s) along which the site fronts. The layout plan shall also show the proposed system of water supply and sewer, when applicable, include size, location and elevation of all storm drains, sewers and water mains and their

appurtenances existing in or proposed for each street, the plan shall also show all underground utilities, gas, electrical, Cable TV and telephone widths legend.

The layout plan shall have a center line in the layout measure to one hundredth (.01) of a foot and stations at one hundred (100) foot intervals in accordance with the then current practice of the Commonwealth of Massachusetts Highway Department. Each straight portion of the center line shall have a bearing and distance given on the center line. The point of curvature and point of tangent of all center line curves shall be indicated by center line stations and radii and length of all center line curves shall be given on the plan. Bounds shall be set at the point of curvature, center of cul-de-sacs and point of tangent of all side line curves and shall be described by bearing and off set from center line stations. All side line curves shall have the readings and length given on the plan. Permanent bounds shall be described from center line stations and shall occur at not greater than three hundred (300) foot intervals. In special cases the above procedure may be varied to meet existing conditions or requirements of the applicant by permission of the Planning Board.

u.) Location of all the following improvements unless specifically waived in writing by the Planning Board: street paving, sidewalks, street signs, street lighting standards, all utilities above and below ground, curbs, gutters, street trees, storm drainage, all easements, and fire alarm boxes. (On separate sheet.)

v.) A legend denoting any signs and symbols used on the plan and not otherwise explained.

w.) All existing roads, cartpaths, and rights of way.

x.) If wetlands are present, the developer shall get an Order of Resource Area Delineation or an Order of Conditions from the Conservation Commission.

y.) All subdivisions exceeding seven (7) lots must have a minimum of two (2) fully constructed ways connected to adequate public ways. The developer must show that the existing ways can handle the additional traffic. A traffic report may be deemed necessary by the Planning Board.

3.3.4.2. Profiles shall be shown on a separate sheet, as follows:

- a.) A horizontal scale of one (1) inch to forty feet.
- b.) A vertical scale of one (1) inch to four (4) feet.
- c.) Existing center line in fine black solid line with elevations shown every fifty (50) feet.
- d.) Existing right side line in fine black dash line.
- e.) Existing left side line in fine black dotted line.
- f.) Proposed center line grades with elevations shown every fifty (50) foot station, except that in vertical curves elevations shall be shown at twenty-five (25) foot station and at PVC and PVT.
- g.) Rates of gradient shown.
- h.) Size and location of existing and proposed water mains and their appurtenances as required by the Department of Public Works and surface drains and their appurtenances.
- i.) Directly below the layout plan of each street a profile shall show existing and proposed grades along the centerline of the street, together with figures of elevation of fifty (50) foot intervals along vertical uniform grade, and at twenty-five (25) foot intervals along vertical curves. Profiles shall be plotted at forty (40) feet to the inch horizontally, and four (4) feet to the inch vertically, and drawn in accordance with the Massachusetts Highway Department. The drainage and sewerage systems shall be shown on a profile and inverts of all manholes, catch basins, culverts shall be given to one hundredth (.01) foot. The plan shall show when the system begins and terminates to existing systems when applicable. All elevations given shall be referenced from the United States Geodetic Base.
- j.) All existing and proposed intersections and sidewalks, bikeways and walkways shall be shown with all proposed grade elevations calculated. Elevations are to be referred to the Town Datum (United States Coast and Geodetic Survey). Gradients shall be shown by figures expressed in percent.

3.3.4.3. A Contour Plan showing the following:

- a.) Existing and proposed topography at two (2) foot contour intervals and by symbols the highest known high water mark of the last five (5) years, where applicable. There will also be indicated by differentiating symbols the contour line four (4) feet above said high water mark. In cases where the existing grades are less than a 3% slope, one foot contour intervals shall be provided. High and low points shall be indicated by spot grades.
- b.) Grading details shall indicate proposed street grades and elevations, building site grades and elevations and drainage patterns throughout the subdivision sufficient to determine the approximate balance between cut and fill. There shall be a general note indicating the disposition of topsoil on the site, which note shall include how topsoil will be handled in areas of cut and fill; how soil will be stockpiled, if applicable; the minimum amount of topsoil to be redistributed to the site; and that no topsoil will leave the site except in accordance with the Holbrook Earth Removal Bylaw. The plans shall include a tabulation of proposed cut and fill required for the subdivision.

3.3.4.4. A Utility Plan showing the following:

- a.) Size and location of existing and proposed water supply mains and their appurtenances, hydrants, sewer pipes and their appurtenances and/or storm drains and their appurtenances, proposed grade elevations, and easements pertinent thereto, and the design, size and location of sewage disposal systems and their appurtenances, dimensions of gutters, including data on borings and percolation tests made, and method of carrying water to the nearest watercourse or easements for drainage as needed, whether or not within the subdivision. Said plan shall be approved by the Superintendent of Public Works in accordance with Section 7.0 hereof.
- b.) If surface water drains will discharge onto adjacent existing streets or onto adjacent properties not owned by the applicant, he shall clearly indicate what course the discharge will take, and shall present to the Board evidence from the Superintendent of Public Works, the engineer to the Board or the owner of adjacent property that such discharge is satisfactory and permitted by public or private ownership of adjacent street or property or by easement.
- c.) The Plan shall include invert and rim elevations of all catch basins and manholes together with surface elevations of all waterways within the subdivision at one hundred (100) foot intervals and approximate depth of water at these points. Surface elevations and approximate depth of water shall be shown at each point where drainage pipe ends at a waterway. Drainage calculations prepared by the applicant's engineer, including design criteria used, drainage area and other information sufficient for the Board to check the size of any proposed drain, culvert or bridge.
- d.) Location of proposed street lights and sidewalks and pedestrian lighting, if required, and transformer pads.
- e.) If a package treatment plant or waste water treatment plant is proposed, the applicant shall submit a plan showing the size, location, design, and provisions for maintenance.

3.3.4.5. Drainage Calculations shall be shown as follows:

- a.) Drainage calculations prepared by a Registered Professional Engineer shall be submitted in a suitable form to substantiate proposed drain pipe sizes along with amplifying plans outlining drainage areas within and affecting the subdivision. A plan shall also be submitted showing the route followed by all drainage discharging from the subdivision to the primary receiving watercourse or other large body of water. Drainage design shall be based on the methods contained in the United States Soil Conservation Service Urban Hydrology for Small Watersheds, Technical Release Number 55 which may be obtained from the Soil Conservation Service or referred to in the office of the Planning Board. Storm sewer piping shall be sized based on the Rational Method.

3.3.4.6. A Tree Plan shall be prepared as follows:

- a.) Location and species of proposed street trees and location of trees to be retained with trunks over six (6) inches in diameter, measured four (4) feet above the finished ground level, located outside of the street right-of-way line of existing or proposed streets not closer than five feet (5) or more than ten (10) feet from said right-of-way line.

3.3.4.7. Cross Sections shall be shown as follows:

- a.) A typical section of the proposed street shall be drawn to a scale of one (1) inch to four (4) feet and shall be properly located and identified by station number, at such intervals along the street as will adequately indicate any variations in its section, supplemented where necessary by lines on the layout plan showing the width and location of proposed roadways, grass plots, gutters, sidewalks, utilities (storm drains, water mains and sewer mains, if any) and similar physical features; provided, however, that where all cross-sections of the street will coincide with the appropriate cross-section shown on the Board's Typical Cross-Section Plus (Schedules B and C), such agreement may be indicated by proper notation on the layout plan, and the cross section drawing may be omitted therefrom.
- b.) Cuts or fills in excess of six (6) feet of roadway locations resulting in lots being more than six (6) feet above or below grade of the roadway shall be substantiated by the submission of cross sections showing the proposed grading within two hundred (200) feet of the roadway on both sides. Cross sections should be drawn to a scale of one (1) inch = four (4) feet horizontally and vertically.

3.3.4.8. A Tabular Summary shall be prepared:

- a.) In tabular form for the total area in square feet and acreage of the subdivision plan as submitted. See Form L.
- 1.) The total area which is being subdivided.
- 2.) The total area of lots.
- 3.) The total of areas dedicated for street purposes, drainage, sewer or utility easements.
- 4.) The total of areas reserved for park, schools, and other public use.
- 5.) The total area reserved for open space or open space as defined in the Town of Holbrook Zoning Bylaws.

3.3.4.9. An Environmental Impact Statement shall be filed in accordance with Section 10 and Schedule D with each definitive plan submission.

3.3.4.10. An Erosion/Sedimentation Control Plan shall be prepared including the following:

- a.) A clear outline of the areas and type of control proposed.
- b.) A general note indicating the developer's responsibility to maintain erosion/sedimentation controls during construction and until sale of the lots involved, including the frequency of maintenance.
- c.) Appropriate details of erosion/sedimentation control devices.
- d.) The outline of any areas, including drainage ways, steep slopes and proposed stockpile of topsoil that shall be restored and/or seeded immediately.
- e.) A general note stating that temporary ground cover or erosion/siltation control shall be established on any unbuilt lots where required by the Planning Board.
- f.) In cases where an NPDES Permit is required for construction impacts of one (1) acre or larger a copy of the Stormwater Pollution Prevention Plan shall be provided with sufficient time for review by the Board prior to the close of the public hearing.

3.3.4.11. Soil Surveys and Percolation Tests

- a.) Subsurface conditions on the tract, location and results of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water, and location and results of soil percolation tests if individual sewage disposal systems are proposed (on a separate sheet) and the suitability of the land for the proposed storm drainage installations, individual sewage disposal systems, if any, and proposed street construction shall be submitted. Such soil surveys and tests must be filed with all plans for non-residential subdivisions or multi-family residences. Percolation tests satisfactory to the Board of Health are to be taken on each lot within the subdivision.
- b.) Test pits, borings or soundings shall be taken along the center line of each street shown on the plan at intervals of at least every two hundred (200) feet and at locations such as cut sections and areas of questionable foundation material where the subsurface conditions may be, in the opinion of the Planning Board or its Agent, factors affecting the quality and service life of the street. Test pits shall not be backfilled until the applicant has been notified by the Planning Board or its Agent that all necessary inspection and sampling has been completed. Where borings are used, samples shall be taken at five (5) foot intervals and at each change in strata. Soundings shall be taken areas of unsuitable material for the purpose of determining the hard bottom contours. Test pits and boring, where required, shall extend to a minimum depth of five (5) feet below the street profile grade or to bedrock, whichever is less. The applicant shall indicate, on the plan, a proposed layout of the subsurface exploration program complete with location, spacing and type of exploration proposed.
- c.) Soil surveys when required by the Planning Board or its Agent shall include a test excavation not less than seven (7) feet below finished grade at a frequency of one (1) per lot, location of which must be shown on the contour plan, and a report thereon; a percolation test at a frequency one (1) per lot, location of which must be shown on the contour plan, and a report thereon. Percolation tests shall be in accordance with 310 CMR 15.00 (Title 5) and any local testing requirements of the Board of Health.
- d.) Natural watercourses and ponds may not be altered, filled, drained or relocated. Any pond that has been in existence for over twenty-five (25) years shall be deemed to be a natural pond.
- e.) Flood plain, marshes or seasonal wet areas may be included as part of a lot, but may not be altered, filled, drained or relocated and may not be used for building sites, sewerage disposal areas or ways.
- f.) All lots in a subdivision shall be laid out with the minimum areas required by the Zoning Bylaws to be exclusive of the areas of any pond with such lots.

3.4. Procedures

3.4.1. Staking

3.4.1.1. To facilitate review of the Definitive Plan by the appropriate authorities, at the time of filing of the Definitive Plan, the applicant shall stake the center line of all proposed streets at a minimum of every fifty (50) feet with the center line stations and the cut or fill dimensions to finish grade marked on the stakes.

3.4.2. Review by Board of Health as to Suitability of the Land.

3.4.2.1. At the time of filing of the Definitive Plan, the applicant shall also file with the Board of Health two (2) contact prints of the Definitive Plan, dark line on white background, together with such information in the nature of percolation tests and deep test holes as the Board of Health may require plus the information requested on Schedule F, Board of Health Review. The Board of Health shall, within forty-five (45) days after filing of the plan report to the Planning Board in writing approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building purposes without injury to the public health, and include such specific findings and the reasons therefore in such report, and, where possible, shall make recommendations for the adjustment thereof. Every lot shall be provided with a sewerage system or a sewer connection satisfactory to the Board of Health and the Planning Board and/or their agents.

3.4.3. Review by Other Town Officials

3.4.3.1. The Clerk of the Planning Board will transmit copies of the Definitive Plan to Town Officials other than the Board of Health as follows: One (1) copy each to the Town Counsel for review of easements and agreements, if appropriate, the Department of Public Works, the Conservation Commission, the Fire Department, the Police Department, the Board of Selectmen, the Planning Board Agent and, if appropriate, any Economic or Industrial Development Commission.

3.4.3.2. Before the Definitive Plan is approved, the Planning Board may request written statements from the above Officials with regard to the proposed improvements in the following respects:

- a.) Town Counsel as to the form of easements, covenants and performance guarantees.
- b.) The Department of Public Works and/or Planning Board Agent as to the design of the street system, location of easements, monuments, street lights, drainage system, water system, and, if applicable, the sewage system.
- c.) The Fire Department as to location of hydrants and the alarm system.
- d.) The Conservation Commission as to environmental impacts.
- e.) Economic or Industrial Development Commission in the case of an industrial subdivision.

3.4.4. Public Hearing

3.4.4.1. Before taking any action to approve, modify and approve or disapprove a Definitive Plan the Planning Board shall hold a hearing at which parties in interest shall have an opportunity to be heard, in person or by agent or attorney. Notice of the time and place of such hearing and of the subject matter, sufficient for identification, shall be published once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the date of the hearing, in a newspaper of general circulation in the Town of Holbrook and by mailing a copy of such advertisement to the applicant and to all owners of land abutting the land shown on the plans and on the most recent tax list and to all owners of land within three hundred (300) feet of a property line of a subdivision.

3.4.5. Planning Board Procedure

3.4.5.1. The procedure that the Planning Board will follow with regards to approval, disapproval or modification of the final plan submitted by the applicant will be that as set forth in Mass. Gen. L. 41 §81U, as amended. In summary, the Board, after receiving the Definitive Plan and profiles will review the same to determine whether they are in compliance with its adopted Rules and Regulations and the Zoning By-Law.

3.4.5.2. The plan shall comply with all reasonable regulations and rules of the Highway Department and/or Selectmen, Water Department and the Board of Health not otherwise covered by these rules and regulations. Specific reference is made to the specifications for septic system which shall conform with the rules and regulations of the Board of Health.

3.4.5.3. Before final approval of the plan ~~Before final approval of the plan~~, the applicant shall establish that the lots in the definitive plan are in conformity with the Holbrook Zoning By-Law. Failure of the lots to so comply will be adequate grounds for disapproval of the definitive plan. See Mass. Gen. L. c. 41 §81Q and amendments thereto. The Board may, as a condition of granting approval, impose reasonable requirements designed to promote the health, convenience, safety and general welfare of the community and to benefit the Town of Holbrook. In such event the Board shall endorse such conditions on the plan to which they relate, or set forth a separate instrument attached thereto, to which reference is made on such plan and which shall for the purpose of the subdivision control law be deemed to be a part of the plan. Before final approval, all necessary permits under Mass. Gen. L. c. 131 and from the Massachusetts Highway Department shall be obtained, and the applicant shall notify the Planning Board of any changes in the plan required by said permit or permits.

3.4.5.4. The Planning Board may extend the ninety (90) day period or the one hundred and thirty-five (135) day period, whichever is applicable, permitted by statute between submission of a Definitive Plan and action thereon upon written request of the applicant.

3.4.5.5. If the Board fails to act upon a Definitive Plan for a non-residential subdivision submitted under this section or for a residential subdivision for which a Preliminary Plan was submitted and acted upon by the Board, or forty-five (45) days have elapsed since the submission of the Preliminary Plan and the Board has taken no action thereon or fails to notify the Town Clerk and the persons submitting the plan of its action, within ninety (90) days after its submission, or within one hundred and thirty-five (135) days after its submission, for all other subdivisions, whichever is applicable, it shall be deemed to have approval under the Subdivision Control Law, and the Planning Board shall forthwith make such endorsement on said plan, and on its failure to do so forthwith, the Town Clerk shall issue a certificate to the same effect.

3.4.5.6. The Board may decline to approve any plan unless the Applicant agrees to complete the ways shown thereon and install the public utilities aforesaid within two (2) years of the date of his Approval of Definitive Plan or such other time as the Applicant shall specify in writing. If the ways in any subdivision are not completed and the utilities aforesaid are not installed within the time so agreed to by the Applicant, no such way shall thereafter be laid out, constructed, completed or opened for public use unless and until a new application is filed with and approved by the Board. Ways or portions thereof not completed within the agreed upon time shall thereafter be completed in accordance with the in force requirements and construction standards of the Planning Board, and with applicable General Laws.

3.4.6. Certificate of Approval

3.4.6.1. The action of the Planning Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered, return receipt requested mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the reasons for its action and shall rescind such modification and/or disapproval if the plan is amended to conform to the reasons for said Planning Board action and resubmitted to the Board within seven (7) months of the date of said action. Failure of the Applicant to so resubmit within the stated seven (7) month period shall void the plan and application. Any further action on a plan involving the area or any part thereof shall require a new Application in accordance with the Rules and Regulations in force at the time of the new Application. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Planning Board but not until the statutory twenty (20) day appeal period has elapsed following the filing of the Board's certificate of approval on Form C-1, or disapproval on Form C-2 (See Appendix), as the case may be, with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the Planning Board shall return the original to the applicant.

3.4.6.2. Approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of streets within a subdivision.

3.4.6.3. The endorsement of plan approval by the Planning Board shall be valid for a period of two (2) years from the date of said approval or such other period of time as is specified in Section 3.5.1.3. Prior to the expiration of the said approval period, the developer and/or owner shall request in writing to the Planning Board an extension of time, if necessary. Failure to request an extension of time prior to the expiration of the said approval period shall result in the Planning Board notifying the Building Inspector that no additional building permits should be issued in said development. The request for extension shall state the reasons for said extension and also the length of time requested. Extension of time shall not in any case exceed one (1) year. Additional extensions after the first may be applied for but not until at least ten (10) months have expired on the extension in effect. For any approved subdivision that is not completed within the time lines above the Planning Board will automatically rescind the subdivision approval.

3.4.6.4. The applicant shall file the approved Definitive Plan and covenant, if any, at the Registry of Deeds, and shall file with the Town Clerk ten (10) copies of the approved, endorsed and recorded definitive plan and covenants. It shall be the Town Clerk's duty to distribute a copy of the plan and covenant, if any, to the following: Assessors, Planning Board, Town Clerk, Building Department, Board of Health, Department of Public Works, Conservation Commission, Police Department and Fire Department.

3.4.6.5. All approved definitive plans shall be endorsed within two months of their approval date, unless the plan has been appealed. Failure to obtain the endorsement within the required time period shall render the approval void.

3.4.6.6. All approved definitive plans shall be filed with the Registry of Deeds within six months of their endorsement by the Board. Failure to record an approved definitive plan within the required time period shall render the approval void. A notation to this effect shall be placed on the plan and on any accompanying decision.

3.5. Performance Guarantee

3.5.1. Before endorsement of the Board's approval of a subdivision, the Board shall require that:

3.5.1.1. The subdivider shall specify in writing the time within which the construction of ways and installation of municipal services required in Section 5.0. shall be completed, which time shall be two (2) years unless the subdivider stipulates otherwise.

3.5.1.2. The subdivider shall secure the construction of ways and installation of municipal services by one, or in part by one and in part by another, of the following methods:

- a.) By a proper bond in a form acceptable to the Town Treasurer and sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of principal services required in Section 5.0. for lots in the subdivision shown on the plan. See Form F.
- b.) By a deposit of money or negotiable securities, sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of municipal services required in Section 5.0. for lots in the subdivision shown on the plan. See Form G.
- c.) By a covenant, executed and duly recorded by the owner of record, running with the land, whereby the ways and services required in Section 5.0. shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed; provided, that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to all applicable portions of the covenant including that portion of the covenant which provides that no lot shall be built upon until such ways and services have been provided to serve such lot; and provided, further, that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board. See Form H.
- d.) By delivery to the Planning Board of an agreement (Tri-Partite) executed after the recording of a first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be made to the applicant by the lender, which agreement shall be executed by the applicant and the lender and shall provide for the retention by the lender of funds, otherwise due the applicant, sufficient in the opinion of the Planning Board to secure the construction of ways and the installation of municipal services. Said agreement shall also provide a schedule of disbursements which may be made to the applicant upon completion of various stages of the work, and shall further provide that in the event the work is not completed within the time set forth by the applicant, any funds remaining undisbursed shall be available to the Town for completion. See Form M.

3.5.1.3. The subdivider shall submit an agreement, suitable for recording, executed by the Planning Board and the applicant setting forth the form of the guarantee and the stipulated time for completion of

improvements as required in 3.5.1. and 2., which shall be recorded in the Registry of Deeds by the subdivider and a receipt therefore be delivered to the Planning Board.

3.5.1.4. The subdivider shall grant an easement to the Town for all proposed drainage lots, areas, roads and utilities. The easement shall be suitable for recording.

3.5.2. Reduction of Performance Guarantee

3.5.2.1. The penal sum of any such bond held under 3.5.1.2. subparagraph a.) or any deposit held under subparagraph b.) or any amount of funds retained pursuant to an agreement under subparagraph c.) shall bear a direct and reasonable relationship to the expected cost, including the effects of inflation, necessary to complete the subject work and a reasonable construction contingency. Such amount or amounts shall from time to time be reduced so that the amount bonded, deposited or retained continues to reflect the actual expected cost of work remaining to be completed, plus the additional amount required by the Planning Board for contingencies.

3.5.3. Release of Performance Guarantee

3.5.3.1. Upon completion of improvements required under Section 5.0., security for the performance of which was given by bond, deposit, covenant or agreement or upon the performance of any covenant with respect to any lot, the developer or owner, at his expense, shall cause to be published in a newspaper of general circulation in the Town of Holbrook at least fourteen (14) days prior to the final release of the performance bond or surety, an announcement that such release is contemplated and shall deliver to the Planning Board a copy of the page containing a copy of the announcement. The developer or owner shall also send by registered mail to the Town Clerk and the Planning Board a written statement that the said construction or installation in connection with which such bond, deposit, covenant, or agreement has been secured, has been completed in accordance with the requirements contained under Section 5.0., such statement to contain:

- a.) Name and address of applicant.
- b.) A Compliance Certificate signed by the Planning Board that the development has been completed according to the Rules and Regulations of the Planning Board and the Town of Holbrook Zoning Bylaws, which shall be recorded in the Registry of Deeds by the applicant and a receipt therefore be delivered to the Planning Board.
- c.) Copies of or reference to the requisite number of Inspection Forms and Reports.
- d.) An As-Built Plan. See Section 5.1.9.
- e.) Written evidence as to construction of all ways and sidewalks, installation of monuments, street signs, traffic signs, pavement, lighting, gutters and curbs, required grading and drainage, water mains, hydrants and appurtenances, adequate lot drainage, planting and seeding, all in accordance with the Definitive Plan.
- f.) Written evidence from the Board of Health as to the installation of sewage disposal facilities, if applicable, all in accordance with the Definitive Plan.
- g.) Written evidence from the Fire Department as to the installation of the fire alarm system, all in accordance with the Definitive Plan.
- h.) Written evidence from the Zoning Enforcement Officer as to conformance to the Town of Holbrook Zoning By-Laws.

3.5.3.2. If the Planning Board determines that said construction has been completed, it shall notify the Town Treasurer within forty-five (45) days, on a properly executed Form I-Release Form, that it releases the interest of the Town in such bond or deposit and that it shall be returned to the person or persons who furnished same, or, in the case of a covenant, it shall issue a written release of the covenant on a properly executed Release Form. However, a maintenance guarantee providing surety equal to ten percent (10%) of the total value of the work within the subdivision shall be held by the Town for the proper maintenance of streets and municipal services for eighteen (18) months after completion of construction and installation or

until the streets are accepted by the Town, whichever comes first, after which date the Town shall return the remainder of the bond to the person or persons who furnished same.

3.5.3.3. If the Planning Board determines that said construction or installation has not been completed, it shall specify to the developer in writing by registered mail the details wherein said construction and installation shall have failed to comply with requirements contained under Section 5.0. Upon failure of the Planning Board to act on such application within forty-five (45) days after the receipt of the application by the Town Clerk and the Planning Board, all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void.

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

3.5.4. Acceptance by the Town

3.5.4.1. The subdivider shall file with the Planning Board a final as-built plan, as described in Section 5.1.9., on tracing cloth, mylar or similar substance of completed street or streets, utilities and easements together with proper legal descriptions for initiating an article in the Town Warrant pursuant to the acceptance of the ways by the Town Meeting (See Section 5.0.) and shall grant a deed to the Town of the streets, utilities and easements, as contained in the plan, said deed to be recorded by the Town upon acceptance of the streets by the Town Meeting.

3.5.5. Phasing

3.5.5.1. If a subdivision is to be constructed in phases, each phase shall be completed before the next in sequence is begun, unless written permission of the Planning Board is obtained.

SECTION 4.0 DESIGN STANDARDS

4.1. General

4.1.1. Basic Requirements The subdivider shall observe all design and supplemental design standards for land subdivision as hereinafter provided. These standards shall be considered minimum standards and shall be varied from or waived, only as provided in Section 6.0.

4.1.2. Conformance with the Master Plan

4.1.2.1. Any proposed subdivision shall conform to the proposals and intentions of the Holbrook Master Plan, as said plan may be amended from time to time, unless substitute proposals may be shown to the satisfaction of the Board to serve better the general area of the subdivision and the Town.

4.1.3. Lot Size and Frontage

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

4.1.4. Access through Another Municipality

4.1.4.1. In case access to a subdivision crosses land in another municipality, the Planning Board may require certification, from appropriate authorities, that such access is in accordance with the Master Plan

and subdivision requirements of such municipality and that a legally adequate performance bond has been duly posted or that such access is adequately improved to handle prospective traffic. Lot lines shall be laid out so as not to cross municipal boundary lines.

4.1.5. Adequate Access from Public Way

4.1.5.1. Where the street system within a subdivision does not connect with or have, in the opinion of the Planning Board, adequate access from a Town, County or State (public) way, the Board may require as a condition of approval of a plan, that such adequate access be provided by the subdivider, and/or that the subdivider make physical improvements to and within such a way of access, in accordance with the provisions of Section 5.0. of these regulations, from the boundary of the subdivision to a Town, County or State way.

4.1.5.2. Where the physical condition or width of a public way from which a subdivision has its access is considered by the Board to be inadequate to carry the traffic expected to be generated by such subdivision, the Board may require the subdivider to dedicate a strip of land for the purpose of widening the abutting public way to a width at least commensurate with that required within the subdivision, and to make physical improvements to and within the subdivision. Any such dedication of land for the purpose of way and any such work performed within such public way shall be made only with permission of the governmental agency having jurisdiction over such way, and all costs of any such widening or construction shall be borne by the subdivider.

4.2. Streets

4.2.1. Location and Alignment

4.2.1.1. All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they shall provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.

4.2.1.2. Provision satisfactory to the Board shall be made for the proper projection of streets, or for access to adjoining property which is not yet subdivided.

4.2.1.3. Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Board, such strips shall be in the public interest.

4.2.1.4. Streets shall be continuous, of uniform width, and alignment with existing streets, as far as practicable.

a.) Entry roads to subdivisions with a landscaped median are permitted. Median breaks on such divided roads shall occur at least every 650 feet. While the right of way width shall be continuous, street widths may narrow at the end of landscaped median. Divided roads widths shall not narrow where they intersect streets outside of the subdivision.

b.) Provisions for narrower pavement widths and smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures" and for developments employing accepted "low impact development methods" as shown in Massachusetts Low Impact Development Toolkit.

4.2.1.5. Streets shall be designed so that existing ways and carpaths in use or available for use for access to adjoining property are included within the right-of-way.

4.2.1.6. Provisions shall be made for the proper projection of streets, if adjoining property is not subdivided.

4.2.1.7. All curved streets must be designed to permit safe vehicular travel. A minimum two hundred (200) foot length tangent shall be provided between the PT of one curve and the PC of any following curve.

4.2.2. Right-of-Way Width and Street Design

4.2.2.1. On all classification of streets, the following characteristics shall be the minimum acceptable. Provisions for narrower pavement widths and smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures".

Table of Street Dimensions

TYPE OF STREET	STREET (R.O.W.) WIDTH	ROADWAY WIDTH	GRASS PLOT	SIDEWALK WIDTH
MINOR	50'	24'	4'	5'*
SECONDARY	50'	27'	5'	5'
MAJOR STREET	50'	30'	5 ½'	5'
PRIMARY	60'	40'	6 ½'	6'

*One side only unless otherwise required by the Planning Board.

Notes:

1. Bike paths where required by the Planning Board are to be 8 feet wide minimum.
2. Wider pavement widths may be required where on-street parking is proposed.

4.2.2.2. When a minor street will provide the only access for lots fronting on a length in excess of six hundred and fifty (650) feet or where, on a major street, potential volume or safety warrants, in the opinion of the Planning Board, the Board may require a greater right-of-way than that specified above and may require construction of a divided roadway.

4.2.3. Street Jogs

4.2.3.1. Streets entering opposite sides of another street shall be laid out either directly opposite each other or with a minimum offset of one hundred and fifty (150) feet between their radius point of the roadway layout. Provisions for street jogs offset less than 150 feet may be made by the Planning Board for developments employing accepted "traffic calming measures" where sidewalks and multi-use paths are incorporated into the development.

4.2.4. Intersection

4.2.4.1. Rights-of-way shall be laid out so as to intersect as nearly as possible at right angles. No right-of-way shall intersect any other right-of-way at less than sixty (60) degrees. The grade including any vertical

curvature of the road shall not exceed grade of three (3) percent for a minimum distance of one hundred (100) feet from the intersection.

4.2.4.2. Property lines at right-of-way intersections shall be cut back to provide for a curb radius on the roadway of not less than thirty (30) feet, except where the angle of intersection varies more than ten degrees from a right angle, in which case the radii of the curve connecting the acute angle may be less and the opposite radius must be correspondingly greater.

4.2.4.3. When the intersection of two (2) streets varies more than ten (10) degrees from a right angle, the radius of the curve at the obtuse angle may be less, and at the acute angle may be greater, than thirty (30) feet to the extent approved or required by the Planning Board.

4.2.4.4. Streets shall be laid out so as to intersect at intervals in a range of six hundred (600) feet to twelve hundred (1200) feet in length, unless otherwise specified by the Planning Board. In special instances, the Planning Board may approve an easement for a future street, in lieu of actual construction of a cross street.

4.2.4.5. Sight distances at intersection shall be according to the American Association of State Highway and Transportation Officials, 1990 publication, "A Policy on Geometric Design of Highways and Streets" as amended.

4.2.5. Dead-end Streets

4.2.5.1. For the purposes of this section, any proposed street which intersects solely with a dead-end street shall be deemed to be an extension of the dead-end street. Dead-end streets and their extensions, if any, shall not be longer than five hundred and fifty (550) feet. A dead-end street shall not be less in length than one and one-half (1 1/2) times the frontage required in the District in which it is located. Dead-end streets shall be measured from the right-of-way line of the intersecting street through street.

4.2.5.2. Dead-end street shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred and ten (110) feet, and a property line diameter of at least one hundred and twenty (120) feet unless otherwise specified by the Planning Board. The Planning Board may, at its option, require a minimum outside roadway diameter of one hundred forty (140) feet, and a property line diameter of one hundred sixty (160) feet if the dead-end street is not intended to connect with another street at some future point in time. Where a future street is projected beyond the circle, the circle shall be designed in relation to such extension. The turn-around or stub shall be located at the property line of the subdivision, unless the Planning Board approves otherwise. Provisions for smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures. Provisions for flexibility of cul-de-sac design are permitted for Low Impact Developments.

4.2.5.3. The Board may require a roadway easement from the end of the dead-end street to adjacent property. If a dead-end street is subsequently extended beyond the required turn-around, any easement appurtenant to a lot not abutting the turn-around, except that portion of the turn-around included in said extension shall terminate upon the approval and recording of a certificate by the Planning Board of the construction of said extension, at which time additional land used for the circle may be relinquished to the adjacent property.

4.2.6. Street Names

4.2.6.1. To provide names in keeping with the character of the Town, street names shall be subject to the approval of the Planning Board after consultation with the Fire Chief and the Holbrook Historical Commission. Proposed street names shall not duplicate nor bear phonetic resemblance to the name of existing public ways, paper streets, or any other way qualified to afford frontage under Mass. Gen. L. c. 41

§81L. A proposed street which is in alignment with an existing street shall bear the same name as the existing street.

4.3. Driveways and Curb Cuts

4.3.1. Driveways in subdivisions containing one (1) and/or two (2) family dwellings only shall be at least ten (10) feet wide and have a curb return at the roadway of two (2) feet in radius, and shall have an opening of at least sixteen (16) feet at the gutter line.

4.3.2. Driveways for all other residential uses and for non-residential uses shall be at least sixteen (16) feet wide and have a curb return at the roadway of two (2) feet in radius, and shall have an opening of at least twenty (20) feet at the gutter line.

4.3.3. Where rolled curbs or no curbs exist, the driveway flare should have a three (3) foot radius. Driveway cuts shall not be within sixty five (65) feet of the intersection of the center line of intersecting streets.

4.3.4. If driveways slope from the edge of the street right-of-way to the edge of the pavement, there shall be a grade of not less than one (1) percent but not more than eight (8) percent, but the grade between the sidewalk and the right-of-way shall be only as shown on the typical cross-section for street construction.

4.3.5. At every intersection, ramps three (3) feet wide shall be provided, adjacent to the granite curb sections required in Section 5.6. 1.

4.4. Easements

4.4.1. Wherever possible, easements shall be centered along side or rear lot lines. All easements shall be marked with concrete bounds.

4.4.2. Where utilities cross lots or are centered on rear or side lot lines, easements shall be provided of a width of at least twenty (20) feet.

4.4.3. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Planning Board may require a storm water easement, maintenance easement or drainage right-of-way of adequate width and proper side slope to conform substantially to the lines of such water course, drainage way, channel or stream and to provide for construction or other necessary purposes. In no case shall the width be less than twenty (20) feet or the side slope be steeper than two (2) horizontal to one (1) vertical. The boundaries shall not be closer than five (5) feet horizontally from the annual high water line. Parallel streets or pedestrian ways and/or appropriate access may be required in connection therewith. Streams and watercourses shall remain open except at street crossings.

4.4.4. Access easements to park and conservation land shall be provided, if required by the Planning Board, and shall be at least twenty (20) feet wide.

4.4.5. Wherever possible easements along rear lot lines shall be continuous to the street at the end of the block to connect with the adjoining blocks in the shortest direct line.

4.4.6. Where the applicant/developer provides trails or where trails traverse the land shown on the plan, an easement at least fifteen (15) feet wide shall be shown, which may be limited to passage on foot or horseback. Where the present location of the trails interferes with logical development of the land, adjustments shall be made to relocate the trail or to connect the trail to a street right-of-way, another trail or

4.4.7. The Planning Board may require that other areas be included within a conservation restriction.

4.4.8. In any subdivision, the developer may grant to the Town a conservation restriction over any portion of the subdivision providing the area subject to the restriction is part of the Conservation or Recreation Plan of the Town.

4.4.9. Upon definitive plan approval, all easements shown on the plan shall become part of the approved plan. The Planning Board agent will record all easements and proof of the recording will be required before final approval and endorsement of subdivision plan.

4.5. Open Space

4.5.1. Before approval of a plan, the Planning Board may also, in proper cases, require the plan to show a park or parks, suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Planning Board may, by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years. Each area reserved for such purpose shall be of suitable area, dimensions, topography and natural character for the purposes of a park and/or playground. The area or areas shall be so located as to serve adequately all parts of the subdivision as approved by the Planning Board. The Planning Board may require that the area or areas reserved shall be located and laid out so as to be used in conjunction with similar areas of adjoining subdivisions or of probable subdivisions. Unless otherwise specifically approved by the Planning Board, the total amount of area to be reserved for park and/or playground purposes shall be no less than ten (10) percent of the gross area of the subdivision. Any land so reserved shall be graded to dispose properly of surface water and shall be left in condition for the purpose intended, as required by the Planning Board.

4.5.2. Any open space park or playground shall provide at least fifty (50) feet of continuous frontage on a street.

4.5.3. Such parks and/or playgrounds may be required to have maintenance provided for by covenants and agreements acceptable to the Board, until public acquisition is accomplished by the Town.

4.5.4. Pedestrian ways, bikeways, or bridle paths of not less than fifteen (15) feet in width may be requested where deemed desirable to provide circulation or access from each of the surrounding streets to schools, playgrounds, parks, shops, transportation, open space and/or community facilities, as provided in Section 4.10.

4.5.5. The Town shall have the right to acquire ownership of same by gift or as provided in Mass. Gen. L. c. 41 §81Q.

4.6. Protection of Natural Features

4.6.1. Due regard shall be shown for all natural features, such as large trees, wooded areas, water courses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision. Outside of street right-of-ways, no trees over a fifteen (15) inch caliper measured at four (4) feet above the existing grade shall be removed or have the grade level surrounding the trunk altered by more than six (6) inches without approval of the Planning Board.

4.7. Lot Drainage

4.7.1. Lots shall be prepared and graded in such a manner that development of one shall not cause detrimental drainage on another. If provision is necessary to carry drainage to or across a lot, an easement or drainage right-of-way of adequate width and proper side slope shall be provided. Storm drainage shall be designed in accordance with the specifications of the Planning Board. Where required by the Planning Board or the Board of Health, the Applicant shall furnish evidence as to any lot or lots to either Board that adequate provision has been made for the proper drainage of surface and underground waters from such lot or lots. The Planning Board will also consider Low Impact Development drainage designs based on accepted designs as described in the current DEP Stormwater Handbook.

4.8. Fire Hydrants

4.8.1. Fire Hydrants shall be "Mueller Centurion" fire hydrants or such other equivalent approved by the Fire Department and Department of Public Works and be provided every five hundred (500) running feet on one side of each street unless an alternate distance is approved in writing by the Fire Department. Fire hydrants shall be placed so that the Fire Department hose connections are at least sixteen (16) inches above the finished grade. All fire hydrants shall be painted "fire hydrant red" as to the body and all caps and the top section shall be painted a "reflective white", unless otherwise specified in writing by the Fire Department. For identification purposes, all fire hydrants shall be also equipped with a marker as approved by the Fire Department and Department of Public Works designed to assist in the identification of the hydrant.

4.9. Sidewalks, Grass Plots, Trees, Curbs and Berms

4.9.1. Sidewalks shall be provided on both sides of each street for the full length of major, secondary and primary streets. Sidewalks shall be provided on both sides of minor streets as required by the Planning Board or in any area determined by the Planning Board to be a high density area. Minimum widths of the sidewalks shall be five (5) feet. Unless otherwise waived, sidewalks shall abut a grass strip of a minimum width of four feet shall be provided. Sidewalks shall be designed with due regard for existing trees, the natural environment and the character of the neighborhood. Sidewalks shall have ramp access at intersection. Each driveway shall be provided with a minimum 10' wide apron from the edge of the road pavement to the edge of the road layout. Provision of sidewalks may be waived by the Planning Board if multi-use paths are incorporated into the development.

4.9.2. See Cross Sections in Schedule B.

4.9.2.1. Sidewalks, grass plots, trees, curbs and berms shall be shown in accordance with the Cross Section and the requirements of Section 5.0.

4.10. Utilities

4.10.1. Required utilities include water, sewer, storm drainage, telephone, electricity, gas, street lights, fire alarm systems and cable TV unless otherwise specified by the Planning Board. The Applicant shall submit evidence of complete financial arrangements with private utility companies prior to approval.

4.10.1.1. All utilities shall be placed underground at the time of initial construction. The Planning Board may permit transformers, switches and other such equipment to be placed on the ground in approved locations, screened from view with evergreen shrubbery.

4.10.1.2. Where adjacent property is not subdivided or where all the property of the Applicant is not being subdivided at the same time, provision shall be made for the extension of the utility system by continuing

the mains the full length of streets and to the exterior limits of the subdivision, at such grade and size as will, in the opinion of the Planning Board, permit their proper extension at the later date.

4.10.1.3. Adequate disposal of surface and sub-surface water shall be provided on both sides of the roadway at intervals not to exceed three hundred (300) feet, unless otherwise approved by the Planning Board and at such other places as deemed necessary by the Planning Board to assure adequate drainage of all low points and to provide proper run-off of storm water. In no instances shall catch basins be located along a driveway cut. The Planning Board will also consider accepted "low impact development methods" as described in the current DEP Stormwater Handbook.

4.10.2. Sewerage

4.10.2.1. Each subdivision shall, where a public sewerage system is located within two thousand (2000) feet of the subdivision, be connected to the public sewerage system unless otherwise approved by the Sewer Commission, Planning Board and Board of Health.

4.10.2.2. If a public sewerage system is planned to be installed within two thousand (2000) feet of any subdivision within three (3) years of the date of submission of the Definitive Plan as indicated by prior Town Meeting action, the sewer system shall be installed by the developer in the street and to every lot which can be connected later to the public sewerage system.

4.10.2.3. If public sewerage connections are not required according to the above, or if the planned public sewerage system has not yet been installed to within the required distance of the proposed subdivision, private on-lot or communal sewerage systems, as approved by the Holbrook Board of Health, shall be installed. The on-lot facility shall be located in the front yard wherever practicable to facilitate connections to an eventual public sewerage system.

4.10.2.4. Manholes shall be located at every change in grade or horizontal alignment but not more than three hundred (300) feet apart.

4.10.2.5. Sewerage, where sewerage systems are required, pipes and related equipment such as grinder pumps, and pumping stations shall be installed within the subdivision as necessary to provide all lots on each street with adequate sewerage as approved by the Department of Public Works.

4.10.2.6. Small wastewater treatment facilities and sewage pumping stations shall be in accordance with Department of Public Works' rules and regulations, if any, must be approved by the Superintendent of the Department of Public Works, and comply the rules and regulations of the Department of Environmental Protection.

4.10.3. Water

4.10.3.1. All lots approved by the Planning Board through the Definitive Subdivision Plan process shall conform to the requirements of the Department of Public Works' Rules and Regulations.

4.10.3.2. Water, where water systems are required, pipes and related equipment such as hydrants and main shutoff valves, shall be installed within the subdivision as necessary to provide all lots on each street with adequate water supply for domestic use as approved by the Department of Public Work and for fire protection use, as approved by the Fire Department.

4.10.3.3. All house connections shall be installed in accordance with the requirements of the Department of Public Works.

4.10.3.4. If the Planning Board and Board of Health approves a private well or private water system, the requirements of the Board of Health shall govern the design of the well or system.

4.10.3.5. The water system shall be designed so as to minimize exfiltration.

4.10.3.6. All proposed water systems/main extensions shall be looped whenever the Department of Public Works indicates that this is feasible and desirable.

4.10.4. Storm Drainage

4.10.4.1. A complete system of drainage shall be constructed in a manner satisfactory to the Planning Board and in conformance to the MassDOT Standard Specifications and any local standards adopted by the Department of Public Works and provide adequate control of surface and subsurface water, information from the subdivision and adjacent land. Pipe size, location and number of catch basins, manholes, headwalls, and other appurtenances shall be in accordance with the regulations of the Planning Board. The Planning Board will also consider accepted "low impact development methods" as described in the current DEP Stormwater Handbook. Drainage shall be designed to:

- a.) Permit unimpeded flow of all natural water courses.
- b.) Insure adequate drainage of all low points along streets.
- c.) Intercept excessive ground water in the subsoil along the streets.
- d.) Intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
- e.) All stormwater designs shall comply with the DEP Stormwater Regulations including the ten (1) Stormwater Standards regardless of the number of lots in the proposed subdivision.

4.10.4.2. Catch basins with four (4) foot sumps with hoods shall be required on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet; at all low points in the grade and near the corners of the roadway at intersecting streets. Manholes shall be constructed at the end of each line, catch basin connections, at changes in grade, size and alignment, and shall not exceed a spacing of three hundred (300) feet, and have inverts of sewer bricks. All catch basin grates shall be bicycle safe.

4.10.4.3. All drain pipes shall be laid in a straight line and grade. At every change in direction or grade a manhole shall be provided. Drainage joints shall conform to MassDOT standards for installation.

4.10.4.4. Proper connections shall be made with the existing public drainage system. Where adjacent property is not subdivided, provision shall be made for extension of the system by continuing appropriate drains to the exterior boundaries of the subdivision, at such size and grade as will allow for their proper projection.

4.10.4.5. Storm drainage piping systems shall be designed on the basis of a storm occurrence once in ten (10) years, and the resulting runoff shall be calculated by the Rational Method.

4.10.4.6. All drainage pipes shall be reinforced concrete conforming to A.S.T.M. directing C-76, Class 3 pipe, or such high class as may be required by depth of trench, and shall be at least twelve (12) inches in diameter and shall be laid to a slope which will maintain a velocity of three (3) feet per second when flowing full using $N=0.15$. At least three (3) feet of cover will be required over all drains unless otherwise specified or approved by the Board.

4.10.4.7. Drainage rights which are appropriate, sufficient and necessary, shall be secured for the Town of Holbrook. Reinforced concrete bounds of the same dimensions as for granite bounds shall be installed at angle points on all easements to the Town of Holbrook.

4.10.4.8. Drains and catch basins shall not be backfilled until inspected.

4.10.4.9. Provisions shall be made to collect and remove silt from the drainage system during the construction period.

4.10.4.10. The Board may also require provision for subsoil drains, along or near the edge of the travelled way in addition to the trunk line system, wherever, in its opinion, ground water conditions in the subsoil warrant such drains.

4.10.4.11. In no instance shall catch basins be located at driveway entrances.

4.10.4.12. Cross culverts and their appurtenance shall be designed to accommodate minimally a storm of fifty (50) year frequency; however, the Planning Board may require the design to accommodate a larger storm event where there is a demonstrable need based on existing conditions.

4.11. Bikeways, Walkways and Trails

4.11.1. Public bikeways, pedestrian walkways or trails shall be required by the Planning Board to provide circulation or access to schools, playgrounds, parks, shopping, transportation, open space and/or community facilities or for such other reason as the Board may determine. These may or may not be part of normal sidewalk provisions, but they shall not be a part of any lot in the subdivision. Bikeways and walkways shall conform to the following standards: The Planning Board encourages the use of permeable materials including permeable pavement for bikeways, pedestrian walkways or trails.

4.11.1.1. Minimum right-of-way width: Fifteen (15) feet unless included as a part of the subdivision roadway.

4.11.1.2. Minimum pavement width for bikeways and walkways: Eight (8) feet for bikeways and five (5) feet for walkways.

4.11.1.3. Maximum gradient: Five (5) percent for segments less than one hundred (100) feet in length, three (3) percent elsewhere.

4.11.1.4. Minimum center line radius: Twenty five (25) feet

4.12. Stormwater Management Basins

4.12.1 Where an infiltration or detention basin is shown on the plan, it shall be situated on its own lot and not a part of a building lot but may be accessed by an easement available to the Town for access for such maintenance. Stormwater management structures other than catch basins, manholes and conveyance piping are not to be installed in the roadway right of way.

4.12.2. Retention and detention basin as well as all stormwater management shall conform to the requirements of the MA Department of Environmental Protection as of the date of application and/or approval, including the current Stormwater Management Regulations.

SECTION 5.0. REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION _____

5.1. General

5.1.1. The subdivider shall install all of the improvements itemized herein unless waived in writing by the Board. All work done under this section shall be done under the direction of the Planning Board. No aforementioned bond or covenant shall be released until full approval in writing of all work done under this section is received by the Planning Board Agent. The following minimum specifications shall govern the installation of all roadways, utilities and other improvements in all subdivisions as noted on Typical Cross Section, designated on the Definitive Plan and otherwise determined by the Planning Board.

5.1.2. No street or way through private property shall be accepted by Town unless the same be previously constructed and completed in accordance with the Standard Cross Section (See Schedules B,C), Street Layout Plan, Profile and the following specifications. Prior to the commencement of the construction phase of development a pre-construction conference shall be held between the Planning Board and/or their Agent and the Developer and/or his Agent to be sure that all the requirements herein are understood and will be met.

5.1.3. Unless otherwise specified, all the work and the materials used in the work to be done shall conform to the requirements of the "Commonwealth of Massachusetts, MassDOT, Standard Specifications for Highways and Bridges, 1988 Edition as amended, hereinafter referred to as the Standard Specifications, as amended and the Special Provisions included hereinafter. Appropriate illustrations are found in "Commonwealth of Massachusetts, MassDOT, Construction Standards, 1977 as amended".

5.1.4. Supplementing the aforesaid Standard Specifications, certain specifications or special provisions shall apply particularly to the work to be done hereunder. References in the following specifications, unless otherwise stated, are to the aforesaid Standard Specifications, amendments or addenda. These specifications and special provisions shall take precedence and shall govern when they are stricter.

5.1.5. To facilitate reference, each paragraph in these specifications is noted with the paragraph number of the particular section as contained in the Standard Specifications.

5.1.6. Wherever in the Standard Specifications or other contractual documents, the following terms, or pronouns in place of them, are used; the intent and meaning shall be interpreted by substitution as follows:

"Commonwealth" = Town of Holbrook

"Department" = Department of Public Works and Board of Selectmen of Holbrook

"Engineer" The Planning Board of the Town of Holbrook acting directly or through an authorized representative; such representative acting within the scope of the particular duties entrusted to him or her.

5.1.7. The extent of work required shall be as shown upon approved plans, and in compliance with the typical Cross Section Plan. Stakes shall be set which will indicate the exact amount of cut or fill.

5.1.7.1. Offset stakes shall be set under the direction of a Registered Land Surveyor at fifty (50) foot intervals and at each sewerage and drainage structure and at each hydrant to indicate the location and the exact amount of cut, fill or grade.

5.1.7.2. Improvements to minimize adverse environmental impact, if required, shall be installed in accordance with all details as shown on the approved definitive plan and all possible measures shall be taken during construction to minimize dust and erosion.

5.1.7.3. No earth shall be removed from the area shown on a definitive plan except in accordance with the approved plan and in accordance with an approved Earth Removal Permit where required.

5.1.8. As each construction operation is completed, it shall be inspected and approved by the proper Town authority prior to starting working on the succeeding operation.

5.1.9. As-Built Plans

5.1.9.1. Prior to the release of any lots, the developer shall have prepared and certified by a Registered Land Surveyor a "Plan of Acceptance" drawn with India ink on tracing cloth, mylar or similar substance, size eighteen (18) by twenty-four (24) inches or twenty-four (24) by thirty-six (36) inches, showing widths, lengths, bearings of all boundary lines of streets and easements and radii, tangents and central angles of all curves in street lines including utilities. It shall show that all stone bounds have been set.

5.1.9.2. A blank space, four (4) by eight (8) inches, shall be provided on the lower right hand corner of the plan for a title block to be filled in by the developer. The surveyor shall place a certification on the plan stating "The street (or way or portion thereof) is laid out and the bounds have been set as shown on this plan" and shall be dated, signed and the surveyor's stamp affixed thereon. One (1) copy of the plan shall be submitted to the Board of Selectmen and one (1) copy to the Planning Board.

5.1.9.3. The developer shall have the original plans and profiles that were submitted to the Planning Board and that are on file in the Planning Board office corrected and certified by his engineer to show the actual as-built locations and grades of all utilities and roadway profiles and any changes authorized by the Planning Board.

5.2. Street and Roadway

5.2.1. The roadway shall be graded and prepared for pavement as follows:

5.2.1.1. Clearing and grubbing of the entire area of such street or way shall be performed to remove all trees not intended for preservation, stumps, brush, roots, rocks or boulders and like material which may exist upon the surface; except that trees of aesthetic value and over four (4) inch caliper may be allowed to remain provided that they are located at least five (5) feet from the proposed side line of the finished roadway and are approved by the Tree Warden and the Planning Board.

5.2.1.2. Roadway earth excavation shall remove all materials encountered down to the true surface of the subgrade, or to suitable material in areas where unsuitable material exists, in preparation for foundation of roadway, sidewalks, driveways and berms. Approved material obtained from the excavation may be used in fills as required if, in the opinion of the Planning Board, they are suitable.

5.2.1.3. When, in the opinion of the Planning Board, suitable material is not available within the limits of the highway location to form the subgrade or sub-base, the contractor shall obtain such additional material from other sources in accordance with this section and as may be approved by the Planning Board.

5.2.1.4. The sub-grade surface, thirty-eight (38) inches below the finished surface grade in minor and secondary streets, and forty (40) inches below the finished surface grade in major or primary streets in residential subdivisions and in all streets in non-residential subdivisions, shall be prepared true to the lines, grades and cross sections given and properly rolled. All soft or spongy material below the subgrade surface shall be removed to a depth determined by the Planning Board and the space thus made shall be filled with special gravel borrow containing no stones over six (6) inches in their largest diameter.

5.2.1.5. Gravel sub-base or foundation containing no stones having any dimensions greater than three (3) inches shall be spread in two (2) equal layers on the surface of the subgrade to a minimum depth of twelve (12) inches in conformity with requirements of Section M 1.03.0 and M 1.03.1. The first six (6) inches of gravel borrow shall be M 1.03.0 Type b as specified in the Standard Specifications and the top six (6) inches shall be M 1.03.1 as specified in the Standard Specifications. Gravel shall be compacted to a 95% of maximum density. To assure compliance with the Standard Specifications, the Planning Board will require, at the applicant's expense, a testing of the gravel by an independent testing company under the direction of the Planning Board or their agent. Each layer shall be thoroughly watered, rolled and compacted true to line and grade. Any depressions that appear during and after the rolling shall be filled with additional gravel and re-rolled until the surface is true. If approved by the Planning Board and DPW MassDOT M1.09.0 Reclaimed Pavement Borrow Material may be substituted for M 1.03.1.

5.2.1.6. Final grading, rolling and finishing including the shaping, trimming, rolling and finishing of the surface of the sub-base prior to application of gravel for surfacing of the roadway and base courses for walks or loam for berms shall be in accordance with this section as directed by the Planning Board.

a.) At the conclusion of this step the roadway shall be staked in all locations where permanent monuments are to be installed as provided in Section 5.9.

5.2.2. Roadways shall be constructed for the full length of all streets within the subdivision and shall have the same curb radius required in Section 4.2.4.2, centerline of the street right of way unless a deviation is approved by the Planning Board. The minimum and maximum widths of roadways shall as set forth in the prior Table of Street Dimensions.

All pavement width shall be as defined above but are subject to alteration by the Planning Board at its option. Provisions for narrower pavement widths and smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures." Pavement width shall be measured from within the inside edge of the curb or berm.

5.2.3. The base and wearing surfaces of roadways shall be of Class I Bituminous Concrete Pavement, Type I-1, unless otherwise approved or required by the Highway Department. The Type I-1 pavement shall be composed of mineral aggregate, mineral filler and bituminous material, plant mixed and laid hot. The pavement shall be constructed in conformity with lines, grades and typical cross-section shown on plans. Material and construction methods shall conform to all other requirements of Section 460 of the Standards Specifications except that no such construction shall be undertaken before March 30th of any year nor after November 1st of any year without written permission of the Planning Board Agent. The developer shall provide funds for the Planning Board to retain a qualified engineering/testing company for services during the batching and placement of bituminous concrete paving. The engineer shall submit a Report of Bituminous Concrete Plan Inspection providing Plant Information, Mix Information, and Extraction Results by % (percent) passing by weight. Thickness of Pavement, Mixture Field Specimens (ASTM D-3549) shall be provided at locations directed by the engineer. Certified results of these inspections and test shall be submitted to Department of Public Works and Planning Board Engineer.

5.2.3.1. Pavement on all streets shall be laid to a finished depth of five (5) inches laid in two (2) courses; the base course shall be three and one half (3-1/2) inches, and the top course shall be one and one half (1-1/2) inches. For Major Streets and all non-residential streets there shall be 3 1/2 inches of HMA Base Course installed and then a 2 inch layer of HMA Surface Course Dense Binder applied in addition to the 1 1/2" inch top course.

5.2.3.2. Greater pavement thickness shall be required by the Board on roadways subject to heavy traffic such as in non-residential subdivisions or in selected major streets of residential subdivisions.

5.2.4. Embankments outside, within or adjoining the right-of-way shall be evenly graded and pitched at a slope of not greater than three (3) horizontal to one (1) vertical in fill. Where cuts are made in ledge, other slopes may be determined with the approval of the Planning Board. Where terrain necessitates greater slopes, retaining walls, terracing, fencing, or rip-rap may be used either alone or in combination to provide safety and freedom from maintenance, but must be done in accordance with plans filed with and approved by the Planning Board. Retaining walls, rip rap, etc. must be entirely outside of the layout of the way. Whenever embankments are built in such a way as to require approval by the Planning Board, the developer must furnish to the Town duly recorded access easements free of encumbrances for maintenance of the slopes, terraces or retaining walls. All such slopes shall be grassed in accordance with the specifications for the area between the roadway and sidewalk or roadway and boundary of the right-of-way.

5.2.5. Loam shall be placed on all shoulders, embankments and other areas disturbed by the construction to a depth of six (6) inches. Grass conforming to Section M 6.03.0 of the Standard Specifications shall be placed at the rate of four (4) pounds per one thousand (1000) square feet, or such other ground cover as the Planning Board may approve.

5.2.6. Granite curbing shall be installed in all subdivisions. The Planning Board may waive granite curbing where accepted "low impact development methods" as accepted in the DEP Stormwater Handbook are employed.

5.2.6.1. The type of granite curbing whether vertical, chamfered, or sloped will be at the discretion of the Planning Board in consultation with the Fire Chief and the Department of Public Works.

5.2.6.2. The type of curbing will be based on the type of road as defined in the Holbrook Zoning By-Law and the characteristics of which are identified in the Rules and Regulations Governing the Subdivision of Land section 4.2.2.1. Local and Minor Streets will typically be constructed with sloped granite. In the event that no grass strip is provided and the sidewalk abuts the roadway vertical granite curbing with a chamfered edge will be installed. Collector streets will be constructed with a vertical curbing with a chamfered edge. Sub collector streets will typically be constructed with vertical curbing with a chamfered edge. Sub collector street whose use and volume approach those of local streets may be constructed with sloped granite curbing based on the recommendations of the Fire Chief and the Department of Public Works.

5.3. Utilities

5.3.1. Installation and materials unless otherwise specified shall conform to the standards of the Town of Holbrook.

5.3.1.1. Excavation for structures, including foundations for drains, sewers and water pipes, wells and other structures shall be made to the depth as indicated on the Definitive Plan or established by the Planning Board as appropriate. Rock excavation designated as Class B, encountered in trench excavation, shall be removed as directed by the Planning Board.

5.3.1.2. All drain, sewer, gas and water pipes, underground utilities and other structures, including laterals which shall be installed from the right-of-way line of each lot, shall be installed upon the completion of roadway subgrade and before the placing of the sub-base, gravel base course, sidewalks or pavement. If the pavement is removed, excavated or damaged, the trench shall be repaired in accordance with the requirements of the Department of Public Works after the issuance of a street opening permit.

5.3.1.3. Where adjacent property is not subdivided or where all the property of the applicant is not being subdivided at the same time, provision shall be made for the extension of the utility system by continuing

the mains the fall length of streets and to the exterior limits of the subdivision, at such grade and size which will, in the opinion of the Planning Board, permit their proper extension at a later date.

5.3.2. Water

5.3.2.1. Public water mains and related facilities shall be installed to the standards of the Department of Public Works. Hydrants shall be located as specified in Section 4.8.

5.3.2.2. Each hydrant shall be served directly from the water main through a six (6) inch lateral connection. It shall be gated with a five (5) inch bottom valve and shall have two (2) two and one half (2-1/2) inch hose outlets and one five (5) inch pump outlet. Water main valves shall be located in such number and locations that lines by individual block may be isolated for maintenance purposes.

5.3.2.3. Where a public water system is located within four hundred (400) feet of the subdivision, the subdivider may connect to the public water system. Where a public water system is not located within four hundred (400) feet of the subdivision, the subdivider may install a private on-lot water system.

5.3.2.4. Private on-lot water systems shall be located a minimum of fifty (50) feet from a septic tank, one hundred (100) feet from a leaching field, seepage pit and cesspool, ten (10) feet from durably constructed building sewer, and one hundred (100) feet from a privy. Such systems shall be constructed in accordance with Massachusetts Department of Public Health and Holbrook Board of Health regulations.

5.3.2.5. Community-type systems or the joint use of wells shall be subject to the standards of the Massachusetts Department of Public Health and acceptance by the Holbrook Board of Health.

5.3.3. Sewerage

5.3.3.1. Where public sewers are required, they shall be designed according to professional engineering practices in accordance with the requirements and the standards of the Department of Public Works and Board of Health.

5.3.3.2. On-site sewage disposal facilities shall be installed and constructed in conformity with the rules, regulations and requirements of the Board of Health. On-site septic tanks and leaching fields may be located in either the front or rear yard of the building(s) served, with the front yard preferred. Due consideration should be given to surface and subsurface soil conditions, drainage and topography in the location of such on-site facilities, and in no instance can any portion of the sewage disposal facilities be located closer than ten (10) feet to a property line.

5.3.4. Drainage

5.3.4.1. Adequate disposal of surface and sub-surface water shall be provided and pipes, manholes and catch basins shall be provided according to the sizes and depths as indicated on the plans and in conformity with the Standard Specifications and requirements of the Department of Public Works and shall be built on both sides of the roadway at intervals not to exceed three hundred (300) feet unless otherwise approved by the Planning Board, and at such other places as deemed necessary by the Planning Board to assure an unimpeded flow of all natural watercourses, to assure adequate drainage of all low points and to provide proper runoff of storm water. In no instances shall catch basins be located along a driveway cut. The standard depth of catch basins shall be four (4) feet below the invert of lowest drain. Manholes shall be constructed to the required depth at each junction point and as shown on the plan. Pipe culvert and pipe drains shall be installed in conformity with the standard specifications and the requirements of the Department of Public Works.

5.3.4.2. Reinforced concrete pipe (used on all drains under pavements) shall be installed according to the size as shown on the plans. No backfilling of pipes shall be done until the installation has been inspected by the Planning Board Agent or its representatives. All drainage trenches shall be filled with clean gravel borrow in accordance with Specification M 1.03.0 type b.

5.3.4.3. The size of pipe shall be in accordance with the approved Definitive Plan and in any case shall not be less than twelve (12) inches in diameter. Pipe for the construction of culverts and drains shall be reinforced concrete except where such culverts or drains pass under a roadway or driveway in which case they shall be reinforced concrete (extra strength). All pipes shall be laid true to line and grade as shown on the Plan. Each section of pipe shall have a full, firm bearing throughout its length. All joints shall be made of Portland Cement Mortar unless otherwise directed. Minimum covering of all pipe shall be no less than thirty-six (36) inches.

5.3.4.4. Sizes and slopes of drains shall satisfy the "Rational Formula" where:

$$Q = ACi$$

Q = peak discharge of the watershed in cfs due to a ten (10) year storm

A = area of watershed in acres

C = co-efficient of runoff

i = rainfall intensity in inches per hour for a ten (10) year storm

In no case shall a drainage line of less than twelve (12) inch diameter be used. All drains must be sloped to provide for a minimum velocity of two and one-half (2-1/2) feet per second for self-cleaning purposes. The maximum design velocity shall be fifteen (15) feet per second.

5.3.4.5. Catch Basins and Man-holes

(1) Location - Catch basins located in pavements shall be located so that the greatest distance which water will have to flow over the surface shall not be over three hundred (300) feet.

(2) Materials Specifications - a) Cement brick masonry or concrete block masonry, machine-made solid segments not less than eight (8) inches in width and precast concrete structures. b) Man-hole frames - twenty-six (26) inches in diameter, and cover (marked "D" for drains, "E" for electric, "S" for sewer or "W" for water or as applicably marked for any other utility - two hundred sixty (260) pounds minimum weight. c) Square catch basin frames - twenty-four (24) inches square; and grates - two hundred forty (240) pounds minimum weight for a three flange frame two hundred seventy (279) pounds for a four flange frame.. Catch basin flanges in "c" above shall have three flanges only at curb inlets. Castings shall be of US manufacture.

(3) Construction Specifications Catch basins and man-holes shall not be less than four (4) feet in inside diameter at a point two and one-half (2-1/2) feet below the bottom of the frame. Catch basins shall not be less than four (4) feet in depth measuring from the invert of the outlet pipe. Brick masonry inverts shall be constructed for all man-holes. The walls of these structures shall not be less than six (6) inches in thickness, shall consist of cement brick concrete block masonry or precast concrete units and shall be laid in mortar composed of one (1) part Portland Cement and two (2) parts sand and sufficient water to form a workable mixture. Backfill shall not be applied until after inspection. Outside walls shall be thoroughly plastered with one-half (1/2) inch thick Portland Cement Mortar. Steps or mental rungs shall be provided in man-holes over five (5) feet in depth.

(4) Installation of Castings - Castings shall be set at the pavement binder course grade. Frame castings for catch basins and man-holes shall be set in full mortar beds. All casting to be adjusted to finish grade prior to the application of the wearing surface. All adjustments to be with sewer brick.

5.3.4.6. Where sub-drains are required they shall be constructed in conformance with the Standard Specifications and requirements of the Department of Public Works.

5.3.5. Gas

5.3.5.1. Gas mains shall be installed if gas connection is available unless said installation is specifically waived by the Planning Board. See Section 4.9.1.

5.3.5.2. The Gas Company shall be notified by the developer upon approval of the Definitive Plan so that installation of gas mains may be completed without undue delay.

5.3.5.3. If excavation is made after the subgrade is completed and inspected, the mains shall be put in a trench covered with a poured reinforced concrete slab to the lines, grades and dimensions approved by the Planning Board.

5.3.6. Telephone and Electricity

5.3.6.1. Telephone lines shall be installed in underground conduits in conformity with the Standard Specifications. Electric lines shall be installed underground in accord with the regulations of the National Grid, Commonwealth Electric Company or NSTAR. The Planning Board may permit transformers, switches and other such equipment to be placed on the ground in approved locations.

5.3.7. Other Utilities

5.3.7.1. Any and all wiring shall be installed underground and may be in the same trench with vertical and/or horizontal separation as approved by the Planning Board. Service shall be provided to each lot and each street light before the subgrade is prepared.

5.3.7.2. Other utilities shall be installed in underground conduits in accord with Standard Specifications or as required by the utility company or department.

5.3.7.3. Mailboxes shall be clustered at a location that is approved by the Planning Board and in accordance with postal regulations.

5.3.7.4. A light post 8 (eight) feet high shall be installed at the edge of the road layout. The light shall be full cut off light fixtures to limit excessive illumination of the night sky equipped with a photosensitive cell, set to operate from dusk to dawn and be connected to the property owner's electrical service. It shall be the property owner's responsibility to maintain the light.

5.4. Sidewalks

5.4.1. Sidewalks shall be constructed within the subdivision, separated from the pavement area by a seeded grass plot. See Section 5.7. When unusual topographic conditions require, the Board may approve the placement of a sidewalk at a greater distance from the roadway or at a higher or lower elevation in relation thereto, provided such variation is indicated on the Definitive Plan and accompanying cross-sections. See Section 4.9.

5.4.2. Sidewalks shall have a finished grade in relation to the finished grade of the roadway as shown on the applicable cross-section plan and shall extend the full length of each side of the street.

5.4.3. All materials shall be removed for the full width of the sidewalk to subgrade fifteen (15) inches below the finished grade as shown on the typical cross sections.

5.4.4. Bituminous concrete sidewalks laid in two (2) courses, a two (2) inch binder course and a one (1) inch top course, shall have thickness of three (3) inches after compaction, shall be constructed on a twelve (12) inch gravel foundation to the required lines and grades in accordance with the Standard Specifications. The Planning Board encourages the use of permeable materials including permeable pavement for bikeways, pedestrian walkways or trails.

5.4.5. If the applicant prefers to install cement concrete sidewalks, they shall be constructed in conformity with this section and any Standard Specifications and requirements of the Department of Public Works.

5.5. Bikeways and Walkways

5.5.1. Except as specified herein, where bikeways and walkways are required, they shall be constructed in conformance with and any Standard Specifications and requirements of the Department of Public Works.

5.5.2. Specifications for sidewalks contained in Section 5.4. shall apply to bikeways and walkways.

5.5.3. For the length of each bikeways and walkway there shall be a cross slope equivalent to three-eighths (3/8) of one (1) inch per foot of width to provide for proper drainage. Leveling areas at intersections with sidewalks shall be shown in details.

5.6. Granite Curbs, Granite Edging, Granite Curb Construction & Guard Rails

5.6.1. **Granite Curbs:** Natural color variation characteristic of the deposit from which the curbing is obtained will be permitted. Sawed surfaces shall be thoroughly cleaned and any iron rust or iron particles or any saw mark in excess of 1/8 inch shall be removed. Stones shall be Type VB and have a minimum length of 36 inches, minimum width at the top of 5 inches and minimum width at the bottom of 3 1/2 inches over 2/3 of each stone length and depth of 15 to 17 inches. Stones used for closure pieces may be up to 1/3 shorter than the specified minimum length. Stones set on a radius of 100 feet or less shall be cut to the required curvature and, except for marking closures, shall be a minimum length of 54 inches on radius from 25 to 50 feet or less. At drainage inlets, a gutter mouth of at least 3 inches in depth and at least 2 feet in length shall be cut in the front of the stone. The front face shall be at right angles to the planes of the top and ends shall be smooth quarry split, free from drill holes and with no projection of more than 1 inch and no depression of more than 1/2 inch measured from the vertical plane of the face of the arris or pitch line for the distance down from the top of 8 inches. For the remaining distance there shall be no projection or depression greater than 1 inch measured in the same manner. The ends of all stones shall be square with the planes of the top and face so that when the stones are placed end to end as closely as possible no space shall show in the joint at the top and face of more than 1/2 inch for the full width of the top and for eight (8) inches down on the face after which the end may break back not over eight (8) inches from the plane of the joint. The arris formed by the intersection of the plane of the joint with the planes of the top and exposed faces shall have no variation from the plane of the top and exposed faces greater than 1/8 inch.

The finish and surface dimensions shall have a top surface free from wind, shall be peen hammered or sawed to an approximately true plane, and shall have no projections or depressions greater than 1/8 inch. The front and back arris lines shall be pitched straight and true and there shall be no projection on the back surface for 3 inches down from the top which would exceed a batter of 4 inches in 1 foot.

5.6.2. **Granite Edging:** Edging stones shall be cut to the following dimensions:

Minimum Length 2 feet

Maximum Length 6 feet

Thickness 3 inches to 6 inches

Width of Face 11 inches to 13 inches

Minimum length stone shall be used on curves with a radius of less than 60 feet, except 1 foot lengths shall be used on curves with a radius of 10 feet or less.

The exposed face shall be smooth quarry split to an approximately true plane having no projections or depressions which will cause over 1 inch to show between a 2 foot straight-edge and the face when the straight-edge is placed as closely as possible on any part of the face. If projections on the face are more than that specified they shall be dressed off. The top and bottom lines of the face shall be pitched off to a straight line and shall not show over 1 inch between stone and straight-edge when straight-edge is placed along the entire length of the top and bottom lines and when viewed from a direction at right angles to the plane of the face and for the top line only not over 1 inch when viewed from a direction in the plane of the face. The ends shall be square to the length at the face and so cut that when placed end to end as closely as possible, no space shall show in the joint at the face of over 1 1/2 inches, except that where the edging is to be used on a curve having a radius of 10 feet or less the ends of the stones shall be so cut as to provide a finished joint at the face section of not more than 1/2 inch. The arris formed by the intersection of the plane of the face with the plane of the end joint shall not vary from the plane of the face more than 1/4 inch. Drill holes not more than 3 1/2 inches in length and 1/2 inch in depth will be permitted. The sides shall not be broken under the square more than 4 inches and the side adjacent to the grass shall not project over 1 inch. Granite edging shall be set in conformance with the current detail contained in the Massachusetts Highway Department's construction standards. The gravel foundation shall be thoroughly compacted before setting the edge stones. Additional gravel shall be placed and compacted as needed to support the edge stones. Edge stones shall be fitted together as closely as possible.

The concrete toe support shall be placed after the edge stones have been set to fill the space between the edge stones and the bituminous concrete base course. The top support shall be placed to the full depth of the base course and finished flush with the base course surface.

5.6.3. Granite Curb Construction – Preparation

5.6.3.1. A trench shall be excavated at least 18 inches wide to a minimum depth of 6 inches below the bottom of the curb stones. The edge of the trench shall be 6 inches from the curb line to the roadway. Shape the excavation to a uniform surface and tamp.

5.6.3.2. Cement concrete shall be placed in trench so that curb sits on top of six (6) inches of cement with six (6) inches of cement concrete in front and back.

5.6.3.3. The stones shall be set on the foundation true to line and grade with the front face vertical with a 7 inch reveal.

5.6.3.4. Cement concrete shall not be poured on frozen or thawing subgrade.

5.6.3.5. The space between curb stones shall be filled with cement mortar and point the mortar joints.

5.6.3.6. At driveway openings, the first stone on either side of the opening shall have a 45 degree bevel in the exposed end of the stone at the driveway end.

5.6.4. Guard Rails.

5.6.4.1 Guard rails shall be installed for safety at curves or filled areas as required by the Planning Board, in accordance with the Massachusetts Highway Department "Highway Design Manual" Section 9.3.2. Guardrail warrants and, in addition, wherever there is a fall height of two feet within five feet of the right of way.

5.6.5. Waivers. If a waiver for granite curbing is granted, the following shall apply:

5.6.5.1 Type A berm 'Cape Cod Berm', eighteen (18) inches wide shall be provided along each side of the roadway.

5.6.5.2. In the event that the Planning Board waives curbs and berms, paved gutters shall be provided along each edge of the roadway where the grade exceeds three (3) percent.

5.6.5.3. The profile of the berm is subject to Planning Board approval.

5.7. Grass Plots

5.7.1. A four (4) foot grass plot shall be provided on each side of each roadway between the pavement and sidewalk areas, where sidewalks are required, and shall occupy all the remaining area not paved up to the right-of-way lines. The top four (4) inches of all required grass plots shall consist of good quality loam, rolled and planted.

5.7.2. Grass shall be used unless other ground cover is approved by the Planning Board. Seed shall conform to Standard Specifications.

5.7.3. The slope of the grass plot shall be a maximum of 1/4" per foot.

5.7.4. Street light stanchions and street lights shall be located at least ten (10) feet from the edge of the roadway in the grass plot or in the median, if there is one, but shall not be nearer than twenty five (25) feet from the intersection of two (2) streets, measured from the intersection of the tangents of the intersecting street curb lines. If street lights are located in the median, the Board may require pedestrian lighting placed in the grass plot. See also Section 5.11. Street lights shall be installed to meet criteria set by the Board of Selectmen and installed in accordance with the Department of Public Works' specifications. The developer shall establish an account with the Board of Selectmen to cover the cost of required street lighting for a period of two (2) years. This account must be in place prior to applying for occupancy permits.

5.8 Trees

5.8.1. Street trees of a species approved by the Planning Board shall be planted on each side of each street in a subdivision, except where the Definitive Plan showed trees to be retained which are healthy and adequate. Such trees shall be located outside of the right-of-way inside of a ten (10") foot wide easement approximately at forty (40) foot intervals, and shall be least twelve (12) feet in height, two (2) inches in caliper measured four (4) feet above the approved grade, and shall not be closer than five (5) feet nor more than ten (10) feet from said right-of-way line. Trees shall be planted in accordance with the Standard Specifications.

5.8.2. The developer shall plant other trees as needed to provide at least one (1) area of shade to each lot. A waiver shall be granted only if there are trees growing along the right of way or on the abutting property which, in the opinion of the Planning Board comply with these regulations.

5.8.3. All deciduous street trees shall be clear of any branches from the approved grade level to a point seven (7) feet above ground level.

5.8.4. The developer will be liable for all trees so planted as to their erectness and good health for two (2) years after planting.

5.8.5. No evergreen trees such as pine, fir, spruce or hemlock are to be planted on an easterly or southerly side of a road, street or way.

5.8.6. Except as otherwise provided, all cut bankings shall be planted with a low growing shrub or vine and wood chipped to a minimum depth of six (6) inches or seeded with a deep-rooted, perennial grass to prevent erosion. See also Section 5.2.4.

5.8.7. All reasonable care shall be exercised to preserve the trees in the subdivision.

5.8.8. Landscaping, street trees and tree belts.

5.8.8.1. Street trees shall be deciduous shade trees, including, but not limited to, those listed in the table below. No more than 35% of any one species shall be used throughout the subdivision.

5.8.8.2. Street trees shall have a minimum caliper of three inches measured six inches above the soil root ball. They shall be single-stemmed with a single, straight leader. All tree species must meet American Association of Nurserymen Standards (ANSI) for the types and sizes specified. These standards shall be included on the detail sheets.

5.8.8.3. The developer shall install on each lot the street trees specified on the approved plans prior to the issuance of the final certificate of occupancy. Trees must survive one year after planting prior to the release of warranty performance guarantees.

5.8.8.4. Planting operations and requirements for street trees and after-planting tree care shall be in accordance with the American Association of Nurserymen Standards for Planting and shall have a two-year growth warranty. These standards shall be indicated on detail sheets. This warranty period also pertains to trees that have been slated for protection and specified to count toward the public street tree requirement as shown on plans.

5.8.8.5 Specifications for tree protection for all trees slated for protection shall be included in the plans and shall conform to ANSI standards.

A Selection of Approved Street Tree Species

Botanical Name	Common Name	Notes
Acer rubrum	Red Maple	Low salt areas
Acer saccharum	Sugar Maple	In special circumstances, low salt, wide root zone areas
Cercidiphyllum japonicum	Katsura tree	Prune to single stem, moist soils
Fraxinus pennsylvanica	Green Ash	
Ginkgo biloba	Ginkgo	Male only
Gleditsia triacanthos varinermis		
Thornless Common		
Honeylocust		
Nyssa sylvatica	Black Gum, Tupelo	Moist soils
Quercus coccinea	Scarlet Oak	
Quercus robur	English Oak	
Quercus rubra	Red Oak	Will tolerate poor, sandy soils
Platanus x acerifolia	London Plane Tree	

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Tilia cordata	Littleleaf Linden
Ulmus americana	"Valley Forge"
Ulmus Americana "Princeton"	Princeton Elm
Ulmus parvifolia "Allee"	"Allee" Lacebark Elm
Zelkova serrata	Japanese Zelkova

5.9. Monuments

5.9.1. Monuments shall be installed on street lines at all points of intersections of streets with each other and at all points of curvature, at all points of change in direction, at each point where the lot line intersects the street right of way, at all corners of lots, at intersection of easements and lot lines and streets and at all other points where in the opinion of the Planning Board, permanent monuments are necessary.

5.9.2. Monuments shall be reinforced concrete marker of not less than three (3) feet in length and not less than five (5) inches in width and breadth and shall have a brass seal with the name of the installer. Said monuments shall be installed at the time of final grading with the top flush with the top final graded surface. Concrete bounds shall be reinforced with a one-half (1/2) inch diameter steel rod.

5.9.3. Entrances to subdivisions shall not be marked by elaborate monuments.

5.9.4. The placement and accurate location of these markers shall be certified by a registered land surveyor and properly located on the street acceptance plans.

5.10. Street Signs

5.10.1. Street signs shall be installed at each intersection to conform to the standards established by the Department of Public Works, Fire Department and the Police Department.

5.10.2. From the time of tree clearing until such time as each street is accepted by the Town as a public way, the sign posts at the intersection of such street with any other street shall have affixed thereto a sign designating such street as a private way.

5.11. Street Lights

5.11.1. Street and pedestrian pole and light types shall be approved by the Department of Public Works and Planning Board.

5.11.2. Street and pedestrian light stanchions shall be located at such intervals as required by the Planning Board in the grass plot or median, as provided in Section 5.7.4. and shall be installed in accord with the procedure required by then current utility provider providing electricity in the Town of Holbrook.

5.12. Driveways

5.12.1. The driveway shall be graded in accordance with Section 5.1. and a wearing surface applied in accordance with Section 5.2.3.1., unless a lesser thickness is approved by the Planning Board, to a width of at least fifteen (15) feet and the to edge of the roadway right-of-way.

5.13. Areas Disturbed by Construction

5.13.1. Loam and grass seed shall be placed on all shoulders, embankments, and other areas disturbed by construction in accordance with the Erosion/Sedimentation Control Program, and the following factors shall be considered during all phases of construction:

5.13.1.1. No larger area shall be developed than that on which construction can be completed rapidly so that large areas are not left bare and exposed for long periods. Lots, excepting portions of lots used for roadway construction staging and stockpiles, are not to be cleared as part of the road clearing.

5.13.1.2. Grading shall be kept at a minimum. Where possible, only undesirable trees shall be removed.

5.13.1.3. Runoff shall be controlled and conveyed into storm sewers or other outlets so it will not erode the land or cause off-site damage.

5.13.1.4. Critical areas shall be protected during construction with mulch or temporary crop covers and with mechanical measures such as diversions and prepared outlets.

5.13.1.5. Sediment basins shall be constructed where necessary to detain runoff and to trap sediment during construction.

5.13.1.6. Safe off-site disposal of runoff shall be provided, including the increased runoff resulting from construction.

5.13.1.7. Permanent vegetation and erosion control structures, where necessary, shall be installed as soon as possible.

5.14. Maintenance of Improvements

5.14.1. For the purpose of protecting the safety, convenience and welfare of the Town's inhabitants; 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 reducing the danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; under the authority of Mass. Gen. L. c. 41 §81M as amended, the applicant or his successor shall provide for the proper maintenance and repair of improvements under this Section of the Rules and Regulations during the construction and for the period of eighteen (18) months after the completion of the construction of said improvements and the release of security or until the Town votes to accept such improvements, whichever comes first. Such maintenance shall include snow and ice removal beginning at the time of occupancy of an individual owner or tenant other than the developer.

5.15. Provision for Competent Supervision

5.15.1. The applicant shall provide competent supervision during the development of his subdivision. If at any time, it becomes apparent to the Planning Board that the supervision is not satisfactory, they may order the discontinuance of the development until competent supervision is provided.

5.15.2. Competent supervision shall include the necessary supervision to make sure that all temporary drainage controls, erosion and sedimentation controls, stock pile controls and other such measures as contained in the approved Definitive Plan are adequately and properly provided and maintained.

5.16. Cleanup.

5.16.1. Any area disturbed by the construction and all rights-of-way shall be cleaned up so as to leave the area shown on the Plan in a neat and orderly appearance free from debris, tree stumps, loose rocks, mounds of dirt or other objectionable material. Seeding of these areas may be required by the Planning Board. On-site burial of rocks, stumps or other debris take place only with the approval of the Planning Board and otherwise in accordance with state and federal law and regulation.

SECTION 6.0. ADMINISTRATION

6.1. Variation

6.1.1. Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with the Subdivision Control Law. Any such waivers granted must be requested by the Applicant in writing and approved by vote and in writing by the Planning Board.

6.2. Reference

6.2.1. 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.

6.3. Building Permit

6.3.1. No building shall be erected within a subdivision without written permission from the Planning Board by Form I.

6.3.2. The Board of Selectmen and/or Building Inspector shall not issue any permit for the erection of a building until he is first satisfied that the lot on which the building is to be erected is not within a subdivision or that a way furnishing the access to such lot as required by the Subdivision Control Law is shown on a plan recorded or entitled to be recorded under Mass. Gen. L. c 41 §81X, as amended and that any condition endorsed thereon limiting the right to erect or maintain buildings on such lot have been satisfied or waived by the Board, and in the event that more than one (1) building for dwelling purposes be erected or placed or converted to use as such on any lot, that the Board of Selectmen and/or Building Inspector is satisfied that consent has been obtained from the Planning Board in accordance with Section 2.4. of these Rules and Regulations, Mass. Gen. L. c. 41 § 81-Y, and amendments thereto.

6.3.3. In the case of a bond, surety or tripartite agreement, no structure shall be occupied until at least the base course of bituminous concrete as specified in Section 5.0. has been applied to the streets which serve the structure. In the case of a covenant in lieu of a bond or surety, no occupancy permit shall be issued until all improvements are completed.

6.4. Inspections

6.4.1. Inspections shall be arranged by the developer with the Planning Board Agent or its duly authorized representative for that purpose prior to the construction of streets and the installation of utilities and during construction as specified herein at each significant construction stage. See Form K.

6.4.2. Inspection shall be requested in writing at least forty eight (48) hours in advance of each inspection to the Planning Board.

6.4.3. Inspection shall be by the Planning Board Agent except where otherwise noted, for the following:

- a.) Satisfactory excavating
- b.) Satisfactory laying of water and sewer mains, hydrants and related equipment by the Department of Public Works
- c.) Satisfactory laying of gas mains and related equipment
- d.) Satisfactory installation of surface and sub-surface drainage system and related equipment
- e.) Satisfactory filling
- f.) Satisfactory compacting

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- g.) Satisfactory installation of electric lines and related equipment, including Cable T.V. lines
- h.) Satisfactory installation of telephone lines and related equipment
- i.) Satisfactory completion of the pavement
- j.) Satisfactory placing of curbs and gutters
- k.) Satisfactory construction of sidewalks
- l.) Satisfactory finish grading of grass plots
- m.) Satisfactory installation of monuments
- n.) Satisfactory grading of lots
- o.) Satisfactory installation of fire alarm system
- p.) Satisfactory planting of street trees
- q.) Satisfactory final clean-up

6.4.4. The Planning Board may establish the order of the required inspections and may require satisfactory completion of one step before the subdivider proceeds to the next. It may require tests to be done at the expense of the subdivider as a condition for approval when in the opinion of the Planning Board it is advisable.

6.4.5. The proper Town official or agent shall indicate on Form K, Inspection Form, provided by the Planning Board, the date of inspection and the approval and shall file such form with the Planning Board whereupon the cost of the inspection shall be paid to the inspector from the Inspection Escrow account.

6.4.6. Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the applicants or rescission of the approval of the plan in accord with Mass. Gen. L. c. 41, Section 81W. For any approved subdivision that is not completed with the time lines above the Planning Board will automatically rescind the subdivision approval.

6.5. Meetings

6.5.1. The Planning Board will hold regular and/or special meetings on such dates as will be designated and on file with the Town Clerk.

6.6. Validity

6.6.1. If, in any respect, any provision of these Rules and Regulations in whole or in part, shall prove to be invalid for any reason, such invalidity shall only affect the part of such provision which shall be invalid and in all other respects these Rules and Regulations shall stand as if such invalid provision had not been made, and they shall fail to the extent, and only to the extent, of such invalid provision, and no other provision of these Rules and Regulations shall be invalidated, impaired, or affected thereby.

6.7. Effective Date

6.7.1. These regulations became effective after approval by the Board, certification by the Town Clerk and filing with the Register of Deeds and the Recorder of the Land Court.

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SECTION 7.0 RULES AND REGULATIONS APPLYING TO THE INSTALLATION OF WATER MAINS IN NEW DEVELOPMENTS OR ON UNACCEPTED STREETS _____

7.0. Purpose

The purpose of these supplemental rules and regulations are to encourage in the development of new subdivisions the use of equipment and technology which is compatible with the equipment and technology now employed in the Town of Holbrook's water system and which will be employed in the future.

7.1 Rules and Regulations.

7.1.1. The Superintendent of Public Works shall determine specifications for the complete installation of all water mains, main gates, hydrants, hydrant gates and all other appurtenances and connections to existing mains as shown on a plan of a development or subdivision which said plan shall be submitted contemporaneously to the Superintendent of Public Works and the Planning Board. The Planning Board shall in all circumstances have final approval over the proposed plans.

7.1.2. Application for the installation of water mains in new developments or subdivisions shall be in writing, signed by the owner(s) of the land included therein and shall be accompanied by the plan of the development of the proposed subdivision showing proposed installation approved by the Planning Board and shall include one (1) copy for the Superintendent of Public Works.

7.1.3. All water mains and appurtenances and service pipes and appurtenances must be compatible with the mains, service pipes and appurtenances of the Holbrook Water System and shall be equal to or greater quality.

7.1.4. Applications for the installation of water mains shall include all streets in the subdivision and must extend to the limits of the development and include connections with existing mains in boundary streets shown on the development plans.

7.1.5. In general, no dead-end water main shall be permitted. On dead-end streets, the full size main shall be extended through easements to connect with other water mains wherever possible. Where a proposed street is to extend beyond the presently proposed development, the water main shall terminate at the property line or be extended to an existing water main subject to a ruling by the Superintendent of Public Works.

7.1.6. The applicant shall pay for the entire cost of the water main extension including, without limitation, any peer review costs and any costs incurred by the Superintendent of Public Works in connecting the new water mains to the existing water mains.

7.1.7. All water mains to be installed by Applicants shall be bell and spigot, ductile iron pipe Class 52 Mechanical or "Tyton" joints will be permitted.

7.1.8. Upon completion of the installation of a water supply main in a private subdivision, the applicant shall provide a written certification by a registered professional civil engineer that the installation complies in all respects with these requirements and those of the Superintendent of Public Works and the Superintendent shall notify the applicant of his or her final approval prior to placing the main into service. On the subdivision main, suitable blow-offs and shut-off valves shall be installed wherever deemed advisable by the Superintendent of Public Works. On dead-end mains, if approved, a gate valve shall be located within twenty (20) feet of the dead end if so designated by the Superintendent.

7.1.9. Fire hydrants shall be of the size and type approved by the Superintendent of Public Works. Hydrants shall be located at intervals of five hundred (500) feet in residential areas and not more than three hundred fifty (350) feet in business or industrial areas.

7.1.10. In deciding upon any proposed installation of water supply mains in a private subdivision, the Superintendent of Public Works shall give full consideration to the possibility of future extensions of water mains through adjacent property and may require the initial installation to be of a size that is adequate for a future connection or extension. The Board will also give consideration to the size of pipe necessary for adequate fire protection and take into consideration the pressure level of the proposed subdivision in relation to the hydraulic gradient of the Town in determining the size and materials of the pipe to be required.

7.1.11. The installation of all subdivision water supply mains intended to be connected to the Town public supply system shall be at all times subject to the supervision of the Superintendent of Public Works. Before any such water supply mains are covered over, the Water Department Superintendent shall inspect them, and if, in his or her opinion, they are properly installed, he or she shall approve them. No trench shall be closed excepting with materials and in a manner approved by the Superintendent.

7.1.12. No subdivision water supply main shall be connected to any public water supply main of the Town of Holbrook except as directed and approved by the Superintendent of Public Works.

7.1.13. The approval of any private water supply system shall in no way make the Water Commissioners, the Public Works or their agents, servants or employees responsible for the operation, maintenance or satisfactory performance of the installation. Such responsibility and liability shall remain the obligation of the applicant and/or owner until the Town of Holbrook shall, by vote in Town Meeting, accept same as part of the public water supply system of the Town.

7.1.14. The Superintendent of Public Works may in his or her sole discretion designate an employee of the Department of Public Works or a third person to supervise, inspect or approve work in accordance with the regulations.

7.1.15. In general, all supply mains and appurtenances and all other water works facilities for private subdivisions shall be installed or construed strictly in conformity with the standards and specifications of the American Water Works Association and good engineering practice.

7.1.16. Penalty for violation of these rules and regulations shall be as prescribed by law and may be grounds for rescission of any subdivision approvals and disconnection from the system. Each day that a violation exists shall be deemed to be a separate violation.

7.1.17. In all subdivisions where the water supply mains are to be connected with the Town's public water supply system, the following standards shall be maintained:

- a). All pipes shall be laid with a minimum depth of cover of five (5) feet below the finished grade in the street. The laying and testing of the pipe shall conform to the current contract specifications of Public Works. Joists shall be left exposed until after pressure tests have been made.
- b). No supply main less than eight (8) inches diameter shall be installed. The actual size of pipe to be used in any location shall in every case be determined by the Water Commissioners and/or their designee.

7.1.18. No pipe shall be laid until grades, street lines and property lines have been clearly laid out by a professional land surveyor and permanently established.

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7.1.19. Hydrants and gate valves shall be installed where designated by the Superintendent of Public Works and shall be of the size, make and type then currently in use by Public Works.

7.1.20. The service pipe, shut-off and gate box shall be of the size, make and type then currently in use by Public Works.

7.1.21. The curb shut-off shall be located in the center of the grass-plot between the edge of the sidewalk and the cutter unless otherwise directed.

7.1.22. If applicants are permitted to install service pipes, the pipes shall be left exposed until it is inspected and approved by the Superintendent of Public Works.

7.1.23. No water shall be furnished until all Water Department charges, costs and expenses shall have been paid in full. No water will be furnished unless work is done in accordance with these requirements and to the satisfaction of the Superintendent of Public Works and/or Water Department.

7.1.24. Any water main being added to the municipal water supply shall, after inspection and approval, become the property of the Town of Holbrook and/or Water Department and shall be under the jurisdiction and control of the Public Works.

7.1.25. No person shall turn on, cause to be turned on, or use any water system which is connected to the Holbrook Water System without authorization from the Superintendent of Public Works. Violation of this regulation shall be punished by a fine of \$100.00 per day and each day that a violation exists shall be deemed to be a separate offense.

7.1.26. These rules and regulations may be added to or modified from time to time by the Board of Selectmen and Board of Public Works.

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SECTION 8.0 SURFACE WATER RULES AND REGULATIONS

8.0. Purpose.

The purpose of these supplemental rules and regulations are to provide adequate disposal of surface runoff from the roadway and adjacent areas shall be installed in accordance with the following specification.

8.1. Rules and Regulations.

8.1.1. Pipes, Culverts and Drains: Pipe for the construction of culverts and drains shall be reinforced concrete except where such culverts or drains pass under a roadway or driveway in which case they shall be reinforced concrete and extra strength. All pipe shall not be less than twelve (12) inches in diameter. Pipe joints shall be carefully made up so that the spigot is tightly butted to the seat of bell and the spacing between the spigot uniformly proportioned and caulked with loose or braided jute. The joints shall be filled with cement in all cases. All utility trenches shall be filled with bank gravel carefully compacted, and leveled with adjacent grades. When not in roadway or shoulder, eight inches of loam shall be placed over trench fill, grades being leveled with adjacent terrain. All drains shall be laid to uniform grades and carefully back-filled so that pipe is supported throughout its entire length with compacted earth.

8.1.2. Catch Basins: Catch basins shall have a four foot sump. All catch basins shall discharge into manholes. The distance between two (2) catch basins shall not exceed three hundred (300) feet. The Planning Board may require a lesser distance if deemed advisable by the Board because of unusual local conditions. Catch basins shall be constructed of precast concrete which shall conform to the "Standard Specifications for Highways and Bridges", published by the Massachusetts MassDOT unless otherwise approved by the Department of Public Works. Any change in alignment or grade, if not normally the location of a catch basin shall be made by using a standard manhole conforming to the above specifications.

8.1.3. Curb Drainage: Under curb drainage may be required by the Planning Board in instances where ground water conditions necessitate the drainage of the base course of the road.

8.1.4. Natural Drainage: Where natural drainage courses are altered, cross drains and other structures, approved by the Superintendent of Public Works shall be installed to restore natural drainage. Capacity of such alterations shall be determined on the basis of a fifty (50) year frequency storm or design storm. Where cross drains carry flow of natural water courses, masonry head wall or rip-rap shall be installed, as approved by the Highway Superintendent, to prevent erosion.

8.1.5. Subsurface Drainage from Foundation Drains, Roof Leaders and Other Sources: In cases where underground drainage is required in connection with the erection of buildings or the use of any lot, such underground lines may not be connected to the storm drains in the proposed streets

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SECTION 9.0 RULES AND REGULATIONS APPLYING TO THE INSTALLATION OF SANITARY SEWERAGE IN NEW DEVELOPMENTS OR ON UNACCEPTED STREETS

9.0. Purpose

The purpose of these supplemental rules and regulations are to encourage in the development of new subdivisions the use of equipment and technology which is compatible with the equipment and technology now employed in the Town of Holbrook's public sewerage system and which will be employed in the future.

9.1 Rules and Regulations.

9.1.1. The Superintendent of Public Works shall determine specifications for the complete installation of all sewer mains, force mains, manholes, pump stations and all other appurtenances and connections to existing mains as shown on a plan of a development or subdivision which said plan shall be submitted contemporaneously to the Superintendent of Public Works and the Planning Board. The Planning Board shall in all circumstances have final approval over the proposed plans.

9.1.2. Application for the installation of sewer mains in new developments or subdivisions shall be in writing, signed by the owner(s) of the land included therein and shall be accompanied by the plan of the development of the proposed subdivision showing proposed installation approved by the Planning Board and shall include one (1) copy for the Superintendent of Public Works.

9.1.3. All sewer mains and appurtenances and service pipes and appurtenances must be compatible with the mains, service pipes and appurtenances of the Holbrook public sewerage system and shall be equal to or greater quality.

9.1.4. Applications for the installation of sewer mains shall include all streets in the subdivision and must extend to the limits of the development and include connections with existing sewer mains in boundary streets shown on the development plans.

9.1.5. The applicant shall pay for the entire cost of any sewer main extension including, without limitation, any peer review costs and any costs incurred by the Superintendent of Public Works in connecting the new sewer mains to the existing sewer mains.

9.1.6. All sewer mains to be installed by Applicants shall meet the design, materials and installation requirements of the Department of Public Works.

9.1.7. Upon completion of the installation of a sewer main in a private subdivision, the applicant shall provide a written certification by a registered professional civil engineer that the installation complies in all respects with these requirements and those of the Superintendent of Public Works and the Superintendent shall notify the applicant of his or her final approval prior to placing the sewer main into service.

9.1.8. In deciding upon any proposed installation of sewer mains in a private subdivision, the Superintendent of Public Works shall give full consideration to the possibility of future extensions of sewer mains through adjacent property and may require the initial installation to be of a size that is adequate for a future connection or extension.

9.1.9. The installation of all subdivision sewer mains intended to be connected to the Town's public sewerage system shall be at all times subject to the supervision of the Superintendent of Public Works. Before any such mains are covered over, the Department of Public Works and/or its designee shall inspect

them, and if, in his or her opinion, they are properly installed, he or she shall approve them. No trench shall be closed excepting with materials and in a manner approved by the Superintendent.

9.1.10. No subdivision sewer main shall be connected to any public sewer main of the Town of Holbrook except as directed and approved by the Superintendent of Public Works.

9.1.11. The approval of any private sewerage system shall in no way make the Town of Holbrook or the Department of Public Works or their agents, servants or employees responsible for the operation, maintenance or satisfactory performance of the installation. Such responsibility and liability shall remain the obligation of the Applicant and/or owner until the Town of Holbrook shall, by vote in Town Meeting, accept same as part of the public sewerage system of the Town.

9.1.12. The Superintendent of Public Works may in his or her sole discretion designate an employee of the Department of Public Works or a third person to supervise, inspect or approve work in accordance with the regulations.

9.1.13. In general, all supply mains and appurtenances and all other water works facilities for private subdivisions shall be installed or construed strictly in conformity with the standards and specifications of the Department of Public Works and good engineering practice.

9.1.14. Penalty for violation of these rules and regulations shall be as prescribed by law and may be grounds for rescission of any subdivision approvals and disconnection from the system. Each day that a violation exists shall be deemed to be a separate violation.

9.1.15. No pipe shall be laid until grades, street lines and property lines have been clearly laid out by a professional land surveyor and permanently established.

9.1.16. Sewer manholes shall be spaced no greater than 300 feet and closer spacing may be required by the Superintendent of Public Works.

9.1.17. The service pipe, shall be of the size, make and type then currently in use by the Department of Public Works.

9.1.18. If applicants are permitted to install service pipes, the pipes shall be left exposed until it is inspected and approved by the Superintendent of Public Works.

9.1.19. No sewer service shall be furnished until all Department of Public Works' charges, costs and expenses shall have been paid in full.

9.1.20. Any sewer main being added to the public sewerage system shall, after inspection and approval, become the property of the Town of Holbrook and shall be under the jurisdiction and control of the Public Works.

9.1.21. These rules and regulations may be added to or modified from time to time by the Board of Selectmen and Board of Public Works.

SECTION 10.0 ENVIRONMENTAL IMPACT REQUIREMENT

10.0. When required.

With every filing of a Definitive Plan, the applicant shall submit an Environmental Impact Statement (EIS) consisting of the following information unless otherwise waived, in whole or in part, by the Planning Board as inappropriate or not applicable. The statement should be a technical document with citations to source references wherever possible. Information on file at the Town Hall and other locations may be used in its preparation.

10.1. Contents of EIS.

10.1.1 Description of the Physical Environment

- a). Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, scenic and his historical features, trails and open space links, and indigenous wildlife.
- b). Describe how project will affect these features.
- c). Provide a complete physical description of the project and its relationship to the surrounding area.

10.1.2 Description of Surface Water and Soils

- a). Describe the location, extent and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the project.
- b). Describe the methods to be used during construction to control erosion and sedimentation; i.e. use of sediment basins and type of mulching, matting, or temporary vegetation; describe approximate size and location of land to be cleared at any given time and length of time of exposure; covering of soil stockpiles; and other control methods used. Evaluate effectiveness of proposed methods on the site and on the surrounding areas.
- c). Describe the permanent methods to be used to control erosion and sedimentation. Include a description of (i) any areas subject to flooding or ponding; (ii) proposed surface drainage system; (iii) proposed land grading and permanent vegetative cover; (iv) methods to be used to protect existing vegetation; (v) the relationship of the development to the topography; (vi) any proposed alterations of shore lines, marshes or seasonal wet areas; (vii) any existing or proposed flood control or wetland easements; (viii) estimated increase of peak run-off caused by altered surface conditions, and methods to be used to return water to the soils.
- d). Describe completely sewage disposal methods. Evaluate impact of disposal methods. Evaluate impact of disposal methods on surface water, soils and vegetation.

10.1.3. Description of Sub-surface Conditions.

- a). Describe any limitations on proposed project caused by subsurface soil and water conditions, and methods to be used to overcome them.
- b). Describe procedures and findings of percolation tests conducted on the site.
- c). Evaluate impact of sewage disposal methods on quality of subsurface water.

10.1.4. Description of Impacts to Town and Town Services

- a). Describe estimated traffic flow at peak periods and proposed circulation pattern.

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- b). Describe locations and number of vehicles accommodated in parking areas.
- c). Describe effect of project on police and fire protection services.
- d). Describe effect of project on public works department services.
- e). Describe effect of project on educational services.
- f). Describe effect of project on the town water supply and distribution system.
- g). Describe effect of project on the town public sewerage system.

10.1.5. Assessment of Impacts to Human Environment

- a). Provide a tabulation of proposed buildings by type, size (number of bedrooms, floor area), ground coverage, and a summary showing the percentage of the tract to be occupied by buildings, parking and other paved vehicular areas, and usable open space.
- b). Describe type of construction, building materials used, location of common areas, location and type of service facilities (laundry, trash, garbage disposal).
- c). State proximity to transportation, shopping and educational facilities.
- d). Describe proposed recreational facilities, including active and passive types and age groups participating and state whether recreational facilities and open space are available to all Holbrook residents.

10.1.6. General Impact. Summarize briefly environmental impact on entire town with supporting comments.

APPENDICES

FEE SCHEDULE

The following schedule applies to the types of applications to the Planning Board set forth below. This schedule super cedes all previous schedules as they may have appeared in the Rules and Regulations for the Subdivision of Land, and any listings, which may have been compiled from time to time for the benefit of the applicants. Where more than one type of application has been submitted for Planning Board action, only the largest of the applicable project shall be collected for deposit into a Chapter 44 §53G Account.

FILING FEES:

- A. Preliminary Plan, Modification of a Preliminary Plan, Modification of a Definitive Plan based on project size:

BY PROJECT SIZE

FEES

2-5 LOTS

\$3,000.00

6-20 LOTS

\$7,500.00

More than 20 LOTS

\$20,000.00

- B. Initial Definitive Plan based on project size:

BY PROJECT SIZE

FEES

2-5 LOTS

\$6,000.00

6-20 LOTS

\$8,000.00

More than 20 LOTS

\$20,000.00

- C. ANR- \$500.00 + \$100.00 Per Lot (Approval Not Required)

PROJECT REVIEW FEES:

- A. A Project Review Fee shall be imposed in accordance with Section 2.5 of these rules and regulations.
- B. The amount of an Project Review Fee shall be based on an estimate obtained from a proposed Project Review consultant, engineer or other expert selected by the Planning Board.
- C. When the balance in an applicant's 53G Account falls below twenty-five percent (25%) of the initial Project Review Fee, as imposed above, the Planning Board shall consider whether to require a supplemental Project Review Fee to cover the cost of the remaining project review.
- D. The Planning Board may require a Supplemental Project Review Fee for the Purpose of ensuring the availability of funds during the inspection phase of the review process.
- E. The Project Review fee is to be deposited into a special account as set forth in G.L. c.44, s. 53G.
- F. Outside consultants retained by the Planning Board to assist in the review of an applicant shall be paid from this account.

- G. Project Review Fees shall be turned over to the Town Treasurer by the Planning Board for deposit into a 53G Account.
- H. A copy of the latest statement from the banking institution handling the 53G Account shall be forwarded from the office of the Town Treasurer to the Planning Board office as soon as it is received for timely and accurate accounting.
- I. The Town Accountant shall prepare a report on activity in the 53G Account on an annual basis.
- J. The report shall be submitted to the Selectmen for their review.
- K. This report shall be printed in the Annual Report for the Town.
- L. An accounting of an applicant's funds held in the 53G Account may be requested by the applicant at any time. The Planning Board shall respond to the request in a timely manner. The accounting shall include the following information:
 - a. The latest statement from the banking institution handling the account, which should included an accurate accumulated interest portion to the closing date of the statement if such statements are subdivided into individual applicant's accounts. Otherwise, a statement of principal and interest, prepared by the Planning Board office, based on the latest statement from the banking institution.
 - b. A report of all checks authorized for issuance since that last banking statement.
- M. An applicant may request an estimate of bills pending from consultants for work completed, or in progress, but not invoiced.
- N. Excess fees in the 53G Account, including accumulated interest, shall be returned to the applicant or the applicant's successor in interest, at the conclusion of the review process, as defined below. For the purpose of this section, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.
 - a. With the approval or disapproval of a Preliminary Subdivision Plan.
 - b. With the disapproval of a Definitive Subdivision Plan.
 - c. With the release of the performance bond at the end of construction of an approved Definitive Subdivision Plan.

SCHEDULES

Schedule A - Standard Title Block

PROJECT NAME
SHEET TITLE

PROJECT STREET LOCATION
HOLBROOK, MA 02343

OWNER AND APPLICANTS NAME(S)
STREET ADDRESSES
TOWN STATE AND ZIPCODE
EMAIL ADDRESSES

ENGINEER AND SURVEYOR NAME(S)
STREET ADDRESSES
TOWN STATE AND ZIPCODE
EMAIL ADDRESSES

DATE:

SCALE:

PROJECT:

REVISIONS:

No. DATE

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SHEET X OF X



PROFESSIONAL STAMP

Schedule B - Typical Cross Section for Street Construction



Schedule C - Project Information Summary

TOWN OF HOLBROOK PLANNING BOARD

PROJECT INFORMATION SUMMARY

PART I - GENERAL INFORMATION

Name of Project: _____

Name and Address of Owner:

Name and Address of Consultant/Engineer:

(Name) (Name)

(Street) (Street)

(City, State, Zip) (City, State, Zip)

Business Phone # _____

Business Phone # _____

Contact Person: _____

Phone: _____

Description of Project: (Briefly describe type of project): _____

A. PROJECT INFORMATION

1. Location of Project:

a. Address: _____

b. Distance and direction from nearest intersection(s): _____

c. Assessor's Map(s) # _____, Lot(s) # _____

2. Present Zoning _____

3. Dominant zoning within ¼ mile of site: _____

4. Present land use: _____

5. Dominant land use within ¼ mile of site: _____

6. Project Extent

a. Total number of acres in parcel: _____ acres

b. Number of acres already developed: _____ acres

c. Number of acres to be developed under this application: _____ acres

d. Anticipated construction dates - from _____ to _____

e. Anticipated capital expenditure: \$ _____

f. If expansion of existing project: _____ % expansion (total)

7. Total height of tallest proposed structure _____ feet.

B. NATURAL FEATURES OF SITE

1. Approximate acreage of site by use (NOTE: Land should not be classified in more than one category. Total current acreage = total after completion):

After Current Completion

Meadow or Brushland _____ acres _____ acres
Forested _____ acres _____ acres
Active Agriculture _____ acres _____ acres
Idle Agriculture _____ acres _____ acres
Chapter 131 Classified Wetland _____ acres _____ acres
Water Surface Area (ponds, lakes, streams) _____ acres _____ acres
Unvegetated (rock, gravel) _____ acres _____ acres
Roads, Buildings, Pavement _____ acres _____ acres
Active Recreation Facility _____ acres _____ acres
Other (specify): _____ acres _____ acres
Total: _____ acres _____ acres

2. Will disturbed area be in or within 100' of any of the following? (If yes, please specify):

YES NO

_____	Stream _____	Classification _____
_____	Waterbody _____	
_____	Chap. 131 Classified Wetland (#) _____	
_____	Woodlands _____	
_____	Steep Slopes _____	
_____	Agricultural Land _____	
_____	Unique Ecological Feature _____	
_____	Unique Geological Feature _____	
_____	Designated Open Space _____	
_____	Designated Sensitive Environmental Area _____	
_____	Parkland _____	
_____	Recreational Facilities _____	
_____	Historic Site _____	
_____	Known Archeological Site _____	
_____	Unique Archaeological Site _____	
_____	Plant or animal species identified as threatened or endangered: _____	

3. Are there any known drainage ways, drainage ditches or seasonal flows of water on or through the site? NO
_____ YES _____ (specify on separate sheet)

C. PLANNING CONSIDERATIONS

1. Is the site served by:

a. Sanitary sewer _____ Septic Systems _____ Other _____
b. Drainage _____

c. Public water _____ Wells _____ Other _____

d. Natural Gas _____

e. Other utilities (specify) _____

2. Is the site contiguous to any of the following?

_____ State Road
_____ County Road
_____ Town Street (Accepted)
_____ Private Road or Drive (Specify) _____

3. Is there a property line boundary within 100' of the proposed disturbed area?

4. Are any of the following within 1000' of the site?

_____ School
_____ Library
_____ Firehouse
_____ Utility Facility
_____ Church
_____ Ambulance Station
_____ Government or other Public Bldg.
_____ Cultural Center (Museum, etc.)
_____ Cemetery
_____ High Voltage Electrical Transmission Line
_____ Wireless Communications Facility

5. Will the action result in the preservation of any open space? NO _____ YES _____

6. Is the site presently used by the community as open space or recreation area? NO _____ YES _____

7. Will the project result in any major visual impacts? NO _____ YES _____

8. Will the project affect any important views or vistas? NO _____ YES _____

9. Special Planning considerations: Is any portion of the site within any of the following?

_____ Historic District
_____ 500 feet of a state/county road, parkland, or municipal boundary
_____ 100 year floodplain as defined by FEMA Flood Ins. Maps

10. Has any provision been made for solar or other alternative sources of energy for this project?
NO _____ YES _____ If YES, specify _____

11. Has provision been made for siting the project to make use of natural solar heating or shading?
NO _____ YES _____

12. Will this project require the relocation of any other project or facility? NO _____ YES _____

PART II - GEOLOGY & HYDROLOGY

A. What is the predominant soil type(s) on the project site? _____

B. What is the depth to bedrock? _____ feet

(Information Source: _____)

C. Are there any bedrock outcroppings on the site? NO _____ YES _____

D. What is the general slope of the land?

0-10% _____ 10-15% _____ 15% or greater _____

E. What is the depth to the water table? _____ Feet

(Information Source: _____)

F. Will surface area of any existing lakes, ponds, streams, or other surface water areas be increased or decreased by the project? NO _____ YES _____ (Specify on separate sheet)

G. Will any stream channels be modified? NO _____ YES _____

H. What additional percentage of the site will be covered by impervious materials as a result of this project?
_____ % more than existing.

I. Are any mitigation measures being designed into the project to minimize the effects of impervious surfaces on drainage and runoff? NO _____ YES _____
(If YES, please attach a narrative explanation on separate sheet.)

J. Are there any existing drainage problems on the site, upstream, or downstream?

NO _____ YES _____ (If YES, please attach a narrative explanation on a separate sheet.)

K. How much on-site storage of runoff will be provided? _____ acre-feet

L. Are Sedimentation ponds to be provided? NO _____ YES _____

M. Are retention ponds to be provided? NO _____ YES _____ Temporary _____ Permanent _____

Are detention ponds to be provided? NO _____ YES _____ Temporary _____ Permanent _____

PART III - GRADING AND SITE DEVELOPMENT

A. How much natural material will be removed from the site of the project?

Rock _____ cubic yards
Topsoil _____ cubic yards
Subsoil. _____ cubic yards

B. How much natural material will be brought onto the site of the project?

Rock _____ cubic yards
Topsoil _____ cubic yards
Subsoil. _____ cubic yards

C. How much natural material will be redistributed on the site of the project?

Rock _____ cubic yards
Topsoil _____ cubic yards
Subsoil. _____ cubic yards

D. How many square feet of vegetation (trees, shrubs, ground cover) will be disturbed on this project site?
_____ square feet

E. Are there any plans for revegetation? NO _____ YES _____ (specify on separate sheet)

F. Will blasting occur during construction? NO _____ YES _____

G. How will demolition debris (if any), vegetation waste, and similar materials be disposed of?

H. Will existing contours be altered by more than 3 feet of:

Cut: NO _____ YES _____
Fill: NO _____ YES _____

I. What will be the maximum gradient of roadways within the project? _____

J. What will be the maximum gradient of driveways within the project? _____

K. What will be the gradient of roadways within the project? _____

PART IV - PERMITS AND/OR APPROVALS REQUIRED

A. Does the project involve any State or Federal funding or financing? NO _____ YES _____

If YES, specify: _____

B. Status of Permits and/or Approvals: _____

PART V – PERMITS: RESIDENTIAL

A. Is project to be single phased _____ or multi-phased _____ ?

B. If multi-phased project:

a. total number of phases anticipated: _____

b. anticipated date of Phase 1 commencement (including any necessary demolition): _____

c. approximate date of completion of final phase: _____

d. Is phase #1 financially dependent upon subsequent phases? NO _____ YES _____

C. Number and type of housing units to be constructed:

One Family Two Family Multi-Family Condo or Co-op

Initial _____

Ultimate _____

D. If project is not on the public sanitary sewers:

1. Type of on-site sewerage system(s) to be installed:

_____ standard leach field(s)

_____ raised fill systems

_____ package plant

_____ other (specify:) _____

2. If any surface outflow, name of stream into which effluent will be discharging: _____

E. If project involves drainage / stormwater management facilities:

1. Where do storm sewers discharge? _____

2. What volume of storm water runoff is planned for? _____ cfs at point of discharge

F. Water:

1. If water supply is from existing wells, indicate pumping capacity of existing well _____ gal./min.

2. If water supply is from new wells, what impact can be expected on the local water table? _____

G. Total anticipated water usage per day: _____ gallons per day

H. Number of off-street parking spaces: _____ existing, _____ proposed

PART VI – PERMITS: BUSINESS

A. Orientation of development: Neighborhood _____ City/Town _____ Regional _____

B. Estimated employment generated: during construction: _____

During operation: _____

C. Total gross floor area proposed: _____ sq. ft.

D. Number of off-street parking spaces: existing _____ proposed _____

E. Is surface or subsurface liquid waste disposal involved? NO _____ YES _____

If YES to #1, type of waste: _____

If surface outflow, name of stream into which the effluent will be discharged: _____

F. If not on public sanitary sewers, how will liquid wastes be treated? _____

G. If project involves storm water management facilities:

a. Where do storm they discharge? _____

b. What volume of storm water runoff is planned for ? _____ cfs at point of discharge.

H. Maximum vehicular trips generated per hour upon completion of project: _____

I. If multi-phased project:

a. total number of phases anticipated _____

b. anticipated date of phase 1 commencement (including any necessary demolition): _____

c. approximate date of completion of final phase _____

d. Is phase #1 financially dependent upon subsequent phases? NO _____ YES _____

J. Solid Wastes:

a. Where will solid wastes be disposed of?

Name of facility _____ Location _____

b. Will any wastes not go to a sanitary landfill? NO _____ YES _____

c. Will compactors be utilized for on-site wastes? NO _____ YES _____

d. Have provisions been made for on-site storage? NO _____ YES _____

e. If project involves a take-out food facility, have any provisions been made to restrict carryout trash? NO _____ YES _____

K. Will project routinely produce odors (more than 1 hr./day)? NO _____ YES _____

N. Will project produce noise exceeding the existing local ambient noise levels:

during construction? NO _____ YES _____

after construction? NO _____ YES _____

O. Will dust control techniques be employed during or after construction of this project:

NO _____ YES _____ (If YES, specify on separate sheet how, what, when)

N. Will the project result in any potential contraventions of any State or Federal air quality standards?

NO _____ YES _____ (specify: _____)

O. Will the project use herbicides? NO _____ YES _____ specify: _____

P. Will the project use pesticides? NO _____ YES _____ specify: _____

Q. Will the project be landscaped to provide visual and sound screening? NO _____ YES _____

R. Has the project been designed for energy efficiency? NO _____ YES _____

If YES, please specify: _____

PART VII - INDUSTRIAL

Please complete Part VI - Permits: Business, and continue below:

A. Are any liquid (or solid) substances produced as wastes that cannot be adequately treated (or safely disposed of) at a standard municipal sewage treatment plant (or sanitary landfill)?

NO _____ YES _____

If YES, please specify _____

B. Are any hazardous toxic materials produced? NO _____ YES _____

or utilized? NO _____ YES _____

C. Have any provisions been made to utilize any waste heat produced for productive purposes?

NO _____ YES _____

If YES, please specify _____

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PART VIII – ADDITIONAL SUBMISSION MATERIALS

Attach any additional information as may be required to clarify your project. If there are/may be any adverse impacts associated with the proposal, please discuss such impacts and the measures which can be taken to mitigate or avoid them.

I hereby certify that the information given above is true and accurate to the best of my ability to provide such information.

Date: _____

Preparer's Name (Please print) _____

Preparer's Signature _____

Title: _____

Company (if applicable): _____

Representing: _____

Schedule D - Environmental Impact Statement (in accordance with Section 10.0).

Plan No.
Filing Date:

Date: _____

To The Planning Board of the Town of Holbrook:

The undersigned submits the following Environmental Impact Statement in accordance with Section 10.0 hereof:

10.1.1 Description of the Physical Environment

a). Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, scenic and his historical features, trails and open space links, and indigenous wildlife (attach additional sheets as necessary).

b). Describe how project will affect these features (attach additional sheets as necessary).

c). Provide a complete physical description of the project and its relationship to the surrounding area (attach additional sheets as necessary).

10.1.2 Description of Surface Water and Soils

a). Describe the location, extent and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the project (attach additional sheets as necessary).

b). Describe the methods to be used during construction to control erosion and sedimentation; i.e. use of sediment basins and type of mulching, matting, or temporary vegetation; describe approximate size and location of land to be cleared at any given time and length of time of exposure; covering of soil stockpiles; and other control methods used. Evaluate effectiveness of proposed methods on the site and on the surrounding areas. (attach additional sheets as necessary).

c). Describe the permanent methods to be used to control erosion and sedimentation. Include a description of (i) any areas subject to flooding or ponding; (ii) proposed surface drainage system; (iii) proposed land grading and permanent vegetative cover; (iv) methods to be used to protect existing vegetation; (v) the relationship of the development to the topography; (vi) any proposed alterations of shore lines, marshes or seasonal wet areas; (vii) any existing or proposed flood control or wetland easements; (viii) estimated increase of peak run-off caused by altered surface conditions, and methods to be used to return water to the soils (attach additional sheets as necessary).

d). Describe completely sewage disposal methods. Evaluate impact of disposal methods. Evaluate impact of disposal methods on surface water, soils and vegetation (attach additional sheets as necessary).

10.1.3. Description of Sub-surface Conditions.

a). Describe any limitations on proposed project caused by subsurface soil and water conditions, and methods to be used to overcome them (attach additional sheets as necessary).

b). Describe procedures and findings of percolation tests conducted on the site (attach additional sheets as necessary).

c). Evaluate impact of sewage disposal methods on quality of subsurface water. (attach additional sheets as necessary).

10.1.4. Description of Impacts to Town and Town Services

a). Describe estimated traffic flow at peak periods and proposed circulation pattern. (attach additional sheets as necessary).

b). Describe locations and number of vehicles accommodated in parking areas. (attach additional sheets as necessary).

c). Describe effect of project on police and fire protection services. (attach additional sheets as necessary).

d). Describe effect of project on public works department services. (attach additional sheets as necessary).

e). Describe effect of project on educational services. (attach additional sheets as necessary).

f). Describe effect of project on the town water supply and distribution system. (attach additional sheets as necessary).

g). Describe effect of project on the town public sewerage system. (attach additional sheets as necessary).

10.1.5. Assessment of Impacts to Human Environment

a). Provide a tabulation of proposed buildings by type, size (number of bedrooms, floor area), ground coverage, and a summary showing the percentage of the tract to be occupied by buildings, parking and other paved vehicular areas, and usable open space.

b). Describe type of construction, building materials used, location of common areas, location and type of service facilities (laundry, trash, garbage disposal). (attach additional sheets as necessary).

c). State proximity to transportation, shopping and educational facilities. _____

d). Describe proposed recreational facilities, including active and passive types and age groups participating and state whether recreational facilities and open space are available to all Holbrook residents. (attach additional sheets as necessary).

10.1.6. General Impact. Summarize briefly environmental impact on entire town with supporting comments. (attach additional sheets as necessary).

Received by City/Town Clerk: _____

Applicant's Signature _____

Applicant's Address _____

Applicant's phone # _____

Owner's signature and address if not the applicant

FORMS

Form A - Application for Endorsement of Plan Believed Not to Require Approval
Form B - Application for Tentative Approval of a Preliminary Plan
Form B1 - Certificate of Approval of a Preliminary Plan
Form B2- Certificate of Disapproval of a Preliminary Plan
Form C - Application for Approval of a Definitive Plan
Form C-C – Notice to Town Clerk
Form C1 - Certificate of Approval of a Definitive Plan
Form C2- Certificate of Disapproval of a Definitive Plan
Form D - Designer's Certificate
Form E - Certified List of Abutters
Form F - Performance Bond - Surety Company
Form G - Performance Bond - Secured by Deposit
Form H - Covenant
Form I - Release Form
Form J - Conveyance of Easements and Utilities
Form K - Inspection Form
Form L - Tabular Summary
Form M - Approval with Lender Agreement (Tri-Partite)