



Town of Stoneham Subdivision Rules and Regulations 2022



Adopted by the Town of Stoneham Planning Board on
July 13, 2022

Stoneham Planning Board Subdivision Rules and Regulations 2022

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Stoneham Planning Board
Land Subdivision Rules and Regulations 2022

SECTION 1

I. INTRODUCTION

TITLE, AUTHORITY AND PURPOSE

I. TITLE

These rules and regulations shall be known and may be cited as the "Stoneham Subdivision Rules and Regulations" which herein are called "these Rules and Regulations".

2. AUTHORITY

These Rules and Regulations are hereby adopted by virtue of and pursuant to the authority granted the Planning Board of the Town of Stoneham by Chapter 41, Sections 81- K through 81-GG of the General Laws of the Commonwealth of Massachusetts as now existing or hereafter amended (herein called the "Subdivision Control Law").

3. PURPOSE AND OBJECTIVES

The powers of the Planning Board of the Town of Stoneham, granted to it under the Subdivision Control Law, are exercised for the purpose of promoting the safety, convenience and welfare of the residents of and adjoining communities which may be impacted by the construction of a subdivision in Stoneham by:

- identifying and securing, for present and future residents, the beneficial impacts of growth and development ;
- identifying and avoiding the negative impacts of growth and development; and
- ensuring that future growth and development is of a type and design, and is in a location served by adequate public services and facilities.

These Rules and Regulations are intended to achieve those purposes by:

- a. providing adequate access to all of the lots in a subdivision by streets that will be safe and convenient for travel ;
- b. lessening congestion in such streets and in the adjacent public streets ;
- c. reducing danger to life and limb in the operation of motor vehicles ;
- d. securing safety in the case of fire, flood, panic and other emergencies ;
- e. insuring compliance with the frontage, access and all other applicable provisions of the Stoneham Zoning By-Law ;

f. securing adequate provision for water, sewerage, drainage, underground utility services, including, but not limited to, electrical and communication services, fire, police, and other services where necessary in a subdivision;

coordinating the streets in a subdivision with each other and with the public streets in neighboring subdivisions;

encouraging the use of solar energy and protecting the access to direct sunlight of solar energy systems; and

1. establishing reasonable safeguards to protect other properties, which may be potentially impacted by subdivision construction.

DEFINITIONS

For the purpose of these rules and regulations, unless a contrary intention clearly appears, the terms and words defined in the Subdivision Control Law shall have meaning given therein.

Terms and words not defined herein, but defined in the Massachusetts Building Code, shall have the meaning given therein. Words defined in neither place shall have meaning given in Webster's Unabridged Dictionary, latest addition. Other terms and words used in this text shall have the following meanings:

APPLICANT: Either the owner of the land stated in the application for subdivision or all the owners where title is held jointly, in common, or in tenancy by the entirety including corporations. An agent, representative or his assigns may act for an owner, provided written evidence of such fact is submitted. Evidence in the form of a list of their officers and designated authority to sign legal documents shall be required for a corporation.

BOARD: The Planning Board of the Town of Stoneham.

CERTIFIED BY: (or endorsed by) the Planning Board, as applied to a plan or other instrument required or authorized by the Subdivision Control Law to be recorded, shall mean, bearing a certification of endorsement signed by a majority of the members of the Planning 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.

COLLECTOR STREET: A street intersecting one or more minor streets, which, in the opinion of the board, is used or will be used to carry a substantial volume of traffic from such minor street(s) to a major street or community or facility and normally including the principal entrance street of a subdivision and any principal circulation streets within such a subdivision.

CUL-DE-SAC; SHORT - A street having a maximum length of 200-feet and serving a maximum of four (4) single family house lots/dwellings, and having no possibility of extending or serving as a means of access to other dwellings or properties.

CUL-DE-SAC : A minor street intersecting another street at one end and terminated at the other by a permanent turnaround for a vehicle.

DEFINITIVE PLAN: Shall mean a plan of a proposed subdivision or re-subdivision of land drawn in black ink upon sheets of tracing cloth or drafting film at a minimum size of 20 inches by 30 inches, showing (a) the subdivision name, boundaries, true north point, date and scale; (b) names and addresses of record owner(s) and applicant(s); and name of the engineer and surveyor who prepared the plan; (c) names of all abutters, as determined from the most

recent local tax list; (d) existing and proposed lines of streets, right-of-ways, easements, and any public or common areas within the subdivision; (e) location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision; (f) boundary lines, areas in square feet and dimensions of all proposed lots;

(g) sufficient data including lengths, bearing radii, and central angles to determine the exact location, direction and length of every street and way line, lot line and boundary line and to establish these lines on the ground; (h) location of all permanent monuments and bench marks and each lot marker, properly identified as to whether existing or proposed; (i) location of natural waterways and water bodies within and adjacent to the subdivision; (j) existing and proposed topography at 2-ft. contour intervals, size, material type and location of existing and proposed storm drains, water mains and sewers; (k) location, type and specifications for proposed sewer and water systems.

DRAINAGE: Shall mean the control of water on the tract of land to be subdivided and abutting land.

ENGINEER: A person registered or legally permitted to practice professional engineering in the Commonwealth of Massachusetts as a Civil Engineer (as stated in 250 CMR 3.00 - 6.00).

LOT: Shall mean an area of land under one ownership with definitive boundaries, used, or available for use, as the site of one or more buildings. The term "one ownership" means an undivided ownership by one person or by several persons whether the tenure be joint, in common, or by the entirety.

MINOR STREETS: Streets, which provide primarily access to abutting properties

MUNICIPAL SERVICE: Shall mean public utilities furnished by the city or town in which a subdivision is located, such as water, sewerage, gas and electricity.

NEW STREETS. DRIVEWAYS OR STREET OPENINGS (CURB CUTS): No alteration shall be made without first securing a new permit (see street design standards Table II, Page 40) for street openings.

OWNER: As applied to real estate, the owner of record as shown by the records in the Middlesex South Registry of Deeds or Middlesex South Land Court Registry.

PLANNING BOARD : Shall mean a planning board established under section eighty-one A, or a board of selectmen acting as a planning board under said section, or a board of survey in a city or town which has accepted the provisions of the subdivision control law as provided in section eighty-one N or corresponding provisions of earlier laws, or has been established by special law with powers of subdivision control.

PRELIMINARY PLAN: Shall mean a plan of a proposed subdivision or re-subdivision of land drawn on tracing paper, or a print thereof, showing (a) the subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan"; (b) the names of the record owner and the applicant and the name of the designer, engineer or surveyor; (c) names of all abutters, as determined from the most recent local tax list; (d) the existing and proposed lines of streets, ways, easements and any public areas within the subdivision in a general manner; (e) the proposed system of drainage, including adjacent existing natural waterways, in a general manner; (f) the approximate boundary lines of proposed lots, with approximate areas and dimensions; (g) the names, approximate location and widths of adjacent streets; and (h) the topography of

the land in a general manner.

PRIMARY ARTERIAL STREET: Highways, which connect states with states and form part of the Federal Highway System.

RECORDED: Shall mean recorded in the South Middlesex County Registry of Deeds, except that, as affecting registered land, it shall mean filed with the Recorder of the Land Court.

REGISTER OF DEEDS: Shall mean the register of deeds of the county or district in which the land in question or the city or town in question is situated, and when appropriate shall include the recorder of the land court.

REGISTERED MAIL: Shall mean registered or certified mail.

REGISTRY OF DEEDS: Shall mean the registry of deeds of the county or district in which the land in question is situated, and, when appropriate, shall include the land court.

ROADWAY: The portion of a street intended for vehicular use, i.e., the traveled way.

SECONDARY ARTERIAL STREET: Highways, which connect cities and towns within a particular-State and form part of the State Highway System.

SUBDIVISION: Shall mean the division of a tract of land into two or more lots and shall include the re- subdivision, and when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if, at the time it is made, every lot within the tract so divided has frontage on (a) a public way, or a way which the Clerk of the Town certifies is maintained and used as a public way; or (b) a way shown on a plan theretofore approved 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 zoning or other such ordinance, if any, of the Town for erection of a building on such lot, and if no distance is so required, such frontage shall be of least 20-ft. Conveyances or their 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 or more buildings were standing when the Subdivision Control Law went into effect in the Town into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

SUBDIVISION CONTROL: The power of regulating the subdivision of land granted by the Subdivision Control Law.

SUBDIVISION, TYPE I: A subdivision for single-family and two family residences.

SUBDIVISION, TYPE II: A subdivision for multi-family residences (3+ units)/ Multi Use

SUBDIVISION, TYPE III: A subdivision for business or industrial purposes. Not Type I or II above.

SURVEY: Cadastral, original, retracement and data accumulation survey as defined by 250 CMR 6.01 and 6.02. Statements as to the type of survey performed should be included under plan contents.

SURVEYOR: A person registered or legally permitted to practice land surveying in the Commonwealth of Massachusetts (as stated in 250 CMR 3.00-6.00).

SECTION 2
SUBMISSION AND APPROVAL OF PLANS

A. APPLICATION

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town, or proceed with the improvement or sale of lots in a subdivision the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted and approved by the board as hereinafter provided.

B. PLAN BELIEVED NOT TO REQUIRE APPROVAL (ANR)

Any person who wishes to cause a plan of land situated in Stoneham to be recorded in the Registry of Deeds or to be filed with the Land Court and who believes that the plan does not require approval under the Subdivision Control Law, may submit the plan to the Board for a determination under the provisions of M.G.L. Chapter 4I, Section 81-L.

I. APPLICATION REQUIREMENTS

An application for a determination by the Board as to whether a plan requires approval under the Subdivision Control Law may be made to the Board and shall consist of all of the following:

- a. A completed application (Form A);
- b. A completed surveyor's certificate (Form ES-I);
- c. An original drawing and eight contact prints of the plan, all at a minimum size of 18"x24" with a horizontal scale of 1"=40' and a vertical scale of 1"=4';
- d. A statement by the applicant outlining the particular provisions of law under which the plan does not require approval, along with sufficient evidence satisfactory to the Board to support the application; and
- e. The required filing fee (see Section II.B.3. below)

Neither a plan nor an application shall be deemed to have been submitted to the Board until all items in subsection I.a. through I.e. above have been delivered to the Board (a) at a regular or special Meeting thereof or (b) at the Planning Department at Town Hall during regular business hours, and all are fully completed in accordance with these Rules and Regulations. Thereafter, the applicant shall file, by delivery or by registered mail, a notice with the Town Clerk stating the date of submission for such determination accompanied by a copy of said application.

2. PLAN CONTENTS

Plans shall contain the following information:

- a. Identification of the plan by name of owner of record and location of the land in question cross-referenced to page and parcel numbers of the Assessors Maps;

- b. The statement "Stoneham Planning Board approval under the Subdivision Control Law Not Required" along with suitable space for the date and signatures of the Board;
- c. The statement "No determination of compliance with all zoning requirements has been made.";
- d. A locus plan at a scale of 1" = 400';
- e. Zoning classification of property and location of any zoning district boundary lines that lie within the locus of the plan;
- f. In the case of creation of a new lot, the remaining land area and frontage of the land in the applicant's ownership;
- g. Location of all existing buildings including setback and side and rear yard designations;
- h. The name and dimensions of the road purported to provide sufficient and adequate frontage for each lot, including a notation as to whether the road is a public or private way;
- i. The scale, date, and name of the engineer or surveyor who prepared the Plan, along with professional registration stamp;
- J. Metes and bounds and lengths of all existing and proposed boundary lines; and
- k. Notation explaining purpose of ANR (i.e. combining lot "A" with lot "B" to create one buildable lot, making an existing non-conforming lot conforming, etc.).

3. FEES

The fee for submission of an ANR plan shall be One hundred dollars (\$100) per lot for ANR's that create new building lot(s), and one hundred dollars (\$100.00) for ANR plans that depict lot line adjustments and which do not create any new building lot(s).

4. REVIEW/APPROVAL PROCESS

- a. If the Board determines that the plan submitted does not require approval, it shall, without a Public Hearing and within twenty-one (21) days of submission, endorse the plan. The plan then will be delivered to the applicant by the Board, and written notice given to the Town Clerk of the date of the Board's determination.
- b. If the Board determines that the plan does require its approval under the Subdivision Control Law, it shall, within twenty-one days (21) of submission, so notify the Town Clerk and the applicant in writing, and said applicant may then resubmit the plan for approval as a subdivision, as hereinafter provided by these Rules and Regulations.

5. ELECTRONIC DATA SUBMITTAL

Upon endorsement of a Plan by the Board that the plan does not require endorsement under the Subdivision Control Law and prior to recordation or registration of the plan with the Registry of Deeds or Land Court, the applicant or owner of record shall forthwith file with the Town of Stoneham Department of Public Works, at no charge or cost to the Town, an electronic file of the final endorsed plan. The files shall be in CAD or GIS format and may be submitted on USB flash drive, FTP, or by electronic mail. All files shall be submitted to the Town of Stoneham Department of Public Works in accordance with its submission requirements for digital data, as may be amended from time to time, for purposes of incorporating the data into the Town's Geographic Information System.

C. ONE DWELLING PER LOT

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere in the Town.

D. PRELIMINARY PLAN

A preliminary plan must be submitted for a non-residential subdivision and may be submitted for a residential subdivision by the applicant to the Planning Board and to the Board of Health for discussion and approval, modification or disapproval by each board.

Application for approval by the Planning Board, if such approval is desired, shall be made upon Form B, accompanied by the original and eleven full size (36" x 24" minimum at 1" = 40') contact prints and eight reduced size (18" x 12" minimum at 1" = 60') prints of the Preliminary Plan, prepared as hereinafter prescribed and completed Form P - Preliminary Subdivision Plan Checklist. The applicant shall also, by delivery or registered mail, give written notice to the Town Clerk, stating the date of submission of the Preliminary Plan and accompanied by a copy of the completed application.

1. FORM AND CONTENTS

The Preliminary Plan shall be prepared by a civil engineer and surveyor and be drawn clearly and legibly on drafting film with a pencil at a horizontal scale of 1-in. = 40-ft. and vertical scale of 1-inch = 4-ft. and also show clearly:

- a. Subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan".
- b. Names of the record owner, the applicant and the name of the designer, engineer or surveyor.
- c. Existing and proposed lines of streets, ways, easements, and any public areas within the subdivision in a general manner.
- d. Names and addresses of all abutters as determined from the most recent local tax list.
- e. Proposed system of drainage, including adjacent natural waterways, an outline of the drainage areas of which the subdivision is a part and sufficient data to generally determine nature of drainage facility needs.
- f. Approximate boundary lines of proposed lots, with approximate areas and dimensions.
- g. Names, approximate locations and widths of adjacent streets.
- h. Topography of the land on separate sheets, contours at intervals of 2-ft., showing existing conditions in a general manner, the proposed finish contour lines.
1. A locus plan of the proposed subdivision, at a scale of 100-ft. to the inch, showing the

relation of the proposed subdivision to the surrounding neighborhood area for 300-ft. on each side and indicating location and size of utilities available or nearby said proposed development and the location of the existing homes and wetlands.

- j. All bodies of water, streams, swamps and marshes within the proposed subdivision shall be indicated on the plans, and said bodies of water shall be indicated on the locus plan.
- k. Proposed location of fire alarm boxes and fire hydrants.
- l. Submit quadrant of drainage area outline.
- m. It shall be noted on plans how information pertaining to property lines, topography and utilities were derived.
- n. Basic design data, including estimated water consumption, fire demand, sewage flow, average day traffic volume, sight distances, peak drainage runoff rate and volume for the 2, 10, 25, 50, and 100 year storm-events and waivers from these Rules and Regulations should be noted on plans. In this manner, any potential adverse impacts from the development can be addressed and mitigating measures identified prior to the development of definitive plans. Additionally, waivers effecting the final design of the subdivision can be determined prior to the development of definitive plans.
- o. There shall be a fee for the submission of a preliminary plan which shall be \$200 plus \$50 per lot.

2. APPROVAL

The Planning Board and Board of Health, without unnecessary delay, shall act upon the Preliminary Plan and its accompanying materials in accordance with the Subdivision Control Law, but in any event, within forty-five days. They may approve said plan, with or without modification, or disapprove said plan, stating reasons for such disapproval. Approval, if given, does not constitute approval of a subdivision, but does facilitate the procedure in securing approval of the Definitive Plan. Within forty-five days after submission of a Preliminary Plan each board shall notify by mail the applicant and hand deliver to the Clerk of the Town, either that the plan has been approved with modifications suggested by the board or agreed upon by the person submitting the plans or that the plan has been disapproved. In the case of disapproval, the board shall state in detail its reasons therefore. The Planning Board shall notify the Town Clerk of its approval or disapproval, as the case may be.

If, in the board's review of the proposed subdivision, it is found that the road(s) and/or intersection(s) shall impose a danger to the health and safety of the public, the board shall modify, amend or disapprove the submitted Preliminary Plan, subject to, but not limited to the following:

(1) Proper horizontal alignment; (2) clear site distance for vehicular traffic at intersections; (3) the allowable grade of roadways; (4) dead-ends shall not exceed the distance allowed under these Rules and Regulations; (5) intersections shall incorporate a proper intersection angle, minimum distance between entering streets not directly opposite each other (ft.) and the minimum radius (ft.) Note: the allowed standards for the above reasons are referenced on Table II of these Rules and Regulations.

In addition to the above, the board shall modify, amend or disapprove a Preliminary Plan in which the board makes a finding that the design of storm drains and related installations do not meet the requirements of these Rules and Regulations and the Department of Public Works.

E. DEFINITIVE PLAN

1. SUBMISSION

The submission of a definitive subdivision plan is accomplished by delivering the plan at a meeting of the Planning Board or when sent by registered mail to the Planning Board. If so mailed, the date of receipt shall be the date of submission of the plan. The accompanying application form is known as "Form C" and it must describe the land accurately enough for identification, and set forth the date of submission of the plan and the name and address of all the record owners.

In addition to the above, any applicant who submits a definitive plan of a subdivision to the Planning Board for approval shall file with the board the items below, i.e., Sub-sections E.1.a-h, E.2, E.3, a-r, as well as a completed Form D-C -Definitive Subdivision Plan Checklist:

- a. An original drawing of the Definitive Plan and accompanying street layout plans and eleven full size (36" x 24" minimum at 1" = 40') contact prints thereof, dark line on white background and eight sets of reduced sized (18" x 12" minimum at 1" = 60 ' plans. NOTE: The original drawing will be returned after approval or disapproval.
- b. A properly executed application - Form C, Form ES-1 and Form D-C.
- c. For a definitive subdivision plan that was preceded by a preliminary subdivision plan, there shall be a fee of \$50 plus \$50 per lot.
- d. A list of all abutters within 300-ft. of the subdivided property, together with the address as determined from the most recent tax list and certified by the Assessors Department on Form D.
- e. A locus plan of the subdivision, at a scale of 100-feet to the inch, showing the relation of the proposed subdivision to the surrounding neighborhood area, for a distance of 300-ft. on each side. This plan shall indicate location and size of utilities, wetlands, existing dwellings and other primary structures. This plan shall also indicate exterior lines of all proposed streets in the subdivision and their relative location to one or more existing streets or portions thereof, show and readily identifiable as to locus on the Town Property Maps and to such accuracy that said Map may be placed over the locus plan for purposes of actual transfer.
- f. A sketch plan showing a possible or prospective street layout for any adjacent un-subdivided land owned or controlled by the owner or applicant of the subdivision unless such a plan has already been submitted to the board.
- g. The applicant shall also, by delivery or registered mail, file written notice to the Town Clerk, stating the date of submission of the Definitive Plan and accompanied by a copy of the completed application (Form C).
- h. Drainage calculations, prepared by the applicant's engineer, shall include formula used, drainage area and other information sufficient for the board to check the size of any proposed drainpipe, culvert or bridge. If plans include connecting into an existing drainage system, the applicant must submit detailed calculations on the impact of the additional drainage into the existing system.

2. FORM

The Definitive Plan shall be prepared by a registered professional civil engineer and registered land surveyor and it shall be clearly and legibly drawn at a horizontal scale of 1-in. = 40-ft. and vertical scale of 1-inch = 4-ft. Said Plan shall be drawn in black ink upon sheets of tracing cloth or drafting film at a minimum size of 20-in. by 30-in. with an 1-in. border, except on the left side, which shall be 24-in. If multiple sheets are used, they shall be accompanied by an index sheet, which shall include a drawing of the entire subdivision at a scale of 1-in. = 100-ft.

3. CONTENTS

The Definitive Plan shall contain or be accompanied by the following information:

- a. Subdivision name, boundaries, true north point, date and scale.
- b. Names and addresses of record owner and applicant, and name of engineer and surveyor who prepared the plan; certificates and seals of the engineer and surveyor indicating that they actually prepared the plan and an additional certificate by the surveyor that all surveying conforms to the requirements of the Massachusetts Land Court.
- c. Names of all abutters, as determined from the most recent tax list, including owners of land separated from the subdivision only by a street and zoning district boundaries, if any.
- d. Existing and proposed lines of streets, rights-of-ways, easements and any public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Planning Board, with letters of approval from the police and fire departments.)
- e. Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- f. Boundary lines, areas in square feet and dimensions of all proposed lots, with all lots designated numerically and in sequence.
- g. Sufficient data (including lengths, bearings, radii and central angles) to determine the exact location, direction and length of every street and way line, lot line and boundary line and to establish these lines on the ground. All surveying shall conform to the Land Court "Manual of Instructions for the Survey of Lands."
- h. Monuments shall be permanent and semi-permanent physical monuments upon each locus and connected with the survey in such a manner that they could be used at any future time to relocate the boundary lines as shown upon the plans. Granite monuments shall be set at each corner of the lot abutting the roadway. Said monuments shall be 4-ft. in length, dressed to 6-in. square at the top, having a 3/8-in. drill hole in the center and not less than 4-in. square at the bottom. If ledge is present at the corner(s) of the lot, a 1-inch diameter by 1-inch in depth drill hole shall be established on said corner(s).
- i. All bodies of water, streams, swamps and marshes within the proposed subdivision shall be indicated on the plans and said bodies of water shall be indicated on the locus plan.
- J. Existing and proposed topography on a separate sheet drawn at 2-ft. contour intervals.

Whenever deemed necessary, the board may require additional information on abutting land.

- k. Size, material type and location of existing and proposed storm drains, water mains and sewers, including appurtenances within and adjacent to the subdivision.
- 1. Location, type and specifications for proposed sewer and water system.
- m. Suitable space to record the action of the board and the signature of the members of the Planning Board on each sheet of the Definitive Plan. Where the applicant elects to secure completion of required improvements by Covenant (see Form E), rather than by bond or surety, there shall be a notation above such space as follows:

Approved _____, subject to covenant conditions set forth in a covenant
Executed by _____ dated _____ and to be
(recorded/registered) herewith.

- n. A separate layout plan for each proposed street in the subdivision, at a horizontal scale of 1-inch = 40-ft., showing for each street proposed exterior lines, centerline, points of tangency, length of curves, intersection angles, radii of curves, and the location of permanent monuments and bench marks, together with all lot lines, buildings and other major features within 40-ft. of the exterior lines of such streets. The layout plan shall also show the size and location of all storm drains, water mains and sewers within the street, together with their appurtenances.

On the same sheet, there shall be drawn cross sections of the proposed street, properly located and identified by station number, at such intervals along the street as will adequately indicate any variations in its sections, supplemented where necessary, by lines on the layout plan showing the width and location of proposed roadways, planting strip, gutters, sidewalks and similar physical features.

Directly above or below the layout plan of each proposed street, a profile shall be drawn at a horizontal scale of 1-inch = 40-ft. and a vertical scale of 1-inch = 4 -ft., showing for such street existing centerline grades in fine solid lines, existing exterior right side line in fine black dashed line, existing exterior left side line in fine black dashed line and proposed finished centerline grades in heavy solid lines. Proposed grade elevations shall be shown by figures at beginning and end and at 50-ft. stations, except on vertical curves where they shall be shown at 25-ft. stations. Rates of gradient, in percentage, shall also be shown. All elevations shall refer to Massachusetts Geodetic datum, unless in the opinion of the board, suitable bench marks are not readily available. Profiles shall also indicate the location of any intersecting public or private ways and the location of existing and proposed storm drains, water mains and sewers and their appurtenances and other utilities.

- o. Major site features, such as existing stone walls, fences, buildings, large trees, rock ridges, outcroppings and swamps.
- p. The applicant must submit data, prepared by his engineer, indicating that an adequate supply of water exists to service the proposed development for residential use and fire protection.

Looping of proposed water mains with existing mains shall be required of all subdivisions.

- r. Plans shall be prepared in accordance with 250 CMR 6.021 for unregistered land or in accordance

with the 1971 Land Court Instructions when registered Land is involved.

- s. Each new right of way within a subdivision shall be identified on the Definitive Subdivision Plan with a parcel designation and parcel geometry sufficient to allow for conveyance of the right of way to the Town of Stoneham upon completion of the subdivision.

4. MANDATORY REVIEW BY BOARD OF HEALTH

- a. At the time of filing of the Definitive Plan, the applicant shall also file with the board of Health, two contact prints of the Definitive Plan, dark line on white background. If the subdivision is proposed for service by on lot sewage systems, the applicant shall submit to the Board of Health a copy of the plan, showing the location of each proposed system and results of either soil or percolation tests, prepared in accordance with the requirements of Article XI of the Sanitary Code of the Department of Public Health of the Commonwealth of Massachusetts. The results of said tests shall be certified individually by a civil engineer or registered sanitarian experienced and recognized as qualified to make and certify such tests.
- b. After the plan is filed, the Board of Health shall, within the time prescribed in the Subdivision Control Law, report to the planning board, in writing, approval or disapproval of said plan. If the Board of Health disapproves the plan, it shall make specific findings as to which, if any, of the lots shown on the plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report and, where possible, shall make recommendations for the adjustment thereof.

5. PUBLIC HEARING

Before approval, modification and approval, or disapproval of the Definitive Plan is given, a public hearing shall be held by the board, notice of which on an approved form shall be given by the board, at the expense of the applicant, as required by the Subdivision Control Law and by mailing a copy to the applicant and to all owners of property abutting upon the land and abutters to abutters within 300-ft. of the property included in such plan as appearing on the most recent tax list.

6. APPROVAL, MODIFICATION OR DISAPPROVAL

- a. After the required hearing, but within the period specified in the Subdivision Control Law of submission of the Definitive Plan, the board shall take final action thereon. It may approve, modify and approve, or disapprove said Plan, as provided by statute. The board may require the engineer-of-record to attend a meeting(s) of the board, provided the board notifies the applicant or his legal representative seven (7) days in advance of the requested attendance.
- b. The board shall modify, amend or disapprove a Definitive Plan in which the board makes a finding that the design of storm drains and related installations do not meet the requirements of these Rules and Regulations and the Town of Stoneham's Department of Public Works.
- c. **If**, in the board's review of the proposed subdivision, it is found that the road(s) and/or intersection(s) shall impose a danger to the health and safety of the public, the board shall modify, amend or disapprove the submitted Definitive Plan, subject to, but not limited to the following:
 - (1) Proper horizontal alignment;
 - (2) clear site distance for vehicular traffic at intersections;
 - (3) the allowable grade of roadways;
 - (4) dead-ends shall not exceed the distance allowed under

these Rules and Regulations; (5) intersections shall incorporate a proper intersection angle, minimum distance between entering streets not directly opposite each other (ft.) and the minimum radius (ft.) Note: the allowed standards for the above reasons are referenced on Table II of these Rules and Regulations.

In addition to the above, the board shall modify, amend or disapprove a Definitive Plan in which the board makes a finding that the design of storm drains and related installations do not meet the requirements of these Rules and Regulations and the Town of Stoneham's Engineering Department of Public Works.

7. CERTIFICATE OF APPROVAL

The action of the board with respect to said Plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by mail to the applicant. If the board modifies or disapproves said Plan, it shall state in its vote the reasons for its action. 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 day appeal period has elapsed following the filing of the certificate of the action of the board with the Town Clerk on Form C-1 or C-2 and said clerk has notified the board that no appeal has been filed.

8. PERFORMANCE GUARANTEE

Before endorsement of the approved Definitive Plan of a subdivision, the applicant shall file with the Planning Board a performance guarantee, in a form satisfactory to the board, for the completion of the required improvements specified in Section V of these Rules and Regulations for all lots in the subdivision, the construction of ways and the installation of municipal services.

Approval of the Definitive Plan shall not be deemed to constitute the laying-out or acceptance by the Town any streets within a subdivision.

9. RECORDING OF PLAN AND DISTRIBUTION TO TOWN AGENCIES

In the case of approval of a definitive plan by action of the Planning Board, after the expiration of twenty days without notice of appeal to the Superior Court, the plan shall be endorsed and delivered by the Planning Board to the person who submitted such plan.

Prior to endorsement, the Board shall require the applicant to inscribe upon the plan to be recorded, all approved waivers and all conditions of approval, as it shall specify in the certificate of approval filed with the Town Clerk. Said conditions shall specify in the certificate of approval filed with the Town Clerk. Said conditions shall include, but shall not be limited to, the number of lots approved; that there be no deviation from the approved final grade/topographical plans; if applicable, the words "as per covenant"; and any inscription required under the provisions of any section of MGL c.41, or such other condition as the Board may require for the plan to be approved.

Within 60 days after the endorsement or reasonable timeframe of the Definitive Plan by a majority of the Board said plan shall be recorded by the applicant at the Middlesex South District Registry of Deeds and in the case of registered land with the recorder of the Land Court.

Within 10 days of recording the applicant shall provide the Board with copies of the recorded plan, certificate of approval and covenant, as the case may be, attested to by the Register of Deeds, and a copy of the receipt provided by the registry showing the recording information thereon. The Board shall make the attested copies available to other Town agencies as necessary.

The applicant shall record all pages of the subdivision plan unless the Board requires otherwise in its certificate of approval. The pages to be recorded shall, if necessary, be renumbered consecutively, and submitted to the Board for its endorsement.

Upon recording, the board shall file one print of the Definitive Plan with each of the following: The Building Commissioner, the Director of Public Works, Town Assessor, Board of Health and Town Clerk. In accordance with state statute, if the performance of the construction of ways and the installation of municipal services is secured by a covenant, the Building Commissioner shall issue no permit for the construction of a building on any lot within the subdivision, except upon receipt from the board of a copy of the Certificate of Performance (Form F), releasing the lot(s) in question.

Prior to a building permit being issued for any lot secured by a bond or other surety, the way servicing the lot shall have the following required construction items completed:

- The way(s) shall include a bituminous concrete base, with all utility mains and laterals installed.
- Sidewalk(s) constructed to bituminous concrete base and installation of curbing.
- All required street lights shall be installed and operational.

Note: The satisfactory completion of the above construction items shall be per the written approval of the Department of Public Works.

- All fire hydrants shall be installed and operational.

Note: The satisfactory completion of fire hydrants shall be per the written approval of the Fire Department Chief.

Failure to comply with the procedural and other requirements of these Rules and Regulations may result in rescission of the Approval given hereunder by the Board.

10. CREATION OF COMMITTEES AND SUBCOMMITTEES

The Planning Board shall have the authority to create committees and sub-committees within its membership, for the purpose(s) of studying matters concerned with planning of the Town's infrastructure, subdivision control, zoning, and site plan review and report findings of said matters to the Planning Board as a whole. The board may adopt, amend, modify or reject said findings by a majority vote of the entire membership of the board. Hence, the final adoption of said findings shall be forwarded to the appropriate Town agencies, private parties and/or corporations, as formal action of the Planning Board.

11. AMEND OR FAILURE TO COMPLETE PLAN

If the applicant seeks to amend and/or modify an approved Definitive Subdivision Plan, or fails to complete the Subdivision by the approved completion date, said Plan and other required materials shall be submitted to the Planning Board in compliance with the most recently adopted Land Subdivision Rules and Regulations.

12. AS-BUILT AND ACCEPTANCE PLANS

Upon completion of required improvements in a subdivision, an applicant shall submit both As-Built and Acceptance Plans to the Town. The applicant or owner of record shall file with the Town of Stoneham, at no charge or cost to the Town, both a Mylar of all sheets and an electronic file of the as-built and, where applicable, acceptance

plans. The files shall be in CAD or GIS format and may be submitted on CD, DVD or by electronic mail. All files shall be submitted to the Department of Public Works in accordance with its submission requirements for digital data, as may be amended from time to time, for purposes of incorporating the data into the Town's Geographic Information System.

a. As-Built Plans

"As-Built" plans depicting "on the ground" conditions at the time of final inspection shall include, at a minimum, the following: Rims and inverts of all drainage structures as they would appear on the Profile Section of the Plan;

- Location, size, and type of material for the water main. Indicate spot elevations every two hundred (200) feet on the water main to verify vertical installation;
- Location of gas mains and house services if installed; All underground electrical installations;
- Underground cable installation including cable services to lots; Fire alarm wiring, if applicable;
- Underground telephone wiring;
- Water and sewer services to each individual lot with linear ties to a permanent structure or monument;
- Line water gates and ties;
- Curbing;
- Sidewalks and their widths;
- Granite headers;
- Grass plots and their widths;
- Any encroachments onto privately-owned property; Driveway curb cuts;
- Hydrants and water gates;
- Utility (telephone/electric) poles and any guys;
- Street lights;
- Electrical transformers;
- Rims and inverts of all sewer structures;
- All drainage, drainage structures, drainage easements, off-site drainage, appurtenances, pipe sizes and materials. All of this information shall be shown both within the right-of-way and any easement(s). If a drainage channel, swale, or brook is part of the drainage, then top and bottom of bank elevations shall be given every fifty (50) feet. If a retention basin is constructed, then enough elevations shall be given to indicate that the retention basin will have the proper staging called for in the approved Plan;
- Any and all utility appurtenances;
- Location of survey monuments;
- Trees which, as specified on the approved Plan, were to be retained or planted;

- Other landscaping and planting if required by the approved Plan;
- Center line profile by providing fifty-foot (50') stations with high and low point(s); Side slopes and lot grading certification;
- Benchmarks;
- Width of roadway layout;
- Width of roadway pavement;
- Location of street signs;
- Typical title block; and
- Footprint of all houses constructed on all lots in the subdivision.

As-Built Plans must be accompanied by (a) certification from an engineer and surveyor that all construction conforms to the approved Definitive Plan or (b) certification from an engineer and surveyor that includes a detailed recitation of all field work deviations from the approved Definitive Subdivision Plan and the reasons therefor.

Prior to approving an As-Built Plan, the Planning Board shall obtain in writing from the Director of Public Works a statement that he has inspected the project and found all work required by these Rules and Regulations to be complete and in accordance with the approved Definitive Plan. In instances where deviations from the approved Definitive Subdivision Plan are found, then the Director of Public Works shall provide a detailed list of any such deviation(s) as well as a statement indicating that said deviation(s) were authorized by the Director of Public Works, in advance, for sound engineering reasons.

b. Acceptance Plans

The applicant shall file with the Board a final Acceptance Plan of completed streets and any easements together with the proper legal descriptions for initiating the acceptance of the ways by the Select Board. Acceptance Plans must be accompanied by certification from an engineer and surveyor that the layout(s) of roadway(s) and easement(s) conform to the approved Definitive Plan.

The Acceptance Plan shall be prepared and certified by a surveyor on plans of at least 36"x24" in size and shall show the following:

- Widths, lengths, and bearings of all boundary lines of streets and easements;
- Radii, tangents and central angles of all curves in street lines; and
- Stone bounds installation.

SECTION 3
DESIGN STANDARDS

A. GENERAL

Subdivisions shall be designed in accordance with the following specific standards.

B. STREETS

1. GENERAL SYSTEM AND LOCATION

- a. All streets in the subdivision shall be designed so that, in the opinion of the board, they will provide safe vehicular travel. Due consideration shall also be given to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision. Proposed streets shall be designed to afford safe access to abutting lots and existing streets, including consideration of traffic factors, such as vision at corners, sight clearance, sight lines, existing obstructions, width of existing streets and similar considerations.
- b. Streets shall be continuous and in alignment with existing streets, as far as practicable, and shall comprise a convenient system with connections adequate to insure free circulation of vehicular traffic.
- c. Streets in the subdivision shall connect to, and be accessible from, a public way or an existing private way open to the public, and in which the applicant has rights for purposes for which ways are intended and commonly used, and which ways are of adequate construction to provide safe and convenient travel for which ways are intended.
- d. There shall be provided at least two (2) recognized means of access, as noted above, for each subdivision, except those comprising only one dead-end street. In the case of an approved definitive subdivision plan under development, the board will not release a surety bond or deposit or in the case of a covenant, issue a release of covenant for a portion or section of the subdivision under development, unless there is provided and constructed first, except for a dead-end street, two means of access to said portion or section.
- e. Proposed streets, which are obviously in alignment with other streets already existing and named shall bear the names of existing streets. The names of all proposed streets shall be subject to the approval of the planning board.
- f. Temporary dead-end streets, laid out to permit future projection, shall conform to the provisions of alignment, width, and grade that would be applicable to such streets if extended.
- g. Reserve strips, prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the board, such strips are in the public interest.
- i. The cul-de-sac bulb is provided as a safety turnaround at the end of the cul-de-sac, of which the open-end width of the bulb shall be the same width as the right-of-way width of the connecting street.

2. ALIGNMENT

All reverse curves on major and collector streets shall be separated by a tangent at least one hundred (100) feet long. Additional information on alignment of roadways is contained in Table II.

3. INTERSECTIONS

- a. Streets shall be located to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty (60) degrees.
- b. Multiple intersections, involving the junction of more than two streets, shall be avoided. Where this proves impossible, in the opinion of the board, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
- c. Streets entering opposite sides of another street shall be laid-out, either directly opposite each other or with a minimum offset of one hundred and twenty-five (125) feet between their centerlines.
- d. Street lines at all intersections shall be rounded with a corner having a radius of not less than thirty (30) feet. However, when the intersection of two ways varies more than ten (10) degrees from a right angle, the radius of the curve at the acute angle may be less and at the obtuse angle shall be greater than thirty (30) feet to the extent approved or required by the board.

4. WIDTH

All streets shall be designed so as to provide safe travel for vehicles and pedestrians. Due consideration shall be given by the sub-divider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision. The board will give due regard to the prospective character of different subdivisions, whether open residence, dense residence, business or industrial, nature of terrain and the prospective amount and type of travel upon various streets and footpaths therein. Subject to adjustment in light of such factors, streets shown on subdivision plans shall be classified as collector or minor streets.

The minimum width of street right-of-way s shall be as follows

- a. Type I ----- forty (40) feet (single and two family residences)
 Type II -----fifty (50) feet (3+ units & multifamily/multi use residential)
 Type III -----sixty (66) feet Collector (Commercial, Business & Industrial)
- b. Alleys with a minimum width of thirty (30) feet may be required by the board at the rear of any lots designated or zoned for commercial use.
- c. Frontage or access serving any lot shall meet the requirements of the Town of Stoneham Zoning Ordinance, as now existing or hereafter amended.

5. GRADE

- a. Grades of all streets shall be the reasonable minimum, but shall not be less than one (1%) percent.
- b. The maximum center line grades shall be as follows:
 Short Cul-de-sac: eight (8%) percent
 Minor streets: eight (8%) percent
 Collector streets: six (6%) percent
- c. All changes in grade exceeding one (1%) per cent shall be connected by vertical curves of sufficient length to afford, in the opinion of the board, adequate sight distance.
- d. At the approach to an intersection, on any street, a leveling area shall be provided, having a maximum grade of one (1%) percent for a distance of thirty (30) feet, measured from the

nearest gutter right-of-way line of the intersecting street.

C. BRIDGES

Bridges shall be designed in accordance with the Commonwealth of Massachusetts, Dept. of Public Works, Standards and Specifications.

D. STORM DRAINAGE

Purpose: The primary purpose for all subdivision stormwater drainage design is to maintain existing natural drainage conditions. Where such conditions adversely affect surrounding properties, alternative drainage designs shall be presented for the board's consideration.

Post development stormwater runoff conditions shall be contained within the boundaries of the subdivision in approved subterranean leaching systems or above grade detentions facilities. Retention basins or so-called artificial ponds shall be prohibited.

Lot development shall provide that each lot be prepared and graded in such a manner that development of one shall not cause detrimental drainage conditions on another lot or onto streets. If provision is necessary to carry drainage to or across another lot, a drainage easement shall be established and recorded as such with the Registry of Deeds.

DRAIN SYSTEM DESIGNS

Storm water runoff shall be disposed of through a combination of storage and controlled release. Drainage systems shall be designed according to the following principles and criteria and meet current Town of Stoneham Stormwater By-Laws and regulations.

1. **Peak Flows:** Property shall be developed in such a manner as to maximize storm water recharge on the site and to minimize direct overland runoff into adjoining streets and watercourses. Peak flows and runoff at the boundaries of the subdivisions shall be no higher following development than before development.
2. **Capacity:** Drainage systems shall have adequate capacity to handle all storm water runoff presently flowing through the sub-division, as well as to dispose of any additional runoff generated by the proposed development up to and including the runoff from a one hundred (100) year storm using the following methods:
3. The flow from storms of up to a twenty-five (25) year frequency and a twenty-four (24) hour duration shall be conveyed through the subdivision site, following natural drainage patterns wherever possible, in a manner which will maintain the ratio of runoff to infiltration at the same percentage as under natural conditions.
4. Detention facilities shall be provided to handle all runoff which exceeds the percolation capacity of the site, up to and including the runoff generated by the one hundred (100) year, twenty-four (24) hour storm using NOAA Atlas 14 and the Town Stormwater By-laws.
5. **Release Rate:** The combination of storage and design release rate shall not result in storage duration of greater than seventy-two (72) hours. Maximum depth of storm water retention areas shall be four (4) feet. Detention area side slopes shall be kept as close as possible to natural land contours, ten (10%) percent or less wherever possible.
6. **Outlet Structures:** Outlet control structures shall be designed as simply as possible and shall require little

or no attention for proper operation.

7. Emergency Overflow: Each storm water detention area shall be provided with a method of emergency overflow in the event of a storm in excess of the one hundred (100) year frequency type.
8. Natural Patterns: Natural drainage patterns shall be used wherever possible. All existing watercourses shall be left open unless approval to close them is obtained through the Conservation Commission. All new open watercourses shall be appropriately seeded, sod installed, paved or rip-rapped.
 - i. Alterations: Any alteration of land on the site shall be such that changes in existing patterns of drainage shall not adversely affect properties outside the subdivision by increasing the amount or rate of peak flow.
 - j. Structured Systems: Where soil conditions or topography make natural drainage systems impractical, and where existing drains in adjacent streets or easements are adequate in capacity to accommodate the drainage flow from the subdivision, a structured system shall be used and appropriate connection to the existing Town drainage system shall be made. In such instances, catch basins shall be required on both sides of the street, on continuous grade at intervals of not more than three hundred (300) feet, at low points in the street and near the corners at intersecting streets.
 - k. Calculations: Hydraulic calculations, prepared by a Registered Professional Engineer, shall be submitted to substantiate all design features of any proposed drainage system. Computations for runoff shall be made in accordance with standard engineering practice, acceptable to the Department of Public Works, and the method of calculation shall be noted.
 - l. Drainage Easements: Where it is necessary to carry drainage across lots within the subdivision, storm water easements shall be provided, and of such width and construction, as will be adequate to accommodate the volume and velocity of the runoff. However, in no case shall the easements be less than twenty (20) feet in width.
 - m. When a proposed drainage system will carry water across land outside the sub-division boundaries to an approved outfall, appropriate drainage rights shall be secured by the sub- divider and shall be referenced on the Definitive Plan.

2. DRAIN AND CHANNEL SIZES

- a. Pipe drains, where used, shall have a minimum diameter of 12 in. In general, they should be designed to flow full with the hydraulic gradient at the crown. However, in flat slope areas surcharge may be allowed. In determining the capacity of concrete and high- density plastic drains, the Manning formula should be used, with the coefficient of friction "n" equal to 0.013. The minimum velocity at design flow should be 2.5 feet per second (fps) and the maximum 10 fps to avoid scouring.
- b. Drainage systems shall be designed employing manholes on the trunk line at a minimum 300-ft. interval. Catch basins shall be connected only to these-manholes. Catch basin to catch basin connections are prohibited.
- c. In some cases, earth and stone-paved open channels should have a flat bottom and side slopes of one vertical on two horizontal with the top of the slope at least 1 ft. higher than the design water surface. The maximum velocity allowed in an open earth channel at design flow should be 6 fps.

A coefficient of friction "n" equal to 0.030 should be used for both the earth and stone-paved channels.

3. CONNECTION TO PUBLIC SYSTEM

- a. Where feasible, storm water should be directed to enter the nearest open stream channel. Storm water shall not be permitted to cross any roadway upon the surface, but must be piped underground. Storm water runoff, except in Type I subdivisions or in already existing open stream channels, shall not be permitted to flow upon the surface for more than 300 feet, before entering the underground system. Catch basins shall be located on both sides of the roadway and on continuous grades, at intervals of not more than 300 feet, at all sags in the roadway and near the corners of the roadways at intersecting streets.
- b. Proper connection shall be made with any existing public drainage system within 1,000 ft. of the subdivision. Where adjacent property is not subdivided, and no public drain is within 1,000 ft., provisions shall be made for extension of the system by continuing appropriate drains to the exterior boundaries of the subdivision, at such size and grade as will allow for their proper protection.

4. NATURAL DRAINAGE AREAS

No open water body or pond shall be filled in under any circumstances and no wet or swampy area shall be filled unless approval is received from the Stoneham Conservation Commission in accordance with MGL Chapter 131.

5. LOT DRAINAGE

Lots shall be prepared and graded with consistent drainage into the sub-division and in such a manner that the development of any lot shall not cause detrimental drainage on another or on areas outside the subdivision. If provision is necessary to carry drainage to or from a lot, an easement or drainage right-of-way of a minimum width of twenty (20) feet and proper side slope shall be provided.

E. WATER

1. Public water mains shall not be less than 8 inches in Types I and II Subdivisions and not less than 12 inches in Type III Subdivisions. Water mains shall be sized to convey fire demands in accordance with the Insurance Service Organization guidelines.

Each hydrant shall be served directly from the water main through a 6-inch lateral connection, provided the hydrant is not more than 50 feet away from the main, and provided no other services are connected thereto. It shall be gated with a 6-inch bottom valve, and shall have 2 2 1/2 inch hose outlets and one 5-inch pump outlet. Valves shall be located in such number and locations that the line, by individual block, may be isolated for maintenance purposes.

Hydrants shall be located in the center of the planting strip nearest the property every 300 ft. in industrial and 350 ft. in business and residential areas, measured along the centerline of the roadway. Regardless of the above, no building shall be located more than 350 ft. away from a hydrant.

2. The location of all hydrants is to be approved by the Fire Chief. Under no circumstances shall a new road be laid out or accepted without at least one hydrant location.

In apartment house complexes, hydrants shall be installed within the apartment house property, regardless of the proximity of hydrants on the Town streets.

3. Private community water systems are prohibited from connecting to the public system.
4. Water line looping of all subdivision water systems shall be required.

F. SEWAGE

1. Public sewers shall not be less than 8 inches in diameter, and shall be sized according to the standards required by the Director of Public Works. Note: Sewers shall be designed in accordance with the New England Water Pollution Control Commission TR-16.
2. Manholes shall be located at every change in grade, change in direction and not more than 300 ft. apart.

G. EASEMENTS

1. Where water, sewer and storm drain lines require, in the opinion of the Director of Public Works, a location outside of any street line, there shall be reserved, and shown on the plan, easements to accommodate such utilities. Such easements shall have a minimum width of twenty (20) feet, and shall be dedicated to the Town.
2. Where a subdivision is traversed by watercourses, drainage ways, channels or streams, there shall be provided storm water easements or drainage right-of-ways reserved and conforming substantially with the lines of such watercourses and having such width to provide for construction or other necessary purposes. However, such easement width shall be a minimum of twenty (20) feet.
3. Where the side slopes hereinafter required will extend outside of the street right-of-way lines, suitable slope easements shall be provided of sufficient dimensions to accommodate all portions of the slope above or below the finished grade of abutting lots.
4. No structures shall be erected or trees planted within an easement.

H. LOTS

Building lots within a subdivision shall comply with all applicable zoning ordinances, as cited in the Stoneham Zoning By-Law, as amended, and in accordance with the Massachusetts General Laws, Chapter 41, Sections 81 M and 81 Q and with the terms of any variance(s) granted for said lots by the Board of Appeals.

Lots with double frontage should be avoided whenever possible. Corner lots should, whenever practical to do so, be wider than adjoining interior lots to permit greater flexibility in locating the home or structure of the lot, and for better layout of yards. Roads and road layouts should conform as close as possible to the natural contour of the land.

I. OPEN SPACES

Before approval of a plan, the board may require the plan to show a park(s) located within said proposed subdivision or other open space(s) to be reserved for conservation and/or recreation purposes.

J. LOAMING

The top 6-in. of planting strips and side slopes shall consist of good quality loam, screened, raked, and rolled

with a hand roller to grade. The loam shall be seeded with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled when the loam is moist. The applicant shall be responsible for the continued maintenance of the planting strip and the adequate growth of the grass within the planting strip until such time as the Town of Stoneham accepts the right-of-way. Prior to the Town's acceptance of the right-of-way, any damage resulting from erosion, gullies, washouts or other causes shall be repaired at the applicant's expense by filling with topsoil, tamping, re-fertilizing, reseeding or re-sodding.

K. MONUMENTS AND MARKERS

1. Monuments shall be installed at all street intersections; at all points of change in direction or curvature of streets; at other points as shown on the Definitive Plan and where, in the opinion of the board, permanent monuments are necessary. In addition, a monument shall be installed at least every 1000 ft. within the subdivision boundaries.
2. Granite monuments shall be set to 6 in. above finish grade, and shown as such, on the plans. Said monuments shall be 4-ft. in length dressed to 6-in. square at the top with a 3/8 in. drill hole in the center, and not less than 4-in. square at the bottom.
3. No permanent monuments shall be installed until all construction, which could disturb or destroy the monuments, is completed.
4. Monuments shall be permanent and semi-permanent physical monuments upon each locus and connected with the survey in such a manner that they could be used at any future time to relocate the boundary lines as shown upon the plans. Granite monuments shall be set at each corner of the lot abutting the roadway. Said monuments shall be 4-ft. in length, dressed to 6-in. square at the top, with a 3/8-in. drill hole in the center and not less than 4-in. square at the bottom. If ledge is present at the corner(s) of the lot, a 1-inch diameter by 1-inch in depth drill hole shall be established on said corner(s). A permanent pipe or iron marker, at least 36-in. long, shall be installed at the corner of each lot not abutting the roadway and also at front corners if within 50-ft. of a changes of direction bounds, as shown on the Definitive Plan.

L. STREET LIGHTING

1. All subdivisions approved for either above or underground electrical service shall provide street lighting every 300-feet maximum along roadways and installed per the standards employed by the electric service company.
2. The developer shall bear the cost for the installation of all street-lighting apparatus.
3. Street light poles for underground service shall be concrete or aluminum. The height and number of lumens for each streetlight shall be determined by the Electrical Inspector. Said poles shall be shown on the plan and shall be installed at the back of the sidewalk in the planting strip.

M. CLEANUP

The entire area must be cleaned-up, so as to leave a neat and orderly appearance free from stumps, debris and other objectionable materials. All catch basins shall be properly cleaned-out. Following the completion of work of this nature, a final inspection (the fifth) shall be made. Burying of debris, rubbish, stumps, boulders, brush, or unused construction materials is prohibited.

SECTION 4
IMPROVEMENTS REQUIRED

A. GENERAL

In subdivisions, the ways shall be constructed and municipal services installed in accordance with the following specific requirements. No deviation or changes from an approved Definitive Plan shall be authorized, except by written approval of such changes by a majority vote of the Planning Board. **No in the field changes shall be allowed.**

B. DRAINAGE

The construction of the drainage system, including methods of construction and quality of materials used, shall be in conformity with the Definitive Plan, and unless specifically accepted by the board, the details shall conform to those of the Massachusetts Department of Public Works Specifications and Standards. In particular, all catch basins shall be constructed of precast concrete and standard D-frames and grates. Granite inlet stones shall be installed as required. Drainage castings shall be Massachusetts State standard.

All catch basins shall have an inside diameter of at least 4-ft., and shall be constructed to a minimum depth of 4 ft. below the invert of the outflow pipe. Joints on all drainpipes shall be sealed unless open joints are specifically approved by the Stoneham Planning Board. Where the pipes are of reinforced concrete, there shall be a minimum cover of 2 ft., and where not reinforced, a minimum cover of 3 ft. to finished grade.

C. WATER

The water system shall be installed in accordance with the Definitive Plan and shall be in conformity with the Rules and Regulations of the Planning Board and in accordance with the Supplementary Rules and Regulations of the Public Works Department for the installation of water mains, services, branch lines, etc.

D. SEWERAGE

The sewerage system shall be installed in accordance with the Definitive Plan and shall be in conformity with the Rules and Regulations of the Planning Board and in accordance with the Supplementary Rules and Regulations of the Public Works Department for the installation of sewer trunks, manholes, laterals and service connections.

E. PUBLIC UTILITIES

1. All public utilities, such as electric, gas, telephone, cable TV, etc., shall be installed underground in conduits. All utilities to be sized for 20-year growth.
2. All water mains and services shall be installed with 5-ft. minimum cover below the finished grade.
3. In rock or clay, trenches shall be excavated to a depth of 6-in. or more below the bottom of any water pipe, storm drain or sewer and filled with suitable base materials (select gravel or 2-in. trap rock as is found necessary). All peat shall be removed unless alternative excavation is approved by the Planning Board.
4. All water pipes, storm drains, sewers, gas mains and light and power conduits shall be installed in the

street prior to completion of the roadway foundation. This includes the installation of service pipes and conduits to the front lot line of each residential lot shown in the subdivision.

5. Prior to any back-filling of trenches or other covering of structures, all storm drains, sewers, culverts, public utility conduits, manholes, water mains, laterals, shut-off valves and hydrants shall be inspected. Following such inspection, the fill material shall be carefully placed around the structures and rammed and compacted and backfilled as to the specifications for the restoration of damaged roadways and sidewalks.

F. STREET FOUNDATION AND CROSS SECTION

1. The entire area of each street within the street right-of-way shall be cleared of all stumps, brush, roots, rocks or boulders and like material.
2. Within each street, the full length and width of the roadway, including any required shoulders, shall be excavated to the depth of 12-inches below the grade of the base course of bituminous for Short Cul-de-sacs, Type I and II subdivisions and 18-inches for Type III streets. If the soil is soft or yielding, or contains rocks or boulders, clay, sand pockets, peat or other material detrimental to the subgrade, such material shall be removed to such additional depth as required by the Planning Board and replaced with well-compacted material approved by the board. Where fills are very deep, the material shall be placed in layers of approximately 1-ft. and thoroughly compacted.
3. Prior to any further roadway construction, the roadway subgrade shall be inspected. However, at the election of the Town this inspection may be combined with the inspection of underground services.

G. ROADWAY CONSTRUCTION

Roadways shall be provided with the following:

1. GRAVEL

Short Cul-de-sacs and Type I and II streets shall have 12-in. of select gravel which shall be spread, rolled and compacted with at least a 10-ton rubber tire compactor or other approved compactors, and shall conform to the typical cross section. Type III and Collector streets shall have 18-in. of select gravel placed in two lifts of 9-in. each. Each lift shall be spread, rolled and compacted with at least a 12-ton rubber tire compactor or other approved compactors and shall conform to the typical cross section. All roads shall be constructed with a 7/8-in. slope, per linear foot, measured from the centerline to each gutter line.

Prior to any further construction, the roadway shall be inspected, as hereinafter provided, and a field density test shall be performed, at the owner's expense, by a registered professional engineer or certified testing laboratory every 500- ft. along the roadway.

2. BASE COURSE

Roadways shall be provided with a base course of 9.5MM Superpave bituminous concrete pavement base course material (Black Base). Short Cul-de-sacs and Type I and II streets shall be 2 inches thick. Type III and Collector streets shall be 4-in. thick, placed in two equal layers. Each lift shall be compacted with a 15-ton roller.

3. SURFACE COURSE

All roadways shall be provided with 12.5MM Superpave Bituminous Concrete Pavement Type surface courses and shall be placed as follows:

1. 1 % in. Superpave Bituminous Concrete Pavement Type I- top course material for Short Cul- de-sacs and Type I and II streets.
2. 1 % in. Superpave Bituminous Concrete Pavement Type I - I binder course material for Type III and Collector streets.
3. 1 % in. Superpave Bituminous Concrete Pavement Type I - I top course material for Type III and Collector streets.

Each lift shall be compacted with a 15-ton roller.

4. The roadway shall be paved to the full width specified on the approved cross section.
5. All materials and construction procedures shall conform to the latest Mass. D.P.W. Standard Specifications for Highways, Bridges, and Waterways.
6. Upon completion of the pavement and any shoulders, the roadway shall again be inspected, as hereinafter provided (Sec. IV Subs. K).

4. CURBING

- a. In all subdivisions curbing shall be installed along each edge of the roadway in all streets as shown on the Definitive Plan.
- b. Required curbing shall be vertical granite Type VA-4 of the Massachusetts Department of Public Works Standards and Specifications M 9.04.

5. SIDEWALKS

- a. Sidewalks, of a width required by Table I, shall be constructed in all type subdivisions on both sides of each roadway, as shown in Chapter VII - Cross Sections - of these Rules and Regulations.
- b. Sidewalks shall have a finished grade in relation to the finished grade of the roadway and shown on the applicable cross-section plan. When unusual topographic conditions exist, the board may approve the placement of a sidewalk at a greater distance from the roadway or at a higher or lower elevation in relation thereto, provided such variation is indicated on the Definitive Plan.
- c. All sidewalk construction shall consist of the following

requirements: Gravel Borrow:

Gravel required for sidewalk foundation shall consist of inert material that is hard durable stone and coarse sand, free from loam and clay, surface coatings and deleterious materials. Maximum size of stone in Type B gravel borrow shall be no larger than three (3) inches in dimension. The sub-grade for the sidewalk shall be shaped parallel to the proposed surface of the walks and shall

be thoroughly compacted. All depressions occurring shall be filled with suitable material and again compacted until the surface is smooth and hard. After being compacted thoroughly, the foundation shall be at least eight (8) inches in thickness and parallel to the proposed surface of the walk.

Concrete Sidewalks:

The concrete used shall be 4000 lb., 6% air-entrained concrete with ½ in. to ¾ in. aggregate and placed to a depth of 4" except at all driveways, it will have a depth of 6". Expansion joints shall be ½ in. in width and placed every thirty (30) feet, a cut joint shall be made every five (5) feet and an appropriate radius made on both sides of joints and on front and back edges of sidewalks. All concrete used shall be provided by firms with quality control facilities and certification and shall be approved by the Town of Stoneham.

Surface of concrete shall first be stool troweled; then the final troweling shall be wood float finish or brush finish. Side forms and traverse forms for sidewalks shall be smooth, free from warp, of sufficient strength to resist springing out of shape, of a depth to conform to the thickness of the proposed walk and of type satisfactory to the Director of Public Works. The forms shall be well staked and thoroughly braced and set to the established lines with their upper edge conforming to the grade of the finished walk, which shall have a ¼ inch per foot pitch to the roadside of the walk to provide for surface drainage. When completed, the walks shall be kept moist and protected from traffic and weather by the contractor for at least three (3) days or as directed by the Engineer.

6. PLANTING STRIPS

- a. Planting strips, of a width required by Table I, shall be provided behind the back of sidewalk.
- b. The finished grade of such planting strips, in relation to the finished grade of the roadway, shall be as shown on the applicable cross-section plan. Where unusual topographic conditions exist, the Planning Board may require the construction of an irregular planting strip or sloped- in cross section. This is provided that such variation is indicated on the Definitive Plan, and that no portion of the planting strip will project above a plane sloped three-to-one (3:1) upward from the edge of the roadway or below a plane sloped three-to-one downward.

7. STREET SIGNS AND REGULATORY SIGNS

Street signs, of a design, material and number approved by the Planning Board, shall be furnished and installed for each street intersection within the development by the developer. The posting of these signs and standards shall be set in a buried concrete base, 10-in. in diameter and 24- in. long, and located at the rear of the sidewalk.

Regulatory signs (stop, school zone, speed limit, etc.) shall be installed at the rear of the sidewalk.

8. SHADE TREES

Where, in the opinion of the board, existing trees are inadequate, shade trees, having a

caliper of at least 2-in. and of a variety suitable, in the opinion of the board, shall be planted. Such planted trees shall conform to Chapter 24 of the town of Stoneham's Tree By-law. The Planning Board shall have the authority to name a street upon consultation with Police, Fire, and Public Works. The applicant can submit a list of desired street names for the Planning Board to recommend.

9. FIRE ALARM SYSTEM

A fire alarm system shall be installed at the expense of the sub-divider, as requested by the Chief of the Fire Department and approved by the Planning Board.

10. SIDE SLOPES

The area in the back of the sidewalk shall be graded to a point where it coincides with the finished grade of abutting lots, and in such a manner, that no portion thereof within the exterior lines of the street will project above a plane sloped three-to-one (3:1) upward from the edge of the sidewalk or grass, or below a plane sloped two-to-one downward.

H. INSPECTION AND CONSTRUCTION CONTROL

1. The Planning Board shall approve of, and the applicant shall employ, at his own expense, a registered professional engineer to set all lines and grades in a manner satisfactory to the board.
2. The construction of required improvements shall be the responsibility of the applicant. The applicant shall employ a registered professional engineer to supervise the construction of required improvements, including the approval of materials used in accordance with the Land Subdivision Rules and Regulations.

All construction specifications shall be prepared under the direct supervision of a registered professional engineer and shall bear his signature and seal; said signature and seal shall signify that the plans and specifications meet the applicable provisions of the Subdivision Rules and Regulations, all acceptable engineering practices and all applicable laws and ordinances.

3. The inspectional responsibilities of the engineer shall include the following:
 - a. Review of plans, samples and other submittals of the applicant, as required by the approved subdivision plans, and as same was approved by the Planning Board. This shall include the approval for conformance to the design standards.
 - b. Review and approval of the quality control procedures for all construction materials.
 - c. Special engineering professional inspection of critical construction components requiring controlled materials or construction procedures specified in the latest Mass. D.P.W. Standards.

4. The registered professional engineer-of-record shall submit periodically, in a form acceptable to the Planning Board, progress reports, together with pertinent comments. At completion of construction, the registered professional engineer shall submit to the Planning Board a final report as to the satisfactory completion and the readiness of the improvement requirements for final inspection by the Town of Stoneham .

The improvement requirements shall be the responsibility of the registered professional engineer, as identified on the approved Definitive Plan.

A written request from the Planning Board shall cause the applicant to submit a progress report within the time specified by the board.

5. The applicant shall request final inspection at least 48 hours in advance by notice to the board or its duly authorized agent .
6. To cover the cost of the final inspection, there shall be deposited with the board, prior to the inspection, a sum equal to \$500 for the first 6 lots of a subdivision; \$1,000 for subdivisions exceeding 6 lots, but no greater than 12 lots; \$1,500 for subdivisions exceeding 12 lots, but no greater than 18 lots; and \$2,000 for subdivisions exceeding 18 lots.
7. All fees and costs related to the registered professional engineer shall be borne by the applicant.
8. Sworn affidavits must be submitted with "As Built" plans from the registered land surveyor and registered professional civil engineer, who prepared said plan, indicating that all related work, as shown on the "As Built" plans, has been completed in accordance with the approved definitive plans, to the standards set forth in these Rules and Regulations and all applicable regulations set forth by the Massachusetts Department of Public Works. "As Built" plans shall be stamped as such, and the board shall only endorse said plans which meet the requirements set forth herein and within the guidelines set forth in MOL Ch. 41 Sec. 81U.

SECTION 5
PERFORMANCE GUARANTEE

A. GENERAL

Before endorsement of its approval of a Definitive Plan of a subdivision, the Planning Board shall require the applicant file with the board a Performance Guarantee for the construction and completion of ways and installation of municipal services, as required in these Rules and Regulations for all lots in the subdivision. Such construction and installation to 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. Before the Definitive Plan shall have been endorsed by the Planning Board, the owner(s) of the subdivision shall be the owner(s) of record. **Once a bond is established for the completion of a subdivision, bond estimates will be reviewed yearly. Construction estimate dollar amounts will be increased based on current construction pricing to cover remaining work until the subdivision is complete. Subdivisions must be completed within 2 years of start construction. The planning board will allow only two (2) –six (6) month extensions.**

B. APPROVAL WITH BONDS OR SURETY

The applicant shall either file a surety company performance bond or a deposit of money or negotiable securities in an amount determined by the board to be sufficient to cover the cost of all or any part of the improvements specified in Section IV and not covered by a covenant under C below. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Town Council and as to sureties by the Town Treasurer and shall be contingent on the completion of such improvements within two years of the date of the bond or surety. At the discretion of the board, a time extension may be granted.

C. APPROVAL WITH COVENANT

The applicant shall file a covenant (Form E), executed and duly recorded by the owner of record, running with the land, whereby such ways and services, as specified in Section IV, not covered by bond or deposit under B above, shall be provided to serve any lot before such lot may be conveyed, other than by mortgage deed.

D. REDUCTION OF BOND OR SURETY

The penal sum of any required bond or the amount of any deposit held hereunder may from time to time be reduced by the board and the obligation of the parties thereto released by said board in whole or in part. Said bond or the amount of any deposit held hereunder shall be reviewed by the board every six (6) months as to its adequacy to ensure the completion of all remaining work items.

E. RELEASE OF PERFORMANCE GUARANTEE

Upon the completion of improvements required under Section IV, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with

respect to any lot, the applicant may request and agree on terms of release with the board, or he may send by registered mail to the Town Clerk a written statement in duplicate that the said construction or installation in connection with such bond, deposit or covenant has been completed in accordance with the requirements contained under Section IV, such statement to contain the address of the applicant, and the Town Clerk shall forthwith furnish a copy of said statement to the board.

If the board determines that said improvements have been completed, it shall release the interest of the Town in such bond and return the bond or the deposit to the person who furnished the same or release the covenant by appropriate instrument (Form B), duly acknowledged, with a copy to the Building Commissioner. If the board determines that said improvements have not been completed, it shall within forty-five days specify to the applicant, in writing, the details wherein said improvements fail to comply with its rules and regulations.

F. EVIDENCE OF SATISFACTORY PERFORMANCE

Before the board will release the interest of the Town in a performance bond or deposit or, in the case of approval with covenant, issue a release of covenant:

1. The applicant shall file with the board three (3) certified copies of the layout plan (with accompanying cross sections and profile) for each street in the subdivision (or, in the case of approval with covenant, of the street or streets serving the lots for which a release is desired). Certification shall be by the engineer and surveyor employed by the applicant at his own expense, and shall indicate that all streets, sidewalks, sewers, storm drains, and water mains, and their appurtenances, have been constructed in accordance with the lines and grades of said plan and are accurately located as shown thereon. "As built" plans shall be submitted to the board before acceptance of streets by the board and as per Section IV subsection K.
2. Prior to releasing the Town's interest in a performance bond or deposit or releasing a Covenant, the Board shall receive from the applicant acceptable As-Built and Acceptance Plans and related requirements in accordance with Section II.12 of these Rules and Regulations.
3. The board shall obtain, in writing from the DPW Director, a statement that all work required by these Rules and Regulations has been inspected and completed in each street in the subdivision (or the street serving the lots in question), including storm drains, bridges and sidewalks, and that he has approved the methods of construction and materials used in the performance of such work.
4. The board shall obtain, in writing from the DPW Director, a statement that he has inspected and the applicant has completed each water main and sanitary sewer and their appurtenances in accordance with the requirements of these Rules and Regulations and they have approved the methods of construction and materials used in the performance of such work.
5. The board shall obtain, in writing, from the Board of Health a statement that each already installed on-lot sewerage system was installed in accordance with Article XI of the Sanitary Code of the Department of Health of the Commonwealth of Massachusetts and each on-lot water system was installed in accordance with the Manual of Individual Water Supply Systems of the U.S. Department of Health, Education and Welfare.
6. The applicant shall execute an instrument, in a form approved by the board (Form G), transferring to the Town, without cost, valid unencumbered title to all sanitary sewers, water mains and appurtenances thereto, constructed and installed in the subdivision or approved portion

thereof, and conveying to the Town, without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain such sanitary sewers and water mains, with any manholes pipes, conduits, and other appurtenances, and to do all acts incidental thereto, in, through and under the whole of all streets in the subdivision or approved portion thereof, and if any such sewers or water mains have been constructed and installed in land not within such streets, then in, through and under a strip of land extending 10-ft. in width on each side of the centerline of all such sewers and water mains.

G. CRITERIA FOR SATISFACTORY PARTIAL COMPLETION

1. When only a portion of the streets and other improvements shown on the Definitive Plan have been constructed or installed and a release of covenant is requested, the board shall consider as satisfactorily completed only such lengths and parts thereof as will (in and of themselves) form convenient and adequate systems without the necessity of further extension of improvement, and shall consider as eligible for release only such lots as front on, are connected, or are otherwise served by such streets, utilities and other improvements.

2. Work on the ground adjacent to a particular lot will normally be considered by the board as work necessary to adequately serve such lot, regardless of the degree to which the lot is dependent on said work for its access or utility service. In any case, the board will not issue a release of covenant for the entire subdivision, or for the final lot or group of lots therein, where progressive improvements are made until all items of required work on the ground are completed regardless of location.

SECTION 6
ADMINISTRATION

A. VARIATION

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.

B. APPEALS

The Stoneham Board of Appeals shall act as the Board of Appeals under the Subdivision Control Law, in accordance with Chapter 41, G.L., (Sections 81-Z and 81-AA; and appeals may be taken to the Superior Court, in accordance with Chapter 41 G.L., Section 81-BB).

C. REFERENCE

Formatters not covered by these Rules and Regulations, reference is made to Sections 8IK to 81GG, inclusive, of Chapter 41 G.L.

D. REVISION

These Rules and Regulations may from time to time be amended by majority vote of the Planning Board following a public hearing, in accordance with Chapter 41, G.L., and Section 81Q.

E. EFFECTIVE DATE

These Rules and Regulations or any revisions to them shall become effective following their adoption by the Planning Board and upon transmittal to the Town Clerk for certification. Upon receiving said certification, copies of same shall be forwarded to the South Middlesex Registry of Deeds and to the Recorder of the Land Court.

TABLES

Table 1

Characteristic Type	Collector full access)	Subdivision Type I (full access)	Subdivision Type II (full access)
Right of Way (width in ft)	80	40	40
Moving Lanes (number)	2	2	2
Moving Lanes width (ea in ft)	12	10	10
Parking Lanes (number)	2	1	1
Parking Lanes width (ea. In ft)	12	6	6
Pavement Width (total ft)	48	26	26
Pavement thickness (inches)	7.5	4	4
Median Strip Width (ft)	20	N/A	N/A
Planting Strip (ea. in ft)	N/A	2	3
Sidewalk Width (ea. in ft)	6	5	5
Curbing Required	Yes	Yes	Yes

TABLE 2

Street Design Standards*

Characteristic	Collector Street	<u>Minor Street</u>
Horizontal Alignment		
(1) Minimum radius at centerline, (ft)	300	100
Vertical Alignment		
(1) Clear sight distance at 4.5 ft. above pavement, ft.	350	200
Grade		
(1) Maximum %	6	8
(2) Minimum %	1	1
(3) Maximum grade of transition area at approach to intersection %	1 for 30 ft.	1 for 30 ft.
Dead Ends		
(1) Maximum length, ft.	not permitted	600
(2) Turnaround, right-of-way diameter, ft.	not permitted	110
(3) Turnaround, pavement width, ft.	not permitted	86
(4) Turnaround grade %	not permitted 2min.;4 max.	
<u>Intersection</u>		
(1) Minimum intersection angle	80	60
(2) Minimum distance between entering streets not directly opposite each other, ft.	125	125
(3) Minimum radius, ft.	50	30

) *Design standards for arterial streets shall be as determined by the Massachusetts Department of Public Works.

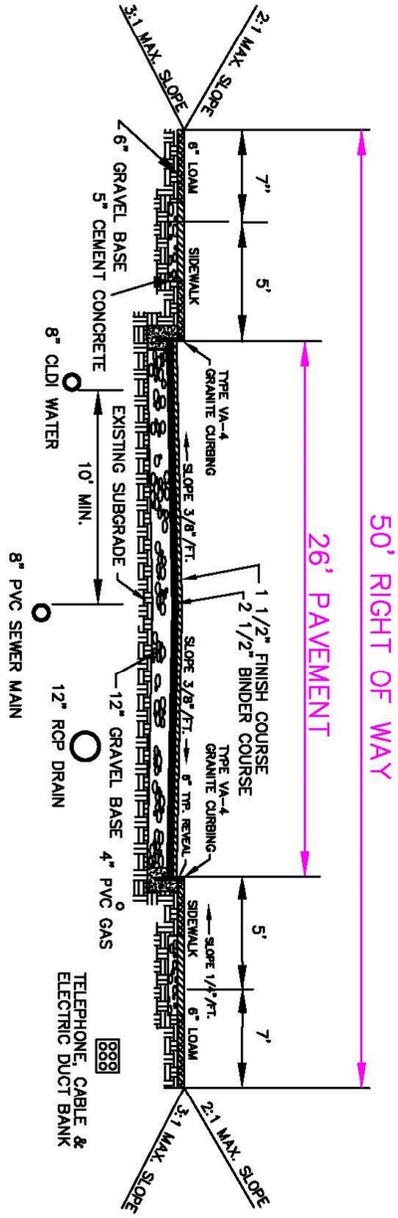
TABLE 3
CROSS SECTION

- A. 40 FOOT WIDE ROADWAY CROSS SECTION (**TYPE 1**)

- B. 50 FOOT WIDE ROADWAY CROSS SECTION (**TYPE 2**)

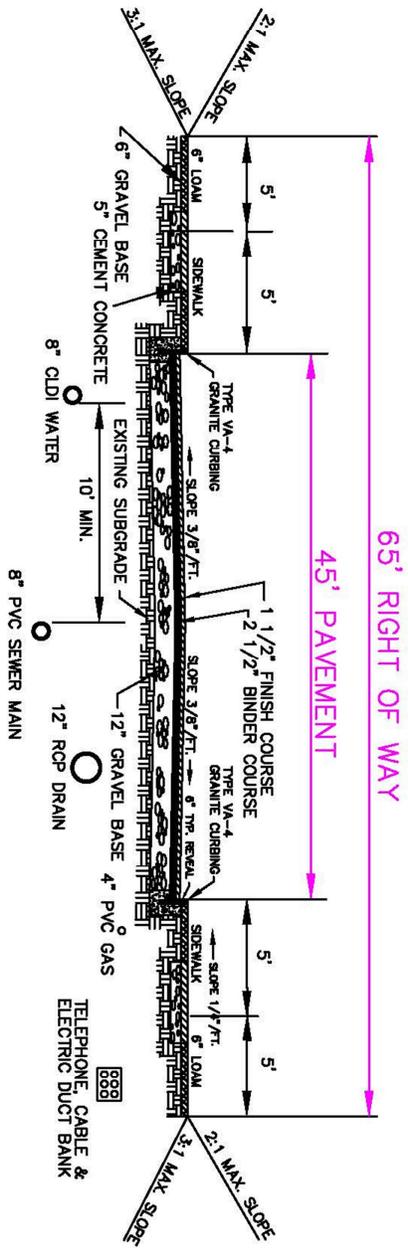
- C. 65 FOOT WIDE ROADWAY CROSS SECTION (**TYPE 3**)

B - TYPE 2



TOWN OF STONEHAM ROADWAY CROSS SECTION

C - TYPE 3



TOWN OF STONEHAM ROADWAY CROSS SECTION

SECTION 7
SUBMISSION AND PROCESSING FORMS

FORM A
APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL

_____, 20__

Planning Board
Stoneham, Massachusetts

Gentlemen:

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

The undersigned believes that the division of land shown on this plan is not a subdivision for the following reasons:

1. Applicant: _____

Address: _____ Tel. # _____

2. Name of Engineer: _____

Address: _____ Tel. # _____

3. Name of Surveyor: _____

Address: _____ Tel. # _____

4. Deed of property recorded in _____ Registry.

Book: _____ Page: _____

5. Location and description of property: Assessors Map ____ Block ____ Lot ____

Street Address: _____

Signature of Record Owner

Note: Necessary evidence to show that the plan does not require approval must be filed with this application. This form to be made out in duplicate. Original to Planning Board & copy to Town Clerk.

FORM B
APPLICATION FOR APPROVAL OF
PRELIMINARY PLAN

_____, 20__

Planning Board
Stoneham, Massachusetts

Gentlemen:

The undersigned herewith submits the accompanying plan of property located in the Town of Stoneham for approval as a subdivision under the requirements of the Subdivision Control Law and the Stoneham Subdivision Rules and Regulations.

6. Name of Applicant: _____

Address: _____

Tel. # _____

7. Name of Engineer: _____

Address: _____

Tel. # _____

8. Name of Surveyor: _____

Address: _____

Tel. # _____

9. Deed of property recorded in _____ Registry.

Book: _____ Page: _____

10. Location and description of property: Assessors Map _____ Block _____ Lot _____

Signature of record owner: _____

Address: _____

FORM C
APPLICATION FOR APPROVAL OF DEFINITIVE SUBDIVISION PLAN

_____, 20__

All lines must be completed or the application will be deemed incomplete. No lines shall be left blank. If the information requested does not apply, insert "N/A" or "does not apply".

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled _____
dated _____, 20__

In belief that the plan conforms to the Board's Rules and Regulations, hereby submits said plan as a DEFINITIVE plan in accordance with the Rules and Regulations of the Stoneham Planning Board and makes application to the Board for approval of said plan, Planning Board Forms ES-1 and D-C are filed herewith.

1. Name of Applicant: _____
Address: _____ Tel. #: _____
2. Name of Applicant: _____
Address: _____ Tel. #: _____
3. Name of Engineer: _____
Address: _____ Tel. #: _____
4. Name of Surveyor: _____
Address: _____ Tel. #: _____
5. Name of Record Owner: _____
Address: _____ Tel. #: _____
6. Name of Record Owner: _____
Address: _____ Tel. #: _____
7. Applicant's Attorney: _____
Address: _____ Tel. #: _____
8. Deed of property recorded in Middlesex South Registry of Deeds
Book: _____ Page: _____ or registered in the Middlesex South District Land Court
Section in Certificate of Title No. _____ in Book _____, Page _____

The following is a list of all the mortgages and other liens or encumbrances on the whole or any part of the above described property and the Book and Page Number or Certificate of Title Number where they appear of record.

Encumbrance	Book and Page No. or Certificate of Title No.
-------------	---

The undersigned hereby covenants and agrees with the Town of Stoneham upon approval of the Definitive Plan:

1. To construct the ways and install the municipal services as finally approved by the Planning Board within the time period provided for completion in the Board's Certificate of Approval of the Definitive Plan.
2. To design and construct the ways and design and install the municipal services in accordance with the Stoneham Subdivision Rules and Regulations and with the Definitive Plan and its accompanying material as finally approved by the Planning Board.
3. At the laying out and acceptance of said ways and release of protective covenants or bonds all municipal services within the ways will become the property of the Town of Stoneham at no cost to said Town, unless otherwise agreed upon, and an easement therefore shall be conveyed to the Town of Stoneham.
4. Assuming the Board approves the plans submitted herewith, applicant agrees to have all waivers and conditions inscribed thereon. If approved "as per covenant" those words shall be inscribed thereon as well. Applicant agrees to record all sheets of the plans endorsed by the Board within 30 days of the expiration of the appeal period and to provide the Board with attested copies of said pages and covenant.
5. To file "As Built Plans" with the Planning Board prior to the expiration of the completion date established by the Planning Board.

This agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the undersigned.

**FORM C-1
PLANNING BOARD
TOWN OF STONEHAM MASSACHUSETTS**

CERTIFICATE OF APPROVAL OF A DEFINITIVE SUBDIVISION PLAN

_____, 20__

Town Clerk
Town of Stoneham
Middlesex, Massachusetts

It is hereby certified by the Planning Board of the Town of Stoneham, MA that a duly called and properly posted meeting of said Planning Board, held on _____, 20 __, it was voted to approve a definitive subdivision plan entitled: _____

by: _____ dated: _____

submitted by: _____ address: _____

_____ owned by: _____

address: _____

originally filed with the planning board on _____ concerning the property located _____

and showing _____ proposed lots, with the following condition(s).

Endorsement of the approval is conditional upon the provision of a performance guarantee, in the form of a _____ duly executed and approved, to be noted on the plan and recorded with the South Middlesex County Registry of Deeds, said form of guarantee may be varied from time to time by the applicant subject to agreement on the adequacy and amount of said guarantee by the board.

NOTE TO CLERK: The Planning Board should be notified immediately of any appeal to the Superior Court on this subdivision approval made within the statutory twenty (20) day appeal period. If no appeal is filed with your office the Planning Board should be notified at the end of the twenty (20) day appeal period in order that the plan(s) may be endorsed.

A true copy, attest:

Chairman, Stoneham Planning Board

Planning Board

Duplicate copy sent to applicant:

**FORM C-2
PLANNING BOARD
TOWN OF STONEHAM MASSACHUSETTS**

CERTIFICATE OF APPROVAL WITH MODIFICATIONS OF A DEFINITIVE PLAN

Town Clerk
Town of Stoneham
Middlesex, Massachusetts

It is hereby certified by the Planning Board of the Town of Stoneham, MA that at a duly called and properly posted meeting of said Planning Board, held on _____, 20____, it was voted to approve a definitive subdivision plan entitled: _____

by _____ (designer): _____ dated: _____
_____ submitted by: _____ address: _____
_____ owned by: _____
_____ address: _____

_____ originally filed with the planning board on _____ concerning the property located _____

and showing _____ proposed lots, with the following modifications:

_____ and
with the following conditions:

Endorsement of the approval is conditional upon the provision of a performance guarantee, in the form of a _____ duly executed and approved, to be noted on the plan and recorded with the _____ County Registry of Deeds, said form of guarantee may be varied from time to time by the applicant subject to agreement on the adequacy and amount of said guarantee by the board. Modifications must also be shown on the plan before its endorsement and recording.

NOTE TO CLERK: The Planning Board should be notified immediately of any appeal to the Superior Court on this subdivision approval made within the statutory twenty (20) day appeal period. If no appeal is filed with your office the Planning Board should be notified at the end of the twenty (20) day appeal period in order that the plan(s) may be endorsed.

A true copy, attest:

Chairman, Stoneham Planning Board

Planning Board

Duplicate copy sent to applicant:

**FORM C-3
PLANNING BOARD
TOWN OF STONEHAM MASSACHUSETTS**

CERTIFICATE OF DISAPPROVAL OF A DEFINITIVE PLAN

It is hereby certified by the Planning Board of the Town of Stoneham, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on _____, 20____, it was voted to _____ disapprove _____ a _____ definitive _____ subdivision _____ plan _____ entitled:

_____ by (designer): _____ dated: _____
_____ submitted by: _____ address: _____
_____ owned by: _____
_____ address: _____
_____ originally filed with the planning board on _____ concerning
the property located _____

and showing _____ proposed lots because the plan fails to conform to the Planning Board's Rules and Regulations or the recommendations of the Board of Health in the following respects:

NOTE TO CLERK: The Planning Board should be notified immediately of any appeal to the Superior Court on this subdivision disapproval made within the statutory twenty (20) day appeal period.

A true copy, attest: _____

_____ Planning Board

Duplicate copy sent to applicant: _____ Planning Board

FORM D

CERTIFIED LIST OF ABUTTERS

(Fill in this space with rough sketch of land described in this petition, and write against boundary lines the name of adjoining owners in their respective positions. Also indicate the address of each abutter on the sketch or in a separate list. Include owners of land separated from the subdivision only by a street.)

_____, 20 ____

Planning Board
Stoneham, Massachusetts

Gentlemen:

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

Assessor

FORM D-C Definitive Subdivision Plan Checklist

Applicant: _____ Contact Person: _____ Tel # _____

Project Description & Address: _____

Type of Development: Cluster Conventional Subdivision

Date of Application, as stamped by the Town Clerk: _____

This checklist must be included with the submission of a preliminary subdivision plan, per Section II.D. of these Land Subdivision Rules and Regulations. The applicant shall submit a written explanation for any omitted checklist item(s).

Reference	Information Required	Applicant's Initials	Staff Initials
1	Submission		
a	Original and ten prints		
b	Form C – Application for approval of Definitive Plan Form ES-1 – Engineer's and Surveyor's Form		
c	Fee for submission (If preliminary plan filed: \$1,000 PLUS \$100 for each lot PLUS \$200 legal ad fee. If no preliminary plan filed: \$1,500 PLUS \$100 for each lot PLUS \$200 legal ad fee) Amount submitted: Cash <input type="checkbox"/> Check <input type="checkbox"/> Check # _____		
d	Names and addresses of all abutters within 300 ft. and certified by the Assessors Office on Form D		
e	A 100 ft. = 1 inch Locus Plan, showing surrounding neighborhood areas for 300 ft.		
f	Possible or prospective street layouts of any adjacent undeveloped lands		
g	Written notification that the Town Clerk is in receipt of application		
h	Drainage calculations and all appurtenant data and formula used		
2	Form		
	Scale: 1" = 40' Horizontal 1" = 4' Vertical		
3	Contents		
a	Subdivision name, boundaries, date, scale & north arrow		
b	Names and addresses of record owner and applicant, and name of engineering and surveyor as well as certificates and seals		
c	Names of all abutters within 300 ft.		
d	Existing and proposed lines of streets, easements & common areas		
e	Location, names and present widths of abutting and adjacent streets		
f	Proposed lot lines, areas in square feet and dimensions		
g	All required surveying data		
h	All required monumentation indicated on plan		

i	Indicate all bodies of water, streams, swamps, marshes within the subdivision and within the 300' locus plan		
Reference	Information Required (con't)	Applicant's initials	Staff Initials
j	Topography at 2 ft. contour intervals existing & proposed		
k	Existing and proposed storm drains, water mains and sewers, including all appurtenances within and adjacent to the subdivision		
l	Proposed utilities – location, type and specifications		
m	Planning Board signature block		
n	Street layout plans & profiles		
o	Major site features, such as existing stone walls, fences, buildings, large trees, outcroppings and swamps		
p	Data verifying adequate water supply and fire protection		
q	Water main looping plan		
r	Drafting standards		

Applicant's Signature: _____ Date: _____

Reviewed by Planning Board staff: _____ Date: _____

Note: If any of the above items are missing or deficient in any way, the Board may choose to consider the submission incomplete, and as such, the application may be subject to denial.

Comments:

FORM E
COVENANT

The undersigned _____ of _____ County, Massachusetts, hereinafter called the "Covenantor" having submitted to the Stoneham Planning Board, a Definitive Plan of a subdivision, titled _____, Dated _____ made by _____ does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to G.L. (Ter.Ed.) Chapter 41, Section 81-U, as amended that:

1. The Covenantor is the owner of record of the premises shown on said plan;
2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the Covenantor, and their successors in title to the premises shown on said plan.
3. (a) The construction of way shall be provided to serve any lot in accordance with the applicable Rules and Regulations of the Stoneham Planning Board. Before such lot shall be built upon or occupied or conveyed without written permission from the Stoneham Planning Board, the way shall be constructed as per plans approved by the Stoneham Planning Board and dated. That way shall be constructed as follows:

(List in detail design of road as approved)

(b) The municipal services shall be installed at the cost of the developer and will be as follows:

- | | | | |
|-----|--|-------|-------------------|
| (1) | Sewer | _____ | inches |
| (2) | Water | _____ | inches |
| (3) | Storm Drain | _____ | inches |
| (4) | Electrical Service | _____ | underground |
| (5) | Fire Protection No. of Hydrants | _____ | No. of Call Boxes |
| (6) | Street lighting shall be installed and operational at a minimum of every 300 ft. within the subdivision. | | |

4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services.
5. This covenant shall take effect upon the approval of said plan.
6. The wording "as per covenant" shall be inscribed on the plan before endorsement of the approved plan.
7. The Planning Board shall receive a copy of the recorded covenant with the book and page number that was issued by the Registry of Deeds.

The undersigned _____ wife, husband of the Covenantor hereby agree that such interest as I, we, may have in said premises shall be subject to the provisions of this Covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead and other interest therein;

EXECUTED as a sealed instrument this _____ day of _____, 20 ____.

COMMONWEALTH OF MASS

_____, ss _____, 20 ____

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

Notary Public

My commission expires: _____

PLANNING BOARD
ENGINEER'S AND SURVEYOR'S
ES-1

_____, 20 ____

To the Planning Board of the Town of Stoneham:

Gentlemen:

I hereby certify that the accompanying plan, entitled _____

and dated _____ 20 ____, is true and correct to the accuracy required by the Rules and Regulations of the Massachusetts Board of Registration of Professional Engineers and of Land Surveyors and that all pertinent data are shown in accordance with Regulations 250 CMR 3.00 – 6.00.

These plans are the result of an actual field survey on: _____

SEAL

Registered Land Surveyor

Registration No.

SEAL

Registered Professional Engineer

Registration

No. _____

FORM F
CERTIFICATE OF PERFORMANCE

(Covenant of Approval Release)

The undersigned, being a majority of the Planning Board of the Town of Stoneham, Massachusetts, hereby certify that the requirements for work on the ground, called for by the Covenant dated:

_____ and recorded in the South Middlesex Registry of Deeds, Book, _____, Page, _____, have been secured as to the following enumerated lots shown on Plan entitled:

recorded with said Deeds, Plan Book _____, Plan _____, and said lots are hereby released from the restrictions as to sale and building specified thereon. Lots designated on said Plan are as follows:

STONEHAM BOARD
STONEHAM

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Then personally appeared _____ one of the above-named members of the Planning Board of the Town of Stoneham, Massachusetts, and acknowledge the foregoing instrument to be his/her free act and deed of said Planning Board, before me.

Notary Public
My commission expires: _____

FORM G
CONVEYANCE OF EASEMENTS AND UTILITIES

_____, of _____ County, Massachusetts, for consideration paid, grant to the Town of Stoneham, a municipal corporation in Middlesex County, Massachusetts, with quitclaim covenants, the perpetual rights and easements to construct, inspect, repair, renew, replace, operate, and forever maintain, water mains and sanitary sewers, with any manholes, pipes, conduits and other appurtenances thereto, and to do all acts incidental thereto, in, through and under the following described land:

And, for the consideration aforesaid, the said grantor does hereby give, grant, sell, transfer and deliver unto the said grantee and its successors and assigns forever, all water and sewer pipes, manholes, conduits and all appurtenances thereto that are new or hereafter constructed or installed in, through or under the above-described land by the grantor and the grantor's successors and assigns.

And I, husband/wife of said grantor hereby release to said grantee and its successors and assigns forever all rights of tenancy by the courtesy/dower and homestead interests therein.

For grantor's title see deed from _____ dated _____, 19____, and recorded in Middlesex District Deeds, Book _____, Page _____.

And _____, a banking corporation in _____ County, Massachusetts, the present holder of a mortgage of the above-described land which mortgage is dated _____, 20____, and recorded in said Deeds, Book _____, Page _____ for consideration paid, hereby releases unto the said grantee and its successors and assigns forever from the operation of said mortgage, the rights and easements hereinabove granted and assents thereto.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of _____, 20____.

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Then personally appeared _____ one of the above-named members of the Planning Board of the Town of Stoneham, Massachusetts, and acknowledge the foregoing instrument to be his/her free act and deed of said Planning Board, before me.

Notary Public

My commission expires: _____

FORM H
PERFORMANCE SECURED BY DEPOSIT OF MONEY

_____, 20__
Stoneham, Massachusetts

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

_____, owned by: _____ dated: _____
_____ land located: _____ and showing proposed _____ lots.

KNOW ALL MEN by these presents that the applicant hereby binds and obligates himself, his or its executors, administrators, devisees, heirs, successors, and assigns to the Town of Stoneham, a Massachusetts municipal corporation, acting through its Planning Board, in the sum of _____ dollars, and has secured this obligation by depositing with the Treasurer of the Town of Stoneham a deposit of money in the above sum to be deposited in a subdivision escrow account in the name of the Town of Stoneham. The deposit of money is to be used to insure the performance by the applicant of all covenants, conditions, agreements, terms and provisions contained in the following:

1. Application for Approval Definitive Plan (Form C), dated: _____
2. The subdivision control law and the Planning Board's Rules and Regulations governing this subdivision and dated: _____
3. Conditions included in the Certificate of Approval issued by the Planning Board and dated: _____
4. The definitive plan as qualified by the Certificate of Approval; and
5. Other document(s) specifying construction or installation to be completed namely: (specify other documents, if any, and list lots secured if only a part of the subdivision is secured by a deposit of money)

This agreement shall remain in full force and effect until the applicant has fully and satisfactorily performed all obligations or has elected to provide another method of securing performance as provided in M.G.L. Chapter 41, Sec. 81-U.

Upon completion by the applicant of all obligations as specified herein, on or before _____, or such later date as may be specified by vote of the Planning Board with a written concurrence of the applicant, the deposit of money including all interest accrued thereon shall be returned to the applicant by Stoneham and this agreement shall become void. In the event the applicant would fail to complete the construction of ways and the installation of municipal services as specified in this agreement and within the time herein specified, the deposit of money may be applied in whole or in part, by the Planning Board for the benefit of the Town of Stoneham to the extent of the reasonable cost to the Town of Stoneham of

completing such construction or installation as specified in the agreement. Any unused money and the interest accrued on the deposit of money will be returned to the applicant upon completion of the work by the Town of Stoneham.

The Town of Stoneham acting by and through its Planning Board hereby agrees to accept the aforesaid deposit of money in the amount specified in this agreement as security for the performance of the project as aforesaid.

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 hereunto set our hands and seals this _____ day of _____, 20 ____.

Signatures of a majority of the Planning of the Town of Stoneham

Signature of the Applicant

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Then personally appeared _____ one of the above-named members of the Planning Board of the Town of Stoneham, Massachusetts, and acknowledge the foregoing instrument to be his/her free act and deed of said Planning Board, before me.

Notary Public

My commission expires: _____

Duplicate copy to:

- Applicant
- Planning Board
- Town Clerk
- Town Treasurer

FORM I

PERFORMANCE SECURED BY BANK PASSBOOK

_____, 20__
Stoneham, Massachusetts

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

dated: _____, owned by: _____ address: _____
land located: _____ and showing _____ proposed lots.

KNOW ALL MEN by these presents that the applicant hereby binds and obligates himself, his or its executors, administrators, devisees, heirs, successors, and assigns to the Town of Stoneham, a Massachusetts municipal corporation, acting through its Planning Board, in the sum of _____ dollars, and has secured this obligation by deposit with the Treasurer of the Town of Stoneham a deposit of money for the above sum represented by Bank passbook No. _____ with an order drawn on the _____ Bank of _____, payable to the order of the Planning Board of the Town of Stoneham, said sum to be used to insure the performance by the applicant of all covenants, conditions, agreements, terms and provisions contained in the following:

1. Application for Approval Definitive Plan (Form C), dated: _____
2. The subdivision control law and the Planning Board's Rules and Regulations governing this subdivision and dated _____
3. Conditions included in the Certificate of Approval issued by the Planning Board and dated _____
4. The definitive plan as qualified by the Certificate of Approval; and
5. Other document(s) specifying construction or installation to be completed namely: (specify other documents, if any, and list lots secured if only a part of the subdivision is secured by a bank passbook)

This agreement shall remain in full force and effect until the applicant has fully and satisfactorily performed all obligations or has elected to provide another method of securing performance as provided in M.G.L. Chapter 41, Sec. 81-U.

Upon completion by the applicant of all obligations as specified herein, on or before _____, or such later date as may be specified by vote of the Planning Board with

a written concurrence of the applicant and the bank, the bank passbook shall be returned to the applicant by _____ and this agreement shall become void. In the event the applicant would fail to complete the construction of ways and the installation of municipal services as specified in this agreement and within the time herein specified, the funds on deposit in the account represented by the aforesaid bank passbook and order drawn thereon may be applied in whole or in part, by the Planning Board for the benefit of the Town of Stoneham to the extent of the reasonable cost to the Town of completing such construction or installation as specified in this Agreement. Any used funds and the bank passbook will be returned to the applicant upon completion of the work by said Town.

The Town of Stoneham acting by and through its Planning Board hereby agrees to accept the aforesaid bank passbook and order drawn thereon as security for the performance of this project.

The _____ Bank of _____ hereby agrees not to release any funds from the account represented by the aforesaid bank passbook or otherwise amend or make a change to the aforesaid passbook or to the order drawn thereon without written agreement 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 hereunto set our hands and seals this _____ day of _____, 20 ____.

Signatures of a majority of the Planning of the Town of Stoneham

Signature of the Applicant

Signature of Authorized Representative of the _____ Bank

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

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

Notary Public

My commission expires: _____

FORM J

PERFORMANCE SECURED BY LENDER’S AGREEMENT

_____, 20__
_____ Massachusetts

AGREEMENT made this date between the (city/town) of _____;
_____, hereinafter referred to as “the applicant” of
_____; and _____, hereinafter referred to as “the
lender” of _____ to secure construction of ways and installation of
municipal services in the subdivision of land shown on a plan entitled:

_____ by: _____ dated:
_____, owned by: _____ address:
_____ land located: _____ and showing _____
proposed lots.

KNOW ALL MEN by these presents that the applicant and the Planning Board of the (city/town)
of _____ have executed a covenant, dated _____, 20 __,
recorded in the _____ Registry of Deeds, Book _____, Page _____; that the applicant
has recorded a first mortgage with the lender dated _____, recorded in the
_____ Registry of Deeds, Book _____, Page _____, coveting
_____ as shown on the above-referenced plan as security for the payment
of a certain note in the principal sum of _____ dollars; 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 city/town of _____, a
Massachusetts municipal corporation, acting through its Planning Board, in the sum of
_____ dollars, and have secured the obligation by the lender retaining said sum of
money of said principal sum otherwise due the applicant to insure the performance by the applicant
of all covenants, conditions, agreements, terms and provisions contained in the following:

1. Application for Approval Definitive Plan (Form C), dated: _____
2. The subdivision control law and the Planning Board’s Rules and Regulations governing
this subdivision and dated: _____
3. Conditions included in the Certificate of Approval issued by the Planning Board and dated:

:
4. The definitive plan as qualified by the Certificate of Approval; and
5. Other document(s) specifying construction or installation to be completed namely: (specify
other documents, if any, and list lots secured if only a part of the subdivision is secured by
a lender’s agreement)

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

Upon completion by the applicant of obligations as specified in the following schedule:

	Sum to Be Retained by Lender	Stage of Construction or Installation to be Completed	Date When Construction And Installation Is To Be Complete
1.	\$		
2.	\$		
3.	\$		

(add additional steps if necessary)

the interest of the city/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 work, to the applicant. In the event the applicant should fail to complete any stage of construction of ways or installation of municipal services as specified in this agreement and within the time herein specified, any funds remaining undisbursed shall be made available in whole, or in part, by the lender to the Planning Board for the benefit of the city/town to the extent of the reasonable cost to the city/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 city/town.

The city/town of _____ acting by and through its Planning Board hereby agrees to release the following lots _____ 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 lots 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 hereunto set our hands and seals this _____ day of _____, 20 ____.

Signatures of a majority of the
Planning Board of the Town of
Stoneham

Signature of applicant

Signature of Authorized
Representative of the Lender

**FORM K
CONTROL FORM FOR PROCESSING
SUBDIVISION PLAN AND CONSTRUCTION**

This form shall be filled-out by the Planning Board Director and the Director of Public Works as the subdivision progresses from the preliminary plan submission through to the completion of the subdivision in its entirety.

SUBDIVISION PLAN ENTITLED: _____

LAND LOCATED: _____

BY: _____

APPLICANT: _____ ADDRESS: _____

PHONE: _____

Date of Preliminary Plan _____

Date of Preliminary Plan Submission _____

Preliminary Plan Approval Date _____

Date of Definitive Plan _____

Submission Date(s) _____

Check: Rec'd _____ Forms Rec'd _____ Plans Rec'd _____

Date of Definitive Plan Submission To the Board of Health (SH) _____

Date Received Board of Health Report (SH + 45) _____

Date of Plan Submission to Other Boards and Agencies Board:

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

Date Received Reports From Other Boards and Agencies Board:

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

Approval Deadline Date (S+60 days) _____

Hearing Date (H) _____

Date of Letters to Abutters (H-14 days) _____

Date of Newspaper Notices (2) (H-14 days for first notice) _____

Approval or Disapproval Date (A) _____
 Appeal Deadline Date (A+20 days) _____
 Date of Performance Guarantee Agreement _____
 Description of Performance Guarantee _____
 Date Record Plans Endorsed _____
 Date Plans and Performance Guarantee Recorded _____
 Book No. _____ Page No. _____

Date of Amendments or Extensions to Original Performance
 Guarantee _____
 Date of Amendment Modification or Rescission of Approval
 Other _____

Releases _____

Lot Numbers	Date of Lot Release	Description of Performance Guarantee
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Date of Final Release/Certificate of Completion _____

INSPECTIONS

Date	Type	Signature of Inspector When Inspection Complete
1. _____	Cleaning, Grubbing And Excavation	_____
2. _____	Drainage system	_____
_____	Water system	_____
_____	Sewer system	_____
_____	Underground utilities	_____
3. _____	Backfill, fill and rough grading	_____
4. _____	Gravel base	_____
5. _____	Bituminous Concrete Binder course	_____
_____	Curbs/berms	_____
_____	bituminous concrete surface course	_____

- | | | |
|----------|-------------------|-------|
| 7. _____ | Sidewalks | _____ |
| _____ | Loam and seed | _____ |
| _____ | Street trees | _____ |
| _____ | Road signs | _____ |
| _____ | Street lights | _____ |
| _____ | Fire alarm system | _____ |
| _____ | Other | _____ |
| 8. _____ | Bounds | _____ |
| 9. _____ | Final Inspection | _____ |
| _____ | Final clean-up | _____ |

FORM L

**CERTIFICATE OF COMPLETION
AND
RELEASE OF MUNICIPAL INTEREST IN
SUBDIVISION PERFORMANCE SECURITY**

_____, 20__

Planning Board, _____, Massachusetts

Subdivision Name: _____

Owner: _____

Owner's Address: _____

Applicant, if other than owner: _____

Applicant's Address: _____

Date of Subdivision Plan: _____

Designer of Plan: _____

Land Located: _____

Plan Recorded: _____ Registry of Deeds

Plan and Certificate of Title _____

Registered: _____ Registered Land Office of
_____ Registry of Deeds

Plan found in Book _____, Page _____

Type of Performance Security:

Covenant, dated: _____
Covenant recorded: _____ Registry of Deeds

Or

Covenant registered: _____ Registered Land office of _____ Registry of Deeds

Covenant found in Book _____, Page _____

Bond, agreement dated: _____
Surety Company: _____

Address of Surety: _____

Deposit of money, agreement date: _____

Bank, if bank passbook: _____

Address of Bank: _____

Other Security, agreement dated: _____

Letter of Credit, agreement dated: _____

Bank: _____

Address of Bank: _____

The undersigned, being a majority of the Planning Board of _____ have determined that the construction of ways and installation of municipal services in the subdivision referred to above have been fully and satisfactorily completed by the applicant in accordance with the Board's rules and regulations to serve the following enumerated lots:

_____.

Pursuant to Section 81-U of chapter 41, M.G.L. and in consideration of completion of said construction and installation, the city/town of _____, a Massachusetts municipal corporation, acting through its Planning Board, hereby releases its interest in the performance security referred to above.

Duly executed as a sealed instrument this _____ day of _____, 20 ____.

Signed by a Majority of the Planning Board Town of Stoneham, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 20 ____

Then personally appeared _____ one of the above-named members of the Planning Board of _____, Massachusetts and acknowledged the foregoing instrument to be (his/her) free act and deed before me.

Notary Public

My commission expires: _____

Duplicate copy to:

- Applicant
- (Surety, if bond agreement)
- (Bank, if bank passbook or letter of credit)
- Planning Board
- Town Clerk
- Town Treasurer
- Town Council/Selectboard

FORM M

Preliminary Subdivision Plan Checklist

Applicant: _____ Contact Person: _____ Tel # _____

Project Description & Address: _____

Type of Development: Cluster Conventional

Date of Application, as stamped by the Town Clerk: _____

This checklist must be included with the submission of a preliminary subdivision plan, per Section II.D. of these Land Subdivision Rules and Regulations. The applicant shall submit a written explanation for any omitted checklist item(s). For additional information on each checklist item below, refer to the 1987 Planning Board Subdivision Rules and Regulations, as amended, Chapter II.D.1 – Preliminary Plan Form and Contents.

Reference	Information Required	Applicant's Initials	Staff's Initials
	Form B application for approval of Preliminary Plan		
	Original and eight prints		
	Scale: 1" = 40' Horizontal - 1"=4' Vertical		
a	Subdivision name, boundaries, north point, date, scale, legend & title block		
b	Names of record owner, applicant, designer, engineer & surveyor		
c	Existing and proposed street lines, easements & common areas		
d	Names and addresses of abutters within 300 ft.		
e	Drainage – proposed system, including appurtenant waterways		
f	Proposed lot lines, areas & dimensions		
g	Names, approximate locations and widths of adjacent streets		
h	Topography at 2 ft. contours existing & proposed		
i	Locus plan 1"=100' (including location and size utilities, existing homes and wetlands)		
j	Bodies of water, streams, swamps, marshes		
k	Fire alarm boxes and fire hydrants		
l	Drainage area outline		
m	Information sources for property lines, topography and utilities		
n	Design data and potential waivers		
o	Fee for submission (\$750 plus \$100 per lot) Amount submitted Cash <input type="checkbox"/> Check <input type="checkbox"/> Check #		

Applicant's Signature: _____ Date: _____

Reviewed by Planning Board staff: _____ Date: _____

Note: If any of the above items are missing or deficient in any way, the Board may choose to consider the submission incomplete, and as such, the application may be subject to denial.

SECTION 8
ILLUSTRATIONS

TYPICAL COPPER WATER SERVICE CONNECTION

TYPICAL PRECAST CONCRETE SEWER MANHOLE

TYPICAL CATCH BASIN DETAIL

TYPICAL FIRE HYDRANT DETAIL

TYPICAL SERVICE BRANCH CONNECTION

TYPICAL PAVEMENT DETAIL

TYPICAL VA-4 VERTICAL GRANITE CURB DETAIL

TYPICAL HANDICAP RAMP DETAIL

TYPICAL GATE VALVE INSTALLATION

TYPICAL BEND DETAIL

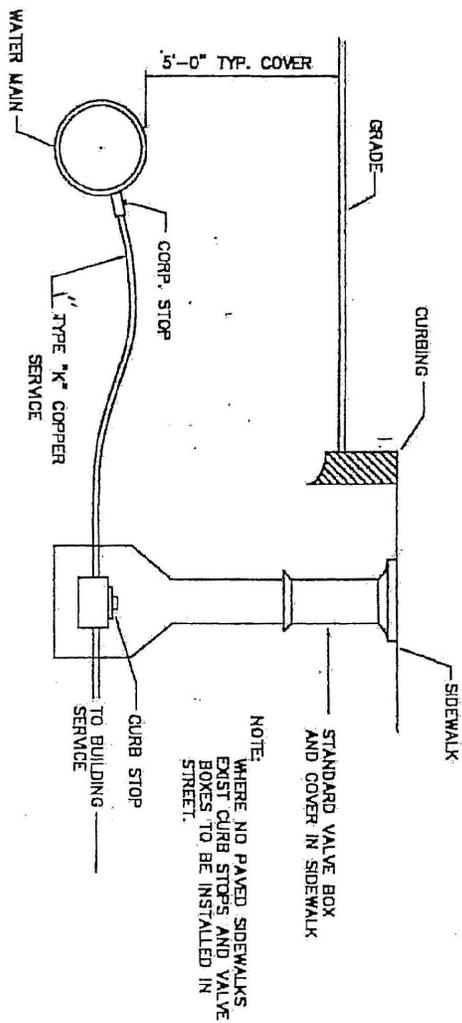
TYPICAL SEWER SERVICE DETAIL

SEWER PIPE TRENCH DETAIL

OUTSIDE DRIP MANHOLE CONNECTION DETAIL

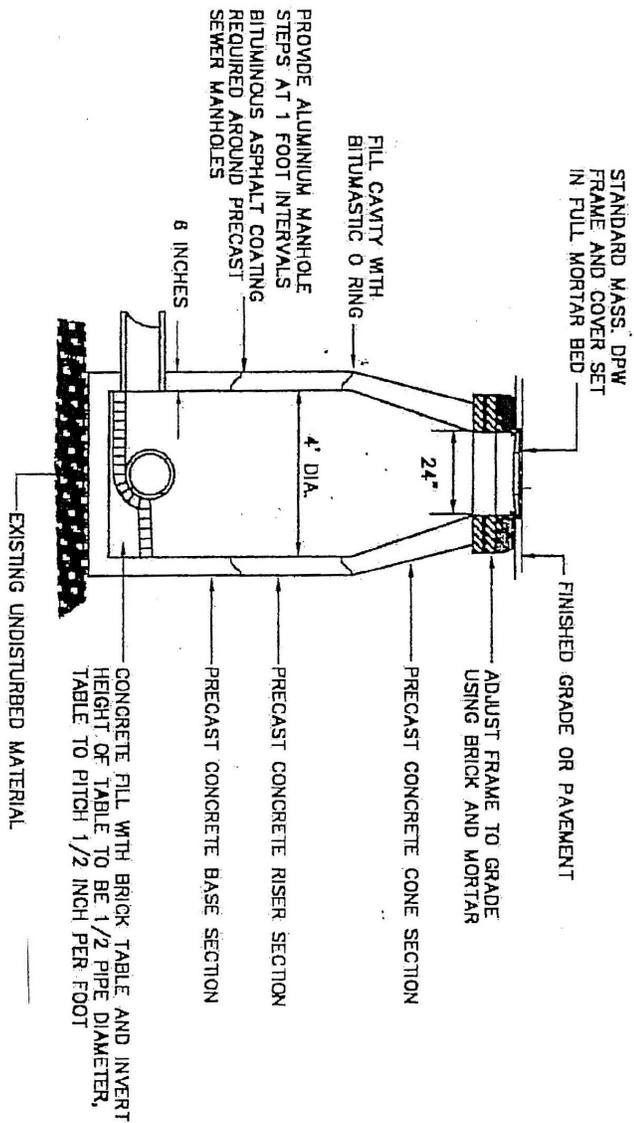
FLARED END SECTION DETAIL

TYPICAL TREE PLANTING DETAIL



TYPICAL COPPER SERVICE CONNECTION

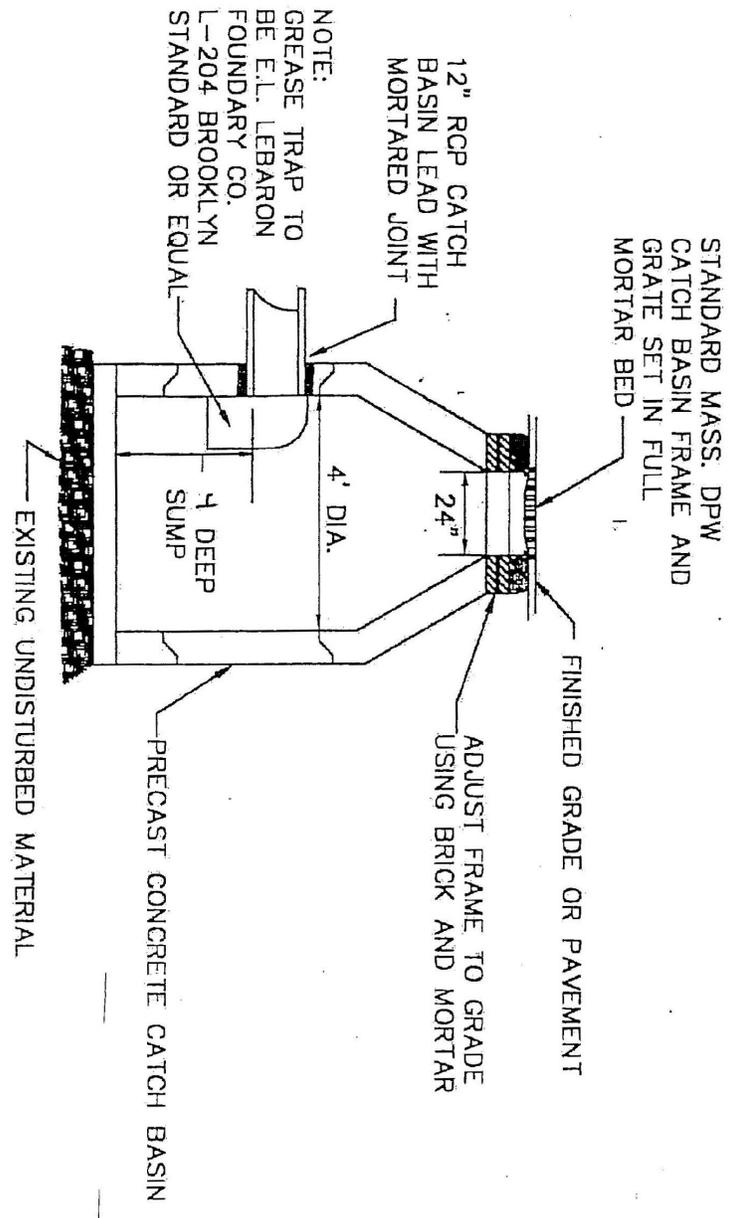
N.T.S.



PRECAST CONCRETE MANHOLE

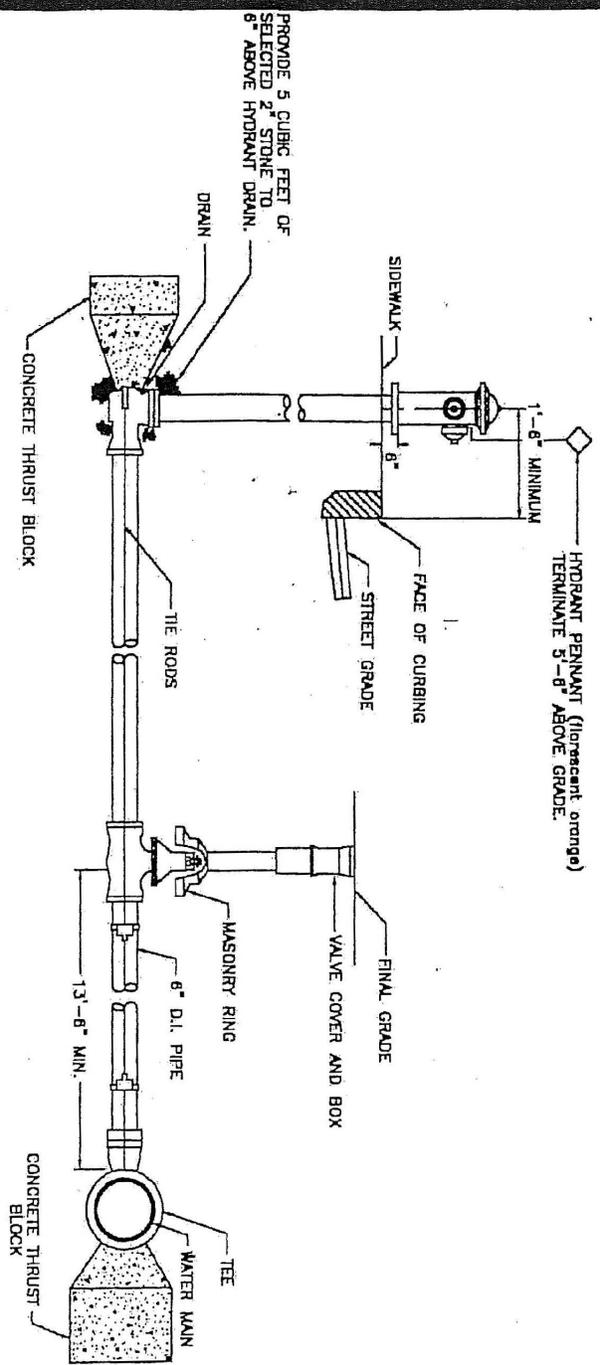
NTS

NOTE: MANHOLES SHALL CONFORM TO ASTM C478 AND ASTM C185



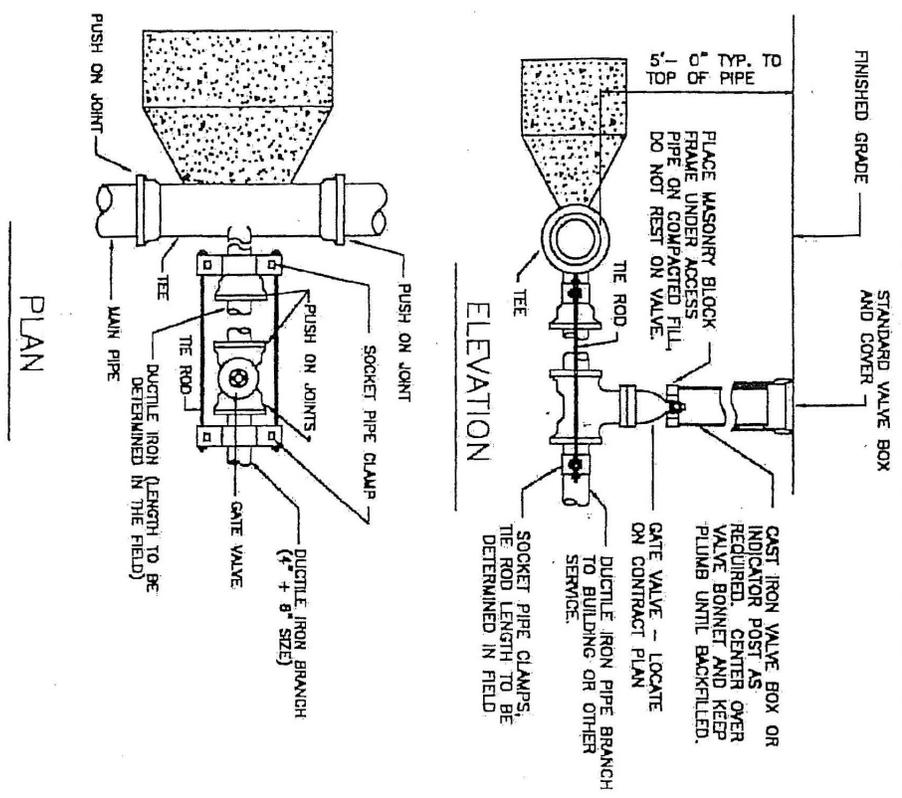
CATCH BASIN DETAIL

NTS



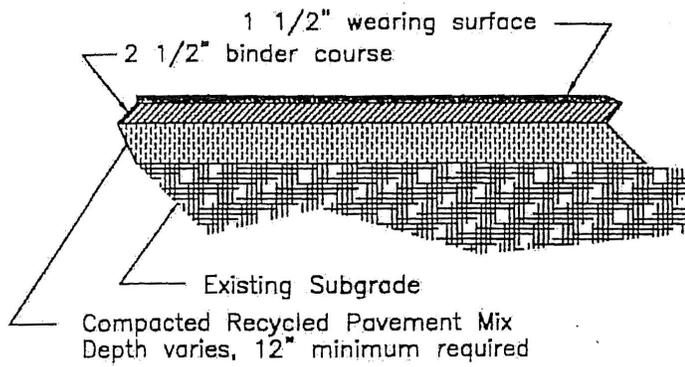
TYPICAL FIRE
HYDRANT CONNECTION

N.T.S.



TYPICAL SERVICE
BRANCH CONNECTION

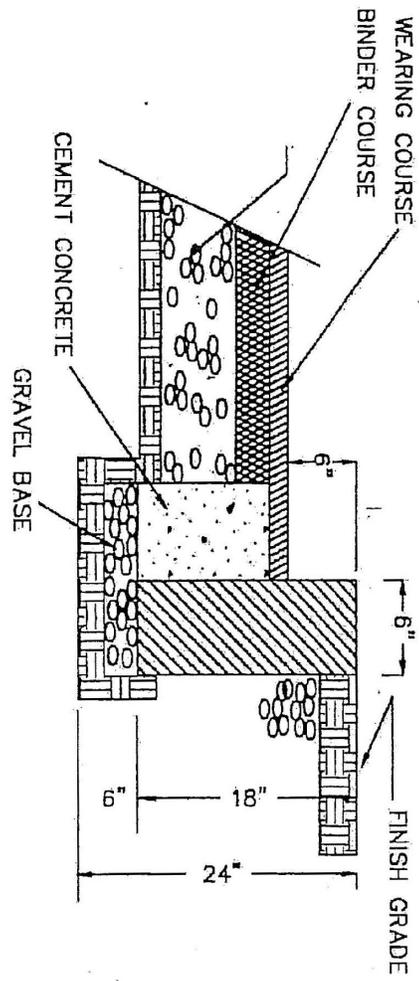
N.T.S.



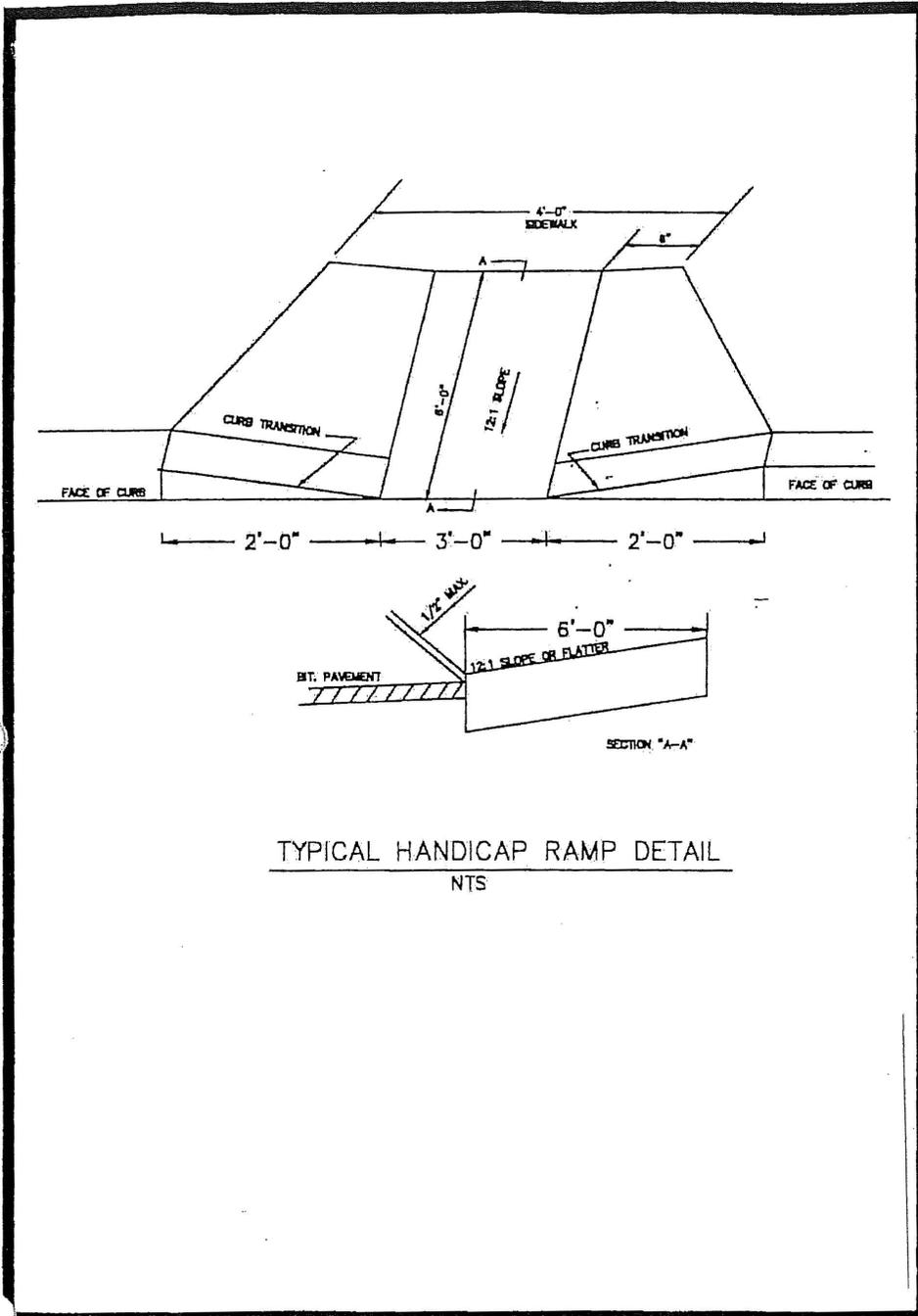
PAVEMENT DETAIL

NTS

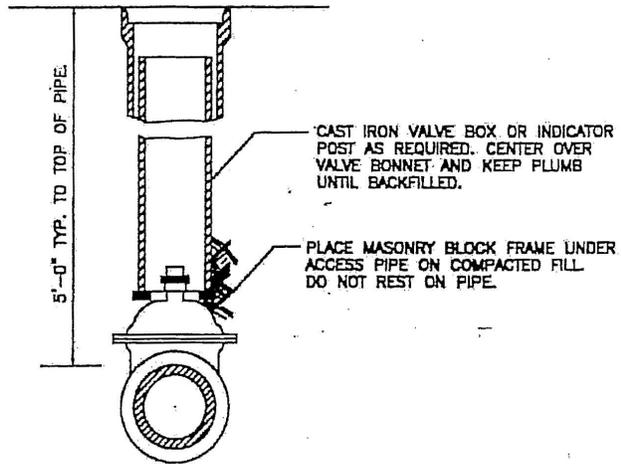
NOTE: Provide a minimum of 12 inches of reclaimed pavement base in areas of existing pavement. In areas for new pavement depth may be greater to accommodate removal of organic soils and other deliterious materials.



VA-4 VERTICAL CURB DETAIL
 NTS

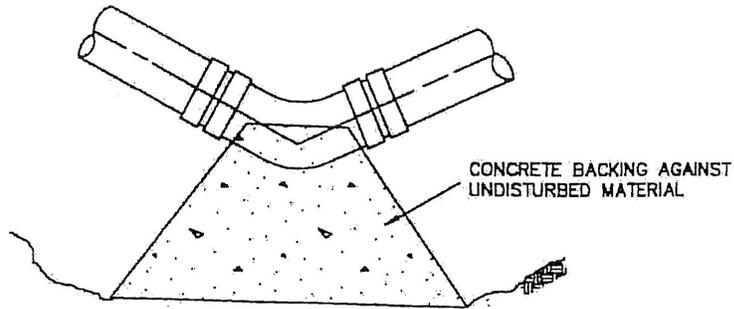


TYPICAL HANDICAP RAMP DETAIL
 NTS



TYPICAL GATE VALVE
INSTALLATION IN TRENCH

N.T.S.

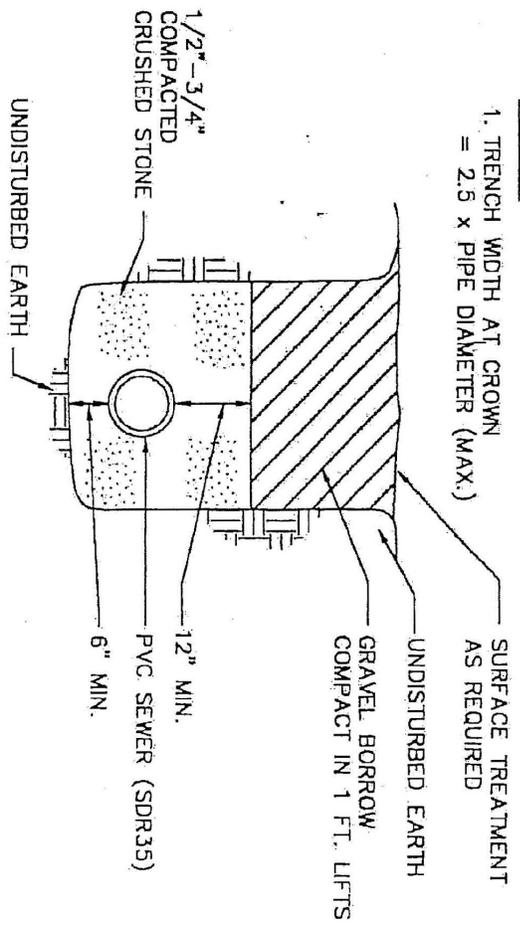


TYPICAL BEND DETAIL
NTS

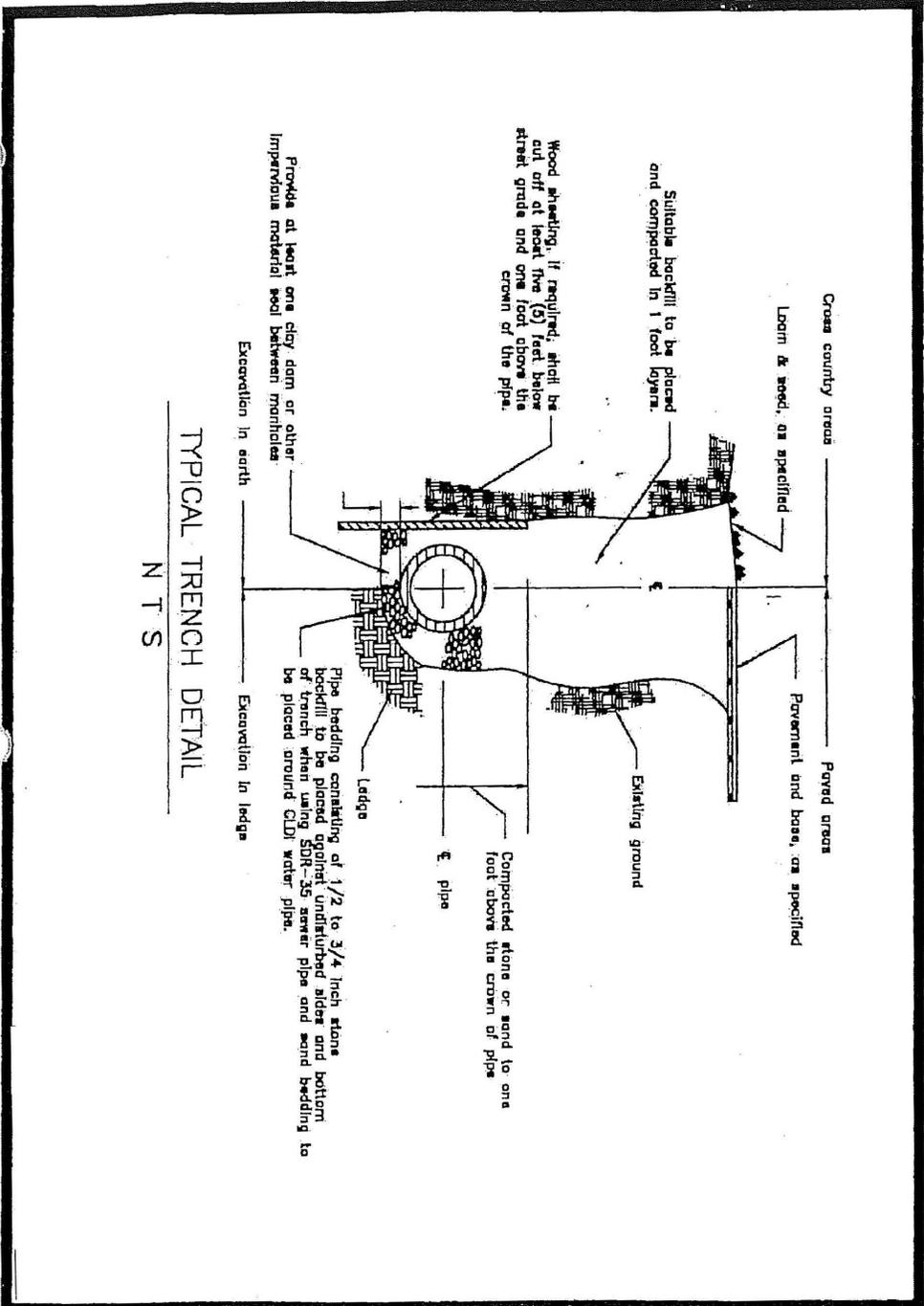
TABLE OF BEARING AREAS IN SQUARE FEET AGAINST UNDISTURBED MATERIAL FOR WATER MAIN FITTINGS			
SIZE OF MAIN (IN)	45° BEND	TEES & PLUGS	22 1/2° BEND
8" & LESS	8	10	8
10" & 12"	22	16	13

CONCRETE BACKING FOR WATER PIPE

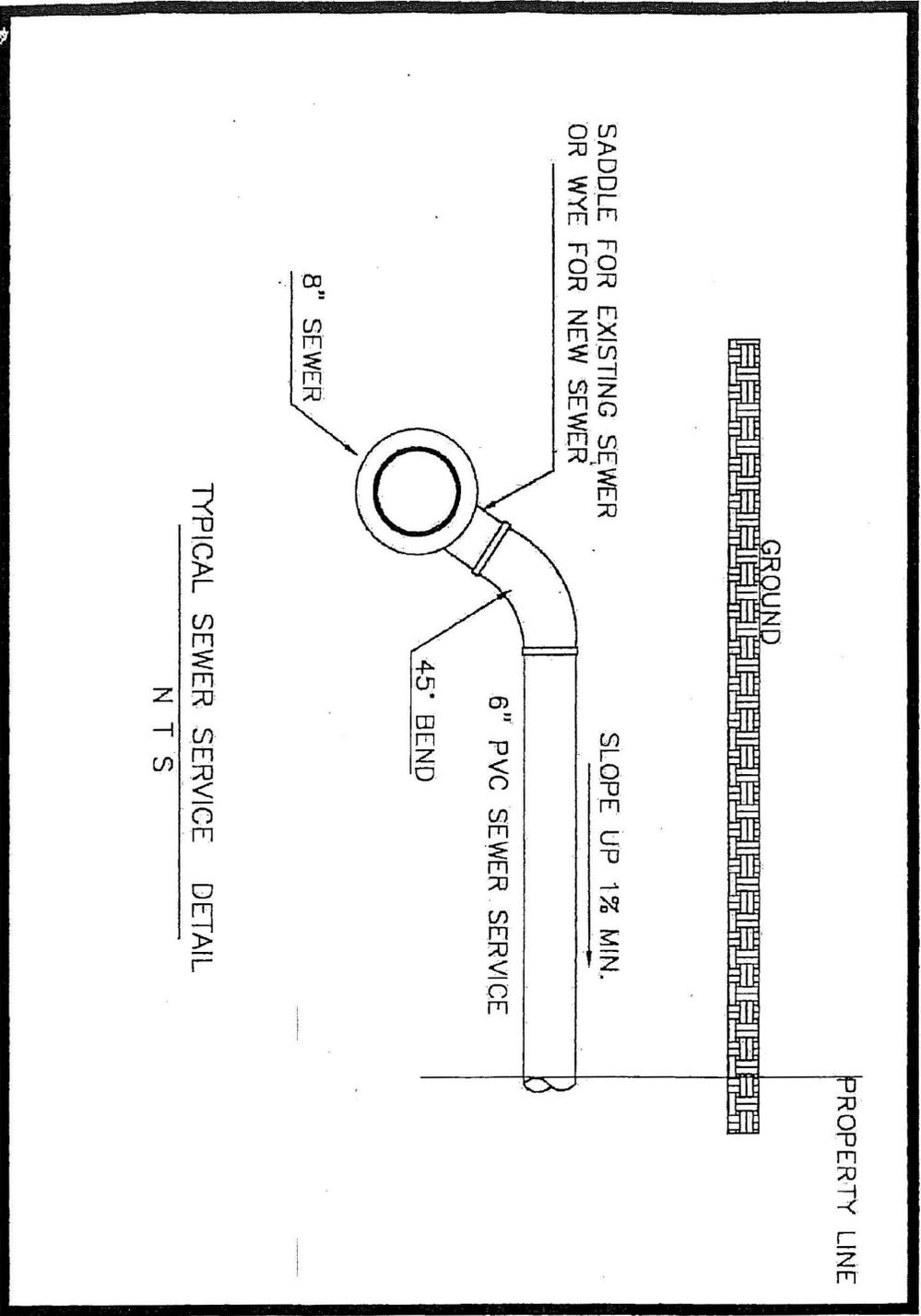
NOTES
1. TRENCH WIDTH AT CROWN
= 2.5 x PIPE DIAMETER (MAX.)



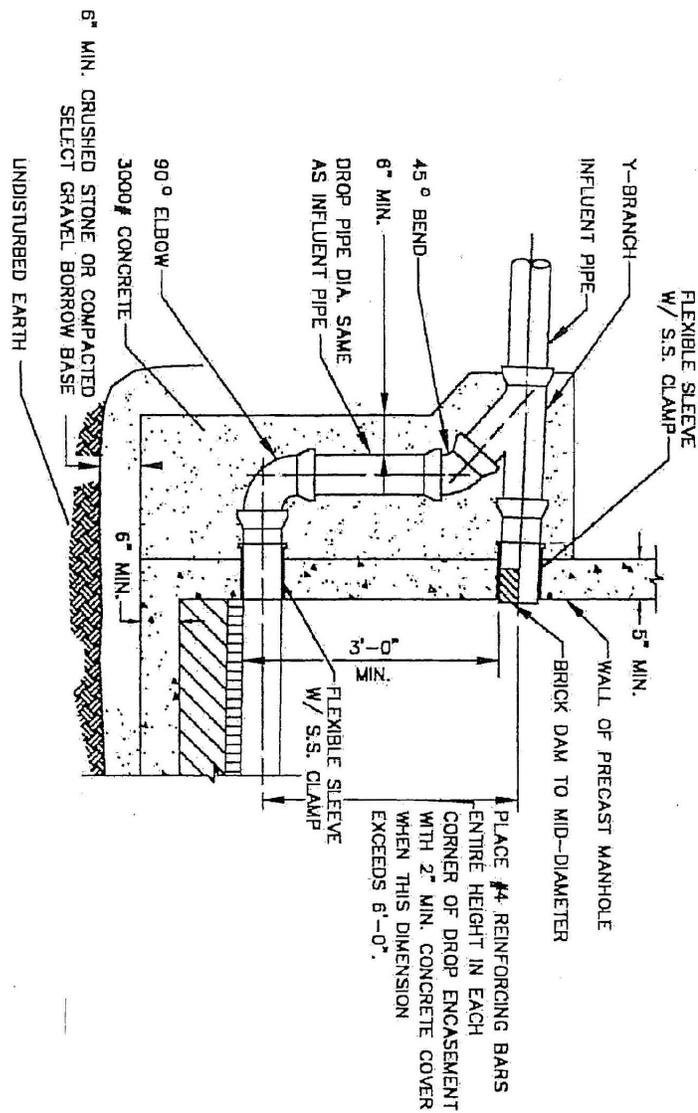
SEWER PIPE TRENCH DETAIL
N.T.S.



TYPICAL TRENCH DETAIL
N T S



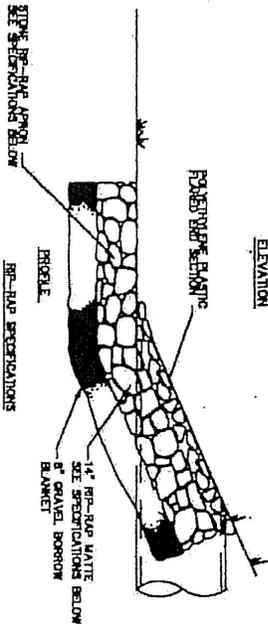
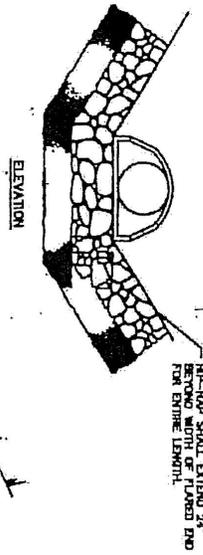
TYPICAL SEWER SERVICE DETAIL
 N T S



OUTSIDE DROP MANHOLE
CONNECTION DETAIL

N.T.S.

- NOTES:
1. DROP MANHOLE INSIDE DIAMETER IS TO BE 4 FT.
 2. DIMENSIONS AND CONSTRUCTION OF DROP MANHOLE TO BE SIMILAR TO TYPICAL MANHOLE EXCEPT AS SHOWN.

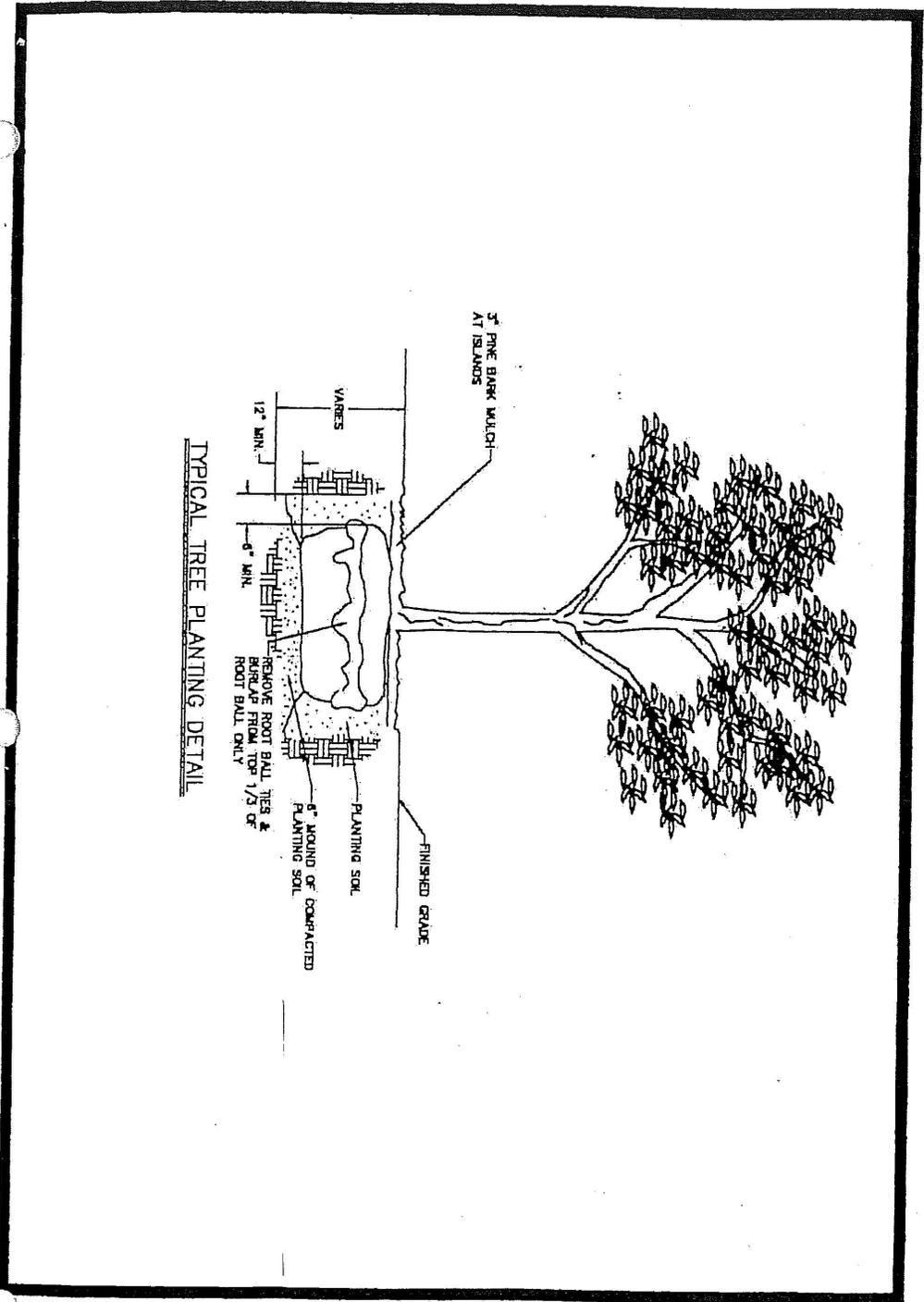


1. THE RIP-RAP SHALL BE COMPRISED OF DURABLE STONE WHICH MEETS THE FOLLOWING DIMENSION REQUIREMENTS:

STONE SIZE	STONE DIAMETER	MINIMUM SIZE
120 LB	12 FT	3/4\"
60 LB	6 FT	3/8\"
 2. THE RIP-RAP SHALL BE UNDERLAIN BY A GRAVEL BORROW BLANKET WHICH SHALL BE UNDERLAIN BY A 12\"/>
3. THE GRAVEL BORROW BLANKET NEED NOT BE COMPACTED, BUT SHALL BE GRADED TO A UNIFORM SURFACE WITH A MINIMUM THICKNESS OF 8\"/>

FLARED END SECTION DETAIL

N.T.S.



TYPICAL TREE PLANTING DETAIL