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Town of Weymouth Massachusetts

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RULES AND REGULATIONS OF THE PLANNING BOARD OF WEYMOUTH, MASSACHUSETTS GOVERNING THE SUBDIVISION OF LAND

RECORDED
NORFOLK COUNTY REGISTRY OF DEEDS
DEDHAM, MA

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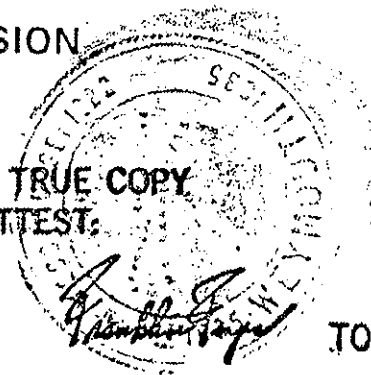
Barry T. Hannon

BARRY T. HANNON, REGISTER

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NORFOLK COUNTY

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ATTEST



ADOPTED
MARCH 4, 1954

LATEST AMENDMENT
MAY 10, 1991

Revised June 13, 1994

Adopted July 15, 1994

TOWN CLERK

WEYMOUTH PLANNING BOARD
75 MIDDLE STREET
WEYMOUTH, MASSACHUSETTS 02189

Weymouth Planning Board

\$110.00

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RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

WEYMOUTH, MASSACHUSETTS

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**RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
WEYMOUTH, MASSACHUSETTS**

(adopted under the Subdivision Control Law)
G.L. Ch. 41, Sec. 81-K to 81-GG inclusive

**SECTION 1
GENERAL**

1.1. Purpose

These subdivision regulations are adopted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the Town of Weymouth by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of the Planning Board and of the Board of Appeal under the subdivision control law shall be exercised with due regard for:

- the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel;
- lessening congestion to such ways and in the adjacent public ways;
- reducing danger of life and limb in the operation of motor vehicles;
- securing safety in the case of fire, flood, panic and other emergencies;
- insuring compliance with the Weymouth Zoning Bylaws;
- securing adequate provision for water, sewerage, drainage, underground utility services, fire, police and other similar municipal equipment, and street lighting and other requirements where necessary in a subdivision;
- coordinating the ways in a subdivision with each other and with the public ways in Weymouth and with the ways in neighboring subdivisions; and,
- may also be exercised with due regard for the policy of the Commonwealth to encourage the use of solar energy and protect

access to direct sunlight of solar energy systems.

1.2. Intent

"It is the intent of the subdivision control law (and under which these regulations are adopted) that any subdivision plan filed with the Planning Board shall receive the approval of such Board if said plan conforms to the recommendation of the Board of Health and to the reasonable rules and regulations of the Planning Board pertaining to subdivisions of land; provided, however, that such board may, when appropriate, waive, as provided for in Section 81-R, such portions of the rules and regulations as is deemed advisable". (G.L. Ch. 41, Sec. 81-M)

1.3. Authority

Under the authority vested in the Planning Board of the Town of Weymouth by G.L. Ch. 41, Sec. 81-Q, said Board has hereby adopted these rules and regulations governing the subdivision of land in the Town of Weymouth. These regulations become effective on *****REVIEW*****, after approval by the Board, certification by the Town Clerk and filing with the Register of Deeds and the Recorder of the Land Court.

1.4. Definitions

APPLICANT - A person (as hereinafter defined) who applies for the approval of a plan of a subdivision or a person who applies under Sections 2, 3, and/or 4 of these rules and regulations. "Applicant" shall include an owner, or his agent or representative, or his assigns.

BENCH MARK - A mark made in a durable object of known position and elevation as a reference point.

BOARD - The Planning Board of the Town of Weymouth.

CERTIFIED BY - Certified by (or endorsed by) the 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 Board, or by its chairman 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. (G.L. Ch. 41, Sec. 81-L)

DESIGNER - Professional Civil Engineer or Land Surveyor registered to practice in Massachusetts. All work defined as

professional engineering or surveying shall be done under the direct supervision of a registered professional engineer or surveyor.

DEVELOPER - A person (as hereinafter defined) who develops a subdivision under a plan of a subdivision approved pursuant to Section 4 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.

GENERAL LAWS (abbreviated G.L.) - The General Laws of Massachusetts, Tercentennial Edition. 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.

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. (G.L. Ch. 41, Sec. 81-L)

MONUMENT - A permanent marker to indicate a boundary.

MUNICIPAL SERVICES - Sanitary sewers, stormwater drains, water pipes, gas pipes, electrical lines, fire alarm system, 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 Norfolk Land Registration Office, Registry of Deeds or Registry of Probate).

PERSON - An individual, or two or more individuals or a group or association of individuals, a partnership, trust or corporation having common or undivided interests in a tract of land.

PLANNING BOARD AGENT - Town employee or consultant authorized by the Planning Board to review subdivisions and administer the regulations.

PRELIMINARY PLAN - A plan of a proposed subdivision or a resubdivision of land prepared in accord with Section 3 to facilitate proper preparation of a definitive plan.

PLAN OR DEFINITIVE PLAN - The plan of a subdivision as duly submitted (with appropriate application) to the Board for approval, 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.

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RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

RECORDED - Recorded shall mean recorded in the Registry of Deeds of Norfolk County, except that, as affecting registered land, it shall mean filed with the Recorder of the Land Court. (G.L. Ch. 41, Sec. 81-L)

REGISTRY OF DEEDS - Registry of Deeds shall mean the Registry of Deeds of Norfolk County and, when appropriate, shall include the Land Court. (G.L. Ch. 41, Sec. 81-L)

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

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

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

STREET, SECONDARY - A street intercepting one (1) or more minor streets 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 street(s) to a major street or community facility, and normally including a principal entrance street to a shopping center, industrial park, planned unit development, or a large subdivision, or group of subdivisions, and any principal circulation street within such developments.

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 (2) 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 Weymouth 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 in the Town, 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 and 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. (G.L. Ch. 41, Sec. 81-O)

SUBDIVISION CONTROL LAW - The power of regulating the subdivision of land granted by the Subdivision Control Law, G.L. Ch. 41, Sec. 81-A through GG inclusive, as hereinafter amended.

TOWN - Town of Weymouth

VOLUME OF TRAFFIC - For purposes of determining street type the Planning Board shall calculate ten (10) trips per day for a single family or each unit in a duplex residence and six (6) trips per day for each townhouse or unit in an apartment or multi-family structure. Nonresidential traffic volumes shall be calculated using a recognized authoritative source in the field, such as Trip Generation, the most recent edition, published by the Institute of Transportation Engineers. The Planning Board shall determine reasonable traffic generation volumes for any uses not listed in any source.

1.5. Fee

1.5.1. Subdivision plans submitted for approval under subdivision control law not required.

All expenses for engineering, surveying, any professional plan review, plans, recording and filing of documents and all other expenses in connection with a plan for "approval under subdivision control law not required" shall be borne by the applicant.

The fee shall be twenty five dollars (\$25.00) for each plan.

1.5.2. Subdivision plans submitted for approval under the subdivision control law.

All expenses for advertising, engineering, any professional plan review, plans, inspection, construction, recording and filing of documents and all other expenses in connection with a subdivision shall be borne by the applicant.

The fee shall be one dollar (\$1.00) per center line foot of each road shown on a preliminary plan, or a definitive plan if a

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preliminary plan is not submitted, provided that the minimum fee shall be three hundred dollars (\$300.00), and shall be paid upon submission of the respective plan. The fee shall cover both the preliminary and definitive plan provided that the definitive plan is submitted within seven months of the filing of the preliminary. Wherever a definitive plan is not submitted within seven months of a preliminary plan, then a new filing fee shall be required.

1.5.3. Modification or amendment of a plan approved under the G.L. Ch. 41, Sec. 81-W, as hereinafter amended.

All expenses for advertising, engineering, any professional plan review, plans, inspection, construction, recording and filing of documents and all other expenses in connection with a subdivision shall be borne by the applicant.

The fee shall be one hundred fifty dollars (\$150.00), and shall be paid upon submission of the respective plan.

1.5.4. Consent for more than one building for dwelling purposes per lot.

All expenses for advertising, engineering, any professional plan review, plans, inspection, construction, recording and filing of documents and all other expenses in connection with a subdivision shall be borne by the applicant.

The fee shall be one dollar (\$1.00) per center line foot of each road and/or driveway providing access shown on the plan, provided that the minimum fee shall be three hundred dollars (\$300.00), and shall be paid upon submission of the respective plan.

1.6. More than one building for dwelling purposes per lot

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 Town, without the consent of the Board.

Such consent shall be conditional upon the providing of adequate ways furnishing access to each site for such building in the same manner as otherwise required for lots within a subdivision. Any request for such consent shall follow all the procedures and requirements for a subdivision plan as contained in Sections 3 and 4 of these rules and regulations. Design and construction of the access and all municipal utilities shall follow the standards of Sections 5 and 6 of these rules and regulations.

SECTION 2 PLANS UNDER SUBDIVISION CONTROL LAW NOT REQUIRED

2.1. Submission of Plan

Any person wishing to cause to be recorded a plan of land situated in the Town of Weymouth, who believes that his plan does not require approval under the subdivision control law may submit their plan according in the following manner. Plans filed in this matter are more commonly referred to as ANR Plans or Form A Plans.

An original plan, two contact prints thereof, a properly executed Form A, the proper filing fee and accompanied by the necessary evidence to show that the plan does not require approval shall be filed with the Board by delivery or by registered mail, postage prepaid. The applicant shall also give written notice to the Town Clerk of such plan submittal. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan was submitted and the name and address of the owner of such land. The facts, as stated, in such notice shall be taken by the Town Clerk as true, unless the contrary is made to appear.

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

The plan shall be at a scale of one inch (1") equals forty feet (40'), or such other scale as the Board may accept to show details clearly and adequately. Plans and profiles of each individual street shall be at a scale of one inch (1") equals forty feet (40') horizontal and one (1") equals four feet (4') vertical. All elevations shall refer to the Town of Weymouth Datum. Sheet sizes shall be twenty-four by thirty-six inches (24" x 36") including a one inch (1") border. All plans shall be accompanied by a locus map at a scale of one inch (1") equals one thousand feet (1000'), showing the entire subdivision and adjacent streets. The plan shall contain the following information:

- ☐ Identification of the plan by name of owner of record and location of the land in question.
- ☐ The statement "Approval Under Subdivision Control Law Not Required", and provide sufficient space for the signatures of a majority of the Board and the date of the Board's

action.

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- ☐ Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
- ☐ 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.
- ☐ Notice of any decisions by the Board of Zoning Appeals, including but not limited to variances and exceptions regarding the land or any buildings thereon.
- ☐ Names of abutters from the latest available Assessor's records unless the applicant has knowledge of any changes subsequent to the latest available Assessor's records.
- ☐ Distance to the nearest permanent monument.
- ☐ Location of all existing buildings, including set back and side and rear yard designations.
- ☐ A locus map at one thousand (1,000) feet to the inch.
- ☐ Sheet, Block, Lot(s) numbers from the Weymouth Town Atlas.
- ☐ Designer's stamp and signature.

2.2. Endorsement of Plan not Requiring Approval

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 the plan.

The Board may add to such endorsement a statement of the reason approval is not required. The plan shall be forwarded to the Department of Public Works, Engineering Division and there it will be returned to the applicant, and the Board shall also notify the Town Clerk in writing of its action.

2.3. Determination that Plan Requires Approval

If the 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 Board shall also notify the Town Clerk in writing of its action.

2.4. Failure of Board to Act

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If the 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.

2.5. Determination

The Board, at a duly called and posted meeting, without a public hearing, shall by a majority vote determine if such plan does not require approval. A determination shall be based on the following criteria:

2.5.1. The proposed lots shown on a plan shall front on:

- a public way or a way which the Town Clerk certifies is maintained and used as a public way;

or

- a way shown on a plan therefore approved and endorsed in accordance with the subdivision control law;

or

- a way in existence when the subdivision control law became effective (Annual Town Meeting 1958), 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.

2.5.2. The proposed lots shown on a plan meet the minimum lot frontage requirements as contained in the zoning bylaw.

2.5.3. Each lot shown on plan shall have access onto the way from the frontage shown on the plan.

2.5.4. The way on which the proposed lots front shall provide adequate access.

2.5.5. Each lot shown on plan shall have practical access from the way to the buildable portion of the lot.

Board determination regarding a plan submitted for approval under subdivision control law not required is based on the aforementioned criteria. Such endorsement cannot be withheld

for any other reason.

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2.5.6. If, in the course of review, the Board notes one or more of the proposed lots indicates some zoning deficiency, other than minimum frontage requirements, the Board may note along with its endorsement, the phrase "No determination of compliance with zoning conformance has been made or intended by the attached endorsement. All zoning interpretations can officially be made only to the Inspector of Buildings."

2.5.7. A determination by the Board may be appealed as provide in G.L. Ch. 41, Sec. 81BB.

SECTION 3 PRELIMINARY PLAN

3.1. General

In the case of a subdivision showing lots in a residential zone, any person, before submitting their definitive plan for approval, may submit to the Board and to the Board of Health, a preliminary plan and shall give written notice of such delivery to the Town Clerk by delivery or by registered mail, postage prepaid.

The submission of such a preliminary plan will enable the subdivider, the Board, 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.

In the case of a nonresidential subdivision, any person, before submitting their definitive plan for approval, shall submit to the Board and to the Board of Health, a preliminary plan and shall give written notice of such delivery to the Town Clerk by delivery or by registered mail, postage prepaid.

In either case, if the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefore. Within forty-five days after submission of a preliminary plan, the Board shall notify the applicant and the Town Clerk, by certified mail, either that the plan has been approved, or that the plan has been approved with modifications suggested by the Board or agreed upon by the person submitting the plan, or that the plan has been disapproved and in the case of disapproval, the Board shall state in detail its reasons therefor. The Board shall notify the Town Clerk of its approval or disapproval, as the case may be. Except as is otherwise provided, the provisions of the subdivision control law relating to a plan shall not be applicable to a preliminary plan, and no register of deed shall record a preliminary plan.

A decision of the Board on a preliminary subdivision plan shall be valid for a period of seven (7) months from the date of submittal.

3.2. Preliminary Subdivision Submittal

A complete Preliminary Subdivision submittal shall consist of the following material:

- ☐ An original plan, drawn on tracing paper, mylar or linen.

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- ☐ Nine (9) contact prints thereof. BK 10624 PG 547
- ☐ A properly executed application Form B.
- ☐ A properly executed certified list of abutters, with attached Form E.
- ☐ The minimum filing fee in a accord with Section 1.5.

A preliminary plan may be filed, in any of the following ways:

- with the Planning Board Office during normal working hours,
or
- at a regularly scheduled meeting of the Board,
or
- by registered mail, postage prepaid, addressed to the Board.

3.3. Required Contents

The preliminary plan shall be drawn on tracing paper, mylar or linen with ink at a suitable scale, preferably forty feet (40') to the inch, however no plan shall be smaller than sixty feet (60') to the inch. The plan shall be designated as a "preliminary plan" 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, at a minimum, the following:

- ☐ The subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan".
- ☐ The names of the record owner of the land and the applicant and the name(s) of the designer, engineer and/or surveyor who made the plan, which shall appear in the lower right hand corner.
- ☐ The names of all abutters, as determined from the most recent real estate tax list, unless the applicant shall have more recent knowledge of such abutters. See Form E - Certified List of Abutters.
- ☐ The existing and proposed lines of streets, ways, easements, water service, sewer disposal and any public or common areas within the subdivision, in a general manner.
- ☐ The proposed system of drainage, including adjacent existing natural waterways, in a general manner.

- ☐ The approximate boundary lines of proposed lots, with approximate areas and dimensions.
- ☐ The names, approximate location and widths of adjacent streets.
- ☐ The topography of the land with a two foot (2') contour interval based on the Town of Weymouth Datum. Water bodies and their elevations shall be shown with the date of measurement.

3.4. Preferred Additional Contents

An applicant may submit additional information with a preliminary plan. The following items are not part of the statutory requirements of a preliminary subdivision plan, however these are items that have proven useful for a more complete review and they are offered as a suggestion for any applicant who desires a more detailed review.

- ☐ Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
- ☐ Sheet, Block, Lot(s) numbers from the Weymouth Town Atlas.
- ☐ Proposed street names.
- ☐ Notice of any decisions by the Board of Zoning Appeals, including but not limited to variances and exceptions regarding the land or any buildings thereon.
- ☐ Vegetated wetlands and bordering vegetative wetland areas, as required by G.L. Ch. 131, Sec. 40 and Chapter 119 of the Code of the Town of Weymouth.
- ☐ Location of any 100 year flood plains, as noted in Section 4.2.21 of these rules and regulations.
- ☐ Drainage calculations, as required in Section 4.3.1 of these rules and regulations.
- ☐ A draft environmental impact statement, to include all required elements as noted in Section 4.3.3 of these rules and regulations.
- ☐ Major features of the land, such as vegetated wetlands and bordering vegetative wetland areas, as required by G.L. Ch. 131, Sec. 40 and Chapter 119 of the Code of the Town of Weymouth, natural drainage courses, walls, fences, buildings, trees six inches (6") in diameter measured four feet (4')

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above the ground (dbh), wooded areas, out-croppings and ditches which exist on or near the site at the time of survey. Where available, aerial photographs should be submitted.

- ☐ List all other local, state and federal permits required and give the status of each at the time of filing of a definitive plan. Listing shall indicate whether a permit is required and if it has been filed and/or decided.
- ☐ Letter from the owner, if not the applicant, authorizing the applicant to submit a plan.

3.5. Preliminary Subdivision Plan Review

The Board may transmit copies of a preliminary plan to other Town Agencies for their review and comment. A copy of the plan may be forwarded, asking for written statements with regard to the proposed improvements in the following respect:

- | | | |
|---|---|--|
| BOARD OF HEALTH | - | As to suitability of the land. |
| CONSERVATION COMMISSION | - | As to potential involvement with G.L. Ch. 131, Sec. 40. |
| DEPARTMENT OF PUBLIC WORKS-
WATER & SEWER DIVISION
HIGHWAY DIVISION
ENGINEERING DIVISION | - | As to the design of the street system, location of easements, monuments, drainage system, water system, and sewerage system. |
| BUILDING DEPARTMENT | - | As to compliance with Zoning Bylaw. |
| FIRE DEPARTMENT | - | As to street name and to location and adequacy of hydrants, and the alarm system. |
| POLICE DEPARTMENT | - | As to street name and vehicular and pedestrian safety. |
| STREET LIGHTING COMM. | - | As to placement and design of street lighting equipment. |
| SCHOOL COMMITTEE | - | As to school busing and districting. |

The Board reserves the right to send a copy of a preliminary plan to any other Town Official or Agency which, in the opinion of the Board, may have an interest or some jurisdictional authority in the parcel being subdivided or the use proposed thereon.

Plans shall be sent to Town Officials within ten (10) days of submittal of a preliminary plan. Town Officials shall respond within fifteen (15) days of receipt. In each referral the Planning Board will assume that the respective officials have no comment if no statement is received within the specified time frame.

3.6. Decision

Within forty-five (45) days after submission of a preliminary plan the Board shall approve, with modifications suggested by the board or agreed upon by the person submitting the plan, or disapprove and in the case of disapproval, the Board shall state in detail its reasons therefore, after the Board's review with the Board of Health, the Conservation Commission, Department of Public Works, Building Department, Police Department, Fire Department and other Town agencies. Notice of the Board's decision.

Such approval does not constitute a final decision of the subdivision, but facilitates the preparation of the definitive plan and the securance of approval thereof.

A preliminary plan and the evolving definitive plan shall be governed by the Zoning Bylaws and the rules and regulations relative to subdivision control in effect at the time of submission of the preliminary plan, provided that the definitive plan is duly submitted within seven (7) months from the date on which the preliminary plan was submitted.

3.7. Preliminary Plan Checklist

Subdivision Name: _____

Locus of Plan: Sheet(s) _____, Block(s) _____, Lot(s) _____

Street Locus: _____

Applicant's Name: _____ Owner's Name: _____

Applicant's Address: _____ Owner's Address: _____

Applicant's Telephone Number: _____

Engineer: _____

Surveyor: _____

Date Submitted (Filed - Town Clerk): [S] _____, 19____

Approval deadline: [S+45] _____, 19____

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Plans and forms complete: ☐ Yes, ☐ No
If no, then comment on incomplete or inadequate items: _____

Number of lots: _____

Type of subdivision: ☐ Single family ☐ Multifamily
☐ Commercial ☐ Industrial

Type of Road Construction:

- ☐ Minor Street
☐ Secondary Street
☐ Major Street

Plans referrals to following Agencies (S+10)

	sent [S+10 days]	received [S+25 days]
Board of Health	<input type="checkbox"/>	<input type="checkbox"/>
Conservation Commission	<input type="checkbox"/>	<input type="checkbox"/>
Department of Public Works	<input type="checkbox"/>	<input type="checkbox"/>
Building Department	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>	<input type="checkbox"/>
Street Lighting Committee	<input type="checkbox"/>	<input type="checkbox"/>
School Department	<input type="checkbox"/>	<input type="checkbox"/>

Planning Board Decision: ☐ Approved, ☐ Denied

Date of action: _____, 19____

Decision filed with Town Clerk: _____, 19____

Applicant notified of decision: _____, 19____

SECTION 4 DEFINITIVE PLAN

4.1. Plan Submittal

A person may submit a definitive plan to the Board in any one of these three ways:

- Delivery at a meeting of the Board.
- Sent by registered mail to the Board, care of the Town Clerk.
- Delivery to the Town Clerk's office.

Any person who submits a definitive plan of a subdivision to the Board for approval shall file with the Board all required items listed below to be "duly submitted" in accord with these Rules and Regulations and the General Laws of Massachusetts:

- ☐ An original plan, drawn on either, mylar or linen.
- ☐ Nine (9) contact prints thereof.
- ☐ A reduction of the original plan, all sheets, to eleven by seventeen inches (11" x 17").
- ☐ A properly executed application Form C.
- ☐ A properly executed designer's certificate, Form D.
- ☐ A properly executed certified list of abutters, with attached Form E.
- ☐ A properly executed conveyance of easements and utilities, Form K.
- ☐ Drainage calculations, as required in Sec. 4.3.1.
- ☐ Soil survey and percolation tests, as required in Sec. 4.3.2.
- ☐ An environmental impact statement, as required in Sec. 4.3.3.
- ☐ A list of all required permits and approvals, as required in Sec. 4.3.3.
- ☐ A list of all required documentation in support of the declaration of Public/Private Way, as required in Sec. 4.3.5.
- ☐ The minimum filing fee as required in Section 1.5, provided

that no preliminary plan was filed or that a preliminary plan was filed more than seven (7) months preceding the date of the definitive plan submission.

4.2. Required Plan Contents

The Definitive Plan shall be prepared by a Professional Engineer and Registered Land Surveyor registered in Massachusetts and shall be clearly and legibly drawn in black India ink upon tracing cloth, mylar or any other material suitable for recordation at the Registry of Deeds.

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

The plan shall be at a scale of one inch (1") equals forty feet (40'), or such other scale as the Board may accept to show details clearly and adequately. Plans and profiles of each individual street shall be at a scale of one inch (1") equals forty feet (40') horizontal and one (1") equals four feet (4') vertical. All elevations shall refer to the Town of Weymouth Datum. Sheet sizes shall be twenty-four by thirty-six inches (24" x 36") including a one inch (1") border. All plans shall be accompanied by a locus map at a scale of one inch (1") equals one thousand feet (1000'), showing the entire subdivision and adjacent streets. The definitive plan shall contain the following information:

4.2.1. A title, appearing in the lower right-hand corner of the plan, showing the name of the subdivision, if any; the date; scale; the names of the designer; the names of the engineer and surveyor who made the plan with their signature and stamp.

4.2.2. North point, whether true, magnetic or grid benchmark and so indicated, and boundaries of the subdivision.

4.2.3. Location and ownership of abutting property as it appears on Form E - Certified List of Abutters unless the applicant shall have more recent knowledge of such abutters, so indicated, including all abutting land owned by the applicant not presently being subdivided.

4.2.4. Major features of the land, such as vegetated wetlands and bordering vegetative wetland areas, as required by G.L. Ch. 131, Sec. 40 and Chapter 119 of the Code of the Town of Weymouth, natural drainage courses, walls, fences, buildings, paved areas, trees six (6) inches in diameter measured four feet

(4') above the ground (dbh), wooded areas, out-croppings and ditches which exist on or near the site at the time of survey. Where available, aerial photographs should be submitted.

4.2.5. Lines of existing and proposed streets, ways, lots, lot numbers or other designation of each lot, easements, and public or common areas within the subdivision.

4.2.6. 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. 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 G. L. Ch. 41, Sec. 81-L of adjoining lands of the applicant not included in the subdivision will be shown. The surveyor shall have the mathematical computations available to present to the Board (and/or Town Engineer), for a matter of record. It is recommended that traverse computations be drafted onto the Definitive Plan, if space is available. If not, they should be placed on a separate or subsequent sheet.

4.2.7. Location of all permanent monuments properly identified as to whether existing or proposed.

4.2.8. Location, names and present widths of streets or private ways bounding, approaching or within reasonable proximity of the subdivision, showing both roadway widths and right-of-way widths.

4.2.9. 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, including notice of any decisions by the Board of Zoning Appeals, pertaining to, but not limited to, variances and exceptions regarding the land or any buildings thereon. The applicable minimum front, side and rear yard depths for each lot as is required by the Zoning Bylaws.

4.2.10. Indication of all existing and proposed 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 Board of Zoning Appeals applicable to the subdivision of the land or any buildings thereon.

4.2.11. If the property that comprises the subdivision or any part or boundary thereof has been examined, approved, and

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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, and the same requirement shall apply to any adjoining parcels of land of the applicant.

4.2.12. Sheet, block and lot number(s) from the Town Atlas.

4.2.13. Suitable space to note:

- the decision of the Board with the signatures of a majority of the members of the Board,
- as to whether any appeals of the decision have been received by the Town Clerk, and,
- a framed block reserved for the Registry of Deeds.

4.2.14. Existing profiles of the roadway exterior lines drawn in fine black line, dash for left and dot dash for right side, and proposed profile on the finished center-line drawn in fine black solid line of proposed streets at a horizontal scale of one inch (1") equals forty feet (40') and vertical scale of one inch (1") equals four feet (4'), or such other scales acceptable to the Board. At least two (2) bench marks are to be shown on plans and profiles, and grade elevations at every fifty foot (50') station except in vertical curves which shall be at every twenty-five (25') station. 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 as either mean sea level or zero equals mean low water as established by the Town of Weymouth Datum. The elevation datum used shall be stated on the plan. Wherever possible, the designer is advised to use Town of Weymouth Datum. Gradients shall be shown by figures expressed in percent.

4.2.15. Existing and proposed topography at two feet (2') contour intervals. The date of the field survey used to determine all surface water elevations shall be noted.

4.2.16. Size and location of existing and proposed water supply mains and their appurtenances, hydrants, sewer pipes and their appurtenances and/or sewage disposal systems, storm drains and their appurtenances, and easements pertinent thereto, and 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.

Show the location of any public and/or private well within a four hundred (400) foot radius of the property within the subdivision.

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 Department of Public Works or the owner of adjacent property that such discharge is satisfactory and permitted by public or private ownership of adjacent street or property.

4.2.17. Location and species of all proposed street trees and location of all existing trees with trunks over six inches (6") in diameter, measured four feet (4') above the finished ground level (dbh), within ten (10) feet on either side of the right of way.

4.2.18. Typical cross sections of each street, roadway and sidewalk to be constructed.

4.2.19. Location of proposed street lights, and pedestrian lighting if required; sidewalks and fire alarm system.

4.2.20. Area dimensions of the subdivision shall be shown on the plan in a table format and include the following information:

- The total area which is being subdivided.
- The total area of buildable lots.
- The total area dedicated for street purposes.
- The total area of all drainage, sewer or utility easements, exclusive of those utilities within the right-of-way.
- The total of areas reserved for parks, bikeways, and any other public use on each sheet.

4.2.21. All Special Flood Hazard Areas designated as Zones A, A2, A3, A4, A8, B, V4, V6, and Floodways as shown on the maps titled "National Flood Insurance Program, FIRM, Flood Insurance Rate Map" number 250257 0001 through 0003 and 0005, Town of Weymouth effective date September 30, 1980, and numbers 250257 0004 and 0006 through 0009, Town of Weymouth, revised June 5, 1989; and the Floodway Fringe as shown on the "National Flood Insurance Program, Floodway, Flood Boundary and Floodway Map", numbers 250257 0001, 0004, 0008, and 0009 and numbers 0002, 0003, 0006, 0007, Town of Weymouth, revised June 5, 1989, and number 0005 revised August 19, 1991, shall be shown on all preliminary and definitive plans.

4.2.22. A declaration shall be noted on the definitive plan

declaring whether the proposed streets within the definitive plan will be submitted for public acceptance or will be maintained as private ways. See Section 4.3.5 for required supplemental material in support the declaration.

4.3. Required Supplemental Material

4.3.1. Drainage Calculations

Drainage calculations shall be submitted in a suitable form along with amplifying plans outlining drainage areas within and affecting the subdivision. A plan shall also be submitted showing the flow path followed by all drainage discharging from the subdivision to the primary receiving water course or other large body of water.

Drainage design shall be based on:

- The rational formula ($Q = CIA$). The runoff coefficient "C" shall be determined from the proposed use of land within the watersheds with a minimum value of 0.30 to be used. The rainfall intensity shall be determined from the time of concentration and the Yarnell curves. A five (5) year frequency storm shall be used for street drainage, a ten (10) year frequency storm for cross culverts with drainage areas of ten (10) acres or less and a twenty-five (25) year frequency storm for cross culverts with drainage areas in excess of ten (10) acres. The minimum time of concentration for street drainage shall be ten (10) minutes and for cross culverts shall be thirty (30) minutes, or;
- Computer generated drainage models shall be based on U.S. Soil Conservation Service Technical Release #55 (referred to as TR55), "Urban Hydrology for Small Watersheds", or;
- Any different methodology for calculating drainage shall be agreed to by the Board prior to submission of the definitive plan.

4.3.2. Soil Survey and Percolation Tests

Soil survey data for the area within the definitive plan shall be shown by a copy of the appropriate section of the Weymouth, Norfolk Soil Map. Test borings and/or test pits shall be taken on the centerline of the proposed right of way and at intervals of every fifty (50) feet in either direction in those cases where the soil map indicated a shallow depth to bedrock, a ledge outcropping or vegetated wetland is found within ten (10) feet of the right of way.

Percolation test results shall be included for each proposed lot within the definitive plan that is not to be connected to the sanitary sewer system.

4.3.3. Environmental Impact Statement (EIS)

An environmental impact statement which shall clearly and methodically assess the relationship of the implementation of the proposed development to the natural and man-made environment of the Town. The statement shall utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in the planning and designing of the proposed project. The elements of statement shall be prepared by professionals registered in Massachusetts to practice in their fields where so specified or by authorities recognized in their field having reached a professional status or its recognized equal.

To insure the adequate preparation and judgement of the statement, it is strongly recommended that a draft statement be prepared and submitted together with the submission of the preliminary plan of the proposed development.

It is intended that the statement be a guide to the Board in its judgement and deliberation on the proposed development and its compatibility with existing conditions and planning efforts of the Town. Failure of the plans or of the impact statement of the proposed development to indicate such compatibility may be grounds for re-examination and/or the resubmission thereof at the determination of the Board.

An environmental impact statement shall be required by each of the following:

- All subdivisions containing twenty (20) more dwelling units (d.u.).
- All nonresidential subdivisions.

Further, the EIS concerning each character of subdivision shall contain at least the elements required as noted below, except as modified or required by the Board.

Each EIS shall consist of four (4) separate sections, each section to address one of the following concerns:

- the environmental impact of the proposed development;
- any adverse environmental impacts which cannot be avoided should the proposed development be implemented;

- alternatives to the proposed development which are expressly allowed or allowed by permit by the Zoning Bylaw; and
- all measures available, and those measures to be used to minimize adverse environmental impacts (or maximize beneficial impacts).

4.3.3.a. A Physical Element to consist of the following sub-elements:

i. Air Pollution - Changes in local air quality caused by the proposed development shall be predicted. Sources shall be identified, and consideration shall be given to changes in air quality both during construction and after completion of the project. Except in large residential development (one hundred [100] dwelling units or more) or in high density multifamily development (Floor Area Ratio .30 or greater, see Zoning Bylaw for a complete definition) and in nonresidential subdivision, air pollution impact may be identified and expressed in relative terms. For these large and/or high density residential development and for nonresidential development, the Board may require a detailed, technical report to be prepared. This sub-element shall consider not only impacts caused by the proposed development and its alternatives, but also impacts on it by adjacent existing or proposed developments.

ii. Noise Pollution - The same requirements for air pollution sub-element shall govern.

iii. Surface and Sub-surface Water Pollution - Impact of storm water runoff on adjacent and downstream surface water bodies and sub-surface ground water and the water table shall be detailed. Coordination with State and Town water quality agencies including the Board of Health and Conservation Commission is recommended so that necessary agreements and responsibilities can be included in the study of the proposed development and its alternatives. The relationship of the proposed development to navigable streams and floodplains and municipal water supply impoundments and reservations shall be shown.

The impact on any public and/or private well within a four hundred (400) foot radius of the subdivided property shall also be considered.

iv. Soils - The potential dangers of erosion and sedimentation caused by both the construction, operation and maintenance of the proposed development and its alternatives shall be detailed and may also be related to sub-element 4.3.3.a.iii, above. It shall also deal with the compatibility of existing soils with the proposed development.

v. General Ecology - The relation of the proposed development to the major botanical, zoological, geological and hydrological resources of the site shall be examined. Consideration of these resources adjacent to the site shall also be made where deemed appropriate by the Board. Consideration shall also be given to rare or endangered species of plant and wildlife found on the site.

4.3.3.b. A Transportation Element to consist of the following sub-elements:

i. Traffic Generation - Traffic assessment shall be provided in a format and methodology acceptable to the Massachusetts D.P.W. and the Executive Office of Environmental Affairs, MEPA Unit. Information shall compare pre and post development in the following areas, at a minimum: average daily traffic, traffic composition, peak hours, peak hour volumes, turning movements, reserve capacity, and levels of service.

ii. Street Maintenance - Methods, responsibility, and projected cost to the Town shall be detailed. Coordination with the Department of Public Works is recommended.

iii. Mass Transit - Consideration shall be given to the relation of the proposed development to existing mass transit (bus, rail or other modes) and how the proposed development may be served.

4.3.3.c. A Public Utility Element prepared by a professional engineer registered in Massachusetts, to consist of the following sub-elements:

i. Water Supply and Distribution - The average daily and peak flow; current pressures on the existing mains, method to supply the buildings on the site including sizes of mains, existing and proposed; and the cost and the proposed responsibility for bearing or sharing the cost shall be detailed. Coordination with the Department of Public Works is recommended so that necessary agreements and responsibilities can be included in the study of the proposed development and its alternatives.

ii. Sewage Treatment - The average daily and peak demand; and any unusual composition or concentration of component flows into the public system, the method to serve the buildings on the site including size of pipe, existing and proposed, the cost and proposed responsibility for bearing or sharing the cost shall be detailed. Coordination with the Department of Public Works, Massachusetts Water Resource Authority (MWRA), and, if deemed advisable, the Board of Health, is recommended.

iii. Storm Water Drainage - The same requirements for the water supply and distribution sub-element shall govern.

iv. Solid Waste - The average weekly contribution; expected contents; recycling potential; on-site incineration, reduction or compaction; and method of deliver to the Town facilities shall be detailed. Coordination with the Department of Public Works is recommended.

4.3.3.d. A Neighborhood and Community Element to consist of the following sub-elements:

i. Schools - The expected impact on the school system pre-primary, primary and secondary levels, by type of housing (single-family, garden apartment, townhouse, high rise, etc.), and by bedroom (one-bedroom, two-bedroom, etc.). The number of students; school bus routing changes if found necessary; and impact if any on parochial systems. Coordination with the School Department is recommended, particularly for large residential developments.

ii. Police - The expected impact on police service, time and manpower needed to protect the proposed development; provision for special alarm or warning devices or agents and other needs shall be presented. Coordination with the Police Department is recommended.

iii. Fire - Expected fire protection needs; on-site fire fighting capabilities; location of all hydrants within a five hundred (500) foot radius of the subdivided property; on-site alarm or other warning devices; fire-flow water needs, source and delivery system and other needs shall be presented. Coordination with the Fire Department is recommended.

iv. Recreation - On-site recreation provisions shall be detailed and off-site recreation demands shall be estimated. Provision for public open space, either dedicated to the Town of available to its residents shall be described. Open space available primarily or exclusively for residents or employees shall also be described. Coordination with the Park Commission is recommended.

v. Existing Neighborhood Land Use - Compatibility with adjacent or nearby existing land uses, or with firm private development plans, if known, for adjacent or nearby land use changes to occur during the life of the proposed development. If not compatible, reasons therefor shall be detailed. consultation with the Board is strongly recommended.

4.3.3.e. A Socio-Economic Element to consist of the following sub-elements:

i. Population - In residential developments, the overall population; ranges in expected family size by housing type and bedroom count; ranges in expected income and other relevant social data shall be estimated.

ii. Affordable Housing - In residential developments, detail the development considerations taken to provide affordable housing opportunities. In particular discussion should focus on consideration of those Weymouth households who have not been able to expand the income to match the rise in housing rents and prices and move into the rising housing market; in particular:

- the elderly;
- low and moderate income residents who would be first-time buyers;
- single parents;
- victims of discrimination; and
- households with handicapped and special needs members.

iii. Employment - In all nonresidential developments and in large residential developments the number and types of job skills to be employed shall be detailed. This shall include both construction labor and full-time work force when the development is in operation; employment by shift; estimates as to the amount of local labor which is intended to be used; and minority-group labor opportunities. Coordination with the Industrial Development Commission is recommended for industrial and commercial development.

4.3.3.f. An Aesthetics Element to consist of the following sub-elements:

i. Architecture - The type or style of architecture of the buildings shall be described; its relation to prevailing types of architecture for similar buildings; and its compatibility with the function of the building and to the architecture of adjacent buildings. Sketches, photos, elevations and renderings are encouraged to illustrate architectural appropriateness as well as innovation. Consultation with the Inspector of Buildings is recommended.

ii. Lighting - The type, design, location, function and intensity of all exterior lighting facilities shall be described. Attention given to safety, privacy, security, and daytime and nighttime appearance shall be detailed. Consultation with the Massachusetts Electric Company and the

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Street Lighting Committee is recommended.

iii. Landscaping - Provisions for landscaping shall be described including type, location and function. consultation with the Department of Public Works and the Park Commission is recommended.

iv. Visual - Attention given to views into the site and from the site shall be described. Included shall be long-distance views as well as to and from adjacent properties. Visual impact may be related to the preceding sub-elements concerning the overall aesthetics of the proposed development.

4.3.3.g. A Master Plans Element to detail the compatibility of the proposed development and its alternatives to established plans of record of the Board, Conservation Commission, Department of Public Works, Redevelopment Authority, and other Town and State agencies as applicable. If not compatible, reasons therefor shall be detailed.

4.3.3.h. A Municipal Benefit/Cost Element - A primary part of this element shall be an analysis of the net benefit or cost to the Town in dollars, as complete as is practicable. This municipal benefit/cost analysis should follow standard and usual procedures and parameters for measuring both the benefits to be derived and costs to be incurred by the Town of Weymouth as a result of the implementation of the proposed development. It will be helpful to provide one or more benefit/cost analyses for alternative uses to provide for a basis for comparison. Except in unusual cases, or when the construction of a proposed development is scheduled to take place in distinct and separate phases and each phase may be functional and operable without any or all of the others, the municipal benefit/cost analysis may assume full and complete development and occupancy. In phased development or in other unusual cases, the Board may require more than one analysis (an analysis for each phase) and/or more than one environmental impact statement. This element may also estimate net benefits or costs of non-quantifiable environmental impacts.

4.3.3.i. The EIS shall be in sufficient detail to enable the Board to determine whether unavoidable impacts have been fully recognized; whether alternatives to the proposed development have been fully explored; and whether all reasonable measures to minimize adverse or unavoidable impacts (or maximize beneficial impacts) have been taken.

4.3.4. List all other local, state and federal permits required and give the status of each at the time of filing of a definitive plan. Listing shall indicate whether a permit is required and if it has been filed and/or decided.

4.3.5. Public/Private Way

A declaration shall be noted on the definitive plan declaring whether the proposed streets within the definitive plan will be submitted for public acceptance or will be maintained as private ways.

If the statement intends the proposed roadway for acceptance as a public way, the applicant shall be responsible for preparation and submittal of a complete Street Acceptance application in accordance with the Code of the Town of Weymouth, Chapter 110, Article IV, Street Acceptances. In support of such intention the applicant shall provide:

- Documentation retaining fee ownership of the roadway and all other lands to be turned over to the Town.
- Draft deeds, where applicable.
- Legal description of any access/egress rights and exclusions.

If the statement intends the proposed roadway as private ways, the applicant shall propose provisions for the long term maintenance of the way. In support of such intention the applicant shall provide:

- Detail the ownership of the roadways and all other common space to be retained in private ownership.
- A long term maintenance plan for the infrastructure that identifies the responsibility, liability and funding for all future repairs.
- All covenants or deed restrictions for lots within the subdivision.

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

At the time of filing of the definitive plan, the applicant shall also file with the Board of Health one copy of the Definitive Subdivision with such information in the nature of percolation tests and deep test holes as the Board of Health may require. The Board of Health shall within forty-five (45) days after filing of the plan, report to the 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 buildings sites without injury to the

public health, and include such specific findings and the reasons therefor in such report, and where possible, shall make recommendations for the adjustment thereof, provided however, if a municipal sewerage system will service the proposed subdivision, then failure of the Board of Health to make such a report within forty-five (45) days after the plan is filed with their office shall be deemed approval by such Board. The Board of Health shall send a copy of such report, if any, to the person who submitted said plan.

Every lot so located that it cannot be served by a connection to the municipal sewer system shall be provided with septic tank and drain-field satisfactory to the Board of Health and/or the Commonwealth of Massachusetts Sanitary Code minimum standards as the Board of Health shall determine.

4.5. Subdivision Plan Review

The Board may, as a matter of routine, transmit copies of a definitive plan to other Town Agencies for their review and comment. A copy of the plan may be forwarded, asking for written statements with regard to the proposed improvements in the following respect:

- | | |
|----------------------------|--|
| BOARD OF HEALTH | - As to suitability of the land. |
| CONSERVATION COMMISSION | - As to potential involvement with G.L. Ch. 131, Sec. 40. |
| DEPARTMENT OF PUBLIC WORKS | - As to the design of the street |
| WATER & SEWER DIVISION | system, location of easements, |
| HIGHWAY DIVISION | monuments, drainage system, water |
| ENGINEERING DIVISION | system, and, the sewerage system. |
| BUILDING DEPARTMENT | - As to compliance with Zoning Bylaw. |
| FIRE DEPARTMENT | - As to street name and to location and adequacy of hydrants, and the fire alarm system. |
| POLICE DEPARTMENT | - As to street name and vehicular and pedestrian safety. |
| STREET LIGHTING COMMITTEE | - As to placement and design of street lighting equipment. |
| SCHOOL COMMITTEE | - As to school busing and districting. |

TAX COLLECTOR

- As to payment of all property taxes on the above referenced property.

In addition, the Board reserves the right to send a copy of a definitive plan to any other Town Official or Agency which, in the opinion of the Board, may have jurisdictional authority in some aspect relating to the parcel or the use proposed thereon.

Plans shall be forwarded for referral to Town Officials within ten (10) days of submittal of a definitive plan. Town Officials shall respond within twenty-five days (25) of receipt. In each referral the Board will assume that the respective officials have no comment if no statement is received within the specified time frame.

4.6. Public Hearing

Before taking any action to approve, modify and approve or disapprove a definitive plan, the 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 in a newspaper of general circulation in the Town of Weymouth 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 and by mailing a copy of such advertisement to the applicant and to all owners of land abutting the land shown on the plan and shown on the most recent tax list. A facsimile of the notice format is shown below.

TOWN OF WEYMOUTH

(SEAL)

PLANNING BOARD

Notice is hereby given of a public hearing of the Planning Board of the Town of Weymouth under MGL Ch. 41, Sec. T, as amended to be held at:

__(time)__ PM

DAY, __(date)__, 19__

TOWN HALL

75 MIDDLE STREET

WEYMOUTH, MASSACHUSETTS

on the application of __(applicant)__ for the property located on __(address)__, also shown on the Weymouth Town Atlas Sheet __, Block __, Lot __ for a __(#)__ lot subdivision as shown on a plan entitled "__(title)__, drawn by __(designer)__, dated __, 19__. Plan is on file at the Planning Office, Town Hall, 75 Middle Street, Weymouth, MA, and may be inspected between 8:30 A.M. and 4:30 P.M., Monday through Friday.

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for the Weymouth Planning Board

(name), Chair

(name), Vice-Chair

(name), Clerk

Placement of said legal notice and notice to parties of interest shall be the responsibility of the Board. Cost for said notice shall be the responsibility of the applicant, separate from the required filing fee.

4.7. Board Procedure

The procedure that the Board will follow with regards to approval, disapproval or modification of the definitive plan submitted by the applicant will be that as set forth in Chapter 41, Section 81-U of the General Laws, as amended. In summary, the Board, after receiving the Plan and profiles, will review the same to determine whether they are in compliance with its adopted Rules and Regulations.

The Board shall review the plan for compliance with all reasonable rules and regulations of other town agencies, not otherwise covered by these Rules and Regulations, provided any such regulation was brought to the attention of the Board prior to the required public hearing.

Before approval of the plan, the Board shall establish that the lots in the definitive plan are in conformity with the Weymouth Zoning Bylaws and failure of the lots to so comply with be adequate grounds for disapproval of the definitive plan.

The Board may, as a condition of granting a building permit under G.L. Ch. 41, Sec. 81-Y, impose reasonable requirements designed to promote the health, convenience, safety and general welfare of the community and to benefit the Town. 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 part of the plan.

All comments received by other Town Agencies shall be reviewed by the Board for reasonableness and consistency with the purpose of the Subdivision Control Law and these rules and regulations, and if said findings are made, then said comments may be attached as conditions to the plan.

The Board shall make a determination on a definitive plan within either:

- Ninety (90) days where a preliminary plan for a nonresidential or a residential subdivision has been submitted and acted upon, or where forty-five (45) days have elapsed since submission of a preliminary plan.
- One hundred thirty-five (135) days where a preliminary plan for a residential subdivision has not been submitted or where forty-five (45) days have not elapsed since submission of a preliminary plan.

The Board may extend the period permitted by statute between submission of a definitive plan and action thereon upon written request of the applicant.

4.8. Performance Guarantee

Before endorsement of the Board's approval of a definitive plan, the roadway construction and utility installation shall be secured by one, or in part by one and in part by the other, of the following methods which may from time to time be varied by the applicant with the written consent of the Board.

In the case of Sec. 4.8.1, 4.8.2 and 4.8.4 the Board shall specify the time within such roadway and utility installation shall be completed.

4.8.1. By a proper bond, sufficient in the opinion of the Board to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision shown on the plan.

4.8.2. By a deposit of money or negotiable securities, sufficient in the opinion of the Board to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision shown on the plan.

4.8.3. By a covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services 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 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

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Board. A deed of any part of the subdivision in violation hereof shall be voidable by the grantee prior to the release of the covenant but not later than three years from the date of such deed.

4.8.4. By delivery to the Board of an agreement executed after the recording of a first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be made to the applicant by the lender, which agreement shall be executed by the applicant and the lender and shall provide for 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 for completion.

Any covenant given under section 4.8.3 and any condition required by the Board of Health or officer shall be either inscribed on the plan or contained in a separate document, referred to on the plan.

The penal sum of any such bond held under clause 4.8.1. or any deposit held under clause 4.8.2. or any amount of funds retained pursuant to an agreement under clause 4.8.4. shall bear a direct and reasonable relationship to the expected cost including the effects of inflation, necessary to complete the subject work. such amount or amounts shall from time to time be reduced so that the amount bonded, deposited or retained continues to reflect the actual expected cost of work remaining to be completed.

4.8.5. Planning Board on covenants and performance guarantees shall be subject to the following conditions where applicable:

(i) Before the Planning Board will release any covenant, accept, reduce or release and performance guarantee that will allow building on any lot the applicant shall present evidence that vital access and necessary utilities are available at the frontage of said lot for the purpose of protecting the safety, convenience and welfare of the residents/users of the lot and to provide for sanitary conditions for all structures to be constructed thereon. Vital access shall at a minimum consist of a base course of bituminous asphalt. Necessary utilities shall consist of water and sewer mains. All proposed fire hydrants within five hundred feet (500') shall be installed and tested. The storm drainage system shall be complete for all portions up gradient of the specific lot.

(ii). In all cases, the Board reserves the right to withhold from the reduction of any performance guarantee an amount suitable for rebuilding the base course if there is any

indication that the pavement in its entirety will not be complete with two (2) years.

(iii). Any request for final action on the performance guarantee shall be accompanied with evidence that all requirements necessary for the roadways to become public ways or retained as private ways have been established and applied for, as necessary.

(iv). The Planning Board shall retain one percent (1%) of the total improvement cost of the roadway construction and utility installation in a suitable performance guarantee upon final completion until:

the Town Meeting takes action on public acceptance of the roads, if the roadway was intended as a public way on the definitive plan, or;

a period of twelve (12) months have elapsed since the Board determined that said construction and installation has been completed in accordance with said rules and regulations, if the roadway was intended as a private way on the definitive plan.

(v). At the end of the specific deadline, the retainer shall be released to the applicant following verification that the roadway and utilities have not deteriorated during said time frame.

4.9. Certificate of Approval or Disapproval

The Board may extend the period permitted by statute between submission of a definitive plan and action thereon upon written request of the applicant.

The action of the Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent to the applicant, return receipt requested, by delivery or registered mail. If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action and shall rescind such disapproval when the Plan has been amended to conform to the Rules and Regulations of the Board and to the recommendations of the Board of Health.

Final approval shall be subject to the construction specifications contained herein and to the rules and regulations of the Department of Public Works and the Board of Health. After the definitive plan has been approved and endorsed, the Board shall return the original to the applicant.

Approval of the definitive plan does not constitute the laying

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out or acceptance by the Town of street(s) shown on the plan.

4.10. Endorsement of Approval on an Approved Plan

Final approval, if granted, shall be endorsed on the original drawing of the definitive plan by the signatures of a majority of the Board but not until:

- the statutory twenty (20) day appeal period has elapsed following the filing of the certificate of approval (or disapproval as the case may be, see Forms C-1 and C-2), of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed;

and

- the applicant has revised the definitive plan to note all conditions of approval on said plan.

After the definitive plan has been approved and endorsed, the Board shall return the original to the applicant. It is the applicant's responsibility to properly record an approved plan with the Registry of Deeds.

The endorsement of plan approval by the Board shall be valid for recording purposes a period of six (6) months from the date of said endorsement.

In the case of plans not recorded within six (6) months from endorsement of approval, the applicant shall, prior to the expiration of one (1) year approval period, request in writing to the Board or the Town Clerk for a certificate that the approval has not been modified, amended or rescinded, nor the plan changed. Such a certificate shall upon application be made by the Board or the Town Clerk receiving the application unless the records of the Board or Town Clerk receiving the application show that there has been such a modification, amendment, rescission or change.

4.11. Recording an Approved Plan

The applicant shall be responsible for the recording of the plan and any required support documentation in Registry of Deeds or Land Court, as applicable.

The following items comprise the plans and documents which, when applicable, are required to be recorded as part of the approved definitive plan:

- ☐ Definitive subdivision, all sheets, endorsed by a majority of the Planning Board members.
- ☐ Certificate of approval of a definitive plan, Form C-1.
- ☐ A properly executed conveyance of easements and utilities, Form K.
- ☐ A properly executed covenant Form H.
- ☐ Any covenants or deed restrictions for lots within the subdivision.
- ☐ Any required documentation in support of the declaration of Public/Private Way, as required in Sec. 4.3.5.
- ☐ A Municipal Lien Certificate, indicating all taxes, assessments and charges have been paid.

In accordance with the provisions of MGL Ch. 60, Sec. 23 the Planning Board requires the applicant to record with a definitive plan a municipal lien certificate indicating all taxes, assessments and charges have been paid with a definitive plan. The Planning Board will not authorize any construction of the roadway, installation of utilities or release any lots for the issuance of Building Permits unless a municipal lien certificate is recorded with the plan indicating all taxes, assessments and charges have been paid.

Within ten (10) days of the recording of the approved Definitive Plan with all the documentation listed above, the applicant shall notify the Board in writing presenting a copy of the evidence of the recording of all plans, and documents. A copy of the approved and recorded Definitive Plan and a copy of a Certificate of Title duly searched and executed by an attorney or title company shall be submitted stating that the title to the premises shown on said plan and appurtenances thereto is in the applicant's name and free of all encumbrances.

No roadway construction, utility installation or building construction may proceed until such notification has been forwarded to the Planning Board.

Upon receipt of such notification, the Board shall notify the applicant and Department of Public Works of authorization to proceed on roadway and utility installation. The Board shall also notify the Inspector of Buildings that any and all lots are released for building purposes when the performance guarantee is in the form of a bond, deposit or a lender's agreement.

4.12. Reduction of Performance Guarantee

The penal sum of any such bond, or the amount of any deposit held under Section 4.8, may, from time to time, be reduced by the Board and the obligations of the parties thereto released by said Board in whole or in part, provided such reductions are in conformity with the schedule set by the Board. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required by the Board.

Any request for a reduction of performance guarantee shall be accompanied with a progress plan showing the as-built portions of all utility installations within the area affected by such request.

4.13. Release of Performance Guarantee

Upon completion of improvements required under Section 4.8, security for the performance of which was given by bond, deposit, agreement or covenant, or upon the performance of any covenant with respect to any lot, the developer or owner, shall by delivery or send by registered mail to the Town Clerk and the Board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been secured, has been completed in accordance with the requirements contained under Section 4.8, such statement shall be accompanied with an as-built plan.

An as-built plan shall consist of a plan and profile of the roadway and all utilities prepared by a registered professional in a format as described in the Code of the Town of Weymouth, Chapter 110, Article IV, Street Acceptances, Section 110-13.

Each request for release of performance guarantee shall include a statement, with copies of all supportive evidence, prepared by the legal representative of the applicant that all stipulations, conditions and documents for the maintenance of the proposed public/private way are in place.

If the Board determines that said construction or installation has not been completed, it shall specify to the Town Clerk and 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 V. Upon failure of the Board to act on such application within forty-five (45) days after the receipt of the application by the Town Clerk and the Board, all obligations under the bond shall cease and terminate by operation of law, and any deposit shall be returned and any such covenant shall become void.

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.

If the Board determines that said construction or installation has been completed, it shall notify the Town Treasurer within forty-five (45) days on a properly executed Form J - 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 covenant it shall issue a written release of the covenant on a properly executed Release Form.

4.14. Acceptance by the Town

Section 4.13. Public Way Acceptance/Private Way Maintenance.

Based upon the satisfactory inspection and receipt of a proper retainer, as required in Section 4.8 the applicant shall either:

submit a proper application for public way acceptance to the Board of Selectmen in accordance with the provisions of the Code of the Town of Weymouth, Chapter 110, Article IV, Street Acceptances, Section 110-13. Application shall note that the original acceptance plan has been filed with the Planning Board by way of an as-built plan under the Subdivision Control Law.
or;

notify by registered mail, a copy to the Planning Board, the designated legal body responsible for the long term upkeep and maintenance of the roadway that a retainer is in place with the Planning Board in accordance with the Planning Board's rules and regulations.

The retainer, less any amount necessary for repairs, shall be returned to the applicant when either:

The roadway has been accepted by Town Meeting.
or;

Twelve months have lapsed from the time the roadway was granted a satisfactory final inspection report.

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4.15. Definitive Plan Checklist

Subdivision Name: _____

Locus of Plan: Sheet(s) _____, Block(s) _____, Lot(s) _____
Street Locus: _____

Applicant's Name: _____ Owner's Name: _____
Applicant's Address: _____ Owner's Address: _____

Applicant's Telephone Number: _____

Engineer: _____
Surveyor: _____

Date Submitted (Filed - Town Clerk): [S] _____, 19____
Preliminary Plan filed within 7 months: ☐ Yes, ☐ No
Approval deadline: (if Yes then) [S+90] _____, 19____
(if NO then) [S+135]

Plans and forms complete: ☐ Yes, ☐ No
If no, then comment on incomplete or inadequate items: _____

Number of lots: _____

Type of subdivision: ☐ Single family ☐ Multifamily
☐ Commercial ☐ Industrial

Type of Road Construction:

- ☐ Minor Street
☐ Secondary Street
☐ Major Street

Plans referrals to following Agencies (S+10)

	sent [S+10 days]	received [S+35 days]
Board of Health	<input type="checkbox"/>	<input type="checkbox"/>
Conservation Commission	<input type="checkbox"/>	<input type="checkbox"/>
Department of Public Works	<input type="checkbox"/>	<input type="checkbox"/>
Building Department	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>	<input type="checkbox"/>
Street Lighting Committee	<input type="checkbox"/>	<input type="checkbox"/>
School Department	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing: [H] _____, 19____
 Newspaper notices: (1st) [H-14] _____, & (2nd) [H-7] _____, 19____
 Notice filed with Town Clerk: [H+14] _____, 19____
 Notice mailed to abutters: [H+14] _____, 19____

Planning Board Decision: ☐ Approved, ☐ Denied
 Date of action: _____, 19____

Performance Guarantee: ☐ Surety ☐ Deposit
☐ Covenant ☐ Lender's Agreement

Decision filed with Town Clerk: [D] _____, 19____

Applicant notified of decision: [D] _____, 19____

Statutory appeal period ends: [D+20] _____, 19____

Endorsement of approval on original: _____, 19____

Plans and forms recorded: _____, 19____

Performance guarantee adjustments:

First request:

Developer submits inspection request to Board: _____, 19____
 DPW inspection report received by Board: _____, 19____
 Planning Board Action: _____, 19____
 Action taken: _____

Second request:

Developer submits inspection request to Board: _____, 19____
 DPW inspection report received by Board: _____, 19____
 Planning Board Action: _____, 19____
 Action taken: _____

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As-built plan filed with Board: _____, 19__
As-built plan forwarded to DPW: _____, 19__

Final request:
Developer submits inspection request to Board: _____, 19__
DPW inspection report received by Board: _____, 19__

Final inspection report received: _____, 19__

Public Acceptance request filed: _____, 19__
Public Acceptance voted: _____, 19__

12 month private way
period starts: _____, 19__
12 month private way
period ends: _____, 19__

Retainer released: _____, 19__

Planning Board Action: _____, 19__
Action taken: _____

SECTION 5 DESIGN REQUIREMENTS

5.1. Streets

5.1.1. Location

All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safe vehicular and pedestrian travel and an attractive street layout in order to obtain the maximum safety and amenity for future residents of the subdivision, and they shall be in accord with the Rules and Regulations of the Board.

The proposed streets shall conform in location, so far as practicable, to any existing plans of the Board, to the Master Plan or parts thereof adopted by the Board and, where required by the Board, to the existing street system.

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

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.

5.2. Alignment

5.2.1. Street jogs with center line offsets of less than one hundred and fifty feet (150') shall be avoided.

5.2.2. The minimum center line radii of curved streets shall be as follows:

Major Street	one thousand feet (1,000')
Secondary Street	four hundred feet (400')
Minor Street	one hundred feet (100')

5.2.3. A tangent at least one hundred and fifty feet (150') in length shall separate all reverse curves on major and secondary streets except where at least one (1) radius is five hundred feet (500') or more.

5.2.3. Streets shall be laid out so as to intersect as nearly as possible at right angles. Any street intersecting between eighty degrees (80°) and sixty degrees (60°) shall require a waiver of this section of these rules and regulations. No street shall intersect any other street at less than sixty degrees (60°).

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5.2.4. Property lines at street intersection shall be rounded or cut back to provide for a radius, as follows:

On a minor and secondary street intersecting another minor or secondary street the radius shall be not less than thirty feet (30'). However, 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 of the acute angle may be greater than thirty (30) feet to the extent approved or required by the Board.

On any street intersecting a major street the radius shall be not less than forty feet (40'). However, 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 of the acute angle may be greater than forty (40) feet to the extent approved or required by the Board.

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

5.3. Width

5.3.1. The minimum width of right-of-way shall be as follows:

Major Streets: sixty feet (60'). A greater width shall be considered for major streets with an estimated average daily traffic (ADT) volume greater than 15,000. Any greater width shall be determined using acceptable methodology to calculate highway capacity and levels of service.

Secondary streets: fifty feet (50').

Minor Streets: forty feet (40').

5.3.2. When a minor street will provide the only access for lots fronting on a length in excess of eight hundred feet (800') or where, on a secondary or major street, potential volume warrants, the Board may require a greater right-of-way than that specified above and may require construction of a divided roadway.

5.4. Grade

5.4.1. The center line grade for any street shall not be less

than one-half of one percent (0.5%).

5.4.2. The maximum center line grade for streets shall be as follows:

Minor Street:	eight percent (8%)
Secondary Street:	five percent (5%)
Major Street	three percent (3%)

5.4.3. Where changes in grade exceed one percent (1%), vertical curves will be provided. On streets designed with two (2) vertical tangents, the algebraic difference shall not exceed eight (8) percent. All summits of vertical curves shall be constructed in a manner which provides visibility as follows:

Minor Street:	two hundred (200) feet
Secondary Street:	two hundred-fifty (250) feet
Major Street	three hundred (300) feet

5.4.4. Where a minor street grade is five percent (5%) or greater within one hundred and fifty feet (150') of the intersection of street right-of-way lines, there shall be provided a leveling area of at least seventy-five feet (75'), with a maximum grade of three percent (3%), and for all other streets, a leveling area of at least two hundred feet (200'), with a maximum grade of two percent (2%).

5.4.5. The grade of any street, except in special instances, shall be so designed that the surface run-off of water shall be from the building line to the street. Where one side of a street drops off so that surface water runoff cannot drain into the street, provision must be shown for drainage tiles and catch basins, with any easements needed, to prevent overflow onto neighboring lots or erosion of banks.

5.5. Dead-end Streets

5.5.1. 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 eight hundred feet (800') unless in the opinion of the Board, a greater length is necessitated by topography or other local conditions.

5.5.2. Dead-end streets, in residential subdivisions, shall be provided at the closed end with a turn-around having a minimum outside roadway diameter of at least ninety feet (90'), and a property line diameter of at least one hundred feet (100'), unless otherwise specified by the Board.

5.5.3. Dead-end streets, in all nonresidential subdivisions, shall be provided at the closed end with a turn-around having a minimum outside roadway diameter of at least one hundred feet (100'), and a property line diameter of at least one hundred twenty feet (120'), unless otherwise specified by the Board.

5.5.4. Dead-end streets shall be provided with a circular landscaped island with minimum radius of thirty feet (30') at the center of the turn-around, if the dead-end street is not intended to connect with another street at some future point in time.

5.5.5. The Board may require a roadway layout from the end of the dead-end street to adjacent property, not a part of the subdivision. In such cases, the portions of the turn-around wider than the normal right of way width shall be shown as a roadway easement. If a dead-end street is subsequently extended beyond the required turn-around, any easement on that portion of the turn-around included in said extension, shall terminate upon the approval and recording of a certificate by the Board of the construction of said extension.

5.6. Curb Cuts

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

5.6.2. Driveways for multiple dwellings and all nonresidential uses shall be at least sixteen feet (16') wide and have a curb return at the roadway of two feet (2') in radius, and shall have an opening of at least twenty feet (20') at the gutter line.

5.6.3. Where "Cape Cod berms" or no curbs exist, the driveway flare should have a three foot (3') radius. Driveway cuts shall not be within sixty-five feet (65') of the intersection of the center line of intersecting streets.

5.6.4. 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 percent (1%) but not more than eight percent (8%), but the grade between the sidewalk and the right-of-way shall be only as shown on the Standard Cross Sections in Appendix A.

5.7. Easements

5.7.1. Where utilities cross lots or are centered on rear or

side lot lines, easements shall be provided of a width of at least twenty feet (20').

5.7.2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require a storm water or drainage easement or drainage 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.

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

5.7.4. A utility easement shall be granted at the end lot(s) of all dead-end subdivisions for the future utility looping, the location of this easement shall be determined by the Department of Public Works.

5.7.5. The Board and the Department of Public Works shall be provided with a complete copy of all temporary easements which clearly explains the extent and duration.

5.8. Open Space

Before approval of a plan the Board may also, in proper cases, require the plan to show a park or parks, suitably located for playground or 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 and shall be at least equal to one (1) acre of land for each twenty (20) single family dwelling units or fraction thereof shown on the plan. It shall be equal to three (3) times the floor area of all other dwelling units, and ten (10) percent of the land area for all nonresidential subdivisions. The Board may by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years. 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 Board. The 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. 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 Board. The owner of land acquired in this manner shall receive just compensation, as provided in G.L. Ch. 41, Sec 81Q.

5.9. Protection of Natural Features

Due regard shall be shown for all natural features, such as trees, wooded areas, water courses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision. Any clearance, cutting, thinning or other disturbance to trees six inches (6") or over in diameter measured four feet (4') above finished ground level (dbh), located within ten feet (10') of an existing or proposed street right-of-way line, or other natural vegetation shall be prohibited unless deemed both proper by the Board and not in conflict or contradiction to the intent of these rules and regulations. Any such proposed clearance shall be shown on the plan and written reasons therefor may be requested by the Board.

5.10. Lot Drainage

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 minimum width of twenty feet (20') and proper side slope shall be provided. Storm drainage shall be designed in accord with the specifications of the Board. Where required by the Board or 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.

5.11. Fire Hydrants

Hydrants shall be provided every five hundred (500) running feet on one side of each street unless a greater distance is approved by the Chief of the Fire Department in writing.

In any case there shall be a minimum of one (1) hydrant in each subdivision.

Hydrants shall right opening, Mueller Centurion or an approved equal, with the barrel and top painted yellow and the caps painted green. Any difference shall be of a style approved both by the Fire Department and the Department of Public Works.

The hydrant isolation valve shall be right opening.

5.12. Sidewalks

No sidewalk is required on a minor street in a subdivision where the land is zoned for single family usage and there are four (4) or less lots fronting on said street.

A sidewalk is required on one side of a minor street in a subdivision where the land is zoned for single family usage and there are more than four (4) lots fronting on said street.

A sidewalk is required on both sides of a street in all other cases.

Sidewalks shall be a minimum width as follows:

Minor streets:	four feet (4')
Secondary & Major streets	six feet (6')

5.13. Grass Plots, Trees

5.13.1. A grass plot shall be provided on each side of each roadway between the pavement and sidewalk areas, and shall occupy all the remaining area not paved.

5.13.2. Street trees of a species approved by the Department of Public Works 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 as shown in Standard Cross Sections (see Appendix A) approximately at forty foot (40') intervals; and be not closer than five feet (5') nor more than ten feet (10') from said right-of-way line.

See Standard Cross Sections in Appendix A.

5.14. Utilities

All utilities shall be placed underground at the time of initial construction.

5.15. Fire Alarm System

One (1) fire alarm box may be required, if requested by the Chief of the Fire Department, for each one thousand (1000) linear feet or fraction thereof of street within the subdivision. Exact location of boxes shall be specified by the Chief of the Fire Department and indicated on the plan. The circuit shall be installed so that it may be connected with a circuit on a Town way adjoining the subdivision. See Sec. 6.15.

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5.16. Street Names

Street names shall be approved by the Board to provide names in keeping with the character of the Town. Proposed street names shall not duplicate nor bear phonetic resemblance to the name of existing public ways or any other way qualified to afford frontage under G.L. Ch. 41, Sec. 81-L.

5.17. Bikeways, Walkways

5.17.1. Public bikeways or pedestrian walkways may be required by the Board to provide circulation or access to schools, playgrounds, parks, shopping, transportation, open spaces and/or community facilities or other such reason as the Board may determine. These may or may not be part of normal sidewalk provision, but they shall not be a part of any lot in the subdivision.

5.17.2. Design Standards

- ☐ Minimum right-of-way width: fifteen feet (15')
- ☐ Minimum pavement width: ten feet (10')
- ☐ Maximum gradient: five percent (5%) for segments less than one-hundred feet (100') in length. Three percent (3%) elsewhere.
- ☐ Minimum center line radius: twenty-five feet (25')

5.18. 100 Year Flood Plain Criteria

Subdivisions abutting or containing Special Flood Hazard Areas designated as Zone A, A2, A3, A4, A8, V4, V5 as shown on the maps titled "National Flood Insurance Program, FIRM, Flood Insurance Rate Map" number 250257 0001 through 0003 and 0005, Town of Weymouth effective date September 30, 1980, and numbers 250257 0004 and 0006 through 0009 Town of Weymouth, revised June 5, 1989; and the Floodway Fringe as shown on the "National Flood Insurance Program, Floodway, Flood Boundary and Floodway Map", numbers 250257 0001, 0004, 0008, and 0009 and numbers 0002, 0003, 0005, 0006 0007 Town of Weymouth revised June 5, 1989 shall incorporate the following design criteria:

5.18.1. Mitigative measures shall be demonstrated and explained to minimize flood damage and the dangers thereof.

5.18.2. Public utilities and facilities shall be designed to

minimize flood damage and prevent infiltration of flood waters into the system.

5.18.3. New and replacement water systems shall be designed to minimize the infiltration of flood waters.

5.18.4. Sanitary sewers and septic systems shall be designed to prevent infiltration of its contents into flood waters.

5.18.5. All drainage within the proposal shall be designed to adequately drain all flood waters and not to increase dangers of flood damage.

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RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

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SECTION 6 CONSTRUCTION REQUIREMENTS

6.1. General

6.1.1. It is the intent that no street or way through private property shall be accepted by the Town unless the same be previously constructed and completed in accordance with the Standard Cross Sections, Street Layout Plan, Profile, the Rules and Regulations of the Town of Weymouth, Department of Public Works, and the following specifications.

6.1.2. To insure high quality and uniformity of construction and 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, Department of Public Works, Standard Specifications for Highways and Bridges", (MDPWSS) most recent edition, and the Special Provisions included hereinafter, hereinafter referred to as the Standard Specification. Appropriate illustrations are found in "Commonwealth of Massachusetts, Department of Public Works, Construction Standards", (MDPWCS) most recent edition.

6.1.3. 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.

6.1.4. To facilitate reference where appropriate, each section in these specifications is noted in parenthesis with the particular section as contained in the Standard Specifications.

6.1.5. Wherever in the documents referred to in Section 6.1.2. above, 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 Weymouth

"Department" - Department of Public Works, Town of Weymouth

"Engineer" The Director of Public Works of the Town of Weymouth acting directly or through an authorized representative; such representative acting within the scope of the particular duties entrusted to him.

6.1.6. The extent of work required shall be completed in accord with these rules and regulations and as conditioned in the

approved plans.

6.1.7. 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.

6.1.8. Prior to starting work on any construction operation the Board and the Department of Public Works shall be notified. Upon completion on any construction operation, it shall be approved by the proper Town authority and/or utility company prior to starting work on the succeeding operation (see Section 7.4).

6.1.9. The developer shall have the approved plans and profiles that are on file in the Board office corrected and certified by his Engineer to show the actual as-built locations and profiles of all streets, ways and utilities and any changes authorized by the Board (see Section 4.12).

6.2. Grading (Reference: MDPWSS, Division II, Section 1.00.)

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

6.2.1. Improvements to minimize adverse environmental impact shall be installed in accordance with all details as shown on the approved definitive plan. In the absence of details on said plans, environmental controls shall follow procedures as contained in "Erosion and Sedimentation Control Guidelines", by the Commonwealth of Massachusetts, Department of Environmental Protection, or procedures acceptable to the Weymouth Conservation Commission.

6.2.2. Clearing and grubbing of the entire area of such street or way shall be performed to remove all stumps, brush, roots and like material which may exist upon the surface. Care shall be taken to protect all trees within ten (10) feet of the right-of-way as identified in Section 4.2.17.

6.2.3. 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 materials obtained from the excavation may be used in fills as required if, in the opinion of the Director of Public Works they are suitable.

6.2.4. When in the opinion of the Director of Public Works suitable material is not available within the limits of the

roadway location to form the subgrade or sub-base, the developer shall obtain such additional material from other sources in accordance with this section and as may be approved by the Director of Public Works.

6.2.5. In all streets in residential subdivisions all soft or spongy material below the subgrade surface shall be removed to a depth determined by the Director of Public Works and the space thus made shall be filled with special gravel borrow, containing no stones over six (6) inches in their largest diameter.

6.2.6. In all nonresidential subdivisions and in all major streets all soft or spongy material below the subgrade surface shall be removed to a depth determined by the Director of Public Works and the space thus made shall be filled with two (2) courses the first of which be special gravel borrow, eight (8) inches thick, containing no stones over six (6) inches in their largest diameter. The second course shall be crushed stone four (4) inches thick.

6.2.7. Gravel sub-base or foundation containing no stones having any dimensions greater than six (6) inches shall be spread on the surface of the sub-grade to the minimum prescribed depth in conformity with requirements of MDPDSS, Section M1.02.0, Type a.), for furnishing gravel borrow.

6.2.8. 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 and as directed by the Director of Public Works.

6.2.9. Embankments within or adjoining the right-of-way shall be evenly graded and pitched at a slope of not greater than two (2) horizontal to one (1) vertical in fill. Where cuts are made in ledge, other slopes may be determined with the approval of both the Board and the Director of Public Works. 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 Board. Whenever embankments are built in such a way as to require approval by the 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.

6.2.10. 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 6.13. Road Bounds and Lot Markers.

6.3. Pavement (Reference: MDPWSS, Division II, Section 4.00.)

6.3.1. Roadways shall be constructed for the full length of all streets within the subdivision and shall have the same curb radius required in Section 5.2. The center line of all roadways shall coincide with the center line of the street right-of-way unless a deviation is approved by the Director of Public Works. The minimum and maximum widths of roadway pavement shall be as follows:

Minor Streets - Twenty-eight feet (28') Minimum.

Secondary Streets - Thirty-three feet (33') Minimum.

Major Streets - Pavement width shall be determined by the Board based on the results of a traffic analysis and the requirements necessary to provide for an acceptable level of service.

6.3.2. The wearing surfaces of minor streets shall be of Class I Bituminous Concrete Pavement, Type I-1. This type of pavement shall be composed of mineral aggregate, mineral filler and bituminous material, plant mixed and laid hot. The pavement shall be constructed in two (2) courses. The base course shall be three (3") thick, and the riding surface course shall be one and one half inches (1.50") thick. A final pavement depth after rolling shall be four and one half inches (4.5") thick upon the prepared surface and in conformity with lines, grades and typical cross-section shown on plans. Material and construction methods shall conform to all other requirements of the MDPWSS, 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 Director of Public Works.

6.3.3. The wearing surfaces of secondary streets shall be of Class I Bituminous Concrete Pavement, Type I-1. This type of pavement shall be composed of mineral aggregate, mineral filler and bituminous material, plant mixed and laid hot. The pavement shall be constructed in three (3) courses. The base course shall be three (3") thick, a binder course shall be one and one quarter inches (1.25") thick and the riding surface course shall be one and one quarter inches (1.25") thick. A final pavement depth after rolling shall be five and one half inches (5.5") thick upon the prepared surface and in conformity with lines, grades and typical cross-section shown on plans. Material and construction methods shall conform to all other requirements of the MDPWSS, 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 Director of Public Works.

6.3.4. The wearing surfaces of major streets shall be of Class I Bituminous Concrete Pavement, Type I-1. This type of pavement shall be composed of mineral aggregate, mineral filler and bituminous material, plant mixed and laid hot. The pavement shall be constructed in three (3) courses. The base course shall be three and one half inches (3.5") thick, a binder course shall be one and one quarter inches (1.25") thick and the riding surface course shall be one and one quarter inches (1.25") thick. A final pavement depth after rolling shall be six inches (6") thick upon the prepared surface and in conformity with lines, grades and typical cross-section shown on plans. Material and construction methods shall conform to all other requirements of the MDPWSS, 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 Director of Public Works.

6.4. General for all utilities (Reference: MDPWSS, Division II, Sections 1.00 & 2.00.)

6.4.1. Installation and materials unless otherwise specified shall conform to the standards of the Town of Weymouth Department of Public Works.

6.4.2. Excavation for structures, including foundations for drains, sewers and water pipes, walls and other structures shall be made to the depth as indicated on the Definitive Plan or established by the Director of Public Works as appropriate. Rock excavation designated as Class B encountered in trench excavation shall be removed as directed by the said Director.

6.4.3. All drain, sewer, gas and water pipes, underground utilities, and other structures shall be installed to the right-of-way line upon the completion of roadway sub-base, this is to insure that a minimum three foot (3') cover is over all utility lines.

6.5. Sewerage

6.5.1. All subdivisions shall be connected to the public sewerage system in accordance with the rules and regulations of the Department of Public Works, Sewer Division.

6.5.2. Public sewers shall be designed according to professional engineering practices and in accordance with the requirements of the standards of the Public Works Department.

6.5.3. Public sewers shall be not less than eight inches (8") in

diameter; house services not less than six inches (6").

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

6.5.5. Sewer ejector pumps may be permitted at the discretion of the Director of Public Works.

6.6. Water

6.6.1. Public water mains shall be class one hundred and fifty (150) cement-lines, cast iron pipe or approved to be equal by the Board of Public Works and shall not be less than eight inches (8") in diameter. Hydrants shall be located as specified in Section 5.11.

6.6.2. Each hydrant shall be served directly from the water main through a six inch (6") lateral connection. The connection shall include a six inch (6") isolation valve. It shall be gated with a six inch (6") bottom valve and shall have two (2), two and one-half inch (2 1/2") hose outlets and one (1) five inch (5") pump outlet.

Water main gate valves shall be located in such number and locations that lines by individual block may be isolated for maintenance purposes.

6.6.3. Every subdivision shall be connected to the public water system by the developer.

6.7. Storm Drain System (Reference: MDPWSS, Division II, Section 2.00.)

6.7.1. 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 MDPWSS, and shall be built on both sides of the roadway at intervals not to exceed three hundred feet (300'), unless otherwise approved by the Director of Public Works and at such other places as deemed necessary by the said Director 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.

6.7.2. The standard depth of catch basins shall be two (2) feet six (6) inches 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 in conformity with the requirements of MDPWSS for installation of pipes.

6.7.3. Cement concrete pipe and reinforced concrete pipe (used on all cross 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 Director of Public Works. All drainage trenches shall be filled with clean gravel borrow in accordance with MDPWSS, Section 7.00.

6.7.4. Where sub-drains are required they shall be constructed in conformance with MDPWSS.

6.7.5. 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 which will, in the opinion of the Board, permit their proper extension at a later date.

6.8. Non-municipal Utilities (Reference: MDPWSS, Division II, Section 3.00.)

6.8.1. Gas mains

Shall be installed if gas connection is available. The Boston 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.

6.8.2. Telephone lines

Shall be installed underground in accord with the regulations of the New England Telephone Company in conformity with MDPWSS.

6.8.3. Electric lines

Shall be installed underground in accord with the regulations of the Massachusetts Electric Company. The Board may permit transformers, switches and other such equipment to be placed on the ground in approved locations, screened from view with evergreen shrubbery.

6.8.4. Other utilities

Other utilities such as cablevision, if installed, shall be installed underground in accord with accepted engineering practice.

6.9. Sidewalks (Reference: MDPWSS, Division II, Section 7.00.)

6.9.1. Sidewalks shall be constructed within the subdivision,

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separated from the pavement area by a seeded grass plot, minimum of two (2') wide.

6.9.2. The sidewalk shall extend the full length of the street as follows:

- None - Minor residential streets with four (4) or less dwellings.
- 1 side - Minor residential streets
- 2 sides - All minor nonresidential, secondary and major streets.

6.9.3. Sidewalks shall be a minimum width of four feet (4') on minor streets and six (6') feet on secondary and major streets.

6.9.4. Bituminous concrete sidewalks having a minimum thickness of two inches (2") after compression, shall be constructed on an eight inch (8") gravel foundation to the required lines and grades accordance with these specifications.

6.9.5. If cement concrete sidewalks are desired, they shall be constructed as directed by the Director of Public Works in conformity with the MDPWSS.

6.9.6 Handicapped access for all sidewalks shall be in accord with the "Rules and Regulations" of the Commonwealth of Massachusetts Architectural Barriers Board and the MDPWCS. This shall be coordinated with Section 6.10 Curbs, below.

6.10. Curbs

6.10.1. A bituminous concrete berm - Type "A", as defined in MDPWCS, commonly referred to as a "Cape Cod berm", shall be provided along each side of all minor streets except as noted in Section 6.10.3. below.

6.10.2. Cement concrete curbs of six (6) inches in height shall be provided along each side of all secondary and major streets except as noted in Section 6.10.3. below.

6.10.3. Granite curbs of six (6) inches in height and of type VA4, as defined in MDPWSS, Section M9, shall be provided on all roadways where any of the following conditions are present:

- At intersections along the roadway the distance of the arcs of the curves plus a straight section at each end of eight feet (8').
- On the side of all curves with a radius less than two

hundred and fifty feet (250'), except the turnaround outer radius on a dead end street and around landscaped islands.

6.10.4 All cement concrete and granite curbs end with transition pieces to blend into the adjoining roadway edge.

6.10.5 Handicapped access for all curbs shall be in accord with the "Rules and Regulations" of the Commonwealth of Massachusetts Architectural Barriers Board and MDPWCS. This shall be coordinated with Section 6.9 Sidewalks, above.

6.11. Street Lighting

6.11.1. Street and pedestrian lighting shall be installed to conform to the type, style and specifications in general use in the Town of Weymouth unless otherwise specified by the Board of Selectmen.

6.11.2. Within all subdivisions, street and pedestrian light stanchions shall be located at the entrance to and at all intersections within subdivisions and shall be installed in accord with the procedure required by the Massachusetts Electric Company.

In addition, the following criteria shall also apply:

- All multifamily and nonresidential subdivision shall provide additional street and pedestrian light stanchions spaced in accord with standards routinely used by the Street Lighting Committee and Massachusetts Electric Company.
- All single family subdivision shall have a pole lantern as contained in Section 6.11.4, however in cases where the layout of the lots within a single family subdivision will result in unlighted distances greater than two hundred (200) feet, the Board reserves the right to require additional lighting.

6.11.3 Street light stanchions and street lights shall be located in the rear grass plot or in the median, if there is one, but shall not be nearer than twenty five feet (25') 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.

6.11.4. Each lot in a single family residential subdivision shall have a pole lantern installed in the front yard equipped with a photo-sensitive device which automatically activates the lantern at the times the street lights are activated.

6.12. Landscaping

6.12.1. Material specifications for a grass plot shall follow MDPWSS.

6.12.2. The slope of the grass plot shall be as shown on the profiles and Standard Cross Sections (see Appendix A).

6.12.3. Each tree shall be at least twelve feet (12') in height; two inches (2") in caliper measured four feet (4') above the approved grade (dbh); shall be planted each in at least one-half (1/2) cubic yard of topsoil, supported by tree supports as shown in the Standard Cross Sections (see Appendix A).

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

6.12.5. The developer will be liable for all landscaping elements so planted as to their erectness and good health for twelve (12) months after planting.

6.12.6. All cut bankings shall be planted with a low growing shrub or vine and wood chipped to a minimum depth of six inches (6") or seeded with a deep rooted perennial grass to prevent erosion.

6.13. Road Bounds and Lot Markers

6.13.1. Road bounds shall be installed on street lines at all points of curvature, and at all points of change in direction.

6.13.2. Lot markers shall be installed at each point where the lot line intersects the street right-of-way, and at all other points where, in the opinion of the Board, permanent lot markers are deemed necessary.

6.13.3. Road bounds shall be a standard permanent granite or reinforced concrete marker of not less than four (4') in length and not less than six inches (6") in width and breadth and shall have a three-eighth (3/8") inch drill hole or lead plug with pin in the center of the top surface. Said road bounds shall be installed at the time of final grading with the top flush with the top final graded surface.

6.13.4. Lot markers shall be of a permanent nature and a recognized style generally available to land surveyors, that do not have to conform to Land Court specifications and provided further that said markers are easily distinguished from road

bounds.

6.13.5. The placement and accurate location of all road bounds and lot markers shall be certified by a Registered Land Surveyor and properly located on the Acceptance Plans.

6.14. Street and Traffic Signs

6.14.1. Street name signs shall be installed from the time of rough grading at the intersection of such street with any other street.

6.14.2. Street name signs shall be installed at each intersection to conform to standards established by the Department of Public Works.

6.14.3. Traffic control signs shall be designed and installed in conformance with the U.S. Department of Transportation, Federal Highway Administration, Manual on Uniform Traffic Control Devices.

6.15. Fire Alarm System

The fire alarm system shall be installed in accord with the specifications of the Weymouth Fire Department. See Section 5.15.

6.16. Bikeways, Walkways (Reference: MDPWSS, Division II, Section 7.00.)

6.16.1. Except as specified herein, where bikeways and walkways are required, they shall be constructed in conformance with MDPWSS.

6.16.2. Specifications of 6.9.3-4. (Sidewalks) shall apply to bikeways and walkways.

6.16.3. For the length of each bikeway and walkway there shall be a crown equivalent to one-half an inch (1/2") per foot of width to provide for proper drainage. Leveling areas at intersections with sidewalks shall be shown in details.

6.17. Maintenance of Improvements

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

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in the case of fire, flood, panic and other emergencies; under the authority of G.L. Ch. 41, Sec. 81M as amended, the applicant or his successor shall provide for the proper maintenance and repair of improvements under this Subsection of the Rules and Regulations during the construction and for the period of twelve (12) months after the completion of the construction of said improvements or until the Town votes to accept such improvements whichever comes first.

SECTION 7 ADMINISTRATION

7.1. Waivers

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

Any request for a waiver for any section of these rules and regulations may be submitted independently or as a part of a definitive plan, in accordance with the requirements of Section 4.

Before the Board grants any waiver for any section of these rules and regulations the Board must first make a statement of finding, which clearly gives forth all reasons why such a waiver is deemed proper and that it will not be detrimental to the purposes of these rules and regulations.

7.2. Reference

For matters not covered by these rules and regulations, reference is made to G.L. Ch. 41, Sec. 81-K to 81GG, inclusive.

7.3. Building Permit

7.3.1. No building shall be erected within a subdivision without written permission from the Board.

7.3.2. The Inspector of Buildings 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 G.L. Ch. 41, Sec. 81-X, 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 Inspector of Buildings is satisfied that consent has been obtained from the Board in accord with these Rules and Regulations, G.L. Ch. 41, Sec. 81-Y, and amendments thereto.

7.4. Inspections

7.4.1. Inspection(s) shall be arranged by the developer with the

Director of Public Works 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.

7.4.2. Inspection(s) shall be requested in writing at least five (5) working days in advance of each inspection to the Director of Public Works.

7.4.3. The Board may establish the order of the required inspection and may require satisfactory completion of one (1) step before the subdivider proceeds to the next. It may require tests to be done by the subdivider as a condition for approval when in the opinion of the Board it is advisable.

7.4.4. The Department of Public Works shall forward to the Board the date of inspection and the date of inspection report, if any, subsequent to each inspection.

7.4.5. Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the applicant or rescission of the approval of the plan in accord with G.L. Ch. 41, Sec. 81-W.

7.5. Validity

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.

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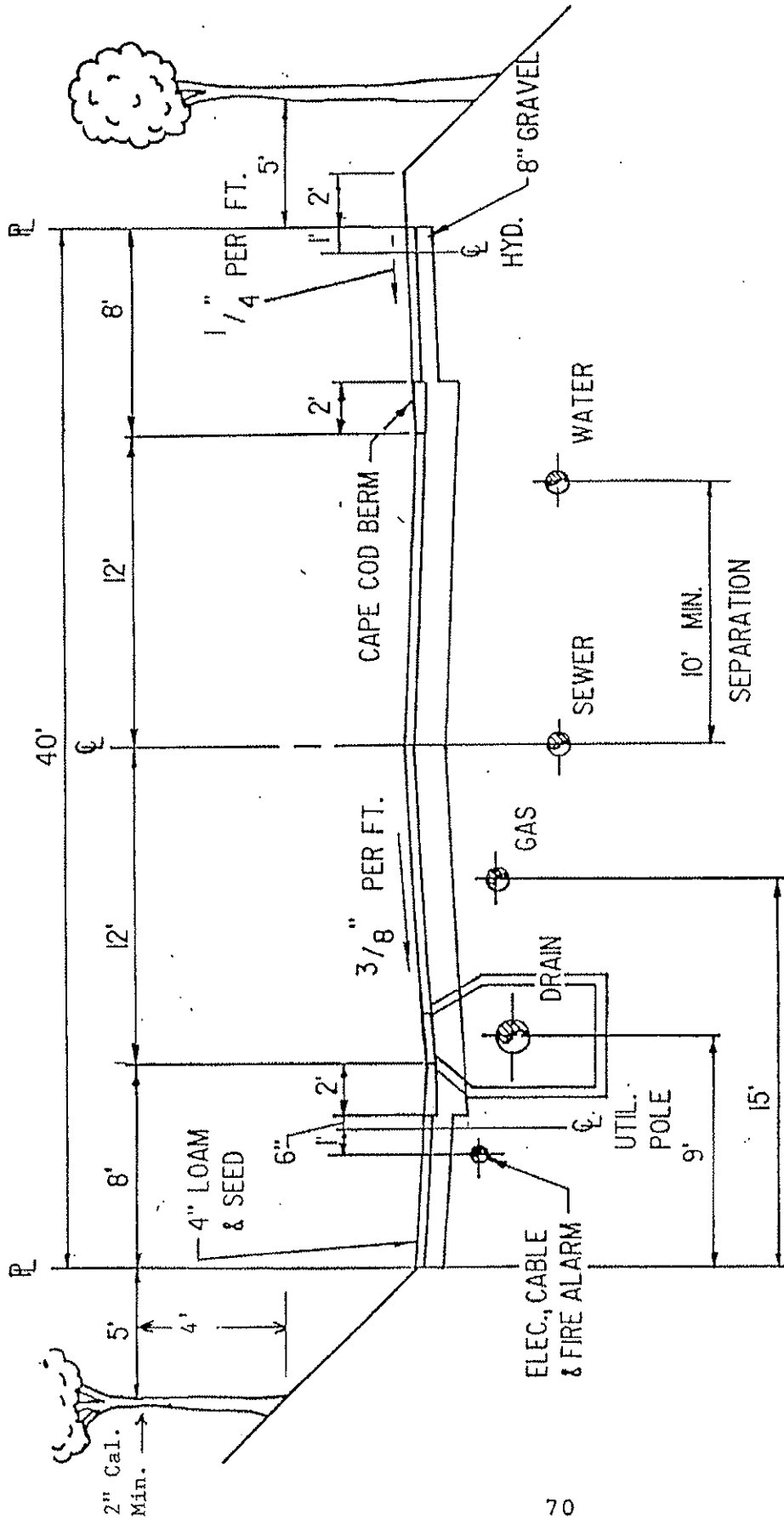
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BK10624PG605

APPENDIX A ROADWAY CROSS SECTIONS



SURFACE - 1 1/2" BIT. CONC. TYPE I-I
 BASE - 3" BIT. CONC. TYPE I-I
 SUBGRADE - 12" GRAVEL

CROSS SECTION MINOR STREET WITH NO SIDEWALK

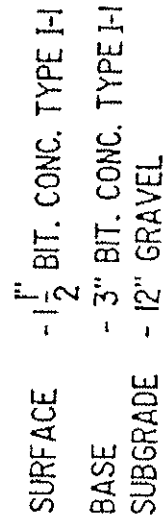


SCALE

40' LAYOUT
 SCALE: 1" = 6'

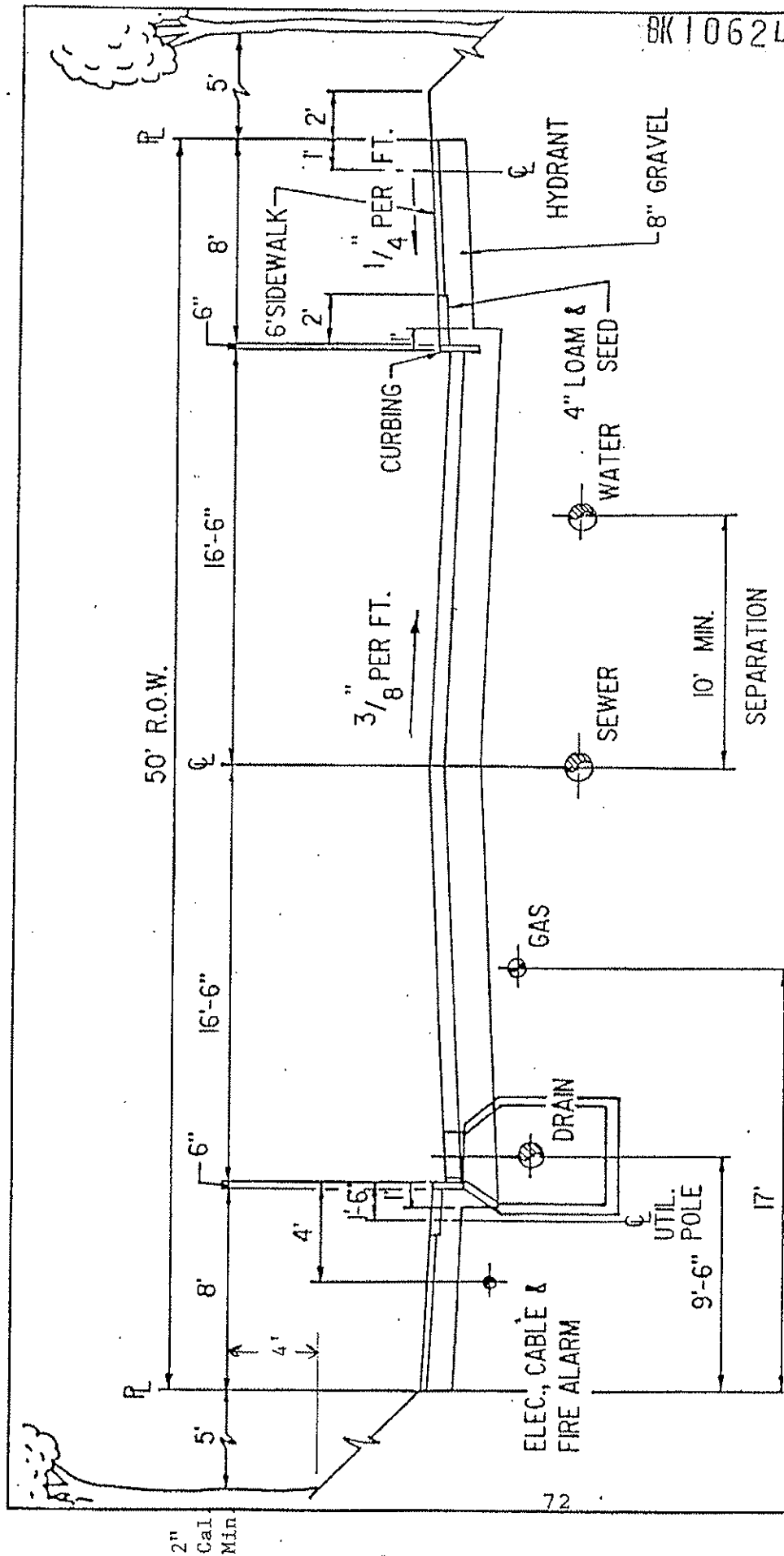
Amended July 15, 1994

H-1



CROSS SECTION
MINOR STREET WITH SIDEWALK ON ONE SIDE



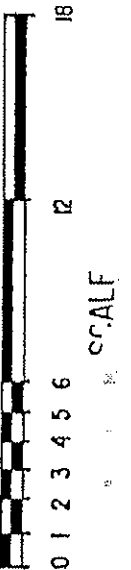


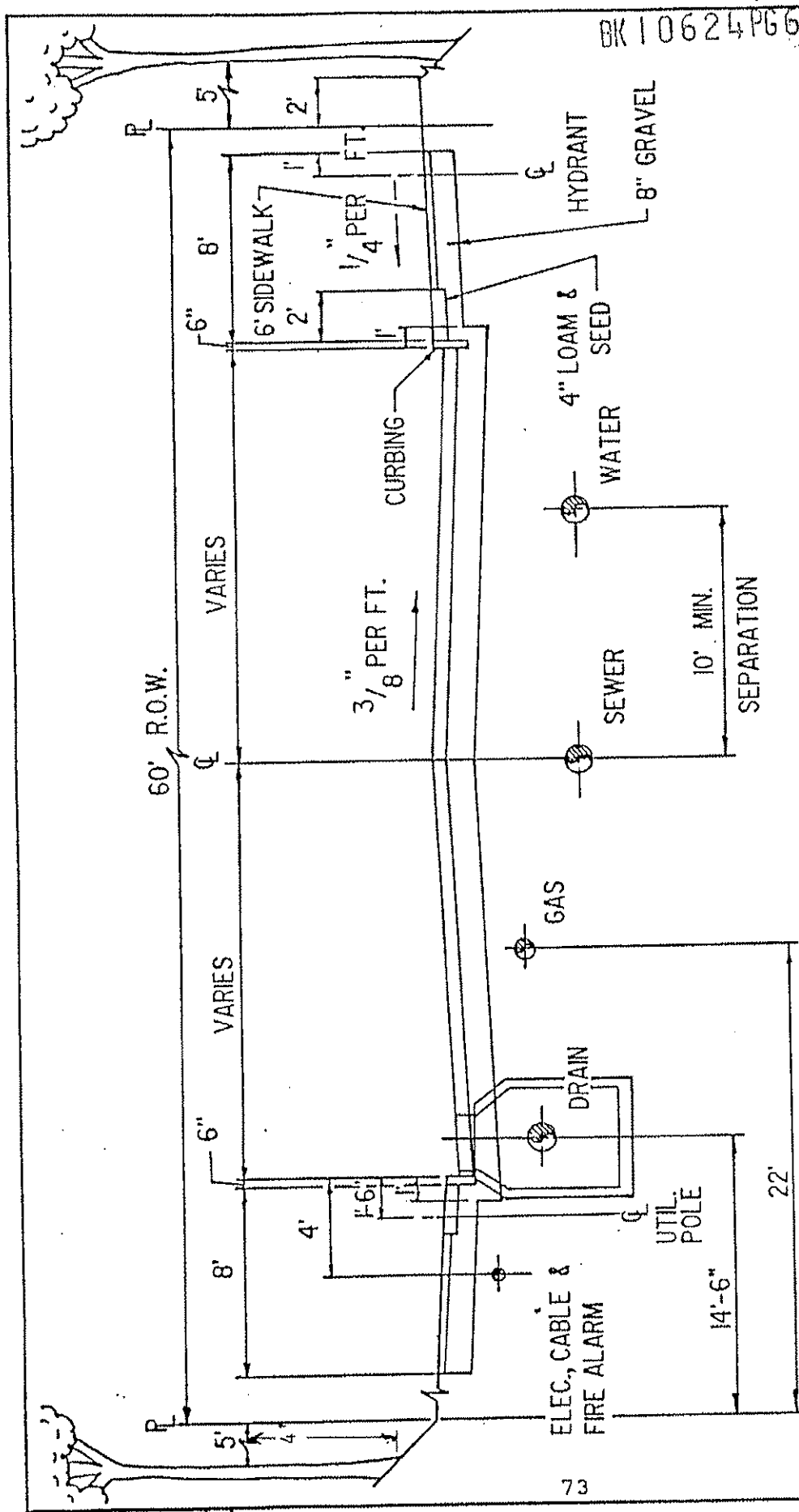
CROSS SECTION SECONDARY STREET

RIDING SURFACE - 1 1/4" BIT. CONC. TYPE I-I
BINDER - 1 1/4" BIT. CONC. TYPE I-I
BASE COURSE - 3" BIT. CONC. TYPE I-I
SUBGRADE - 12" GRAVEL

50' LAYOUT

SCALE: 1" = 6'





CROSS SECTION MAJOR STREET

RIDING SURFACE	- 1 1/4" BIT. CONC. TYPE I-H
BINDER	- 1 1/4" BIT. CONC. TYPE I-H
BASE COURSE	- 3 1/2" BIT. CONC. TYPE I-H
SUBGRADE	- 18" GRAVEL

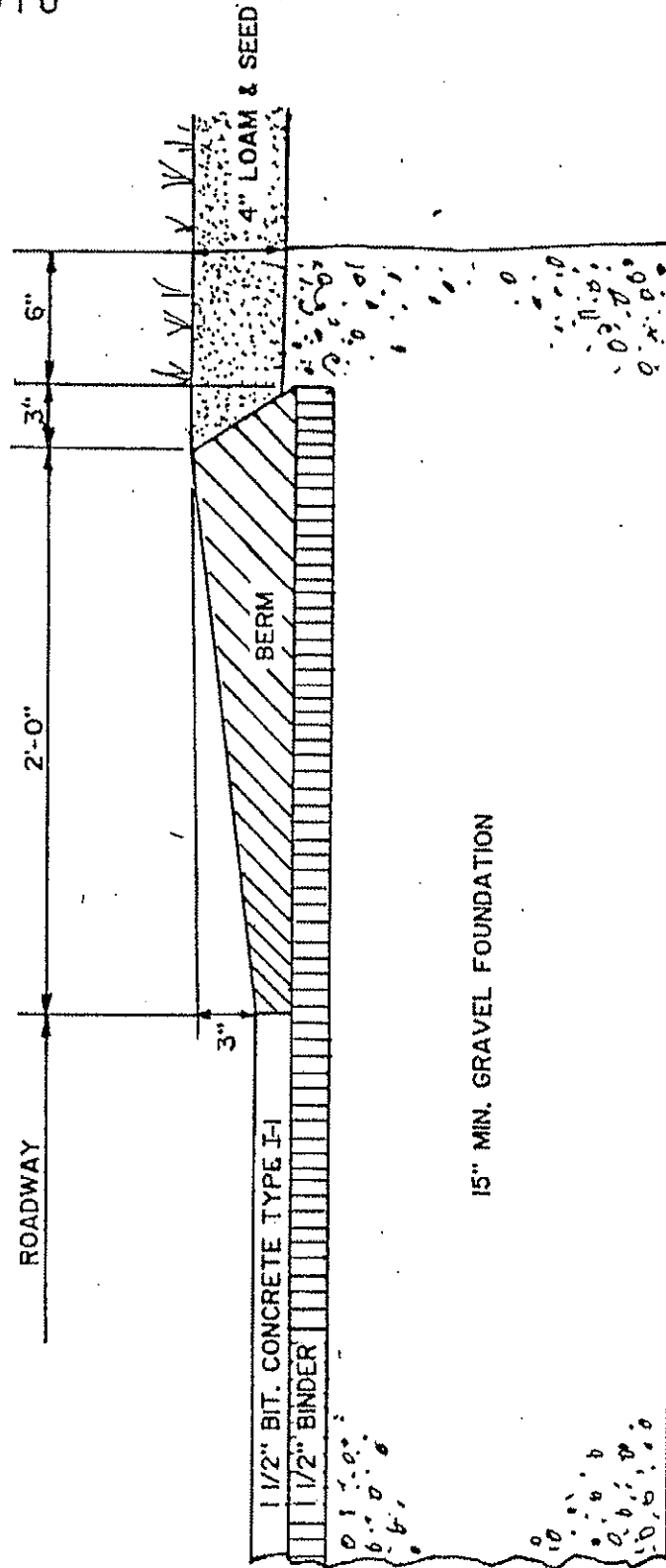


SCALE

60' LAYOUT

SCALE: 1" = 6'

WEYMOUTH STANDARD CAPE COD BERM



APPENDIX B SUBDIVISION FORMS

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

APPLICATION FOR ENDORSEMENT OF PLAN
"APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED"

Date: _____

To the Planning Board of the Town of Weymouth:

The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under the Subdivision Control Law is not required.

1. The undersigned believes that such approval is not required because the division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount of frontage required by the Weymouth Zoning Bylaw and said frontage is on either:

a public way, namely, _____, or a way, namely, _____, which the Town Clerk certifies is maintained and used as a public way; or,

a way, namely, _____, shown on a plan therefore approved and endorsed in accordance with the Subdivision Control Law; or,

a way, namely, _____, in existence when the Subdivision Control Law became effective (ATM 1958), 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.

2. The division of land shown on the accompanying plan is not a subdivision for the following reasons(s), (use this if 1. above does not apply):

3. The owner's title to the land is derived under deed recorded in: (Provide recording information for all lots affected.)

BK 10624 PG 612

Norfolk Registry of Deeds, Book _____, Page _____; and/or,
Land Court District Certificate of Title No. _____.

Applicant's Signature

Applicant's Address

Telephone Number

Owner's Signature and address if
not the applicant

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

_____, 19____

To the Planning Board of the Town of Weymouth:

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled _____

By _____ dated _____, 19____
being land bounded as follows:

Town Atlas Sheet _____, Block _____ Lot# _____
hereby submits said plan as a PRELIMINARY subdivision plan in
accordance with the Rules and Regulations of the Weymouth Planning
Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from

by deed dated _____ and recorded in the Norfolk District
Registry of Deeds Book _____, Page _____, registered in the
_____ Registry District of the Land Court,
Certificate of Title No. _____.

Applicant's Signature _____

Applicant's Address _____

Telephone Number _____

Owner's Signature _____
and Address if not
the Applicant _____

Received by Town Clerk

Date _____

Time _____

Signature _____

PLANNING BOARD

BK 10624 PG 614

TOWN OF WEYMOUTH, MASSACHUSETTS

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

_____, 19____

To the Planning Board of the Town of Weymouth:

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled _____ by _____ dated _____, 19____ being land bounded as follows:

_____ Town Atlas sheet _____, block _____ Lot# _____ hereby submits said plan as a DEFINITIVE plan in accordance with the Rules and Regulations of the Weymouth Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from by deed dated _____ and recorded in the Norfolk District Registry of Deeds Book _____, Page _____, registered in the _____ Registry District of the Land Court, Certificate of Title No. _____; and said land is free of encumbrances except for the following:

Said plan has ☐ has not ☐ evolved from a preliminary plan submitted to the Board on _____, 19____ and approved (with modifications) ☐ (disapproved) ☐ on _____, 19____.

The undersigned hereby applies for the approval of said DEFINITIVE plan by the Board, and in furtherance thereof hereby agrees to abide by the Board's Rules and Regulations. The undersigned hereby further covenants and agrees with the Town of Weymouth, upon the approval of said DEFINITIVE plan by the Board:

1. to install utilities in accordance with the rules and regulations of the Planning Board, the Public Works Department, the Board of Health, and all general as well as Zoning Bylaws of the Town of Weymouth, as are applicable to the installation of utilities within the limits of ways and streets;
2. to complete and construct the streets or ways shown thereon in accordance with Section V of the Rules and Regulations of the Planning Board and the approved DEFINITIVE plan, profiles and

cross sections of the same. Said plan, profiles, cross sections and construction specifications are specifically, by reference, incorporated herein and made a part of this application. This application and the covenants and agreements herein shall be binding upon all heirs, executors, administrators, successors, grantees of the whole or part of said land, and assigns of the undersigned; and

3. to complete the aforesaid installations and construction within one (1) year from the date hereof.

Applicant's Signature _____

Applicant's Address _____

Telephone Number _____

Owner's Signature _____
and Address if not
the Applicant _____

Received by Town Clerk

Date _____

Time _____

Signature _____

BK 10624PG616

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

CERTIFICATE OF APPROVAL OF A DEFINITIVE PLAN

_____, 19____

It is hereby certified by the Planning Board of the Town of Weymouth, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on _____, 19____, it was voted to approved a definitive plan _____ entitled: _____

submitted by: _____;
originally filed with the Planning Board on _____,
concerning property located _____
with the following conditions: _____

A copy of this certificate of approval is to be filed with the Weymouth Town Clerk and a copy sent to the applicant.

A true copy, attest:

Clerk, Weymouth Planning Board

WEYMOUTH PLANNING BOARD

BK 10624PG617

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

CERTIFICATE OF DISAPPROVAL OF A DEFINITIVE PLAN

_____, 19____

It is hereby certified by the Planning Board of the Town of Weymouth, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on _____, 19____ it was voted to disapprove a definitive plan entitled: _____

submitted by: _____
originally filed with the Planning Board on _____
concerning property located _____;

for the following reasons: _____

A copy of this certificate of disapproval is to be filed with the Weymouth Town Clerk and a copy sent to the applicant.

A true copy, attest:

Clerk, Weymouth Planning Board

WEYMOUTH PLANNING BOARD

BK 10624 PG 618

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

DESIGNER'S CERTIFICATE

_____, 19____

To the Planning Board of the Town of Weymouth:

In preparing the plan entitled _____,
I hereby certify that the above named plan and accompanying data is
true and correct to the accuracy required by the current Rules and
Regulations Governing the Subdivision of Land in Weymouth,
Massachusetts, and my source of information about the location of
boundaries shown on said plan were one or more of the following:

1. Deed from _____ to _____
_____ dated _____ and recorded in the
_____ Registry in Book _____,
page _____.
2. Other plans, as follows _____

3. Oral information furnished by _____

4. Actual measurement on the ground from a starting point established
by _____

5. Other sources _____

(Seal of Engineer
of Surveyor)

Signed: _____
(Registered Professional Engineer or
Registered Land Surveyor)

Address

BK 10624PG619

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

CERTIFIED LIST OF ABUTTERS

_____, 19____

To the Planning Board of the Town of Weymouth:

The undersigned, being an applicant for approval of a definitive plan of a proposed subdivision entitled _____

submits the following sketch of the land in the subdivision listing the names of the adjoining owners and the abutters to the adjoining owners in their relative positions and indicating the address of each abutter on the sketch or in a separate list, including owners of land separated from the subdivision only by a street.

Signature of Applicant

Address

_____, Massachusetts

_____, 19____

To the Planning Board of the Town of Weymouth:

This is to certify that at the time of the last assessment for taxation made by the Town of Weymouth, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown above where as above written, except as follows:

Assessor

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

PERFORMANCE GUARANTEE BY SURETY COMPANY

Know all men by these presents that _____ as Principal, and
a corporation duly organized and existing under the laws of the State
of _____ and having a usual place of business
in _____, as Surety, hereby bind and
obligate themselves and their respective heirs, executors,
administrators, successors and assigns, jointly and severally, to the
Town of Weymouth, a Massachusetts municipal corporation, in the sum
of _____ Dollars, (\$_____).

The condition of this obligation is that if the Principal shall fully
and satisfactorily observe and perform in the manner and in the time
therein specified, all of the covenants, conditions, agreements,
terms and provisions contained in the application signed by the
Principal and dated _____, 19____ under which approval
of a definitive plan of a certain subdivision, entitled

and dated _____, 19____, has been or is hereafter granted by
the Weymouth Planning Board, then this obligation shall be void, less
10% for the necessary period, otherwise it shall remain in full
force and effect and the aforesaid sum, reduced as necessary, shall
be paid by the Town of Weymouth as liquidated damage.

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

IN WITNESS WHEREOF, we have hereunto set our hands and seals this day
of _____, 19____.

Principal

by _____

(Title)

Surety

by _____

Attorney-Fact

COMMONWEALTH OF MASSACHUSETTS

_____, SS _____, 19____

Then personally appeared _____, the above named principal, and acknowledged the foregoing instrument to be the free act and deed of said parties before me.

Notary Public

My commission expires _____

IN WITNESS WHEREOF we have set our hands and seals this _____ day of _____, 19____.

a majority of the Planning Board

COMMONWEALTH OF MASSACHUSETTS

_____, SS _____, 19____

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

Notary Public

My commission expires _____

Approved as to form:

by: _____
(name), Town Counsel

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

PERFORMANCE GUARANTEE SECURED BY DEPOSIT

Know all men by these presents that _____

_____ hereby binds and obligates himself/itself/his/its executors, administrators, devisees, heirs, successors and assigns to the Town of Weymouth, a Massachusetts municipal corporation, in the sum of _____ Dollars, (\$_____), and has secured this obligation by the deposit with the treasurer of said Town of Weymouth of said sum in money or negotiable securities with proper stock powers.

The condition of this obligation is that if the undersigned or his/its executors, administrators, devisees, heirs, successors and assigns shall fully and satisfactorily observe and perform in the manner and in the time herein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____, 19____, under which approval of definitive plan of a certain subdivision, entitled _____

and dated _____, 19____ has been or is hereafter granted by the Weymouth Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid security for said sum shall become and be the sole property of said Town of Weymouth as liquidated damage.

IN WITNESS WHEREOF the undersigned has hereunto set his hand and seal this

_____ day of _____ 19____.

Principal

By: _____

Title _____

COMMONWEALTH OF MASSACHUSETTS

_____, SS _____, 19____

Then personally appeared _____, the above named principal, and acknowledged the foregoing instrument to be the free

act and deed of said parties before me.

BK 10624 PG 623

Notary Public

My commission expires _____

IN WITNESS WHEREOF we have set our hands and seals this _____
day of _____, 19____.

a majority of the Planning Board

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

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

Notary Public

My commission expires _____

Approved as to form:

by: _____
(name), Town Counsel

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

COVENANT

Know all men by these presents that whereas the undersigned has submitted an application dated _____, 19____, to the Weymouth Planning Board for approval of a definitive plan of a certain subdivision entitled _____

_____ and dated _____, 19____ and has requested the Board to approve such plan without requiring a performance bond,

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Weymouth Planning Board approving said plan without requiring a performance bond, and in consideration of one (1) dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Weymouth as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions agreements, terms and provisions thereof.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

3. The undersigned represents and covenants that undersigned is the owner* in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgages have assented to this contract prior to its execution by the undersigned.

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

BK 10624 PG 625

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does
hereunto set his hand and seal this _____ day
of _____ 19____.

Owner(s)
if not
Applicant

Applicant

Address

Description of Mortgages: _____

(Give complete names and Registry of Deeds reference)

Assents of Mortgagees:

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

Then personally appeared the above named _____
and acknowledged the foregoing instrument to be _____
free act and deed, before me.

Notary Public

My Commission expires: _____

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

PERFORMANCE GUARANTEE SECURED BY LENDER'S AGREEMENT

Date: _____

AGREEMENT made this date between the Town of Weymouth and the "applicant" of _____, hereinafter referred to as "lender" of _____, hereinafter referred to as the construction of ways and installation of municipal services in the subdivision of land shown on a plan entitled _____.

KNOW ALL MEN by these presents that the applicant and the Planning Board of the Town of Weymouth have executed a covenant, dated _____, and recorded in the Norfolk Registry of Deeds; _____ (Book and Page) _____; that the applicant has secured an extension of credit from the lender; and that the applicant and lender hereby bind and obligate themselves, their, or its executors, administrators, devisees, heirs, successors and assigns, jointly and severally to the Town of Weymouth, a Massachusetts municipal corporation, acting through its Planning Board in the sum of _____ and have secured this obligation by the lender retaining said sum of money of the principal sums otherwise due to the applicant to insure the performance by the applicant of all covenants, conditions, agreements, terms and provisions contained in the following documents, which documents relate to the above realty.

1. Application of Approval Definitive Plan, date of receipt by Town Clerk: _____.
2. The subdivision control law and the Planning Board's Rules and Regulations governing this subdivision and dated May 24, 1974, revised September 22, 1980.
3. The conditions included in the Certificate of Approval issued by the Planning Board relating to this project.
4. The definitive plan as qualified by the Certificate of Approval.

This agreement shall remain in full force and effect until the applicant has fully and satisfactorily performed all obligations.

Upon completion to the satisfaction of the Planning Board, by the applicant of obligations as specified in the following schedule:

State of construction
or installation to
be completed

Date when
construction and
installation
is to be
completed

Sum to be
retained

the interest of the Town in such funds retained by the lender shall be released, that portion of the agreement covering a specific stage of work shall become void, and the lender may disburse such funds which have been held as security for a specific stage of construction of ways and installation of municipal services as specified, any funds remaining undisbursed shall be made in whole, or in part, by the lender to the Planning Board for the benefit of the Town of Weymouth to the extent of the reasonable cost to the Town of completing such construction or installation as specified in this agreement. Any unused portion of such funds will be released by the Planning Board and may be disbursed by the lender to the applicant upon completion of the work by said Town.

The Town of Weymouth acting by and through its Planning Board hereby agrees to release the following lots numbers _____, as shown on a _____ from the operation of the above referenced covenant given pursuant to Section 81-U of Chapter 41, the Subdivision Control Law without receipt of a bond or deposit of money and further to accept this agreement and the funds in the amount specified herein to be retained by the lender as security for the performance of the project as aforesaid. Upon delivery of this agreement to the Planning Board, said lot(s) shall be released as herein specified.

The lender hereby agrees that none of the funds retained as security, as specified herein, shall be disbursed to the applicant without prior written release of said funds by the Planning Board.

Any amendments to this agreement and/or to the aforesaid security shall be agreed upon in writing by all parties to this agreement.

IN WITNESS WHEREOF we have set our hands and seals this _____ day of _____, 19____.

a majority of the Planning Board

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

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

Notary Public

My commission expires _____

Approved as to form:

by: _____
(name), Town Counsel

(applicant)

by: _____
(name)

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

Then personally appeared _____, the above named applicant, and acknowledged the foregoing instrument to be the free act and deed of said parties before me.

Notary Public

My commission expires _____

(Lender)

By: _____
Signature of authorized
representative of the lender

BK10624PG629

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____
Then personally appeared _____, the authorized
representative of the lender, and acknowledged the foregoing
instrument to be the free act and deed of said parties before me.

Notary Public

My commission expires _____

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

PERFORMANCE GUARANTEE/COVENANT RELEASE FORM

The undersigned, being a majority of the Planning Board of the Town of Weymouth, hereby certify that:

The requirements for the construction of ways and municipal services called for by the

Performance Guarantee and dated _____ 19____ (and/or) by,

The Covenant dated _____, 19____, and recorded in District Deeds, Book _____, Page _____. (or registered in _____ Land Registry District as Document No. _____ and noted on Certificate of Title No. _____ in Registration Book _____, Page _____,)

Has been completed/partially completed), to the satisfaction of the Planning Board to adequately serve the enumerated lots shown on Plan entitled _____ " _____ recorded by the _____ Registry of _____ Deeds, _____ Plan Book _____, Plan _____, (or registered in said Land Registry District, Plan Book _____, Plan _____) and said lots are hereby released from the restrictions as to sale and building specified thereon.

Lots designated on said Plan as follows:

Executed as a sealed instrument this _____ day of _____, 19____.

Planning Board
of the Town of
Weymouth

BK 10624 PG 631
COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

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

Notary Public

My commission expires _____

PLANNING BOARD

TOWN OF WEYMOUTH, MASSACHUSETTS

CONVEYANCE OF EASEMENTS AND UTILITIES

_____, of _____, County, Massachusetts, for good and adequate consideration, grant to the Town of Weymouth a municipal corporation in Norfolk County, Massachusetts, the perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain, water and sewer mains and drainage systems with any manholes, pipes, conduits, easements and other appurtenances thereto, and to do all acts incidental thereto, in, through and under the following described land: _____

_____ appearing on a plan entitled _____.

And, for the consideration aforesaid, the said grantor does hereby give, grant, transfer and deliver unto the Town of Weymouth all water and sewer mains and drainage systems, manholes, pipes, conduits, easements and all appurtenances thereto that are now or hereafter constructed or installed in, through, or under the above described land by the grantor and the grantor's successors and assigns.

The grantor warrants that the aforesaid easements are free and clear of all liens or encumbrances, that he (it) has good title to transfer the same, and that he will defend the same against claims of all persons.

For grantor's title see deed from _____ dated _____, 19_____, and recorded in _____ District Registry of Deeds, Book _____, Page _____, or under Certificate of Title No. _____, registered in _____ District of _____ the Land Court, Book _____, Page _____.

And (to be completed if a mortgage exists) _____
(name and address) _____

_____. The present holder of a mortgage on the above described land, which mortgage is dated _____, 19_____, and recorded in said Deeds, Book _____, Page _____, for consideration paid, hereby releases unto the Town forever from the operation of said mortgage, the rights and easements hereinabove granted and assents thereto.

Authorized Signature of Mortgagor

Signature of Owner

IN WITNESS WHEREOF we have hereunto set our hands and seals this
_____ day of _____, 19____.

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

Then personally appeared the above named _____
and acknowledged the foregoing to be _____ free act and
deed, before me.

Notary Public

My Commission Expires: _____

PLANNING BOARD
TOWN OF WEYMOUTH, MASSACHUSETTS
PRELIMINARY REFERRAL FORM

Subject: Preliminary Subdivision Plan

Date: _____

Locus: _____

BOARD OF HEALTH	- As to suitability of the land.
CONSERVATION COMMISSION	- As to potential involvement with MGL Ch. 131, Sec. 40.
PUBLIC WORKS DEPARTMENT WATER DIVISION SEWER DIVISION ENGINEERING DIVISION	- As to the design of the street system, location of easements, monuments, drainage system, water system, and, if applicable, the sewerage system.
BUILDING DEPARTMENT	- As to compliance with Zoning By-law.
FIRE DEPARTMENT	- As to street name and to location and adequacy of hydrants, and the alarm system.
POLICE DEPARTMENT	- As to street name and vehicular and pedestrian safety.
STREET LIGHTING COMMITTEE	- As to placement and design of street lighting equipment.
SCHOOL COMMITTEE	- As to school busing and districting.

The attached Preliminary Plan was submitted to the Planning Board on _____.

May we have your comments and recommendations concerning this subdivision by no later than _____. Please return this form with your comments and recommendations to _____.

COMMENTS:

Thank you,

Planning Director

PLANNING BOARD
TOWN OF WEYMOUTH, MASSACHUSETTS
DEFINITIVE REFERRAL FORM

Subject: Definitive Subdivision Plan

Date: _____

Locus: _____

- | | |
|---|---|
| BOARD OF HEALTH | - As to suitability of the land. |
| CONSERVATION COMMISSION | - As to potential involvement with MGL
Ch. 131, Sec. 40. |
| PUBLIC WORKS DEPARTMENT
WATER DIVISION
SEWER DIVISION
ENGINEERING DIVISION | - As to the design of the street system,
location of easements, monuments,
drainage system, water system, and, if
applicable, the sewerage system. |
| BUILDING DEPARTMENT | - As to compliance with Zoning By-law. |
| FIRE DEPARTMENT | - As to street name and to location and
adequacy of hydrants, and the alarm
system. |
| POLICE DEPARTMENT | - As to street name and vehicular and
pedestrian safety. |
| STREET LIGHTING
COMMITTEE | - As to placement and design of street
lighting equipment. |
| SCHOOL COMMITTEE | - As to school busing and districting. |

The attached Definitive Plan was submitted to the Planning Board on
_____.

May we have your comments and recommendations concerning this
subdivision by no later than _____. Please return this form
with your comments and recommendations to _____.

COMMENTS:

Thank you,

Planning Director