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Rules and Regulations Governing The Subdivision of Land



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ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

Town of Rochester, Massachusetts

mail 11:

Town Hall Annex
37 Marion Road
Rochester, MA 02770
Revised from 1/13/2015

A True Copy Attest

Paul F. Hanson

Rochester Town Clerk

October 6, 2022

Date

9.13.2022

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RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND

ROCHESTER, MASSACHUSETTS

PURPOSE

These Rules and Regulations are adopted under the Commonwealth of Massachusetts Subdivision Control Law M.G.L. Chapter 41, Sections 81-K to 81-GG inclusive.

It is the intent of the subdivision control law that any subdivision plan filed with the Planning Board shall receive the approval of such board if said plan conforms to the Zoning By-Laws, the recommendation of the Board of Health and to the Rules and Regulations of the Planning Board pertaining to subdivisions of land; provided, however, that such board may, when appropriate, waive, as provided for in Section 81- R, such portions of the Rules and Regulations as is deemed advisable.

The Rochester Zoning By-Laws are controlling. The first step in any project is to establish compliance with the By-Laws. Only after this is established should an applicant seek to comply with these Rules and Regulations.

Unless stated otherwise, all requirements specified herein are for the account of the applicant.

SECTION 1. AUTHORITY

Under the authority vested in the Planning Board of the Town of Rochester by M.G.L. Chapter 41, Section 81Q, said Board hereby adopts these Rules and Regulations Governing the Subdivision of Land in the Town of Rochester.

No person shall make a subdivision of any land in Rochester unless they have first submitted to the Planning Board for its approval a plan of such proposed subdivision, showing lots into which such land is to be divided and ways either existing or which are to be provided for furnishing access to such lots, and until the Planning Board has approved such plan in the manner hereinafter provided.

SECTION 2. GENERAL DEFINITIONS: The following supplements definitions in Chapter 19.30 of the Rochester Zoning By-Laws which shall prevail should contradictions occur.

- 2.1 AGENT: The duly authorized representative of the Planning Board.
- 2.2 APPLICANT: Includes an owner, his or her agent or representative, or where pertinent, assigns (Chapter 41, Section 81 L., M.G.L.)
- 2.3 APPROVAL, FINAL: approval by the Board of a Definitive Plan submitted in accordance with Section 4.2 of these Rules and Regulations and M.G.L. Chapter 41, Section 81 T.
- 2.4 BOARD: the Planning Board of the Town of Rochester.
- 2.5 DEAD-END STREET: Any street or system of streets that once entered must be exited via the same entrance.
- 2.6 DEVELOPER and/or SUBDIVIDER: an applicant who submits a Preliminary or Definitive Plan to the Planning Board for approval.

- 2.7 FRONTAGE: A Lot boundary measured in one continuum at the minimum building set back line parallel to or concentric with the street line provided that the measurement at the street line is at least 75% of the requirement for the applicable district.
- 2.8 INDUSTRIAL OR COMMERCIAL STREET: any street in an Industrial or Commercial Zone, respectively, or a street designed primarily for industrial or commercial use as authorized by a Special Permit or Use Variance.
- 2.9 LOT: an area of land in one ownership with definitive boundaries, used or available for use as the site of one or more buildings. (Chapter 41, Section 81 L., M. G. L.).
- 2.10 M.G.L.: The General Laws of the Commonwealth of Massachusetts, as amended.
- 2.11 OWNER: The owner of record as shown by the records in the Plymouth County Registry of Deeds or Land Registration Office.
- 2.12 PERSON: an individual, two or more individuals, a partnership, an association or a corporation.
- 2.13 PLAN:
- 2.13.1 PRELIMINARY PLAN: the plan of a proposed subdivision or re-subdivision as defined in M.G.L. Chapter 41, Section 81 L and submitted in accordance with M.G.L. Chapter 41 Section 81 and Section 4 of these Rules and Regulations.
- 2.13.2 DEFINITIVE PLAN: the plan of a proposed subdivision or re-subdivision submitted in accordance with M.G.L. Chapter 41 Section 81 O, T and U and Section 4 of these Rules and Regulations.
- 2.14 PROFILE: a vertical section along the centerline of proposed streets, storm drainage and other utilities.
- 2.15 REGISTERED MAIL: registered or certified mail.
- 2.16 REGISTRY OF DEEDS: the Registry of Deeds of the County of Plymouth, including when appropriate, the recorder of the Land Court.
- 2.17 RESIDENTIAL STREET: a street in a Residential/Agricultural Zone designed primarily for residential access.
- 2.18 ROADWAY: the portion of a street intended for vehicular use.
- 2.19 RULES AND REGULATIONS: the Rules and Regulations Governing the Subdivision of Land in Rochester, Massachusetts as adopted and amended by the Rochester Planning Board pursuant to Section 81 Q of the Subdivision Control Law (M.G.L. Chapter 41).
- 2.20 SUBDIVIDER: see Developer
- 2.21 SUBDIVISION: As defined in M.G.L. Chapter 41, Section 81 L.
- 2.22 SUBDIVISION CONTROL LAW: M.G.L. Chapter 41, Sections 81 K. to 81GG inclusive.
- 2.23 MAJOR RESIDENTIAL DEVELOPMENT: The creation of ten (10) or more house lots (excluding any restricted from residential use) by subdivision or otherwise.

2.24 MINOR SUBDIVISION DEVELOPMENT: The creation of less than ten {10} house lots (excluding any restricted from residential use) by subdivision or otherwise.

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9.13.2022

SECTION 3. APPROVAL NOT REQUIRED (ANR) PLANS

3.1 PLAN BELIEVED NOT TO REQUIRE APPROVAL (ANR)

- 3.1.1 Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law may submit his plan and application Form A to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval as specified in M.G.L. Chapter 41, Section 81 T. Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefore.
- 3.1.2 Applicants are advised to review ANR requests with the Town Planner prior to the formal filing to facilitate review of the application documents. The objective is to allow time for research, which may assist both the applicant as well as the Planning Board.
- 3.1.3 Approval under the subdivision control law is not required if the plan does not depict a "subdivision" as that word is defined in M.G.L. Section 81L and by the case law interpreting said section.

3.2 CONTENTS

- 3.2.1 The original and one (1) copy of a properly executed and signed Form A application with one (1) original Mylar tracing and eight (8) contact prints thereof shall be filed along with the appropriate filing fees outlined in Section 6 Fee Schedule.

A PDF file of the application, plan and accompany documents shall be concurrently e-mailed to the Town Planner shall be submitted with the mylar.

- 3.2.2 All plans submitted to the Planning Board shall be no larger than 24 by 36 inches in size at a scale of 40 feet to one (1) inch, or other such suitable scale as may be determined by the Planning Board to clearly and accurately depict the required plan contents. All plans shall show:
- 3.2.2.1 Name of the applicant and owner of record as well as the names of all abutting property owners as they appear in the most recent tax list.
- 3.2.2.2 Name, seal and signature of the Massachusetts registered Professional Land Surveyor who prepared the plan.
- 3.2.2.3 Title, north arrow, date of survey, locus plan and graphic scale.
- 3.2.2.4 Existing and proposed boundary lines including dimensions, total areas, frontage and buildable areas of all lots shown.
- 3.2.2.5 Town of Rochester Assessor's Map Number(s) and Lot Number(s) and/or house number(s) of the subject parcel and abutting properties as they appear on the most recent tax list.
- 3.2.2.6 Zoning district(s) and any zoning district boundary lines including the River Valley Overlay Districts, the Ground Water Protection District and any other overlay districts. If the plan involves land within the Mattapoisett River Valley Water Supply Zone, documentation must be provided of presentation of the plan to the Mattapoisett River Valley Water Supply Protection Advisory Committee at least 30 days prior to submission to the Planning Board.

- 3.2.2.7 The Plan shall be suitable for recording at the Plymouth County Registry of Deeds and shall include a three and one-half (3 ½) inch blank square reserved for the use of the Plymouth County Registry of Deeds.
- 3.2.2.8 If the submission requires more than one (1) plan, an overlay plan at a scale of 1" = 200' showing the complete project must be provided.
- 3.2.2.9 Locate all man-made structures, including existing buildings and structures, wells and septic systems with accurate tie-in distances to any existing and proposed lot line(s), stone walls, water bodies including ponds, brooks, rivers, bordering vegetated wetlands and any other wetland resource areas defined in 310 CMR 10.00 of the Wetlands Protection Act. (only required for plans creating new building lots), easements, rights of way, streets, ways, to sufficiently identify impediments to access upon the land. A topographic plan at two (2)-foot contours shall be provided where slopes exceeding 15% will impede access upon the land between the streets and the proposed location of the structure or house.
- 3.2.2.10 Identify the location of wells on adjacent properties.
- 3.2.2.11 Show approximate tie-in distance to the nearest street intersection.
- 3.2.2.12 Illustrate the shape-rectangle specified in Rochester Zoning By-Law Chapter 20.40.D. of the Rochester Zoning By-Laws on each lot proposed for residential use. Any plans must further illustrate the Structure Placement Area called for in Chapter 20.40.D.2.
- 3.2.2.13 Delineate all streets and ways, both sides, indicating the width of pavement with reference to existing streets by the most recent street name approved by the Town. If the prior street name is shown, it will be shown in parenthesis with the words, "Formerly known as". Also documentation of the legal status of the street on which frontage is proposed per M.G.L. Chapter 41, §81L shall be provided.
- 3.2.2.14 An appropriate reference shown on the plan to any variances granted by the Zoning Board of Appeals or other decisions and permits affecting the land included on the plan.
- 3.2.2.15 The statement "Approval Under the Subdivision Control Law Not Required" together with sufficient space for the signature of the Planning Board Clerk or Associate Clerk and the date of endorsement.
- 3.2.2.16 The statement "No determination(s) as to compliance with the Zoning By-Laws of the Town of Rochester has been made or is intended by this endorsement except that the plan(s) show(s) an ANR as defined in M.G.L., Chapter 41, § 81 L.
- 3.2.2.17 The statement "No determination(s) as to compliance with Chapter 23.30 of the Rochester Zoning By-Laws, Wetlands Protection By-Law, has been made or is intended by this endorsement as well as the Massachusetts Wetlands Protection Act, M.G.L., Chapter 131, §40 and its implementing regulations, 310 CMR 10.00, for all lots affected.
- 3.2.2.18 The statement "No determination(s) as to compliance with Chapter 23.20 of the Rochester Zoning By-Laws, Earth Removal, has been made or is intended by this endorsement for all lots affected.
- 3.2.3 A Municipal Lien Certificate to certify the status of municipal tax payments must be provided with the ANR submittal for the subject property.
- 3.2.4 A declaration regarding the status of the subject parcel(s) pursuant to Chapter 61, 61A or 61B.

- 3.2.5 In the event the applicant is not the owner of record, or in the case where the division involves multiple owners, the Form A application shall be accompanied by a signed affidavit from each owner acknowledging the contemplated division of said land.

3.3 ENDORSEMENT

- 3.3.1 The Planning Board, or its agents, shall review the submittal no later than the next meeting after the submission and if the submittal requirements specified in section 3.2 are not met the Planning Board will vote to disapprove the submittal, without prejudice, due to it being deficient, thereby allowing the Applicant to resubmit when the deficiencies are corrected. If the Planning Board determines that the plan is complete and it does not require approval under the Subdivision Control Law, it shall without a public hearing and within twenty-one (21) days endorse the plan under the words "Approval Under The Subdivision Control Law Not Required."
- 3.3.2 The Planning Board may add to such endorsement a statement of reason approval is not required. The plan will be returned to the applicant, and the Planning Board shall notify the Town Clerk of its action.
- 3.3.3 If the Planning Board determines that the plan does require approval under the Subdivision Control Law, it will so inform the applicant within twenty-one (21) days, including reasons for denial, and return the plan. The Planning Board will also notify the Town Clerk of its action. The applicant may then proceed with a Subdivision Plan per Section 4.2, or resubmit the "ANR" plan with changes, or he may file an appeal for a court determination.
- 3.3.4 If the Planning Board fails to act upon a plan submitted under this Section within the prescribed twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.
- 3.3.5 Upon recording at the Registry of Deeds, a certified copy of the plan as recorded shall be returned to the Planning Board no later than twenty-one (21) days following recording at a regular meeting of the Planning Board or by registered mail to the Planning Board, care of the Town Clerk. If so mailed, the date of mailing shall be the date of return.

3.4 SUBDIVISION

- 3.4.1 No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town, or proceed with the improvement or sale of lots in a subdivision, or 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 Planning Board as hereinafter provided.

SECTION 4. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

4.1 PRELIMINARY PLAN

A Preliminary Plan of a subdivision may be submitted by the sub-divider to the Planning Board and to the Board of Health for discussion and tentative approval, modification or disapproval by each Board. The submission of such a Preliminary Plan will enable the sub-divider, the Planning Board, the Board of Health, other Town agencies and owners of property abutting the subdivision to discuss and clarify the requirements relating to recommend that a Preliminary Plan be filed in each case.

Pursuant to M.G.L. Chapter 41, Section 81S, a Preliminary Plan for any non-residential subdivision is mandatory.

4.1.1 SUBMITTAL REQUIREMENTS

- 4.1.1.1 The original and one (1) copy of a properly executed and signed Form B application accompanied by an original mylar and eight (8) copies of the Preliminary Plan and a copy of the deed(s) vesting title in the current owner shall be submitted to the Planning Board with the required filing fee as defined in Section 6: Fee Schedule. In the event the applicant is not the owner of record, or in the case where the subdivision involves multiple owners, the Form B application shall be signed by each owner authorizing the filing of the plan.

A PDF file of the application, plan and accompanying documents shall be concurrently emailed to the Town Planner.

- 4.1.1.2 The applicant shall file the Preliminary Plan in accordance with the procedures set forth in M.G.L. Chapter 41 Section 81S. The Preliminary Plan may be submitted at a regular scheduled meeting of the Planning Board accompanied by written notice to the Town Clerk, in which case the date of the meeting shall be the date of submission of the plan. The Preliminary Plan may be submitted by registered mail to the office of the Planning Board along with written notice to the Town Clerk via registered mail. If so mailed, the date of receipt of the mailing shall be the date of submission of the Preliminary Plan.

- 4.1.1.3 The applicant shall also file the Preliminary Plan with the Board of Health. Receipt of submittal of the Preliminary Plan by the Board of Health shall be provided to the Planning Board by the applicant.

- 4.1.1.4 The Planning Board or its agents shall review the submittal no later than 21 days from the submission and if the submittal requirements specified in Section 4.1.2. are not met the Planning Board will vote to disapprove the submittal without prejudice due to the deficient submittal thereby allowing the Applicant to resubmit when deficiencies are corrected.

4.1.2 CONTENTS

The Preliminary Plan shall be drawn at a suitable scale to clearly and legibly show sufficient information about the subdivision to form a clear basis for discussion of the problems and for the preparation of the Definitive Plan. Such information shall include the material required by the following items, plus the legend and title: "Preliminary Plan". During discussion of the Preliminary Plan the complete information required for the Definitive Plan will be developed.

The filing shall include an original mylar and eight (8) prints measuring no larger than 24 by 36 inches at a suitable scale plus three (3) prints measuring 11 by 17 inches, 2 disks containing a PDF file of the material and an email of the PDF file to the Town Planner. The Preliminary Plan shall contain the following information:

- 4.1.2.1 Subdivision name, boundaries, north point, plan date, scale, legend and the title: "Preliminary Plan".
- 4.1.2.2 Names of the record owner and the applicant, the book and page number of the recorded deed.
- 4.1.2.3 Names of abutters within 300 feet of the subject property per the most current Assessor's records.
- 4.1.2.4 Existing and proposed lines of streets, ways, easements and any public areas within the subdivision in a general manner. Purpose of easements shall be indicated.
- 4.1.2.5 Location, names and present widths of streets bounding, approaching, or within immediate proximity of the subdivision, showing both roadway widths and right-of-way widths.
- 4.1.2.6 Boundary lines, areas in square feet, and dimensions of all proposed lots.
- 4.1.2.7 Name and address and seals of the Registered Professional and Registered Professional Land Surveyor and Registered Professional Landscape Architect who prepared the plan.
- 4.1.2.8 Any zone or district boundary established by the Town of Rochester Zoning By-Law that divides or bounds the area to be subdivided including River Valley Overlay Districts, Ground Water Protection District and any other overlay districts.
- 4.1.2.9 Location of wetlands and significant features such as stone walls, trees of 12 inch caliper or larger, and/or historically significant areas.
- 4.1.2.10 Topography of the land at ten (10) foot contour intervals based on NAVO 1988 and FEMA Flood Maps.
- 4.1.2.11 Proposed system of utilities including a preliminary layout of all required utility systems including but not limited to storm drainage, water, sewer, etc.
- 4.1.2.12 A Municipal Lien Certificate shall be provided for each lot.
- 4.1.2.13 Each proposed lot shall demonstrate compliance with the shape criteria of Rochester Zoning By-Laws Chapter 20.40.B.1.
- 4.1.2.14 Documentation satisfactory to the Planning Board of the legal status of the street from which project access is planned. Copies of agreements granting the developer rights essential to the development of the land and construction work proposed.

4.1.3 CONSULTANT

The Planning Board may elect to engage an independent consultant for engineering review and/or legal counsel to review plans and application documents and advise the Board accordingly. The fees for services provided to the Board by the independent consultant and/or legal counsel shall be borne by the applicant as specified in Section 6: Fee Schedule. The funds so specified shall be deposited to the Town of Rochester prior to commencement of plan review by the Planning Board.

4.1.4 APPROVAL

The Planning Board may give such Preliminary Plan its approval, with or without modification. Such tentative approval does not constitute approval of a subdivision.

The Board may also disapprove the plan. A disapproval will be accompanied by a detailed statement of reasons for the action.

Notice of its action must be given by the Planning Board and the Board of Health to the applicant and the Town Clerk within forty-five (45) days of the date of submission.

4.2 DEFINITIVE PLAN

4.2.1 SUBMITTAL REQUIREMENTS

The applicant shall file the Definitive Plan in accordance with the procedures set forth in M.G.L. Chapter 41, Section 81 O, 81 T and 81 U and these Rules and Regulations.

The Definitive Plan may be filed by delivery at a regularly scheduled meeting of the Planning Board or sent by registered mail to the Planning Board, care of the Town Clerk. If so mailed, the date of receipt shall be the date of the submission of the Definitive Plan (Section 81 O). The applicant shall also give written notice to the Town Clerk directly by delivery or by registered mail, postage prepaid, that he/she has submitted such a plan (Section 81 T).

The Planning Board or its agents shall review the submittal within 21 days of the submission and if the submittal requirements specified in Section 4.2.1 and Section 4.2.2 are not met the Planning board will vote to disapprove the submittal, without prejudice, due to it being deficient, thereby allowing the Applicant to resubmit when deficiencies are corrected.

The applicant shall also file the Definitive Plan with the Board of Health. Receipt of submittal of the Definitive Plan by the Board of Health shall be provided to the Planning Board by the applicant.

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board the following:

- 4.2.1.1 A completed signed original and one (1) copy of a Form C "Application for Approval of a Definitive Subdivision Plan" and fifteen (15) contact prints of the proposed Plan thereof, dark line on white background and three (3) reduced size copies measuring 11 by 17 inches plus a PDF file of the plans shall be concurrently e-mailed to the Town Planner and 2 disks of the PDF file shall also be submitted. Two (2) copies of the Definitive Subdivision Lotting Plan at a scale of 1" = 200 feet on separate sheets shall accompany the application.

The original mylar drawing shall be submitted with all required modifications no later than five (5) business days in advance of signing of a Certificate of Approval.

- 4.2.1.2 A properly executed original signed application Form C with a copy of deed(s) vesting title in the current owner of the parcels to be subdivided. In the event the applicant is not the owner of record, or in the case where the subdivision involves multiple owners, the Form C application, shall be signed by each owner to authorize the filing of the plan.
- 4.2.1.3 The application shall be accompanied by the required filing fee as set forth in Section 6: (Fee Schedule) of these Rules and Regulations as well as a deposit of money that the Planning Board deems sufficient to cover the cost of advertising and notices.
- 4.2.1.4 The Planning Board may elect to engage an independent consultant for engineering review and/or legal counsel to review plans and application documents and advise the Board accordingly. The fees for services provided to the Board by the independent consultant and/or legal counsel shall be borne by the applicant as specified in Section 6 (Fee Schedule) of these Rules and Regulations. The funds so specified shall be

deposited to the Town of Rochester prior to commencement of plan review by the Planning Board.

- 4.2.1.5 A written "Request for Waivers" with a description of each request with an explanation as to why the applicant believes such waiver is warranted.
- 4.2.1.6 A certified list of the names of all owners of land abutting the subdivision and abutters to the abutters within three hundred (300) feet of the property line of the petitioner as obtained from the most current Assessor's records. The applicant is to obtain the list, prepare and mail via certified mail the notice to abutters, state and local planning agencies and surrounding communities; and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the public hearing.
- 4.2.1.7 Four (4) copies of the Stormwater Management Report and any other supporting calculations, and documents required under these Rules and Regulations.
- 4.2.1.8 A Municipal Lien Certificate shall be provided for each lot involved in the application.
- 4.2.1.9 A traffic impact analysis, prepared by a Registered Professional Engineer in the Commonwealth of Massachusetts, shall be prepared for all Definitive Plans involving ten (10) or more lots, or where in the opinion of the Planning Board, such study is necessary for the safety and welfare of the inhabitants of the Town. A specific scope for analysis may be determined by the Planning Board on the basis of specific site conditions. The traffic impact analysis shall be prepared utilizing the latest Institute of Traffic Engineers (ITE) protocols and, at a minimum, shall contain the following data:
 - 4.2.1.9.1 Number of trips estimated to be generated by the subdivision, according to the type and density of proposed construction and the streets to which they connect.
 - 4.2.1.9.2 Recent background traffic counts for the existing principal streets to which the proposed subdivision streets connect.
 - 4.2.1.9.3 Width, grades and sight distances of the street(s) onto which the subdivision streets connect.
 - 4.2.1.9.4 Level-of-service (LOS) estimates for proposed intersections.
 - 4.2.1.9.5 Discussion of traffic impacts of the subdivision and subdivision construction on the surrounding neighborhoods, and proposed mitigation measures.
 - 4.2.1.9.6 The most recent accident data within the nearest existing intersecting streets and within 275 feet of each proposed subdivision street in each direction. Any other information necessary to show that safe and efficient traffic flow shall be provided.
 - 4.2.1.9.7 Discussion of pedestrian traffic.
 - 4.2.1.9.8 Identify and set sight distances based on recent observations of actual speed data as certified by Rochester Police.
- 4.2.1.10 On the site, stakes, marked sufficiently for identification, shall be placed at one hundred (100) foot intervals on centerline stations of each proposed street and at all drainage outfalls. Underbrush shall be cleared to provide walking access to all

centerline stations of all proposed streets. These stakes and clearing of brush must be provided prior to approval of the Definitive Plan.

4.2.1.11 For subdivisions of ten or more lots (Major Residential Subdivision), or where in the opinion of the Planning Board, such study is necessary for the safety and welfare of the inhabitants of the Town, the applicant shall submit a limited environmental impact analysis. Such analysis shall examine the environmental impact of alternative development scenarios for the property in question allowed under the Town of Rochester Zoning By-Laws, both by right and by Special Permit. The relative environmental impacts of each development scenario shall be presented as a part of the analysis. If the development proposed for the property by the applicant is not the scenario with the least environmental impact, the Applicant shall include an environmental mitigation plan outlining steps to be taken to mitigate the additional environmental impact upon the property. For the purposes of this section, mitigation may include advanced wastewater treatment, additional stormwater treatment, open space wildlife habitat, increased planting, use of environmentally friendly construction techniques, etc. Said plan shall be incorporated into any subdivision approval.

4.2.1.12 Documentation satisfactory to the Planning Board of the legal status of the street from which project access is planned. Copies of agreements granting the developer rights essential to the development of the land and construction work proposed, including the right of access over existing ways.

4.2.1.13 Homeowner's Association: Should the streets and municipal services be intended to remain private:

The applicant shall submit a draft Homeowner's Agreement establishing a Homeowner's Association with any application for a Definitive Plan showing detention/retention devices or other stormwater facilities serving the subdivision which are proposed to be located outside the layout of the subdivision's street(s).

This Agreement shall include maintenance of all subdivision roads until such time as they are accepted by the town, and may include maintenance of shared on-site sewage disposal systems if shared maintenance is recommended and approved by the Board of Health.

The Homeowner's Agreement shall allocate the costs of operation and maintenance of specified components of drainage and stormwater management systems to a Homeowner's Association. The Homeowner's Agreement shall include an Operation and Maintenance Plan prepared by a Registered Professional Engineer and shall identify:

- 4.2.1.13.1 The present owner of the drainage system and the land on which it is located.
- 4.2.1.13.2 The components of the drainage system, and the parties proposed to be responsible for their operation and maintenance for the following time periods: during construction, after the road is completed but before it is accepted by Town Meeting, and after the road is accepted by Town Meeting.
- 4.2.1.13.3 The source of funding for operation and maintenance for each major component of the drainage system during construction, before road acceptance and after road acceptance.
- 4.2.1.13.4 A detailed description of the type and frequency of inspections and maintenance for each component of the drainage system. This shall typically include inspections and/or maintenance required after accumulation of specific depths of sediment, after major storm events and at regularly established time intervals. The method for disposal of sediment shall be described. The Board may require that certain technical inspections be performed by a Registered Professional Engineer.

- 4.2.1.13.5 A requirement that the Homeowner's Association report the results of inspections no less frequently than once per year, and provide a description of maintenance to the Board and Department of Public Works within thirty (30) days after any maintenance has been performed. The Board may require that inspections or maintenance be performed at specific times of the year when they are expected to be most effective.
- 4.2.1.13.6 A requirement that the Homeowner's Association inform the Board and Department of Public Works of the name, address and telephone number of a current responsible party or contact person for the Homeowner's Association. The Homeowner's Association shall inform the town of changes of this responsible party as soon as possible, but no later than seven days after the change has been made.
- 4.2.1.13.7 A requirement that the Homeowner's Association maintain fencing or other appurtenances associated with detention/retention devices or other components of the drainage system they maintain.
- 4.2.1.13.8 A mechanism to enforce maintenance by the Homeowner's Association and maintain funding for maintenance.
- 4.2.1.13.9 The Board may require a performance guarantee to ensure the continued operation and maintenance of drainage and other common facilities.
- 4.2.1.13.10 The Board may require submission of the first year's contracts for maintenance of the detention basin and other common facilities.
- 4.2.1.13.11 A requirement that the Department of Public Works shall have the right of access to the detention basin and other drainage facilities. The Homeowner's Agreement shall be provided to the Board for their approval and reviewed by Town Counsel at the applicant's expense prior to endorsement of the Definitive Plan. Applicants may use a standard format available in the Planning Board office to help in drafting the Homeowner's Agreement.

4.2.2 CONTENTS

The Definitive Plan shall contain the following information:

- 4.2.2.1 Subdivision name, boundaries, north point, date of plan and date of submission of the preliminary plan if applicable, legend, locus map and scale.
- 4.2.2.2 Name and address of the record owner or owners and applicant with the book and page number of the recorded deed or deeds.
- 4.2.2.2 Lines of existing and proposed streets, ways, lots, easements and public and common areas within and adjacent to the subdivision. The purpose of each easement shall be indicated on the plan. A "Confirmation of Approval" of proposed street names from the Board of Selectmen will be required before final approval of the subdivision by the Planning Board.

Each proposed lot shall appear in its entirety on at least one sheet of the plan.

Plans shall indicate intended location of driveways for each lot for safety control plus utility and drainage analysis.

- 4.2.2.3 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, boundary line, construction

baseline, and easement, and to establish these lines on the ground.

- 4.2.2.4 Location of all permanent monuments properly identified as to whether existing or proposed. A minimum of two (2) permanent benchmarks based on NAVD 1988 and FEMA Flood Maps shall be established within each subdivision and shown on the plan.
- 4.2.2.5 Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision showing both roadway widths and right-of-way widths.
- 4.2.2.6 Suitable space to record the action of the Planning Board and the signatures of the seven (7) members of the Planning Board on each sheet of the Definitive Plan set. Where the applicant elects to secure completion of the required improvements by covenant (rather than bond or surety), there shall be a notation above such space as follows:
- Approved _____, subject to a covenant conditions set forth in a covenant executed By _____, dated _____, and to be recorded herewith.
- 4.2.2.7 Existing and proposed topography with 2-foot contour intervals, unless a smaller contour interval is required by the Planning Board, to properly define the existing or proposed topography. The surface elevation of all water bodies within the subdivision shall be given and ground surfaces identified as to type, such as woodland, swamp, ledge outcrops, wetland and floodplain. In the event that there are no wetlands and/or floodplains on any land within and adjacent to the perimeter of the subdivision within 100-feet, a statement to this effect shall be so noted on the plans.
- 4.2.2.8 Existing profiles on the exterior lines and proposed profile on the centerline or proposed streets at a horizontal scale of one (1) inch equals forty (40) feet and vertical scale of one (1) inch equals four (4) feet. All elevations shall refer to NAVD 1988 and FEMA Flood Map datum. Profiles shall also indicate the location of any intersecting public or private ways, and the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting and other underground utilities to be placed within the right-of-way.
- 4.2.2.9 Typical cross sections of the proposed streets, properly located and identified by station number, at such intervals along the streets as will adequately indicate any variations in its section, supplemented where necessary, by lines on the layout plan showing the width and location of proposed roadways, planting strips, gutters, sidewalks, and similar physical features.
- 4.2.2.10 Existing and proposed centerline profiles of all utility and access easements beyond the normal right-of-way lines of the proposed roadways at a horizontal scale of 1" = 40' and vertical scale of 1" = 4'. All elevations shall refer to NAVD 1988 and FEMA Flood Map datum. Profiles shall indicate the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting, and other underground utilities, as well as the finish centerline profile and proposed width of all travel ways to be placed within the easement.
- 4.2.2.11 Standard utility construction details as well as any special construction details or other pertinent information which the Board may request as necessary to evaluate the feasibility of the proposed design of the subdivision. Such information may include the results of any tests, copies of calculations used in design, copies of agreements granting the developer rights essential to the development of the land and construction work involved, including the right of access over existing ways.
- 4.2.2.12 Percolation tests and soil evaluation test pits certified by a Commonwealth of Massachusetts Soil Evaluator shall be performed in areas designated for subsurface sewage disposal and storm-water management. Certified soil evaluation test pit information and maximum groundwater elevations shall be provided along the proposed subdivision roadway at intervals not to exceed 500 feet and shall be witnessed by the Board of Health. Additional soil testing

and/or borings may be required by the Planning Board if, in its opinion there may exist adverse soil or groundwater conditions which may be detrimental to public health/safety and the construction of the roadways and storm-water management systems.

- 4.2.1.13 Traffic sight distances, vertical and horizontal, for all intersections within the subdivision and for the public ways adjoining the subdivision at location of ingress or egress shall be shown. Horizontal and vertical sight distances shall comply with the minimum standards set forth in the AASHTO 2001 Guidance Policy, and all subsequent editions and amendments thereto and these Rules and Regulations Governing the Subdivision of Land.
- 4.2.2.14 Identify all Zoning Districts and any Zoning District boundary lines including the River Valley Overlay Districts, the Groundwater Protection District and any other overlay districts created from time to time. If the plan involves land within the Mattapoisett River Valley Water Supply Zone, the applicant shall file copies of the Definitive Plan with the Mattapoisett River Valley Water Supply Advisory Committee at least thirty (30) days prior to submission to this Planning Board.
- 4.2.2.15 Identify all significant physical features on the subject property and within twenty (20) feet of all existing and proposed travel ways such as utilities, stone walls, boulders larger than five (5) cubic yards, buildings, exposed ledge, driveways, swales, knolls, and trees of twelve (12) inch caliper or greater.
- 4.2.2.16 Each proposed lot shall demonstrate compliance with the shape rectangle of Rochester Zoning By-Laws Chapter 20.40.B.1.
- 4.2.2.17 After the close of the hearing, the applicant shall submit two (2) mylar sets of the complete plans.

4.2.3 BOARD OF HEALTH REVIEW

At the time of filing of the Definitive Plan, the sub-divider shall also file with the Board of Health two (2) contact prints of the Definitive Plan, dark line on white background. The Board of Health shall within forty-five (45) days after filing of the plan report to the Planning Board in writing with approval or disapproval of said plan.

4.2.4 PUBLIC HEARING

Before approval, approval with modification, or disapproval of a Definitive Plan is given, (other than for submittal deficiencies); a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Planning Board at the expense of the applicant at least fourteen (14) days prior thereto by advertising in an official publication of, or in a newspaper of general circulation in the Town of Rochester. The applicant shall arrange that a copy of said notice shall be sent via certified mail to all owners of land abutting to the land within the subdivision and all abutters within three hundred (300) feet of the property line; to local planning agencies and surrounding communities of the petitioner as certified from the most recent Assessor's records.

4.2.5 PERFORMANCE GUARANTEE

Before endorsement of its approval of a Definitive Plan, the Board requires that the construction of ways and the installation of municipal services 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.

4.2.5.1 Final approval with bonds or surety

The sub-divider shall either file a performance bond or a deposit of money or negotiable securities in an amount determined by the Planning Board to be sufficient to cover the cost of all

or any part of the improvements specified in the Form C-1 (Certificate of Approval of a Definitive Plan) or Form C-2 (Certificate of Approval with Modifications of a Definitive Plan) not covered by a covenant under 4.2.5.2 hereof. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Town Treasurer, and shall be contingent on the completion of such improvements within one (1) year of the date of the bond.

4.2.5.2 Final approval with covenant

The sub-divider shall file a covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services as specified in Form C-1 (Certificate of Approval of a Definitive Plan) or Form C-2 (Certificate of Approval with Modifications of a Definitive Plan), not covered by bond or deposit under 4.2.5.1 hereof, shall be provided to serve any lot before such lot may be built upon or conveyed. The sub-divider shall return a copy of the covenant and plan showing recording and seal of the Registry of Deeds.

4.2.6 REDUCTION OF BOND OR SURETY

The penal sum of any such bond, or the amount of any deposit held under clause 4.2.5.1 above, may, from time to time, be reduced by the Planning Board and the obligations of the parties thereto released by said Board in whole or in part. The amount bonded, deposited or retained shall reflect the actual expected cost of work remaining to be completed. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required.

4.2.7 INSPECTIONS AND FINISHING REQUIREMENTS

4.2.7.1 Responsibility

The applicant is responsible for requesting inspections, at the proper stages in the process of installation of improvements, as specified by the Highway Surveyor or Town Planner. Should an inspection not be performed because of failure of the applicant to notify the inspector, the applicant shall be required to uncover the improvements for inspection. No work will be accepted that has been covered before inspection.

4.2.7.2 Site Cleanup

The entire area of subdivision shall be cleaned so as to leave a neat and orderly appearance free from debris and construction materials. The entire drainage system, including catch basins, manholes, and pipes, shall be properly cleaned out. The Planning Board may hold a portion of the Performance Guarantee to cover the cost of work, which is necessary to satisfy this requirement.

4.2.7.3 As-Built Plans

Before the Planning Board will release the performance guarantee, the Planning Board must receive and approve an AS-BUILT document certified by the applicant's Registered Professional Engineer and Registered Land Surveyor, detailing all the features specified in the approved plan as installed or implemented, including but not limited to the exact location and nature of the monuments, set or found and identifying each, location and elevation of all underground utilities including electric utilities and appurtenances including those installed by others, and also including rim grades, percent of slope for sewer and drain lines and a road layout plan. Said As-Built may be new plans or full size prints of the approved Definitive Plans showing in red or other clearly distinguishable color all differences between the approved and the actual construction. The format must be suitable for filing at the Plymouth County Registry of Deeds.

Where the departures from plan configurations are considered to be significant by the Board, it may require corrective work or may require engineering calculations to substantiate acceptability of work as done prior to release of performance guarantee.

Three contact prints with dimensions of 24 by 36 inches shall be provided along with a PDF file of the AS BUILT which shall also be concurrently emailed to the Town Planner. Two (2) disks of said PDF file shall also be submitted.

Unless plan roads and infrastructure are specifically designated as remaining private, a proposed Layout shall be presented in a format suitable for use by the Board of Selectmen in proposing the roads and infrastructure for town acceptance concurrent with the As-Built. A PDF file of the LAYOUT shall be concurrently e-mailed to the Town Planner.

The Board shall be presented with a written confirmation from the appropriate Town department heads that all work required by these Rules and Regulations Governing the Subdivision of Land has been inspected and completed on each street of the subdivision, including storm drains, bridges, sidewalks, etc., and that the work is being accurately shown on the AS-BUILT plans, and that the methods of construction and materials used in the performance of such work are according to plan.

4.2.8 RELEASE OF PERFORMANCE GUARANTEE

Any request for the final release of performance guarantee shall be accompanied, or preceded, by:

- 4.2.8.1 An "As-Built" plan per Section 4.2.7.3.
- 4.2.8.2 Certificate of Completion signed by a Registered Professional Engineer that the completed construction of the street(s) and municipal services complies with the approved definitive subdivision plan, any written changes made after the approval of the plan and the Planning Board, unless waived in the decision.
- 4.2.8.3 Certificate of Completion by a Registered Land Surveyor all required bounds, monuments or markers delineating the right-of-way of any way, or of any easement, or any lot, as shown on the approved definitive subdivision plan, have been correctly located and permanently set;
- 4.2.8.4 Certificate of Completion by a Registered Landscape Architect that the planting of all trees and other plant materials complies with the approved definitive subdivision plan, any written changes made after the approval of the plan and the Standard Specifications;
- 4.2.8.5 If the planned street(s), infrastructure and municipal services are proposed to be accepted by the Town:
 - 4.2.8.5.1 A Layout plan, separate from the "As-Built" plans for filing at the Registry of Deeds;
 - 4.2.8.5.2 An instrument transferring to the Town of Rochester valid, unencumbered title to all common sanitary sewer facilities, storm drains, water mains, water courses, banks and holding ponds, and all appurtenances thereto, constructed in the subdivision and conveying to the Town of Rochester, without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and maintain such facilities;

4.2.8.5.3 A document approved by the Board of Selectmen, acceptable by the Planning Board, and reviewed by Town Counsel, providing for the developer's responsibility for maintenance of the street(s) and municipal services until they are accepted by the Town;

4.2.8.6 If the street and municipal services are **not** proposed to be accepted by the Town:

4.2.8.6.1 A copy of the deed or other document to all property owners in the subdivision acknowledging that the street(s) and municipal services will not be accepted by the Town along with a plan, including but not limited to a Homeowner's Association as provided for in Section 4.2.1.13 herein, approved by the Board of Selectmen, acceptable by the Planning Board, and reviewed by Town Counsel, for the permanent maintenance of those facilities;

4.2.8.6.2 If some, but not all, municipal facilities and services are proposed to be accepted by the Town, an instrument granting perpetual rights and easements to the Town of Rochester to construct, inspect, repair, renew, replace, operate and maintain those facilities and services;

4.2.8.7 If the Board so requires, a written statement obtained by the developer from the Town treasurer that all outstanding obligations to the Town of Rochester, such as, but not limited to, fines or other charges, or real estate taxes, have been paid.

4.2.8.8 Escrow Funds for Landscaping

With the final release of any performance guarantee, the Board may require that funds be placed in a separate escrow account with the Town, in a form acceptable to the Town Counsel, until the following growing season to assure the replacement of any damaged or dead trees or other plant materials that would have otherwise been included in the surety.

4.2.8.9 Developer's Responsibilities after Final Release

4.2.8.9.1 Developer Retains Title

If the street(s) and municipal services are to be accepted by the Town, the developer shall retain title to the fee of each street, walk or path or easement in the subdivision until conveyed to the Town and accepted by it.

4.2.8.9.2 Developer Has Maintenance Responsibility

The issuance, by the Planning Board of a Certificate of Subdivision Completion or a Release of Surety shall not be construed to relieve the developer, and his successors in title, of responsibility to thereafter maintain all street(s), walks or paths, and municipal services in a satisfactory condition until they are accepted by the Town or until such responsibility is assumed by the property owners in the subdivision.

4.2.9 ENDORSEMENT

After the required hearing, but within the period specified in the Subdivision Control Law, the Planning Board shall take action thereon. It may approve, approve with modifications, or disapprove said plan as provided by the statute.

The action of the Planning Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final

approval, if granted, shall be endorsed on original drawing of the Definitive Plan by the signatures of a majority of the Planning Board (or by the signature of the person officially authorized by the Planning Board) but not until surety is established with proof of recording of covenant and also not before any conditions of the signed Form C are noted thereon and not until the statutory twenty (20) day appeal period has elapsed following the filing of the certificate of the action of the Planning Board with the Town Clerk and said Clerk has notified the Planning Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Planning Board with eight (8) printsthereof in the scale originally signed and three (3) prints at a scale of 1" = 200 feet.

A PDF file of the Endorsed Plan shall be concurrently emailed to the Town Planner and Two (2) disks of the PDF file shall be submitted with the above mentioned copies.

Failure of the applicant to submit the final revised plans and other required submittals for endorsement within six (6) months of filing of the Certificate of Final Action with the Town Clerk shall be grounds for rescission of the Planning Board approval.

4.2.10 WAIVERS

All requests for waivers shall be accompanied by a letter signed by the applicant listing requested waivers from the terms of these Rules and Regulations Governing the Subdivision of Land. This letter shall clearly state how compliance with the specific regulation on each waiver request would not serve the public benefit or interest.

4.2.11 FIELD AND CONSTRUCTION CHANGES

All field and construction changes shall require approval of the Planning Board or its designated agent and shall be filed in such form and detail as specified by the Planning Board, and incorporated into the As-Built Plan.

4.2.12 EXPIRATION OF APPROVAL

Unless otherwise specified in the certificate of approval, failure to complete the construction of ways and installation of drainage and municipal services within five (5) years from the date of approval shall be grounds for rescission of the Definitive Subdivision Plan.

4.2.13 LIMITATIONS OF APPROVAL

Final approval by the Planning Board of a Definitive Plan does not constitute the laying out or acceptance by the Town of streets or other facilities within subdivision.

4.2.14 RE-SUBDIVISION

Re-subdivision of all or part of the land covered by an existing plan shall be governed by the Regulations then in force. Such re-subdivision shall show clearly the areas being re-platted and the reference number(s) of all previous plans of these same areas, together with filing dates. Plans shall clearly indicate previously existing lot lines by dashed lines. These lines shall be clearly identified with proper notations.

4.2.15 TOWN RIGHT-OF-WAY ACCESS

Where the proposed work connects to a Town accepted street or is within the limits of a Town accepted street, the applicant must obtain a Permit to Access Town Right-of-Way from the Highway Surveyor and so note on the plan.

SECTION 5 DESIGN AND CONSTRUCTION STANDARDS

- 5.1 STREETS: DESIGN SHALL BE PER THE FOLLOWING FOR WHICH APPENDIX D OFFERS GRAPHIC ILLUSTRATIONS FOR RESIDENTIAL, COMMERCIAL and INDUSTRIAL ZONES. SHOULD CONFLICTS EXIST BETWEEN THE TEXT AND APPENDIX D, THE TEXT SHALL BE CONTROLLING.

5.1.1 LOCATION AND ALIGNMENT

- 5.1.1.1 All streets in the subdivision shall be designed so that, in the judgment of the Planning Board, they will provide safe vehicular travel. Due consideration shall also 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.
- 5.1.1.2 Where not specifically enumerated in these Rules and Regulations, the design of proposed streets shall comply with the 2001 AASHTO Policy on the Geometric Design of Highways and Streets, and all subsequent editions and amendments thereto and the 2006 MassDOT Project Development and Design and all subsequent editions and amendments thereto.
- 5.1.1.3 Provision satisfactory to the Planning Board shall be made for the proper projection of streets, or for access to adjoining property, which is not yet subdivided.
- 5.1.1.4 A non-buildable parcel of land or reserve strip prohibiting access to streets or adjoining property is encouraged except where, in the judgment of the Planning Board, existence of such a strip would not serve the public interest.
- 5.1.1.5 Where centerlines of streets in intersection with a common street are not concurrent, the offset centerlines of streets in such intersections with a common street, whether the same or opposite side of that common street, shall occur not less than two hundred and fifty (250) feet apart.
- 5.1.1.6 The minimum centerline radii of curved streets shall be two hundred (200) feet for residential streets and five hundred (500) feet for industrial and commercial and limited commercial streets. Greater radii may be required on the basis of the projected average daily traffic (ADT) projections and AASHTO design speeds.
- 5.1.1.7 Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty (60) degrees.
- 5.1.1.8 Property lines at street intersections shall be rounded or cut back to provide for a minimum property line radius of 20 feet and a curb radii of not less than thirty (30) feet or as practical to accommodate the turning radius for an AASHTO WB-50 vehicle without encroaching into the travel lanes of the intersecting street.
- 5.1.1.9. As far as practicable, streets should be designed to minimize cutting and filling.
- 5.1.1.10 The proposed roadway network shall be designed to ensure free circulation of traffic with a minimum number of intersections.
- 5.1.1.11 Pedestrian ways or bridle paths of not less than fifteen (15) feet in width may be required where deemed desirable to provide circulation or access to schools, playgrounds, parks, shops, churches, transportation, open spaces and/or other facilities. Such ways shall be graded suitable for vehicular passage. Construction standards are to be determined in conjunction with the Planning Board depending on the intended use.

5.1.1.12 All streets shall be designed so that they do not require filling or construction within a one hundred (100) year flood plain as defined in the Wetlands Protection By-Law, unless a valid Order of Conditions has been issued by the Conservation Commission. In such case, no point on the travel way of the proposed roadway shall be below the one hundred (100) year base flood elevation as defined by the current FIRM mapping or by standard engineering calculations pursuant to 310 CMR 10.00.

5.1.1.12 Emergency access lanes, roads, or easements are not permitted except where, in the opinion of the Planning Board such access shall be in the public interest.

5.1.1.13 All utilities with the exception of street lighting fixtures, transformers, and telephone/ cable pedestals shall be placed underground.

5.1.1.14 Where the physical condition or width of a public way from which a subdivision has its access is considered by the Board to be inadequate to carry the traffic expected to be generated by such subdivision, the Board may require the sub-divider to dedicate a strip of land for the purpose of widening the abutting public way to a width at least commensurate with that required with the subdivision, and to make physical improvements, including but not limited to drainage provisions, to and within such public way to the same standards required within the subdivision.

5.1.1.15 Any network system or branching of streets which provides access to more than nine (9) lots must have two (2) means of access from a public way, each on a different public way or, if on the same public way, the centerline shall be separated at least 500 feet unless AASHTO sight distance standards require greater separation. In no case will a network system or branching of streets with only two (2) means of access service more than thirty-five (35) lots. A subdivision with thirty-six (36) lots or greater must have three (3) means of access. The three means of access must be separated as specified for two means of access above and be acceptable to the Board in consideration of public safety, anticipated traffic volumes and adequacy of the proposed traffic patterns.

<u>Number of Lots</u>	<u>Number of accesses from Public Way</u>
1-9	One
10-35	Two
36+	Three

5.1.1.16 Adequate provision shall be provided for snow removal and positioning of snow mounds during snow removal as specified by the Highway Surveyor as approved by the Planning Board.

5.1.2 ROAD WIDTHS

5.1.2.1 The minimum street right-of-way shall be fifty (50) feet for residential developments and sixty (60) feet for industrial or commercial developments. Greater width shall be required by the Planning Board when deemed necessary for present and/or future vehicular travel.

5.1.2.2 Pavement width shall be thirty (30) feet for commercial, limited commercial and industrial streets plus the required berms or sloped curbs. Greater pavement widths may be required on the basis of average daily traffic projections and design speeds. Pavement widths for residential streets shall be a function of the number of lots served by the street and shall be as follows:

NUMBER OF RESIDENTIAL LOTS	ROADWAY WIDTH	CURB	BERMS*	SIDEWALKS**
1-2	18	No	***	None
3-4	20	Yes	Yes	One side
5-6	22	Yes	Yes	One side
>6	24	Yes	Yes	One side

* See Section 5.5.6.1

** See Section 5.5.7

*** At the discretion of the Planning Board

5.1.3. GRADES

5.1.3.1 Grades of streets shall be not less than one (1.0%) percent for all streets. Maximum grades shall not be more than eight (8.0%) percent for residential streets and not more than four (4.0%) percent for industrial/commercial streets.

5.1.3.2 Where the grade at any approach to an intersection exceeds three (3.0%) percent, a platform with a maximum grade of two (2.0%) percent shall be provided for a distance of not less than forty (40) feet measured from the exterior line of the intersecting street. The corner sight distance in all directions at the intersection shall not be less than two hundred and fifty (250) feet. Existing and proposed spot grades shall be indicated at all intersections to existing roadways.

5.1.3.3 Grades at intersections of more than three (3.0%) percent for the first forty (40) feet and more than four (4.0%) percent for the next thirty (30) feet will not be approved.

5.1.3.4 All streets shall be free of abrupt and frequent changes in grade. A vertical curve is required for any change in grade over one (1.0%) percent. All summits of vertical curves shall be designed in a manner, which provides a minimum stopping sight distance of two hundred and seventy-five (275) feet for residential streets and four hundred (400) feet for industrial/commercial streets.

5.1.3.5 Where a cul-de-sac is to be provided, the maximum grade through the cul-de-sac shall not exceed three (3.0%) percent. In no case shall the gutter grades within the cul-de-sac be less than one (1.0%) percent. A typical cross section as well as proposed spot grades shall be indicated at all cul-de-sacs. The base line of the street shall pass through the center of the cul-de-sac.

5.1.4 DEAD-END STREETS

5.1.4.1 A dead end street: see Definition, Section II, General Definitions.

5.1.4.2 Any street, which intersects, solely with a dead end street (existing or proposed) shall be deemed to be an extension of that dead end street (existing or proposed).

5.1.4.3 Dead end streets shall be measured from the edge of the layout line of the street where the dead end street initiates to the end of the right-of-way (which means the extreme end of the cul-de-sac which is most distant from the layout line of the street where the dead-end street initiates).

5.1.4.4 A dead end street shall not be longer than five hundred (500) feet in length.

5.1.4.5 Dead end streets with no extensions shall be provided at the closed end with a cul-de-sac having a minimum outside travel way diameter of at least one hundred thirty (130) feet with a paved travel way width of at least twenty-four (24) feet plus the required berm. The diameter of the roadway layout line around the cul-de-sac shall not be less than one hundred and fifty (150) feet.

5.1.4.6 Alternate turnaround configurations may be allowed subject to review and approval by the Planning Board.

5.1.4.7 The center of the cul-de-sac shall include landscape plantings.

5.1.4.8 An access/utility easement of at least thirty (30) ft. width, may be required at the end of the turn-around or cul-de-sac to provide for continuation of pedestrian traffic and/or utilities to the adjacent property.

5.2 EASEMENTS

5.2.1 Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least thirty (30) feet in width for electricity, telephone, drainage, sewer, and water. Utility pipes shall be centered on the easement and in no case shall be located less than ten (10) feet from the easement line. In cases where multiple utilities share a common easement, a minimum separation of ten (10) feet shall be maintained between the utility conduits.

5.2.2 Granite bounds shall be provided at all intersection points and changes in direction along the easement line.

5.2.3 A ten (10) foot wide gravel travel way for vehicular access shall be provided along the entire length of the easement.

5.2.4 Where a subdivision is traversed by a water course, drainage way, channel or stream, or where a storm water discharge to a wetland resource area is proposed, the Planning Board shall require that there be provided a storm water easement or drainage right-of-way of adequate width to conform substantially to the lines of such water course, drainage way, channel, stream, or wetland, to provide for the possibility of flood, protection of banks, and future maintenance and construction. The boundary of such easements or rights-of-way shall not be closer than ten (10) feet horizontally from the annual high water line and shall fully encompass the predicted maximum extent of lateral flooding in a (100)-year storm event.

5.2.5 Slope easements shall be provided where necessary to ensure lateral support, protection of streets and other construction features. Slope easement lines shall be no closer than five (5) feet from the top / bottom of the shoulder slope.

5.2.6 All easements shall be labeled, "Utility Easement", or "Access and Utility Easement", as applicable.

5.2.7 Existing and proposed profiles of all easements and typical cross sections shall be provided on the Definitive Subdivision Plans.

5.3 OPEN SPACES

5.31 All open spaces provided within any subdivision shall have adequate access from the subdivision access roadway.

5.4 PROTECTION OF NATURAL FEATURES

- 5.4.1 Due regard shall be shown for the preservation and enhancement of all natural features, such as large trees, water courses, scenic points, historic spots, and similar community assets, which if preserved, will add attractiveness and value to the Town.
- 5.4.2 Streams, ponds, and natural watercourses within the subdivision shall be protected from damage caused by the subdivision construction work. A detailed erosion control plan, mitigation measures and construction details to prevent damage to the environment and natural resource management shall be submitted with the Definitive Subdivision Plan.
- 5.4.3 Historic spots and similar community assets known or suspected to be within the subdivision identified through the efforts of the Board and/or the local Historical Commission representative, shall be located and described in the vicinity of said item and when located, adequate measures taken by the applicant to protect the finding until determination of the find is made.

5.5 STREETS AND ROADWAY CONSTRUCTION

5.5.1 GENERAL

- 5.5.1.1 Clearing and grubbing shall be performed to remove all stumps, brush, roots and like material from the area of the traveled way, berms, shoulders, sidewalks, and utility trenches, but wherever feasible, existing vegetation shall be protected. Cleared materials shall be removed from the property unless otherwise approved by the Planning Board.
- 5.5.1.2 Earth excavation shall be the removal of all materials encountered within the area of the traveled way, berms, shoulders, and sidewalks down to the true surface of the sub-grade or to suitable material in areas where unsuitable material exists, in preparation for foundation of roadway, sidewalks, driveways and berms. Approved material obtained from the excavation may be used in fills as required if, in the opinion of the Planning Board or its agent, they are suitable. Ledge and boulders shall be removed to a depth of twenty- four (24) inches below the finished grade. Trees intended to be preserved shall be protected by suitable boxes, fenders or wells as appropriate.
- 5.5.1.3 If unsuitable material is encountered during the subsurface exploration by the applicant or the engineer, it shall be the responsibility of the applicant to so notify the Board in writing of the extent of unsuitable material (both vertical and horizontal) involved and when tests will be performed to enable the Board-authorized inspector to be present. Sufficient test pits must be taken and all costs borne by the applicant. Failure to notify the Board of the extent of unsuitable material may be grounds to halt construction. If unsuitable material is encountered during the construction phase, the applicant must immediately stop construction until sufficient test pits in construction areas are made in the presence of a Board member or inspector to determine what method shall be taken by the applicant to insure stability. Failure to notify the Board shall be grounds to halt further construction.
- 5.5.1.4 When in the opinion of the Planning Board or its agent, suitable material is not available within the limits of the roadway location to form the sub-grade or sub-base, the developer shall obtain suitable additional material from other sources meeting MDPW Specifications M1.03.0 Type a or as may be approved by the Planning Board.
- 5.5.1.5 The sub-grade surface, sixteen (16.0") inches below the underside of the binder coat in residential streets shall be prepared true to the lines, grades and cross sections given and properly compacted. All soft or other unacceptable material below the sub-grade surface shall be removed to a depth determined by the Planning Board or its agent. The space thus made shall be filled with twelve (12) inches of gravel borrow MDPW spec. M1.03.0

and all subsequent amendments thereto (3 inch maximum stone size) with four (4) inches of dense graded crushed stone (two (2) inch stone size).

- 5.5.1.6 Roadway sub-base and base courses shall be compacted to ninety-five (95%) percent of the maximum dry density of the material as determined by the American Association of State Highway Transportation Officials, Designation T-180D and any amendments thereto. Compaction shall be verified by tests performed by a certified testing laboratory at the expense of the developer at locations determined by the Planning Board.
- 5.5.1.7 All municipal underground utilities shall be tested and approved by the Board and any applicable town agency having jurisdiction prior to installation of base course(s) and pavement.
- 5.5.1.8 All municipal underground utility connections shall be installed to the right-of-Way line, and their locations identified by two (2) suitable ties on the "As-Built Plans" so as to be easily located in the future.
- 5.5.1.9 Granite bounds shall be provided at all intersection points and all changes in direction along layouts. See also Section 5.5.10 for "Monuments & Markers".
- 5.5.1.10 Privately owned utilities including but not limited to the following: watering equipment, wells, sprinkler services, invisible pet containment shall not be located within the right-of-way without explicit permits from the Planning Board.

5.5.2 STREET CONSTRUCTION

- 5.5.2.1 Construction of all streets and drainage shall conform to the requirements of the Massachusetts Department of Public Works Standard Specifications for Highways and Bridges 1988, and all subsequent revisions thereof, to the extent such Standards are not in conflict with these Rules and Regulations.
- 5.5.2.2 Planned access to a public way shall be paved with a minimum of three (3) inches of binder material or equivalent for the first fifty (50) feet prior to interior road construction.

5.5.3 GRADING

- 5.5.3.1 The applicant shall employ at his own expense an engineer or land surveyor to set all lines and grades in a manner satisfactory to the Planning Board. The applicant shall obtain all required permits from the Board of Selectman and Highway Surveyor.
- 5.5.3.2 If required by the Planning Board at the design or construction phase, the developer shall have a groundwater study performed by a Registered Geotechnical Engineer, who shall make recommendations as to the requirement, location and spacing of an adequate system of under-drains to remove groundwater from the sub-grade of subdivision streets. Such under-drains shall be installed and tested at the time of construction of the streets and all installation shall be subject to approval of the Planning Board.
- 5.5.3.3 Where fill is required, it shall be placed in layers not deeper than twelve (12) inches and shall be compacted as specified herein.
- 5.5.3.4 The gravel sub-base or foundation shall be spread in layers on the surface of the sub-grade, in conformity with requirements of Section M1.03.0 gravel borrow Type b. (3" largest dimension) and of Section 401.60, Gravel Sub-base.
- 5.5.3.5 Each layer shall be thoroughly watered, rolled and compacted true to line and grade. Any depressions that appear during and after the rolling shall be filled with additional gravel

and re-rolled until the surface is true. Suitable sub-grade stability fabric may be required by the Planning Board or its agent prior to gravel placement.

5.5.3.6 Final grading, rolling and finishing including the shaping, trimming, rolling and finishing of the surface of the sub-base prior to application of gravel for surfacing of the roadway base courses for walks and berms shall be in accordance with this section and as directed by the Planning Board or its agent. Compaction testing and soil gradations shall be performed as required by the Planning Board and/or their agent.

5.5.3.7 A preliminary Utility As-Built Plan will be supplied by the applicant (six (6) contact prints), reviewed and approved of by the Planning Board before any bituminous concrete is installed. If any construction modifications are required they also will be performed, a revised preliminary As-Built Plan submitted, reviewed and approved by the Planning Board prior to any bituminous concrete being installed. The preliminary Utility As-Built Plan must meet all applicable criteria of Section 4.2.7.3. All applicants must plan ahead sufficiently to allow adequate time for Planning Board review and approval.

5.5.4 BITUMINOUS PAVEMENT

5.5.4.1 Pavement for roadways in subdivisions shall be Class I Bituminous Concrete Pavement Type I-1. The material and construction methods for laying pavement shall conform in every way to the applicable sections of Section 400 and Section M of the Standard Specifications except that no such construction shall be undertaken before April 15 of any year nor after November 15 of any year without written permission of the Planning Board and the Highway Surveyor. Pavement on residential subdivision streets shall be laid to a finished depth of five (5.0") inches and laid in two (2) courses, DENSE BINDER and TOP. The DENSE BINDER course shall be three (3") inches rolled and the TOP shall be two (2.0") inches rolled.

5.5.4.2 The finished surface must be level and even and is to form a close even union around all curbs, and frames. It is the contractor's responsibility to see that all manhole frames, gate boxes, and catch basin frames are at street grade and accessible for their intended use. Manhole covers and catch basin inlets must be set at the same height as the binder course and reset at the time of placement of the wearing course.

5.5.5 PLANTING STRIPS

5.5.5.1 Planting strips and shoulders shall be no less than three (3) feet in width and shall be provided on each side of the roadway, between the curb and property line or between curb and sidewalk, where sidewalks are required.

5.5.5.2 The finished grade of such planting strips shall be two (2%) percent sloping toward the roadway. Where unusual physical land characteristics or topographic conditions exist the Board may approve the construction of a planting strip at a slope greater than two (2%) percent.

5.5.5.3 No obstruction shall be placed or retained within the planting strip so as to be closer than one (1) foot from the edge of the roadway or berm.

5.5.5.4 All shoulders and grass strips shall consist of four (4) inches of loam (per Section M1.05) over a compacted gravel base (per Section M1.030 Type a). The shoulder shall be hydro-seeded with perennial grass seed mix applied in sufficient quantity to assure adequate coverage per Section 765 of the Standard Specifications. Grass shall be considered successful and acceptable if provides greater than 75% coverage one year following.

5.5.6 CURBS AND BERMS

- 5.5.6.1 Bituminous Cape Cod Berms and/or sloped granite curbs shall be provided along all sides of the roadway.
- 5.5.6.2 Berms shall be Class I Bituminous Concrete Cape Cod Berm conforming to Section 470, of the Standard Specifications.
- 5.5.6.3 Sloped granite curbing shall be installed at all curved intersections of existing and proposed streets within and at the exteriors of all subdivisions. Each curve shall be extended with at least six (6) feet of straight transition curbing at each end of the curved section of curb. Granite curbing shall be Type SB (Section 511.1).
- 5.5.6.4 Handicap ramps shall be located at all intersections and termini of all sidewalks or every three hundred (300) feet if there are no driveway curb cuts between.
- 5.5.6.5 All handicap ramps shall adhere to the latest requirements of the Americans with Disabilities Act and the Massachusetts Architectural Access Board. A detail demonstrating this shall be supplied on the plans.
- 5.5.6.6 Driveway cuts shall not be within sixty-five (65) feet of the center line of intersecting streets, within ten (10) feet of a catch basin or within thirty (30) feet of another driveway except where otherwise provided by Special Permit under Rochester Zoning By-Law.

Plans shall indicate intended location of driveways for each lot for safety control plus utility and drainage analysis.

5.5.7 SIDEWALKS

- 5.5.7.1 Sidewalks shall be positioned at least three (3) feet from the roadway and berm and shall have a finished grade of one and one half (1.5%) percent per foot sloped toward the roadway.
- 5.5.7.2 The sidewalks shall extend the full length of the street on one side, and shall be no less than five (5) feet wide. A sidewalk shall extend around the entire outside of a cul-de-sac.
- 5.5.7.3 In constructing all sidewalks, the material shall be removed for the full width of the sidewalk to a sub-grade at least twelve (12) inches below the approved finished grade, and also all soft spots and other undesirable material below such sub-grade shall be replaced with a bank-run gravel (per M 1.03.0 Type b) and rolled with a two (2) ton roller or equivalent. Unless the applicant elects to install cement concrete sidewalks (built according to Section 701), the excavated area shall be filled with at least nine (9) inches of crushed-bank gravel (per M 2.01.7 and Section 402) containing some binding material and compressed and rolled to a surface side slope of one and one half (1.5%) percent. Sidewalks shall then be paved to a compacted thickness of three (3) inches with class I Bituminous concrete (per Sections 701 and M 3.11.0) applied in two (2), one and a one-half (1-1/2) inch courses.

5.5.8. GUARDRAILS

- 5.5.8.1 Guardrails shall be required as warranted by the Massachusetts Highway Department's Highway Design Manual, July 1989, as amended, or as required by the Board. Guardrail shall be supplied per Section 600 of the Standard Specifications. Steel Beam Highway Guard - Type SS with wood posts is preferred. A suitable detail shall be supplied on the plans, including appropriate end treatments.

5.5.9 STREET NAME SIGNS

5.5.9.1 Street name signs shall be installed at the time of the installation of the binder course pavement. Signs shall be of design acceptable to the Highway Surveyor, shall contain the names of both intersecting streets as approved by the Board of Selectmen, and shall be erected at each street intersection at locations to be determined by the Highway Surveyor.

5.5.9.2 Unless specifically waived by the Rochester Board of Selectmen, stop signs shall be provided at each street intersection.

5.5.10 MONUMENTS AND MARKERS

5.5.10.1 Granite bounds forty-two (42) inches minimum in length dressed to five (5) inches square minimum at the top with a three-eighths (3/8) inch drill hole, or a marked metal disk at the top in the center and not less than five (5) inches square at the bottom, shall be set no less than one inch above finish grade and no more than two (2) inches above finish grade as shown on plans. A ferrous metal rod shall be set adjacent to the monument to facilitate future location.

5.5.10.2 Where the site conditions make the setting of bounds impractical, alternate types of permanent monuments may be utilized at the discretion of the Planning Board.

5.5.11 EMBANKMENTS

Outside the right-of-way, embankments shall be evenly graded and pitched at a slope of not greater than three (3) horizontal to one (1) vertical. Other slopes may be allowed with the approval of the Planning Board. Where terrain necessitates greater slopes, fencing, or riprap may be used either alone or in combination to provide safety and freedom from maintenance, but must be done in accordance with plans filed with and approved by the Planning Board. Retaining walls and terracing may be allowed at the discretion of the Planning Board. Whenever embankments are built in such a way as to require approval by the Planning Board, the developer must furnish to the Town duly recorded access easements free of encumbrances for maintenance of the slopes, terraces or retaining walls. The area covered by the easement must ensure the ability to properly and economically maintain the slopes, etc. and will be of a size deemed acceptable to the Planning Board. All such slopes shall be grassed in accordance with the specifications for the area between the roadway and sidewalk or roadway and boundary of the right-of-way. Slope easements for slopes of one (1) to three (3) or greater must be provided around the entirety of all the proposed roads to ensure the proper construction of side-slopes beyond the right-of-way even after the sale of lots.

5.5.12 BRIDGES

5.5.12.1 Bridges shall be designed in accordance with the MDPW Standard Specifications and certified by a Commonwealth of Massachusetts Registered Professional Structural Engineer.

5.5.12.2 The applicant shall submit with the Preliminary Plan a separate plan indicating, in general, the engineering characteristics of said bridge, including but not limited thereto, sketches with a plan view, cross section, and elevation indicating approach grades, abutments, materials, loading, clearances, elevations, and other pertinent data necessary to clearly indicate to the Planning Board the intent of the applicant to construct a bridge.

5.5.12.3 The applicant shall submit with the Definitive Plan an outline specification and a separate plan or plans prepared by a registered professional engineer, drawn to a suitable scale, including but not limited thereto, a plan view, cross section, elevation, structural plan with

details, completely dimensioned with material description, loading, abutment design, elevations, clearances, and other pertinent data necessary to be classified as construction drawings and specifications.

5.5.13 STREET TREES

5.5.13.1 Street trees are to be planted inside the layout but outside sidewalks along the entire length of the roadway and / or at specific locations determined by the Tree Warden and the Planning Board, to assure amenity for the subdivision. Trees shall be the equivalent of well-rooted nursery-grown stock, free of injury, harmful insects, and disease. They shall be well branched, and the branching structure shall be sound.

5.5.13.2 Applicants are advised to consult with the Tree Warden prior to the submission of the Definitive Plans to develop a specific tree-planting program for review by the Planning Board. Specific tree species shall be determined by the Tree Warden. The minimum acceptable size of trees shall be two and one-half (2-1/2) inches trunk diameter at four (4) feet above ground. Trees shall be spaced at intervals no less than forty-five (45) to fifty (50) feet. Trees on one side of the street may be set either opposite or diagonally to trees on the opposite side.

5.5.13.3 Planting operations shall be per Section 8, sub-sections A, C, E, and F of the Recommended Standard Specifications for Planting Trees, Shrubs, and Vines, Associated Landscape Contractors of Massachusetts, latest edition. Requirements for support stakes, guy wire and cable, ground anchors, hose, and strapping material shall be those contained in Section 6 of the Recommended Standard Specifications.

5.5.13.4 The sub-divider shall be responsible for maintenance of planted trees, including replacement of those that have died or become diseased until such time as the performance guarantee is released.

5.5.14 LANDSCAPE PLANTINGS

5.5.14.1 All areas within the right-of-way which are not paved shall either be loamed and seeded with grass or, where some or all natural vegetation is retained or to be restored, shall be mulched and planted, with designation of type of treatment to be made by the Board taking into consideration the treatment of adjacent lots and the feasibility of successfully retaining existing vegetation.

5.5.14.2 Areas to be planted in grass shall have screened loam placed to a depth of four (4) inches. The grass seed shall be Creeping Red Fescue and perennial rye grass and shall otherwise conform to Section M6.03.0 of the Standard Specifications. It shall be placed at a minimum rate of four (4) pounds per one thousand (1,000) square feet and it shall be properly fertilized and watered with uniform coverage to keep the seeded areas moist until grass is well established. Grass shall be considered successful and acceptable if it provides greater than 75% coverage one year following.

5.5.14.3 Areas to have natural vegetation shall have supplemental plantings as directed by the Planning Board or its agent, and shall be covered with clean pine bark mulch or wood chips to a depth of two (2) inches and watered if necessary until the performance guarantee is released.

5.5.15 MAINTENANCE OF IMPROVEMENTS

For the purpose of protecting the safety, convenience and welfare of the Town's inhabitants; for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for reducing the danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; under the authority of M.G.L. Chapter 41, Section 81M as amended, the

applicant or his successor shall provide for the proper maintenance and repair of improvements under this Section of the Rules and Regulations and during the construction of said improvements and until the Planning Board accepts the subdivision as complete and releases covenants and surety. Such maintenance shall include snow removal and sanding beginning from the time of occupancy of an individual owner or tenant other than the developer.

5.5.16 EROSION AND SEDIMENTATION

5.5.16.1 An erosion and sediment control plan shall be required if in the opinion of the Planning Board sedimentation will have an impact on nearby wetlands, streams, ponds, other water bodies or abutting properties.

5.5.16.2 The developer shall submit as part of the Definitive Plan a soil erosion and sedimentation control plan with the number of copies specified in the Definitive Plan section of these Rules & Regulations, if required by the Planning Board. This plan shall consist of a drawing certified by a professional civil engineer, identifying appropriate control measures and their location, temporary storm-water management measures, dewatering systems, typical sections and details. Also, the drawing shall show all natural drainage ways and water bodies in and related to the proposed subdivision. The drawing shall be at a scale of one (1) by forty (40) feet and show the existing and proposed topography at two (2) foot contour intervals.

5.5.16.3 If erosion and sedimentation control measures are required, they shall be adequate to retain all erosion within the subdivision and away from nearby water systems and/or abutters, both during and after construction. A timetable outlining anticipated construction activity and associated erosion and sedimentation control measures shall be submitted to the Planning Board. All work shall be subject to periodic inspection by the Planning Board or its agents.

5.5.17 FENCING

Fencing may be required in subdivisions abutting state highways, expressways, other limited access roads, or at any other areas, in the opinion of the Planning Board, that may present a hazard.

5.5.18 POLLUTION CONTROL

In order to control dust, odor, noise, etc. accompanying the installation of ways, utilities, and drainage, the applicant shall control such pollution on the entire site in conformance with the most current, amended regulations for such control, as adopted by the Commonwealth of Massachusetts Department of Environmental Protection Air Quality Control.

5.5.19 FLOOD HAZARD AVOIDANCE

Any subdivision located in any flood prone area, as determined by the Planning Board shall comply with the following:

5.5.19.1 Subdivision design shall be consistent with the need to minimize flood damage within the flood-prone area, through use of open space, reservation, street profile design, and drainage.

5.5.19.2 All public utilities and facilities, such as sewer, gas, electrical, and water

systems shall be located and constructed to minimize or eliminate flood damage.

5.5.19.3 Drainage systems shall be designed in consideration of possible flooding to the one hundred (100) year flood elevations.

5.5.20 FIRE SUPPRESSION

5.5.20.1 Subdivisions and condominium projects proposing public water supply shall include Fire Hydrants at intervals satisfactory to the Planning Board.

5.5.20.2 Subdivisions and condominium projects of 5 or more living units without public water supply shall include a fire suppression system as follows:

- 5.5.20.2.1 A 10,000 gallon vented concrete tank
- 5.5.20.2.2 A well and pump supported by segregated electric service
- 5.5.20.2.3 Generator backup is required unless specifically waived to supply a manual transfer switch for portable generator hook-up compatible to Rochester equipment.
- 5.5.20.2.4 A 6 inch national standard hose connection with suction to 12 inches from the bottom of the tank.
- 5.5.20.2.5 Provide a 4 inch Storz Hose connection.

5.5.20.3 Fire suppression systems shall be located on segregated parcels of sufficient dimensions for maintenance access and public safety concerns as approved by the Planning Board. Systems shall be positioned for easy access to project or public roadways and shall have paved truck access to connections.

5.5.20.4 A maintenance schedule for fire suppression systems shall be provided for Planning Board approval.

5.5.20.5 Provision satisfactory to the Planning Board shall be made for funding of maintenance of fire suppression systems after the Certificate of Completion is endorsed. Funding shall be held in trust by a Homeowners Association, or in the absence of a Homeowner's Association, by the Treasurer of the Town of Rochester.

5.5.20.6 The Planning Board reserves an option to require fire suppression systems in subdivisions and condominium projects of less than 5 living units, or additional systems for projects of 5 or more living units, should Board judgment determine that conditions so warrant.

5.6. UTILITY DESIGN AND CONSTRUCTION

5.6.1 GENERAL

5.6.1.1 Excavation for structures, including foundation for drains and water pipes, walls and other structures shall be made to the depth as indicated on the Definitive Plan or established by the Highway Surveyor as applicable.

5.6.1.2 All drain, sewer, gas and water pipes, underground utilities, and other structures shall be installed upon the completion of roadway sub-grade and before the placing of the sub-base, gravel base course, sidewalks or pavement.

5.6.1.3 Where adjacent property is not subdivided or where all the property of the applicant is

not being subdivided at the same time, provision shall be made for the extension of all utility systems by continuing the mains the full length of streets and to the exterior limits of the subdivision, at such grade and size which will, in the opinion of the Planning Board, permit their proper extension at a later date.

- 5.6.1.4 The applicant shall employ, at their own expense, an engineer to set all lines and grades in a manner satisfactory to the Planning Board.
- 5.6.1.5 All water mains shall have a minimum of five (5) feet of cover, laid to line and grade in a workmanlike manner, and all necessary fittings, valves, blow-offs, hydrants, and other necessary features installed. Water main appurtenances, including service connections and hydrants shall meet the latest Standard Specifications for "Cast Iron, Water, Pipe, and Special Castings" as adopted by the American Water Works Association.
- 5.6.1.6 Electric, telephone, cable TV, and an empty conduit for fire alarm shall be installed underground and shall have a minimum cover of two and one-half (2-1/2) feet.
- 5.6.1.7 Unsuitable material below pipe bedding shall be removed and replaced by bank-run gravel (per M1.03.0 Type a) approved by the Planning Board or its agent. Unsuitable material shall not be used for trench backfill.
- 5.6.1.8 Pipe and conduits shall be surrounded by six (6) inches of crushed stone (per M 2.01.4, one (1) inch maximum diameter stone size) if set in earth and twelve (12) inches if set in rock.
- 5.6.1.9 Backfill shall be compacted to ninety-five (95%) percent of the maximum dry density of the materials as determined by the American Association of State Highway Officials, Designation T-180D and the Standard Specifications and all subsequent amendments.
- 5.6.1.10 All underground utilities shall be installed as soon as the sub-grading is completed and before any gravel is placed. They shall be tested and approved prior to installation of base course(s) and pavement. The preliminary Utility As-Built Plan shall also be submitted, reviewed and approved by the Planning Board before the pavement is installed.
- 5.6.1.11 All lot connections shall be installed to the right-of-way line, and so marked in the field and on the As-Built Plan so as to be easily located in the future.
- 5.6.1.12 All utilities and their appurtenances will be located within the right-of-way or easements with enough room to allow for maintenance as deemed necessary by the Planning Board.
- 5.6.1.13 Under no circumstances shall utility lines or facilities be located within planned drainage capabilities.

5.6.2 STORM WATER MANAGEMENT SYSTEMS: GENERAL REQUIREMENTS

- 5.6.2.1 Approval of subdivision plans may be delayed until the Planning Board is assured that either the proposed subdivision will not result in significant increase in the rate and volume of storm-water runoff over natural or existing conditions, or that adequate provisions will be taken to maintain the volume and rate of runoff at its natural or existing level. The objective of this regulation is to maintain the integrity of natural drainage patterns, in order to provide adequate storm-water drainage, reduce storm-water pollution to the maximum extent possible using Best Management Practices (BMPs); provide a sufficient level of health and environmental protection during the construction phase; and provide proper management prior to the discharge of such runoff onto adjacent property

owned by others, into the existing storm drainage system, or wetland resources listed in the Wetland Protection Act Regulations, 310 CMR 10.00.

5.6.2.2 An estimate of the present rate and volume of runoff, as well as an estimate of the rate and volume of runoff that would occur from the proposed subdivision, shall both be submitted along with supporting data. The runoff calculations shall be developed in accordance with Appendix A: Performance Standards and Design Criteria for Storm-water Management Systems. The quantity of storm-water carried by bridges, culverts, open channels, drainage control facilities (detention ponds, etc.) and drainage systems enclosing brooks shall be based upon all storms up to a one hundred (100) year storm.

5.6.2.3 The design, construction, and maintenance of the Best Management Practices (BMPs), and the required submittal of information shall be consistent with the Appendix A: Performance Standards and Design Criteria for Storm-water Management Systems.

5.6.2.4 All storm-water management systems shall be maintained in accordance with the standards set forth in Appendix A at the expense of the owner of the subdivision road, until such time that the road and associated parcels are accepted by Planning Board by endorsing a formal Certificate of Completion and Release of Municipal Interest in Subdivision Performance Security.

5.6.3 STORM DRAINAGE DESIGN CRITERIA

5.6.3.1 The rate of storm-water flow carried by storm drains shall be determined by the Rational Method on the basis of a twenty-five (25) year frequency design storm. The inlet capacity and spacing for catch basins shall be designed to limit the flow in the gutter during a twenty-five (25) year design storm to a maximum of four (4) feet in width as calculated utilizing methodologies described in "Drainage of Highway Pavements, Hydraulic Engineering Circular No. 12, a\$ published by the U.S. Department of Transportation, Federal Highway Administration, and all subsequent revisions thereof. In any event, water shall not be allowed to run for more than three hundred (300) feet on paved surfaces. Computations for drainage requirements shall be prepared by a Registered Professional Civil Engineer and submitted with the Definitive Plan.

5.6.3.2 Supporting data for the sizing of the storm drain collection system shall include the following:

- 5.6.3.2.1 Subcatchment area plan at a clear legible scale showing the following information:
- 5.6.3.2.2 Existing and proposed contour grading at the predicted full build out of the subdivision.
- 5.6.3.2.3 Existing and proposed ground cover conditions.
- 5.6.3.2.4 Predicted flow paths and delineation of subcatchment areas to each inlet.
- 5.6.3.2.5 Rational Method calculations based on the twenty-five (25) year storm event and the one hundred (100) year storm event where the collection system is expected to convey the one hundred (100) year storm flows to the receiving storm-water management facility.
- 5.6.3.2.6 Time of concentration (Tc) worksheets based on TR-55 methodology.

5.6.3.2.7 Weighted average ground cover coefficient (C) calculations.

5.6.3.2.8 Inlet grate capacity calculations based on Hydraulic Engineering Circular #12.

5.6.3.3 The system may make use of gutters, inlets, culverts, catch basins, manholes, subsurface piping, surface channels, natural waterways, and open detention basins. Leaching catch basins will not be permitted. The Planning Board will not approve any design or component, which in its opinion does not meet the standards of good engineering practice, will not function without frequent maintenance, or is unsuited to the character of the subdivision.

5.6.3.4 Where feasible, storm-water should be directed to enter the nearest open stream channel. At all outfalls of drainage systems, a reinforced concrete headwall or reinforced concrete flared end shall be provided. Storm-water shall not be permitted to cross any roadway upon the surface but must be piped underground.

5.6.3.5 In general, the design of pipes shall be such as to provide for a flow of water at speeds between two (2) and ten (10) feet per second under full flow conditions. The minimum grade shall be not less than one-half (0.5%) percent and the minimum pipe diameter shall be twelve (12) inches, designed to flow full with the hydraulic gradient at the crown.

5.6.3.6 Storm drains with Class III RCP pipe shall have a minimum of three (3) feet of cover. Drains with less than three (3) feet of cover shall use Class V RCP pipe. In no event shall drains have less than two and one-half (2-1/2) feet of cover. All changes in pipe class shall be noted on the plan. High Density Polyethylene (HOPE) Smooth Wall Interior may be used as an alternate to RCP except within areas subject to groundwater inundation. In determining the capacity of the pipe drains, the Manning formula shall be used with coefficient of friction "n" equal to 0.013 for RCP and 0.010 for HOPE.

5.6.3.7 Catch basins shall have a minimum four (4) foot sump below the invert and coated with bituminous waterproofing. Catch basins or inlets shall be spaced along both sides of a street at no greater than three hundred (300) feet intervals, and located at all low points and corner rounding at street junctions. Drain manholes shall be located at every change of direction and/or grade but in no cases greater than three hundred (300) feet apart. Catch basins shall not serve as manholes. All pipes from catch basins must flow to manholes.

5.6.3.8 Roof drains, cellar drains or any other "private" non-pre-existing drainage systems will not be allowed to connect to the drainage system, unless specifically waived by the Planning Board.

5.6.3.9 Cross culverts and drainage control facilities shall be based on all storms up to a one hundred (100) year frequency storm. At cross culverts, drainage easements shall be established up gradient of the culvert and delineated on the Definitive Plan based on the projected one hundred (100) year headwater elevation. The determination of the headwater elevation shall be based on TR-20 model calculations and the Federal Highway Administration Hydraulic Engineering Circular No. 5 (HEC 5).

5.6.3.10 In some cases earth and stone-paved open channels should be used. The typical section of the earth channel should have a flat bottom and side slopes of one (1) vertical on three (3) horizontal with the top of the slope at least one foot (1') higher than the design water surface. The maximum velocity allowed in an open earth channel at design flow should be six (6) fps. A coefficient of friction "n" equals to 0.025 maximum should be used for both the earth and stone-paved channels. Detailed calculations, plans and

profiles showing proposed channels and treatment of channel base and side slopes shall be submitted for Planning Board approval.

- 5.6.3.11 Wherever drainage systems within the subdivision are located in or terminate in lands owned by others, proper easements in a form and content acceptable to Town Counsel shall be taken for their access and maintenance by Town Personnel.
- 5.6.3.12 Granite curb inlets per Section M9.04 shall be installed adjacent to all catch-basins at low points and any other location granite curbing is required. If located within an area of Cape Cod berms, a minimum six (6) feet transition curbing (granite, Type VA4) shall be installed along the curb line on both sides of the curb inlet. The Cape Cod berms shall be constructed to blend with the transition curb.
- 5.6.3.13 Rip-rap spillways shall be provided at all pipe outfalls and critical areas within drainage swales or ditches subject to erosive conditions.
- 5.6.3.14 The drainage design in its entirety shall minimize long-term safety issues, maintenance, and/or reconstruction requirements to the satisfaction of the Planning Board.
- 5.6.3.15 All pipe crowns in manholes must match or the crown of the inlet pipe must be higher than the crown of the outlet pipe.
- 5.6.3.16 No catch basins shall be installed in front of driveway or handicap ramp openings.
- 5.6.3.17 All runoff from storms up to the one hundred (100) year storm must flow through the drainage control facilities (detention ponds, etc.) and be mitigated prior to flowing beyond the site. Although the pipes are designed for the twenty-five (25) year storm, the runoff for storms up to the one hundred (100) year storm must reach the drainage control facility either through the pipe systems, swales or overland with easements.
- 5.6.3.18 Storm-water drainage pumping stations are not allowed.
- 5.6.3.19 Stormwater culverts of 18 inch diameter or greater shall have a permanently affixed 6 inch mesh grill across the face.

5.6.4 STORMWATER MANAGEMENT SYSTEMS: CONSTRUCTION REQUIREMENTS

- 5.6.4.1 Drainage facilities shall be provided as indicated on the plan and in conformity with these Rules & Regulations and the requirements of Sections 200, 220, 230 and 258 of the Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges 1988, and all subsequent revisions thereof, herein referred to as the Standard Specifications.
- 5.6.4.2 The drainage system shall be in place and functional and approved by the Highway Surveyor and the Planning Board at the time of the installation of the binder course pavement. Utility As-Built Plans of the installed drainage system must be submitted and approved by the Planning Board and the Highway Surveyor prior to the installation of the binder course pavement.
- 5.6.4.3 Unsuitable material below normal pipe invert shall be removed and replaced with suitable material. Unsuitable material shall not be used for trench backfill. Pipe and conduits shall be surrounded by six (6) inches of compacted screened gravel if set in earth, and twelve (12) inches if set in rock.

5.6.4.4 The standard depth of catch basins shall be four (4) feet below the invert of the outlet. Manholes shall be constructed to the required depth at each junction point and as shown on the plan. Pipe culvert and pipe drains shall be in conformity with the requirements of Section 230 for installation of pipes.

5.6.4.5 All drain pipes except sub-drains shall be reinforced concrete pipe (RCP) or high density polyethylene (HOPE) with no less than two and one-half (2-1/2) feet of cover, and shall be installed according to the size as shown on the plans. No backfilling of pipes shall be done until approval of the Highway Surveyor. All drainage trenches shall be backfilled per Section 201.

5.6.4.6 Where sub-drains are required, they shall be constructed in conformance with Section 260 of the Standard Specifications. Such sub-drains may be required by the Planning Board following clearing and grubbing operations. No drainage pipes from roof drains, driveway drains, or other on-lot sources shall be connected to the street drainage system. Cast iron manhole covers and catch-basin grates shall be as manufactured by or equivalent to E.L. LeBaron Foundry Model No.'s LB 268-3 for manholes, L.F. 248-2 or LK-120A (Cascade Grate) for catch basins. The word "DRAIN" shall be cast into the drain manhole covers.

5.6.5 WATER DISTRIBUTION SYSTEM

5.6.5.1 Where a public water system is located within one thousand (1000) feet of the subdivision, the sub-divider shall connect to the public water system.

5.6.5.2 All materials and methods of construction for water distribution mains shall conform to the specifications of the Highway Surveyor.

5.6.6 GAS

5.6.6.1 Gas mains shall be installed per the gas company's rules and regulations if gas connection is available unless said installation is specifically waived by the Planning Board.

5.6.6.2 The developer shall obtain and submit a copy of the underground gas main layout plan prepared by the appropriate utility company to the office of the Planning Board prior to installation.

5.6.7 TELEPHONE

5.6.7.1 Telephone lines shall be installed in underground conduits in conformity with the telephone company's rules and regulations.

5.6.7.2 The developer shall obtain and submit a copy of the underground telephone layout plan prepared by the appropriate utility company to the office of the Planning Board prior to installation.

5.6.8 ELECTRIC

5.6.8.1 Electric lines shall be installed underground in accordance with the regulations of the appropriate utility.

5.6.8.2 The developer shall obtain and submit a copy of the underground electric layout plan prepared by the appropriate utility company to the office of the Planning Board prior to installation.

SECTION 6. APPLICATION & CONSULTING FEES

6.1 APPLICATION FEES

6.1.1. The Planning Board shall not accept an application or schedule a public hearing if the full fee amount, as determined herein, is not submitted with the application and plans. The following fees shall apply to all plans submitted:

Form A (Approval Not Required)	\$ 50.00 per lot or parcel
Form B (Preliminary Plan)	\$ 100.00 per Plan \$ 500.00 if no Preliminary Plan \$ 250.00 if submitted with a Preliminary Plan
Form C (Definitive Plan)	Plus: with or without Preliminary Plan: an additional \$150.00 /lot and an additional \$ 2.00 per linear foot of roadway
Site Plan Review	\$200.00 for Site Plan applications involving up to 2 acres and \$50 for each additional acre over 2 up to 10 acres. The fee is \$600 for all applications in excess of 10 acres.
Modification of Definitive Plan	Same as Form C (Definitive Plan)
Special Permit	\$ 200.00 Except for Flexible Development and Special Residential Development: Flexible Development shall be per Form C above plus the Special Permit fee, Special Residential Developments are specified in the relevant By-Law.
Scenic Highway Scenic Highway Tree Removal	Site Plan Review fees apply \$50

Should an applicant petition for withdrawal of an application, the Planning Board may, at its sole discretion, retain up to 20% of an application fee to offset incurred administrative expense.

6.2 OUTSIDE CONSULTANT FEES and PROCEDURES

6.2.1 STATUTORY AUTHORITY AND ADOPTION OF RULES AND REGULATIONS:

Under the authority vested in the Planning Board (the "Board") of the Town of Rochester by M.G.L. Chapter 40A, Sec. 9 (governing rules relative to the issuance of Special Permits), M.G.L. Ch. 41, § 81-Q (governing the rules and regulations of the subdivision of land),

and the Rochester Zoning By-laws, said Board hereby adopts the following rules and regulations regarding procedures for the submission and expenditure of Consultant Funds pursuant to Chapter 593 of the Acts and Resolves of 1989 (M.G.L. Ch 44, Sec. 53G.) for the imposition of reasonable fees for the employment of outside consultants, with such fees to be deposited in a special account.

6.2.2 CONSULTANT REVIEW FEES AND PROCEDURES

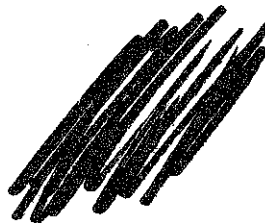
- 6.2.2.1 **Applicability.** The Planning Board, at its sole discretion, may determine that a proposed project's size, scale, complexity, potential impact or use of the land warrants the use of outside consultants (such as engineers, planners, lawyers, hydrogeologists, or others). Such consultants shall assist the Planning Board, for review and comment prior to action by the Planning Board in plan review, impact analysis, inspection or other technical or legal assistance necessary to ensure compliance with all relevant laws and regulations. Such assistance may include, but shall not be limited to, analyzing an application, providing legal counsel for decisions and covenants, and monitoring or inspecting a project or site during construction or post construction for compliance with the Board's decisions or regulations. Such consultants shall be selected and retained by the Planning Board, with the actual and reasonable costs for their services to be paid by the applicant.
- 6.2.2.2 **Submittal.** Consultant Review Fees shall be submitted upon receipt of notice of estimated consultant review cost for deposit in an account established pursuant to Chapter 593 of the Acts of 1989, M.G.L. c. 44, s. 53G (593 Account). Any application shall be deemed incomplete and no review work shall commence until the fee has been paid in full.
- 6.2.2.3 Those projects which are deemed by the Planning Board to require review by outside consultants shall be delivered to the selected consultant or consultants, who shall submit a cost for the requested consultant services to the Planning Board. To the extent possible, the Board shall select consultants that are not working for an applicant currently before the Planning Board.
- 6.2.2.4 **Replenishment.** When the balance in an applicant's 593 Account falls below twenty-five percent (25%) of the initial Consultant Review Fee, as imposed above, the Planning Board may require a supplemental Consultant Review Fee to cover the cost of the remaining project review.
- 6.2.2.5 **Monitoring and Inspection Phase.** As a condition of approval of a Definitive Plan or a Special Permit, the Planning Board may require a Supplemental Consultant Review Fee for the purpose of ensuring the availability of funds during the inspection phase of the review process.
- 6.2.2.6 **Handling of Consultant Review Fees.** The Consultant Review Fee is to be deposited into a special account (593 Account) as set forth in M.G.L.c.44, s. 53G.
 - 6.2.2.6.1 Outside consultants retained by the Planning Board to assist in the review of an application shall be paid from this account.
 - 6.2.2.6.2 Consultant Review Fees shall be turned over to the Town Treasurer by the Planning Board for deposit into a 593 Account.
 - 6.2.2.6.3 A copy of the latest statement from the banking institution handling the 593 Account shall be forwarded from the office of the Town Treasurer to the Planning Board Office as soon as it is

received for timely and accurate accounting.

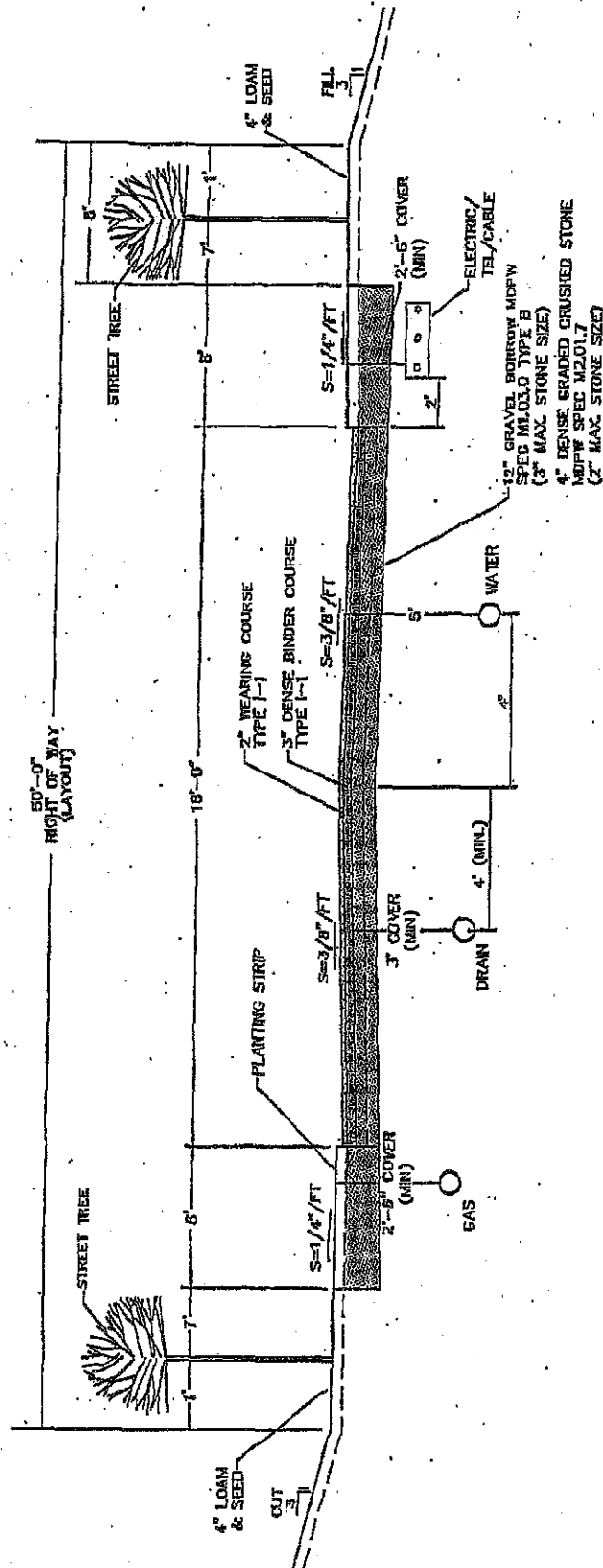
- 6.2.2.6.4 An accounting of an applicant's funds held in the 593 Account may be requested by the applicant. The Planning Board Office, through the Town Treasurer, shall respond to the request in a timely fashion.
- 6.2.2.6.5 Excess consultant review fees in the 593 Account, including any accumulated interest, shall be returned to the applicant, or the applicant's documented successor in interest, at the conclusion of the review process as determined by the Planning Board.
- 6.2.2.6.6 Selection Appeal. The applicant shall be notified of the consultant selection prior to initiation of consultant efforts. As provided in M.G.L. Chapter 44, § 53G, the applicant may administratively appeal the selection of the consultant to the Board of Selectmen, on grounds that the proposed consultant selected has a conflict of interest or that the proposed consultant does not possess the minimum required qualifications of an educational degree or three (3) or more years of practice in, or closely related to, the field at issue. Such an appeal may be initiated by the applicant filing notice with the Town Clerk within seven (7) calendar days of notice of the selection. The consultant selection made by the Planning Board shall stand if one (1) month passes without decision by the Board of Selectmen on said appeal. The required time limits for action upon an application by the Planning Board shall be extended by duration of the administrative appeal. This appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.
- 6.2.2.6.7 Remedy. Failure of an applicant to pay the consultant review fee determined by the Planning Board, or to replenish the special account when requested, may be grounds for disapproval.

- 6.2.3 Interpretation and application of the above fees is at the sole discretion of the Planning Board. Waivers to the above may be considered solely at the discretion of the Planning Board in situations judged appropriate.
- 6.2.4 Town legal and court costs incurred in litigation of fee and engineering escrow issues shall be paid by the applicant.

2



APPENDIX D SHEET 1 OF 5

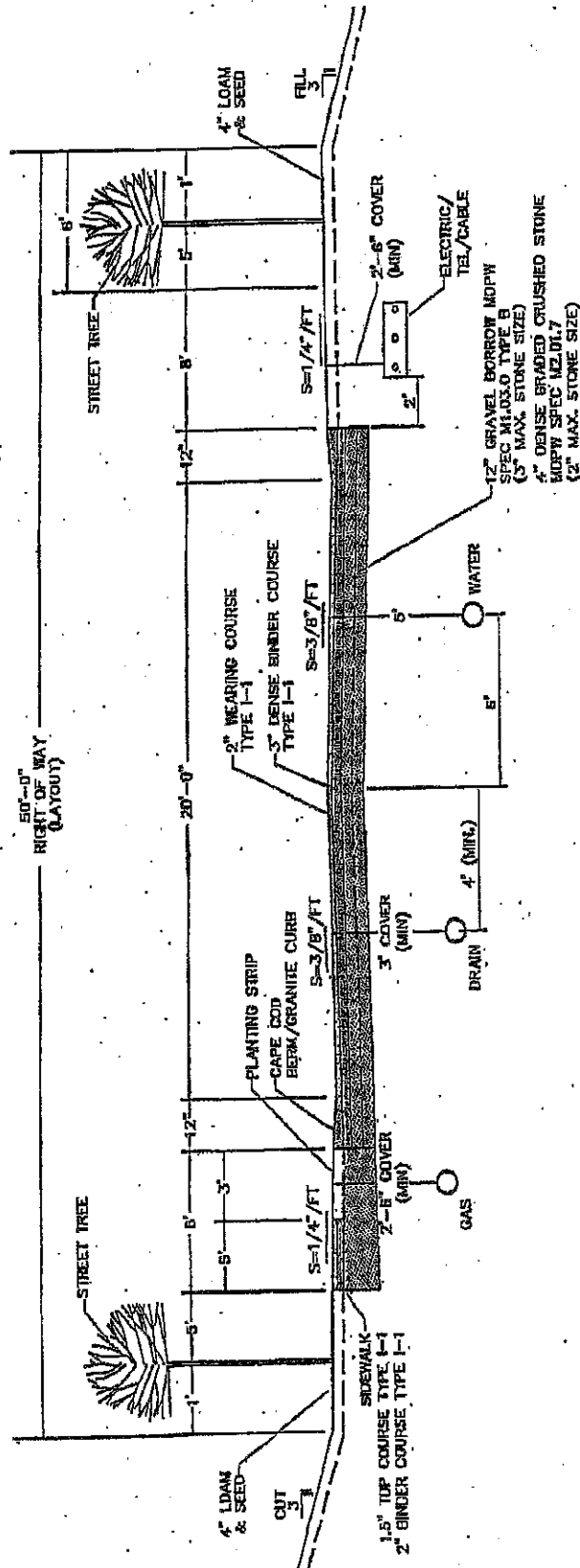


TOWN OF ROCHESTER TYPICAL ROADWAY CROSS SECTION RESIDENTIAL STREET 1-2 LOTS

NOT TO SCALE

- 1.) GRAVEL BORROW BASE TYPE B SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR GRAVEL BORROW SEC. M1.03.0 COMPACT TO 95% DRY DENSITY
- 2.) BITUMINOUS PAVEMENT SHALL CONFORM TO MASS. D.P.W. STANDARD SPECIFICATIONS FOR CLASS 1 TYPE 1-1 BITUMINOUS CONCRETE PAVEMENT SEC. 460.2. SUBMIT JOB-MIX FORMULA TO LOCAL D.P.W. FOR APPROVAL.
- 3.) DENSE GRADED CRUSHED STONE SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR DENSE GRADED CRUSHED STONE SEC. M2.01.7 COMPACT TO 95% DRY DENSITY

APPENDIX D
SHEET 2 OF 5

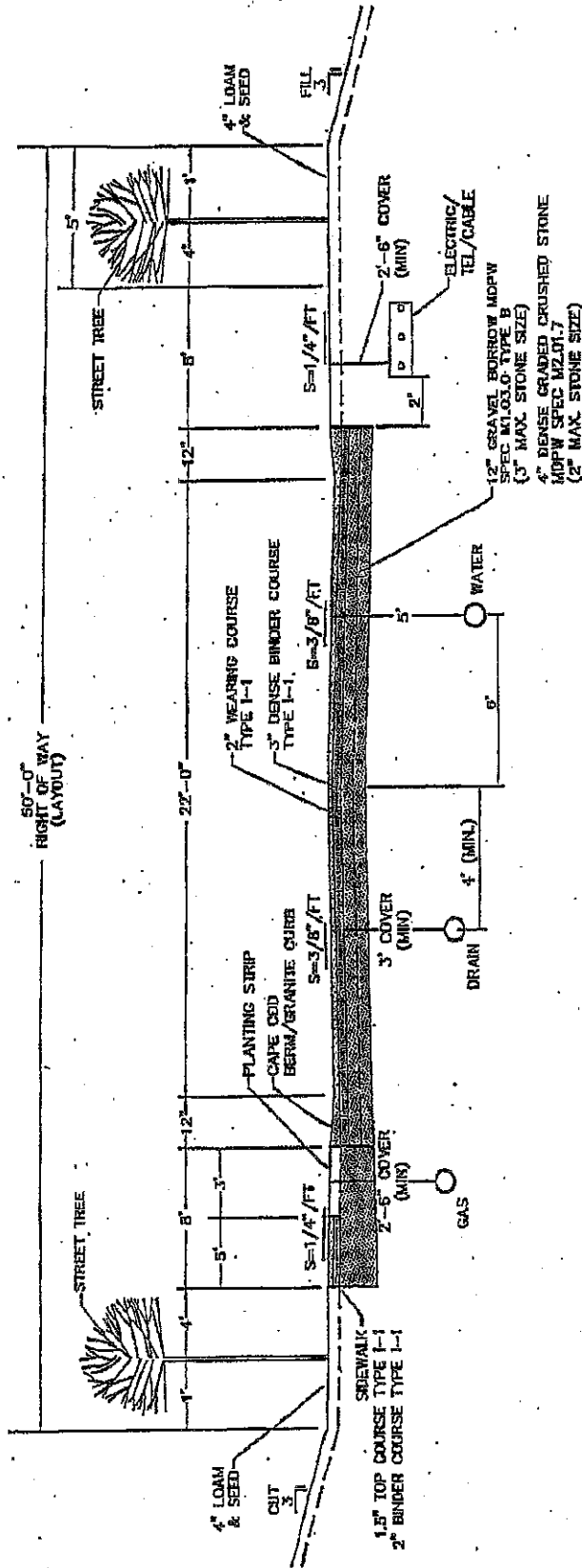


TOWN OF ROCHESTER
TYPICAL ROADWAY CROSS SECTION
RESIDENTIAL STREET 3-4 LOTS

NOT TO SCALE

- 1.) GRAVEL BORROW BASE TYPE B SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR GRAVEL BORROW SEC. M1.03.0 COMPACT TO 95% DRY DENSITY
- 2.) BITUMINOUS PAVEMENT SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR CLASS 1 TYPE I-1 BITUMINOUS CONCRETE PAVEMENT SEC. 460.2. SUBMIT JOB-MIX FORMULA TO LOCAL D.P.W. FOR APPROVAL
- 3.) DENSE GRADED CRUSHED STONE SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR DENSE GRADED CRUSHED STONE SEC. M2.01.7 COMPACT TO 95% DRY DENSITY

APPENDIX D
SHEET 3 OF 5

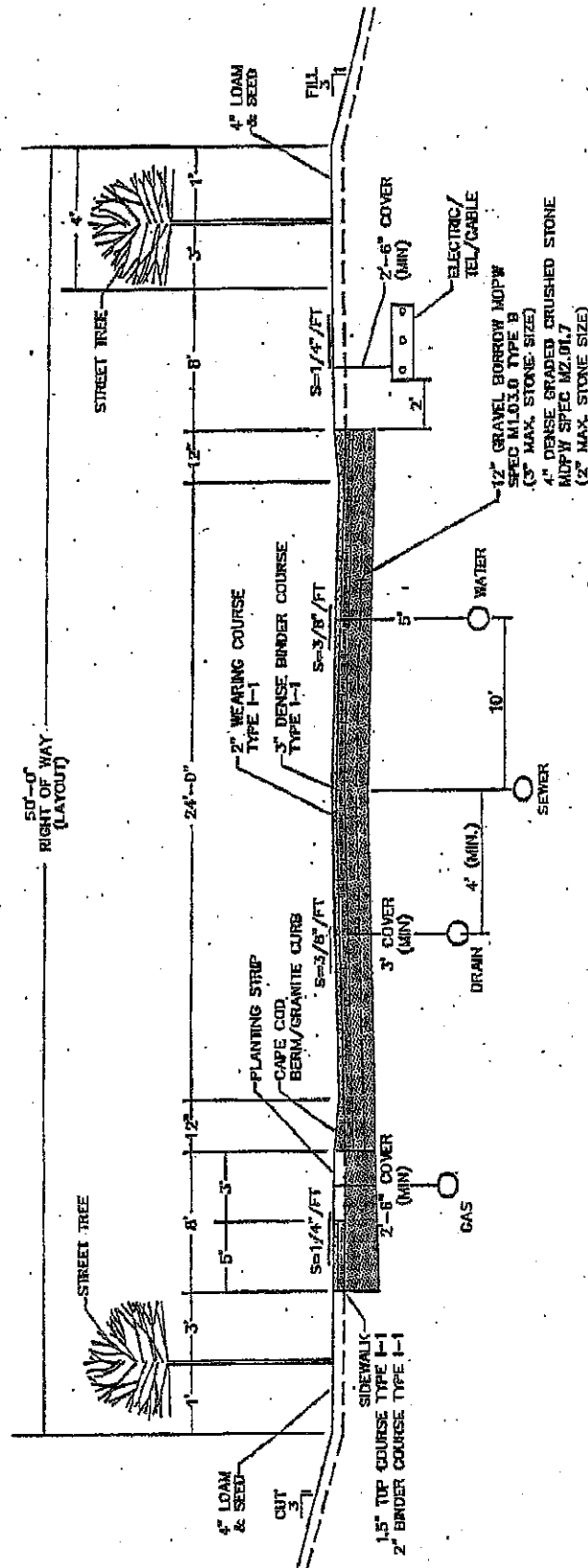


TOWN OF ROCHESTER
TYPICAL ROADWAY CROSS SECTION
RESIDENTIAL STREET 5-6 LOTS

NOT TO SCALE

- 1.) GRAVEL BORROW BASE TYPE B SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR GRAVEL BORROW SEC. M1.0.0.0 COMPACT TO 95% DRY DENSITY
- 2.) BITUMINOUS PAVEMENT SHALL CONFORM TO MASS. D.P.W. STANDARD SPECIFICATIONS FOR CLASS 1 TYPE 1-1 BITUMINOUS CONCRETE PAVEMENT SEC. 400.2. SUBMIT JOB-MIX FORMULA TO LOCAL D.P.W. FOR APPROVAL
- 3.) GEASE GRADED CRUSHED STONE SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR GEASE GRADED CRUSHED STONE SEC. M.2.D.1.7 COMPACT TO 95% DRY DENSITY

APPENDIX D SHEET 4 OF 5

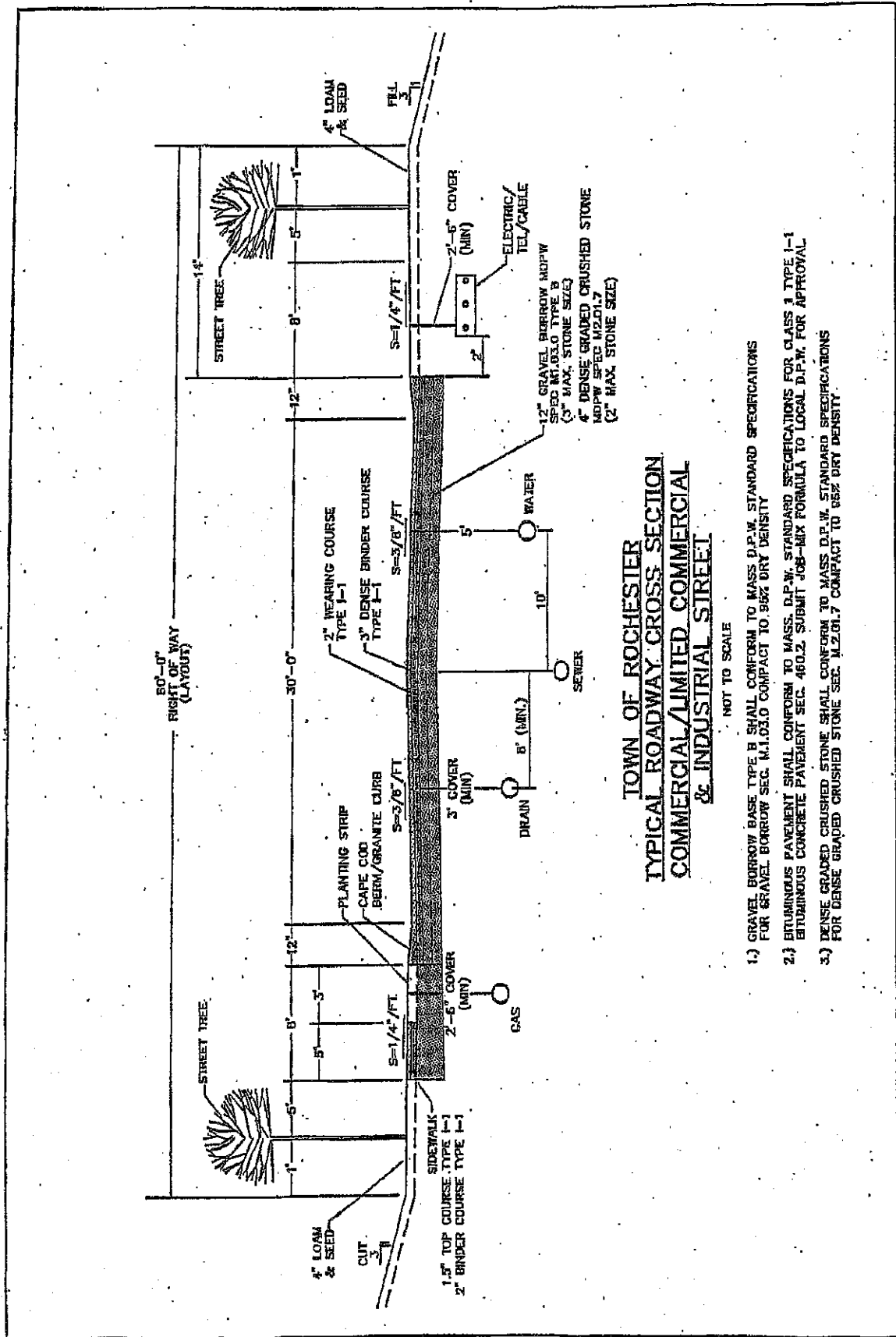


TOWN OF ROCHESTER TYPICAL ROADWAY CROSS SECTION RESIDENTIAL STREET MORE THAN 6 LOTS

NOT TO SCALE

- 1.) GRAVEL BORROW BASE TYPE B SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR GRAVEL BORROW SEC. M1.03.0 COMPACT TO 95% DRY DENSITY
- 2.) BITUMINOUS PAVEMENT SHALL CONFORM TO MASS. D.P.W. STANDARD SPECIFICATIONS FOR CLASS 1 TYPE I-1 BITUMINOUS CONCRETE PAVEMENT SEC. 400.2. SUBMIT JCB-MIX FORMULA TO LOCAL D.P.W. FOR APPROVAL
- 3.) DENSE GRADED CRUSHED STONE SHALL CONFORM TO MASS D.P.W. STANDARD SPECIFICATIONS FOR DENSE GRADED CRUSHED STONE SEC. M2.01.7 COMPACT TO 95% DRY DENSITY

APPENDIX D
SHEET 5 OF 5



SECTION 7. INSPECTION AND VERIFICATION

7.1 GENERAL

- 7.1.1 In order to verify that the required improvements are constructed or installed in accordance with these Rules & Regulations and with the applicable technical standards, the Planning Board, its agents, and employees of the Town shall be allowed access to the subdivision during the normal working hours while it is under construction. The applicant shall be responsible for ensuring that written notice (an appropriate form) is delivered to the offices of the Planning Board and the Highway Surveyor upon the completion of each of the tasks enumerated below and at least three (3) working days before commencing the next task or covering the work performed. Work covered prior to expiration of three (3) working days after such notice may be required to be uncovered or dug up or may be considered not to have been completed in accordance with approved documents and these Rules & Regulations.
- 7.1.2 Notwithstanding inspections and verifications by the Planning Board and its agent, the applicant, the surety company, if any, and those succeeding the applicant in title to the subdivision or portions thereof are responsible for the subdivision being completed in accordance with the approved plans and these Rules & Regulations and in a satisfactory condition and without defects when requesting release of performance guarantees.
- 7.1.3 Inspections by Planning Board Members, Consultant Engineer, Highway Surveyor or members of this department, or by other persons designated by the Planning Board, shall be required promptly upon completion of the following operations and before the work is covered:
- 7.1.3.1 Clearing, grubbing, and excavation to firm sub-grade.
 - 7.1.3.2 Fill and grading to rough grade may include utility trenching.
 - 7.1.3.3 Bedding water, sewer, and drain pipes; installing manholes and catch basins, valves and appurtenances (no backfilling trenches).
 - 7.1.3.4 Backfilling trenches, rolling and compacting sub-grade or surface.
 - 7.1.3.5 Installing select gravel or crushed stone base in six (6) inch layers, rolling, and compacting to grade.
 - 7.1.3.6 Setting curbing, catch basin inlets and grating, headwalls, retaining walls, other structural details.
 - 7.1.3.7 Bituminous pavement - binder course.
 - 7.1.3.8 Bituminous pavement - surface or wearing course.
 - 7.1.3.9 Bituminous walks, binder and surface courses.
 - 7.1.3.10 Grass plots, loaming and seeding.
 - 7.1.3.11 Shade trees planting.
 - 7.1.3.12 Adjusting manhole and catch basin covers, valve covers, removing debris, leftover materials, correcting uneven spots, clean-up.

- 7.1.4 With respect to water mains, services, hydrants and appurtenances, the required inspections may be performed by the consultant for the Planning Board, Rochester and/or Marion Water District. Repeat inspections will be required if any work is found not to have been performed to the satisfaction of the Planning Board, its Engineer, or the Highway Surveyor.
- 7.1.5 The Planning Board has established the order of the required inspection and requires satisfactory completion of each step before the applicant proceeds to the next. It may require tests to be done by the applicant, as a condition for approval, when, in the opinion of the Planning Board it is advisable.
- 7.1.6 Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the applicant or rescission of the approval of the plan in accordance with Chapter 41, Section 81W of the Massachusetts General Laws.
- 7.1.7 Construction of retaining walls shall be monitored by an independent Structural Engineer registered in the Commonwealth of Massachusetts, and hired by the applicant. Prior to construction, a building permit must be obtained. When the retaining walls are completed, the Structural Engineer shall submit to the Planning Board, a signed and stamped final report, certifying that the wall was constructed in accordance with the approved plans, and noting any field changes that were made to the approved design.

7.2 COST OF INSPECTIONS

- 7.2.1 The cost of inspections shall be borne by the applicant and those legally succeeding the applicant in title to the subdivision or any portion thereof. They shall be billed for the cost of inspections including repeated inspections as necessary (See Section 6 Fee Schedule of these Rules & Regulations). Security for the construction of streets and utilities shall not be released until all money owed the Town in connection with a subdivision has been paid.

7.3 AS-BUILT PLANS and CERTIFICATION OF MONUMENTS

As-Built and Certification of Monuments shall be as specified in Section 4.2.7.3 of these Rules & Regulations.

7.4 MONUMENTS

The required granite monuments shall be set by or under the direct supervision of a registered land surveyor after all construction which could destroy them has been completed.

SECTION 8. ADMINISTRATION

8. GENERAL

- 8.1 All plans must be prepared in accordance with the requirements of the Registry of Deeds or Land Court and the Rochester Planning Board.

Approval of all subdivisions are subject to the condition that, unless an appeal has been taken from such approval as provided by Chapter 41, Section 81-BB, M.G.L., the sub-divider will record the subdivision plan in the Plymouth County Registry of Deeds of Plymouth, Massachusetts or the Land Court within six months from date of its approval and certify to the Planning Board, in writing, within six months from date of approval that said plan has been so recorded and filed with the Registry of Deeds of Plymouth County or the Land Court giving Date Recorded, Plan, Book and Page Number or Certificate Number. Failure to file said plan shall render any approval null and void.

- 8.2 All Plans to be submitted for review by the Planning Board shall be stamped by the Town Clerk or sent Certified Mail to the Town Clerk. Plans submitted to the Town Clerk to be stamped shall remain on file with the Town Clerk for the Planning Board.
- 8.3 Definitive Subdivision Plans shall show the name/s of proposed streets that have been approved by the Board of Selectman.
- 8.4 Prior to acceptance by the Town, all maintenance of subdivision infrastructure, roads and other facilities is entirely the responsibility of the developer, his heirs and assigns including but not limited to road repair and snow and ice removal.

8.2 VARIATION

- 8.2.1 The Planning Board may, where such action is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law, waive strict compliance with these Rules and Regulations.

8.3. MODIFICATIONS TO APPROVAL

- 8.3.1. No changes or alterations shall be made to any aspect of an approved Definitive Plan without resubmission for approval of the Planning Board in accordance with Chapter 41, Sections 81-0 and 81-W, M.G.L.

8.4. REFERENCE

- 8.4.1 For matters not covered by these Rules and Regulations, reference is made to Chapter 41, Sections 81K - 81GG inclusive, of the Massachusetts General Laws and acts in amendments thereof, in addition thereto or in substitution therefor.

8.5 ACCEPTANCE OF STREETS

- 8.5.1 The approval of a plan by the Planning Board does not make a street shown on such a plan a public way. Street acceptance by the Town is the responsibility of the Board of Selectmen and shall be subject to compliance with the pertinent provisions of the Massachusetts General Laws and Bylaws of the Town of Rochester.

8.6. SEVERABILITY

- 8.6.1 If, in any respect, any provisions of these Rules and Regulations in whole or in part, shall prove to be invalid for any reason, such invalidity shall only affect the part of such provision which shall be invalid, and in all other respects, these Rules and Regulations shall stand as if such invalid provisions had not been made, and they shall fail to the extent, and only to the extent of such invalid provision and no other provision of these Rules and Regulations shall be invalidated, impaired, or affected thereby.
- 8.6.2 In the case of a conflict between these Rules and Regulations and the Massachusetts General Laws, the General Laws shall govern.

APPENDIX A

PERFORMANCE STANDARDS AND DESIGN CRITERIA FOR STORMWATER MANAGEMENT SYSTEMS

1.0 GENERAL

- 1.1 Management of stormwater runoff from all developments reviewed by the Rochester Planning Board shall meet the standards and design criteria contained in this Appendix for both flood control and non-point source pollution reduction. All assumptions, methodologies, and procedures used to design the stormwater management system components shall accompany all Plan Review applications to the Planning Board.
- 1.2. Strict adherence to these Standards may be waived by the Planning Board upon a clear demonstration by the Proponent that full compliance with any specific standard would not serve the public interest or would not be practical due to physical site constraints and a waiver serves the interests of the Town in the judgment of the Planning Board.
- 1.3. All applicable standards of the Department of Environmental Protection (DEP) Stormwater Management Policy, dated January, 2008, and all subsequent amendments thereto and the (DEP) Hydrology Handbook for Conservation Commissioners dated March, 2002 as amended from time to time, shall apply as minimum standards to all plan submittals, except where this section requires more rigorous standards.

2.0 PERFORMANCE STANDARDS

- 2.1. All design and construction shall be done in a manner such that the post-development stormwater runoff will not exacerbate or create flooding conditions, or alter surface water flow paths, resulting in impacts to the receiving wetland resource area or any adjacent properties to the site for the 2, 25, and 100-year 24-hour storm events. In accomplishing this, there will be no increase in the rate or volume of runoff from these storm events as a result of the project. The pre-development standard shall be those conditions prevailing prior to abandoned projects or previously disturbed terrain.

Additional stormwater volume attenuation for these storm events may also be required for any stormwater discharges into flood prone areas, off-site culvert inlets, isolated topographic depressions, adjacent properties, and any receiving wetland and/or water body which may be sensitive to increases in runoff volume.

- 2.2. The stormwater management systems shall be designed to attenuate the peak rate of the runoff for the 2-, 25-, and 100-year 24hour storm events at or below the pre-development levels. Greater attenuation may be required in flood prone areas, environmentally sensitive areas, or other sensitive receptors as determined by the Planning Board.
- 2.3. Stormwater management systems that may eventually be owned and maintained by the Town of Rochester shall be designed and constructed to provide the required level of treatment at the least cost to the Town. The Planning Board may, at its discretion, disapprove a plan due to what it considers to be excessive Operation & Maintenance (O&M) costs. Alternatively, the Proponent may propose a system with higher O&M costs if it also establishes a perpetual care fund in an amount satisfactory to the Planning Board to cover the O&M costs of the system. Actual funding shall be forwarded to the Town of Rochester, care of the Treasurer or to a previously formed Homeowner's Association with adequate Homeowner's Trust terminology, on or before issuance of the Certificate of Completion, at the discretion of the Planning Board.
- 2.4 Stormwater management systems shall be designed and constructed so that they do not negatively impact groundwater quality or elevations adjacent to or downgradient of the system area. This will be determined by the proponent providing a geohydrological analysis of the system, particularly as it relates to sensitive receptors (i.e., drinking water supplies and basements of existing dwellings).
- 2.5 Stormwater management systems shall be designed and constructed so that they do not represent safety hazards or nuisances to public health as judged by the Planning Board in consultation with the Board of Health.
- 2.6 Stormwater management systems shall be designed and constructed so that they do not visually detract from the neighborhood. A landscape design shall be prepared that provides appropriate screening from the

adjacent properties and roadways, while providing the degree of access necessary for O&M activities. Landscape plans shall be submitted that appropriately address visibility issues through proper placement, preservation of existing natural vegetation and supplemental plantings where necessary.

- 2.7 All components of the stormwater management systems shall be maintained by the owners, heirs or assigns until such time as these systems or portions thereof are accepted by the Town of Rochester. The maintenance of these systems shall be in strict accordance with an Operation and Maintenance Plan as approved by the Planning Board. Monthly reports documenting the executed maintenance procedures and conditions of the system shall be prepared by the owners, heirs, or assigns and submitted to the Planning Board.

3.0. SUBMITTAL REQUIREMENTS

- 3.1 All site plan and definitive subdivision submittals shall be accompanied by a Stormwater Management System Report. At a minimum the Report shall consist of the following:
- 3.1.1 Hydrologic calculations for the 2-, 25-, and 100-year 24 hour storm events based on the TR-20 Methodology and all subsequent amendments for the pre and post developed conditions for the overall project as well as specific calculations for the 2-, 25-, and 100-year 24 hour storm events also based on the TR-20 Methodology for each specific area subject to flooding including but not limited to isolated topographic depressions, culvert inlets, and ponding areas for the pre and post developed condition.
 - 3.1.2 Supporting water quality calculations, specific BMP sizing calculations, and a Stormwater Management Form stamped by a Registered Professional Engineer shall also be provided.
 - 3.1.3 Discussion of the environmental and hydrological conditions of the site for the pre and post developed condition, as well as the proposed alterations of the site, all proposed components of the stormwater management system and a Low Impact Development (LID) consistency summation.
 - 3.1.4 Soil evaluation logs, permeability test results and predicted maximum groundwater levels at each component of the stormwater management system validated by a representative of the Board of Health and/or the Planning Board. On site permeability tests will be required to determine the appropriate infiltration value from Table 2.3.3 of the DEP Stormwater Management Policy and all subsequent amendments.
 - 3.1.5 An Operation and Maintenance Plan for the stormwater management system. The Plan shall include a maintenance schedule for each component of the stormwater management system, an outline of responsible parties and owners, and all pertinent agreements to be executed to insure proper maintenance of the facilities.
- 3.2 Pre and Post Development Watershed Plans at a preferred scale of 1-inch equals 40 feet, or other such scale as approved by the Board, shall be submitted with the Stormwater Management System Report and shall clearly depict the following information:
- 3.2.1 **Pre-Development Watershed Plan**
 - 3.2.1.1 The location of all surface waters and wetland resource areas, on or adjacent to the site. Location of such resource areas shall be confirmed in advance by the Rochester Conservation Commission.
 - 3.2.1.2 The delineation of the 100-year flood elevation as indicated on the Federal Emergency Management Act (FEMA) maps. If FEMA maps do not exist or if the 100-year flood elevation of the water body or watercourse is not indicated on the FEMA map, the elevation shall be calculated, utilizing the SCS TR-55 or TR-20 methodology or U.S. Army Corp of Engineers Hydraulic Engineering Center methodology and all subsequent amendments

- 3.2.1.3 Existing topography at a 2-foot contour interval within the watershed study area.
- 3.2.1.4 Delineation of the existing watershed boundaries on the property inclusive of all off-site areas contributing runoff to the property.
- 3.2.1.5 Boundaries of existing surficial ground cover conditions within the watershed study area.
- 3.2.1.6 Prevailing soil types on the site and the hydrological soil groups based on the most current Natural Resource Conservation Service soils map.
- 3.2.1.7 Flow paths and design points for each watershed with each segment of the flow path defined.
- 3.2.1.8 Areas subject to flooding including but not limited to isolated topographic depressions, culvert inlets, and ponding areas with the calculated 100-year flood elevation associated with each area.
- 3.2.1.9 The location of any public or private water supplies on the property or within 100 feet of the property location.
- 3.2.1.10 Location of soil test pits and groundwater elevations.

3.2.2 Post Development Watershed Plan

- 3.2.2.1 Existing and proposed topography at a 2-foot contour interval within the watershed study area.
- 3.2.2.2 Delineation of the proposed watershed boundaries on the property inclusive of all off-site areas contributing runoff to the property.
- 3.2.2.3 Boundaries of proposed surficial ground cover conditions within the watershed study area including roadway areas, building footprints, driveways, lawn / landscaped areas and areas to remain in their natural condition.
- 3.2.2.4 Prevailing soil types on the site and the hydrological soil groups based on the most current Natural Resource Conservation Service soils map.
- 3.2.2.5 Flow paths and design points for each watershed with each segment of the flow path defined.
- 3.2.2.6 Areas subject to flooding including but not limited to isolated topographic depressions, culvert inlets, and ponding areas with the calculated 100-year flood elevation associated with each area.
- 3.2.2.7 Location of soil test pits and groundwater elevations for each proposed stormwater detention / retention basin location.
- 3.2.2.8 The proposed development layout including the locations of roadways, parking areas, limits of land alteration, undisturbed areas, drainage collection systems and stormwater management facilities.

4.0 DESIGN CRITERIA

4.1 General

- 4.1.1 The criteria presented herein are provided to assist the designer by identifying minimum requirements, general procedures to be followed as well as specifying any limitations regarding the types of systems to be allowed. The designer is responsible for ensuring that the design complies with the Performance Standards enumerated in Section 2.0 above as well as conformance with state and federal requirements and with accepted engineering practice.

- 4.1.2 All runoff from storms up to the 100-year storm event must flow through the stormwater management/ treatment systems. Systems for the proper conveyance of the predicted 100-year storm to the stormwater management / treatment systems shall be provided.

4.2 Location

- 4.2.1 Storm-water management systems (exclusive of the conveyance system) shall be located on a separate and segregated parcel specifically designated for such use, to be conveyed to the Town. should Town acceptance of the subdivision roadway and infrastructure be contemplated. Provisions for vehicular access shall be provided at the circumference of each system. Components of the collection system such as drainage piping, ditches, swales, and certain LID components etc. may be located within Utility Easements. Provisions for vehicular access shall be provided along the entire length of storm drain lines and swales within all designated Utility Easements.

- 4.2.2 The following minimum setback requirements shall apply to all stormwater management systems. Additional setback distances may be required by the Planning Board depending on hydrologic conditions.-

Property Line	25-feet
Street Line	100-feet
Underground Utilities	20-feet
Private Well	200-feet
Subsurface Sewage Disposal System	200-feet
Surface water/ Bordering Vegetated Wetland	50-feet

4.3 Soil Testing

- 4.3.1 Soil testing to determine maximum groundwater elevation and soil profiles shall be performed by a Massachusetts approved Soil Evaluator and witnessed by the Board of Health and/or a representative of the Planning Board. At the discretion of the Board, additional soil permeability testing may be required if the initial soil logs exhibit variable soil conditions and inconsistent groundwater profiles.

- 4.3.2 Subsurface investigations for infiltration components of the stormwater management systems are required to define the suitability of soils for subsurface disposal of stormwater runoff. These explorations are necessary to determine the textural characteristics of the various soil strata, restricting layers, location of the seasonal high water table elevation and depth to bedrock in the location of the proposed system.

The subsurface investigation must include an identification of the soil through examination of the soil profile in the location of the proposed system. In addition, the following determinations must be included in the investigation:

- 4.3.2.1 Soil textures, measurement of soil permeability rates, soil hydrologic group, estimation of seasonal high water table elevation by identifying soil gleying and mottling, and identification of any restricting layer(s).
- 4.3.2.2 Acceptable testing methods to determine the soil suitability for infiltration practices shall be in accordance with the DEP 2008 Stormwater Management Handbook and all subsequent amendments thereto. Soil test pits shall be excavated to a depth no less than 5 feet below the design bottom of the system or to the static water level, to inspect and describe the soil profile. A minimum of one inspection pit must be dug per 5,000 square feet of system bottom area and must be located within the perimeter of the system.

4.4 Calculations

- 4.4.1 Rainfall data shall be as determined from "Rainfall Frequency Atlas of the United States," United States Weather Bureau, Technical Paper No. 40, 1961, (TP-40) and any subsequent amendments thereto.
- 4.4.2 The use of the Rational Method for volume related calculations is not permitted
- 4.4.3 In areas where the actual on-the-ground soil evaluations exhibit subsurface conditions inconsistent with the NRCS mapping, or in cases where the site has been extensively reworked, the hydrologic soil group (HSG) curve number (CN) values utilized in the TR-20 calculations should be adjusted to reflect the actual on-the-ground cover conditions.
- 4.4.4 The analysis points for the hydrologic study shall be at the edge of the wetland resource area boundary, adjacent property line, existing storm drain system, or other sensitive receptors such as adjacent agricultural uses. For each pre-development analysis point there shall be a corresponding post-development point.
- 4.4.5 The infiltration values utilized in the TR-20 calculations to determine the size of the infiltration structure shall be based on the DEP Stormwater Management Policy Volume 3 Chapter 1 Recharge Requirements Table 2.3.3. and all subsequent amendments.
- 4.4.6 For all recharge facilities, a groundwater mounding analysis for the required design storms shall be prepared by a Professional Engineer or Hydrologist. The applicant shall assess the potential effects from the subsurface disposal of stormwater on adjacent road surfaces, private wells, building foundations, embankments and any other site features that may be sensitive to groundwater flow.
- 4.4.7 The sediment forebay volume below the elevation of the spillway to the detention / retention stage cannot be utilized as available flood storage volume for purposes of sizing the detention / retention basin.

4.5 Treatment Required

- 4.5.1 The discharge of untreated stormwater runoff from the property is prohibited.
- 4.5.2 Stormwater management systems shall be designed to treat the first flush volume of the entire project site at full buildout and shall achieve an 80% TSS removal rate of the total suspended solids at the point of discharge. The first flush volume is a function of the initial 1.25 inches of stormwater runoff from impervious surfaces. The first flush treatment volume in cubic feet (Vt) is determined by the following formula:

$$V_t = (1.25/12 \text{ inches})(R_v)(\text{Site Area in square feet})$$

where $R_v = 0.05 + 0.009(I)$ and I = the % impervious area. Impervious area is defined as any manmade cover that is not vegetated, exclusive of roof areas.

4.6 Above Ground Basins

- 4.6.1 All water quality basins/ponds shall have a sediment forebay consisting of a separate cell separated from the detention / retention stage by a rock fill filter berm to allow lateral flow into the lower stage. The top elevation of the filter berm shall be at or below the elevation of the inlet piping.
- 4.6.2 A gravel access bench not less than 12-feet wide shall be provided around the outer perimeter of all basins to allow for vehicular access.
- 4.6.3 The maximum depth of the sediment forebay shall be no greater than 2-feet.
- 4.6.4 The interior side slopes of all basins shall be no greater than 4:1. Exterior side slopes of the embankment shall be no greater than 3:1.

- 4.6.5 The bottom elevation of all detention, retention/recharge basins shall be no less than 3-feet above the maximum groundwater table elevation or bedrock and shall be at least 1-foot above the elevation of the receiving wetland.
- 4.6.6 The calculated peak water levels within the basin for all design storms shall be no greater than 3-feet and shall be no less than 12-inches below the elevation of the emergency overflow spillway.
- 4.6.7 The entire basin area shall be treated with a 6-inch layer of organic soil borrow conforming to Massachusetts Highway Department (MHD) Specifications M1.07.0., as amended. The side slopes shall be seeded with an erosion seed mix conforming to MHD Specifications M6.03.1, as amended. the basin bottom shall be seeded with a New England Erosion Control / Restoration Mix as manufactured by New England Wetland Plants, Inc. or approved equal, applied at a rate of 35 lbs/acre.
- 4.6.8 The maximum allowable ponding or storage time for infiltration basins for design storms up to the 25-year storm event is 48-hours. For the 100-year storm event, the maximum drain time shall be 72-hours.
- 4.6.9 Infiltration basins may be constructed in fill providing that a minimum 4-foot layer of naturally occurring soil meeting the infiltration requirements of this section is available below the bottom of the basin and that the fill material is a clean granular fill conforming to 310 CMR 15.255(3.). Construction in fill shall mean any system where fill is required to replace topsoil, subsoil, peat, or unsuitable soil layers above the requisite 4-feet of naturally occurring soil.
- 4.6.10 Recharge structures shall be provided at the bottom of the infiltration basin to ensure adequate recharge is provided under frozen ground cover conditions.
- 4.6.11 All infiltration basins must have an outlet structure with an accessible flap valve to allow manual drainage of the basin in an emergency condition, level spreader spillways at the outlets, inlet splash pads and emergency spillway weirs. Outlet structures and all inlet and outlet piping 18-inches or greater in diameter shall be fitted with trash racks.

4.7 Manufactured Treatment Devices

- 4.7.1 A manufactured treatment device is a prefabricated stormwater treatment structure utilizing settling, filtration, absorptive/adsorptive materials, vortex separation, and/or other appropriate technology to remove pollutants from stormwater runoff.
- 4.7.2 These devices shall not be utilized for subdivisions. Alternatively, the Proponent may propose a system utilizing Manufactured Treatment Devices if it also establishes a perpetual care fund in an amount satisfactory to the Planning Board to cover the O&M costs of the devices. Actual funding shall be forwarded to the Town of Rochester, care of the Treasurer or to a previously formed Homeowner's Association with adequate Homeowner's Trust terminology, on or before issuance of the Certificate of Completion, at the discretion of the Planning Board.
- 4.7.3 These devices are allowed for new construction and redevelopment projects on privately owned commercial /industrial land development sites. The operation and maintenance of these proprietary treatment devices will be the obligation of the owner of the facility being served.
- 4.7.4 On-line devices must be fitted with an overflow bypass for storm events exceeding the stormwater quality design storm.
- 4.7.5 The specified devices shall be furnished by a manufacturer regularly engaged in such work and who has furnished similar installations in the Commonwealth of Massachusetts and had them successful and continuous operation for a minimum period of five (5) years. Devices which have been evaluated and assigned a TSS removal efficiency by the DEP through the Massachusetts Strategic Envirotechnology Partnership (STEP) program are approved for use in the Town of Marion. Other proprietary technologies will be evaluated by the Board on a case-by-case basis in accordance with the DEP Technical Guide for Compliance with the Massachusetts Stormwater Management Standards Volume 2 - Chapter 4.

- 4.7.6 Manufacturers' documentation on similar systems including but not limited to data on performance testing, service history, TSS removal efficiency, sizing criteria, and operation/ maintenance requirements of the specified devices shall be submitted to the Planning Board.
- 4.7.7 Approval of proprietary devices will be based on the following:
- a. Optimal TSS removal efficiency.
 - b. Minimal operation and maintenance costs
 - c. Compatibility with existing infrastructure, other BMP devices and physical site constraints.
 - d. Frequency of maintenance and special handling or installation techniques.
 - e. Special equipment required for maintenance and the capability of the owner to provide maintenance service.
 - f. Reliability of performance data and potential failure rates.

4.8.0 Low Impact Development Techniques

- 4.8.1 Low Impact Development (LID) Techniques to manage stormwater shall be considered for new construction / redevelopment of all commercial and industrial site development projects and SRO. Designs that reduce impervious surfaces and employ decentralized stormwater management systems that involve the use of small treatment and infiltration devices throughout the site in place of a centralized system of closed pipes and a single large facility are preferred.
- 4.8.2 Effective low impact development includes the use of both non-structural and structural stormwater best management practices (LID-BMPs). The use of these BMPs is governed by certain principals, objectives and requirements. The maximum practical use of the following seven non structural strategies shall be considered:
- b. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss.
 - c. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces through the use of vegetative filter strips and buffers.
 - d. Minimize the decrease in the pre-construction time of concentration.
 - e. Minimize land disturbance activities including clearing and grading and preserve naturally vegetated areas.
 - f. Provide low maintenance landscaping that promotes retention and planting of native vegetation and minimizes the use of lawns, fertilizers, and pesticides.
 - g. Provide vegetated open channel conveyance systems which discharge into and through stable vegetated filter strip areas.
 - h. Provide preventative source controls.
- 4.8.3 The applicant shall prepare a Low Impact Development (LID) Consistency Statement showing the above strategies have been incorporated into the developments design in the Stormwater Management Report. For each of the above strategies that were not able to be incorporated into the design due to physical site constraints, engineering, environmental, or safety reasons, the applicant must provide a basis for this contention.
- 4.8.4 Preferred structural stormwater best management practices such as rain gardens, bioretention areas, sand filters, and infiltration strips provide storage, infiltration, and treat runoff close to its source. Other standard best management practices such as drywells, infiltration systems, surface and subsurface detention basins can all be done at an LID scale by downsizing and addressing

stormwater runoff close to its source and dispersing these systems throughout the development site.

- 4.8.5 Infiltration credits for certain LID practices will be evaluated by the Planning Board on the basis of reliability of maintenance, subsurface conditions and long-term functionality.
- 4.8.6 Commercial and industrial site development projects shall provide preventative source controls to prevent pollutants from being part of the stormwater runoff. Source controls such as the prevention and containment of spills and other harmful accumulations of pollutants as well the management of trash and debris shall be incorporated into all commercial and industrial site development plans.

5.0 GENERAL LANDSCAPING GUIDANCE

- 5.1 All submittals shall be accompanied by a Stormwater Management System Landscaping Plan prepared by a Landscape Architect Registered in the State of Massachusetts. At a minimum the Landscaping Plan shall consist of the following:

- 5.1.1 Plan views of each stormwater management system with detailed planting locations identified by specie and count. The wetted hydrologic zones within and around the basins should be identified and noted on the plan views. The planting species should be selected based on the frequency and depth of inundation within the hydrologic zones.
- 5.1.2 A detailed planting schedule table identifying the size and type of species planted and individual plant counts.
- 5.1.3 Notation specifications describing the site preparation activities, soil amendments, and procedures for plant installation. Specifications should also address the type of materials (e.g. balled and burlap, bare root, containerized); time of year installations, sequence of installation of type of plants; fertilization, stabilization seeding, watering and general care.
- 5.1.4 Maintenance program consisting of inspection intervals, mulching frequency; removal and replacement of dead and diseased vegetation, watering schedule, repair and replacement of staking and wires; removal and eradication of invasive species.

5.2 Planting Plan Design Considerations

- 5.2.1 Native plant species are preferred over exotic or foreign species because they are well adapted to local on-site conditions and require little or no soil amendments. Existing natural vegetation is to be preserved where possible and enhanced with native plant species. Plantings requiring routine or intensive chemical applications are not permitted.
- 5.2.2 Appropriate plantings should be selected based on the zones hydric tolerance. Planting locations should be random and consistent with the surrounding native vegetation.
- 5.2.3 Trees, shrubs and/or any type of woody vegetation are not allowed on basin embankments. Herbaceous embankment plantings should be limited to 10-inches in height. Trees and shrubs should be planted at least 25 feet away from any perforated pipes and principal spillway structures. Trees and shrubs known to have long taproots should not be planted within the vicinity of any earth embankments or subsurface drainage facilities.
- 5.2.4 Inflow and outflow channels and southern exposure areas of any permanent pool areas should be shaded to reduce solar warming.
- 5.2.5 Aesthetics and visual characteristics should be a prime consideration in the landscaping plan. Desirable views should be framed and maintained while unattractive views should be effectively screened from any adjacent residences and roadways.

Appendix B

Applicant Check-off
for
The Submittal of Stormwater Management Plans

I. Site Characteristic Information to be included in the Stormwater Management Plan (SMP).

A. Pre-development conditions:

1. the existing watersheds on the property, as well as up gradient areas contributing runoff to the property;
- ☐ 2. location of all surface waters and wetlands on or adjacent to the site;
- ☐ 3. the delineation of the 100-year flood elevation as indicated on the Federal Emergency Management Act (FEMA) maps. If FEMA maps do not exist or if the waterbody or watercourse 100-year flood elevation is not indicated on the map, the elevation shall be calculated utilizing an appropriate methodologies such as NRCS TR-55 or TR-20 or HEC2. **Note:** The floodplain location determined by the FEMA maps are approximate. When a specific elevation is given, the location of the floodplain shall correspond to that elevation.
- ☐ 4. the principal vegetation types sufficient to determine an appropriate curve number;
- ☐ 5. a. the topography described at 2 foot intervals;
- ☐ b. with areas of steep slopes over 15% highlighted;
- ☐ 6. the soil types on the site and the hydrological soil groups based the most current Natural Resource Conservation Service soils map of the site (available at the NRCS office in Wareham);
- ☐ 7. the location of any public or private water supplies within 100 feet of the property as well as on the property; ,
- ☐ 8. soil logs for each proposed BMPs control system site (documentation should be for a minimum of 4 feet below the bottom of the BMP and be submitted for both flood control BMPs and pollution reduction BMPs) and
- ☐ 9. maximum groundwater levels at the proposed BMPs locations.
- ☐ 10. the flow path(s);

☐ 11. design points for each watershed; and

☐ 12. areas of ponding or swamping.

B. Post development conditions:

☐ 1. changes in topography at 2 foot intervals;

☐ 2. areas where vegetation will be cleared or otherwise altered;

☐ 3. the proposed watersheds on the property, as well as upgradient areas contributing runoff to the property;

4. the proposed development layout including:

☐ a. locations of roadways, common parking areas, and undisturbed lands;

☐ b. locations of drainage systems and stormwater treatment facilities;

5. areas to be utilized in overland flow, i.e. grass swales and filter strips, showing:

☐ a. proposed vegetation; and

☐ b. the soil susceptibility to erosion (using the NRCS classification).

☐ the flow path(s) for the 2-, 10-, 25-, and

☐ 6. 100-year 24 hour storm event

☐ design points for each watershed;

☐ 7.

II. Water Quantity/Duration/Quality Information to be submitted in the SMP.

A. Pre-development conditions in narrative form or calculations:

☐ 1. peak discharge rate, based on the 2-,

☐ 10-,

☐ 25-, and

☐ 100-year 24 hour storm event using NRCS TR-55 or TR-20; and

☐ 2. volume of the surface runoff for 10-year 24 hour storm event using NRCS TR-55 or TR-20;

☐ 3. existing state surface water quality classifications found in 314 CMR 4.04.

B. Post development conditions:

- ☐ 1. peak discharge rate, based on the 2-,
☐ 10-,
☐ 25-, and
☐ 100-year 24 hour storm event using NRCS TR-55 or TR-20; and
- ☐ 2. volume of the surface runoff for the 10-year 24 hour storm event using NRCS TR-55 or TR-20;
- ☐ 3. design point(s) for each watershed.
- ☐ 4. detention/retention time, discharge rate, and approximate time of concentration through the BJIIP for the water quality storm;
- ☐ 5. a description of and calculations for the proposed outlet structure(s); both the principle outlet and emergency spillway; and
- ☐ 6. a discussion regarding whether the proposed BJIIPs meet or exceed the performance standards identified in Appendix A, L General Requirements for Stormwater Management Plans, as well as an evaluation of the pollutant removal efficiency of each proposed treatment facility or group of facilities;

AppendixC

Town of Rochester Planning Board BMP Operation and Maintenance Inspection Report

Inspector Name _____

Community _____

Inspection Date _____

Address _____

Type of BMP _____

Watershed _____ Tax Map _____

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS
	Yes	No	Req'd Req'd	Not Req'd	
1. POND FACILITIES					
A. Pond Dam Embankments and Emergency Spillway					
1. Vegetation and Ground Cover Adequate					
2. Surface Erosion					
3. Animal Burrows					
4. Unauthorized Planting					
5. Cracking, Bulging or Sliding of Dam					
a. Upstream Face					
b. Downstream Face					
c. At or Beyond Toe					
Upstream					
Downstream					
d. Emergency Spillway					
6. Pond, Toe & Chimney Drains Clear & Funct.					
7. Seeps/Leaks on Downstream Face					
8. Slope Protection for Rip Rap Failures					

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS
	Yes	No	Req'd	Not Req'd	
9. Vertical and Horizontal Alignment of Top of Dam as Per "As-Built" Plans					
10. Emergency Spillway Clear of Obstructions and Debris					
11. Other (Specify)					
B. Riser and Principal Spillway Type: Reinforced Concrete _ Corrugated Pipe _ Masonry _ *Indicates Dry Ponds Only 1. *Low flow orifice obstructed					
2. *Low Flow Trash Rack					
a. Debris Removal Necessary b. Corrosion Control					
3. Weir Trash Rack Maintenance					
a. Debris Removal Necessary					
b. Corrosion Control					
4. Excessive Sediment Accumulation Inside Filter					
5. Concrete Masonry Condition Riser & Barrels					
a. Cracks or Displacement					
b. Minor Spalling (<1")					
c. Major Spalling (Rebars Exposed)					
d. Joint Failures					
e. Water Tightness					
6. Metal Pipe Condition					
7. Control Valve					
a. Operational/Exercised					
b. Chained and Locked					

ITEM INSPECTED	CHECKED		MAINTENANCE		OBSERVATIONS
	Yes	No	Req'd	Not Req'd	
8. Pond Drain Valve					
a. Operational/Exercised					
b. Chained and Locked					
9. Outfall Channels Functioning					
10. Other (Specify)					
C. Permanent Pool - Wet Pools					
1. Undesirable Vegetative Growth					
2. Floating or Floatable Debris Removal Required					
3. Visible Pollution					
4. Shoreline Problems					
5. Other (Specify)					
D. Dry Pool Areas - Dry Pond					
1. Vegetation Adequate					
2. Undesirable Vegetative Growth					
3. Undesirable Woody Growth					
4. Low Flow Channels Clear or Obstructions					
5. Standing Water or Wet Spots					
6. Sediment and/or Trash Accumulation					
7. Other (Specify)					

Appendix E

Applications





TOWN OF ROCHESTER

Planning Board

37 Marion Road, Rochester, MA 02770

Phone: 508-763-5421 (Ext 207) Fax: 508-763-5379

www.townofrochestermass.com

DATE: _____

FORM A

APPLICATION FOR ENDORSEMENT OF A PLAN BELIEVED NOT TO REQUIRE APPROVAL

The undersigned requests a determination by the Rochester Planning Board, that approval under Subdivision Control Law is not required for the plan entitled _____ and dated _____. The subject property is _____ included in Assessors Map/Lot _____ and recorded at Plymouth County Registry of Deeds, Book/Page _____. The undersigned believes approval is not required for the following reason (check as appropriate):

- ☐ 1. Every new lot created has the required frontage on (check one)"
_____ a public street; name of public street: _____
_____ a street (improved to town standards) shown on a plan approved and endorsed under Subdivision Control Law: name of street: _____ shown on the subdivision plan entitled: _____ endorsed on: _____, a private street that existed before 1/1/1954; name of street: _____.
- ☐ 2. The plan changes the size and shape of lots, while maintaining frontage required by zoning.
- ☐ 3. The plan shows a division of land, where two or more buildings were standing before 1/1/1954, into separate lots on each of which on such building remains standing.
- ☐ 4. The plan submitted is in accordance with a Board of Appeals decision recorded at Plymouth County Registry of Deeds, Book _____ Page _____.

I hereby certify that all the information provided in this application form and required attachments is true and accurate to the best of my knowledge. I agree to notify the Rochester Planning Board in writing of any changes in the information provided in the application, as soon as practicable. I understand failure to provide the required information and fees may result in denial of my project.

Signature of Applicant or Legal Representative: _____ Date: _____

Printed Name: _____ Address: _____

Telephone #: _____ Cell #: _____

Signature of Owner (if different from applicant): _____ Date: _____

Printed Name: _____ Address: _____

Telephone #: _____ Cell #: _____

Name of Preparer: _____ Date: _____

Printed Name: _____ Address: _____

Telephone #: _____ Cell #: _____

Rochester Planning Board
Submittal Check List for "Approval Not Required"

The plan must show Zoning District(s) and any zoning district boundary lines including the "River Valley Overlay District", the "Ground Water Protection District" and any other overlay districts, if the plan involves land within the "Mattapoissett River Valley Water Supply Zone"; provide documentation of presentation of the plan to the "Mattapoissett River Valley Water Supply Protection Advisory Committee: at least 30 days prior to submission to the Planning Board.

All submittals to the Planning Board for consideration must conform to the requirements of the Rules and Regulations Governing the Subdivision of Land, Section 3 including but not limited to the following: Submittals will not be deemed complete, and will not be accepted until all of the documentation specified in Section 3 has been submitted:

- ☐ 1. The original and one (1) copy of a completed and signed Form A application.
- ☐ 2. The original "Mylar" tracing, at a scale of 1" = 40' or other such suitable scale as may be determined by the Planning Board to clearly and accurately depict the required plan contents.
- ☐ 3. Eight (8) contact prints.
- ☐ 4. Electronic PDF file of Application and PDF file of plan emailed to the Town Planner.
- ☐ 5. \$50.00 per lot affected (One lot divided into two = \$100 fee and so on)
- ☐ 6. A Municipal Lien Certificated must be provided for the subject property.
- ☐ 7. A declaration regarding the status of the subject parcel(s) pursuant to Chapter 61, 61A, or 61B.
- ☐ 8. The plan must show the name of the applicant and owner of record and the names of all abutting property owners as they appear in the most recent tax list. If more than one owner or in the event the applicant is not the owner of record a signed affidavit from each owner acknowledging the contemplated subdivision of said land.
- ☐ 9. The plan must have the seal and signature of the Commonwealth of Massachusetts Registered Professional Land Surveyor who prepared the plan.
- ☐ 10. The plan must have a "Title Box".
- ☐ 11. The plan must have a "north arrow".
- ☐ 12. The plan must have a "date of survey".
- ☐ 13. The plan must have a "locus map".

- ☐ 14. The plan must have a "graphic scale".
- ☐ 15. The plan must show existing and proposed boundary lines including dimensions.
- ☐ 16. The plan must show total areas and buildable upland areas of all lots shown.
- ☐ 17. The plan must show the Assessors Map number and Lot numbers and/or house number of the subject parcel and abutting properties as they appear on the most recent tax list.
- ☐ 18. Zoning district(s) and any zoning district boundary lines including the River Valley Overlay Districts, the Ground Water Protection Districts and other overlay districts. If the plan involves land within the Mattapoisett River Valley Water Supply Zone, the documentation must be provided of presentation of the plan to the Mattapoisett River Valley Water Supply Protection Advisory Committee at least 30 days prior to submission to the Planning Board.
- ☐ 19. The plan must have a signature block for the signature of the Planning Board Clerk or the Associate Clerk and a three and one-half (3½) inch blank square reserved for the use of the Plymouth County Registry of Deeds.
- ☐ 20. Submit a 1" = 200' scale overlay of the plan, if the submission requires more than one (1) plan.
- ☐ 21. Show the location of all existing buildings, wells, and septic systems with accurate tie-in distances to any existing and proposed lot lines, all existing water bodies including ponds, brooks, rivers, bordering vegetated wetlands and any other wetland resource areas (Only required for plans creating new buildable lots), all lines of existing streets, ways and easements. A topographic plan at two (2)-foot contours shall be provided where slopes exceeding 15% will impede access upon the land between the streets and the proposed location of the structure or house.
- ☐ 22. Show tie-in distance to the nearest street intersection.
- ☐ 23. Identify the location of wells on adjacent properties.
- ☐ 24. The Plan illustrates the shape-rectangle specified in the Rochester Zoning By-Law Chapter 20.40.D.1. on each lot proposed for residential use.
- ☐ 25. Delineation of all streets and ways, both sides, indicating the width of pavement with reference to existing streets by the latest street name approved by the Town. If it is imperative that a prior street name be shown, it will be shown in parenthesis with the words "Formerly known as". Documentation of the legal status of the street on which frontage is proposed per M.G.L. 41, §81L shall be provided.
- ☐ 26. An appropriate reference shown on the plan to any variances granted by the Zoning Board of Appeals or other decisions and permits affecting the land included on the plan.
- ☐ 27. The statement "Approval Under the Subdivision Control Law Not Required" together with sufficient space for the signatures of the required number of Board members and the date of endorsement.
- ☐ 28. The statement "No determination(s) as to compliance with the Zoning By-Laws of the Town of Rochester has been made or intended by this endorsement except that the plan(s) show(s) an ANR as defined in M.G.L. 41, §81L".

- ☐ 29. The statement "No determination as to compliance with Chapter 23.30 of the Rochester Zoning By-Laws" Wetlands Protection By-Law has been made or is intended by this endorsement as well as the Massachusetts Wetlands Protection Act, M.G.L., Chapter 131, §40 and its implementing regulations, 310 CMR 10.0, for all lots affected.
- ☐ 30. The statement "No determination as to compliance with Chapter 23.20 of the Rochester Zoning By-Laws" Earth Removal has been made or is intended by this endorsement for all lots affected.
- ☐ 31. Frontage must be indicated on each proposed lot at the setback specified for the applicable District.

Print Name of Applicant

Acceptor's Signature

Date



TOWN OF ROCHESTER

Planning Board

37 Marion Road, Rochester, MA 02770

Phone: 508-763-5421 (Ext 207) Fax: 508-763-5379

www.townofrochestermass.com

DATE: _____

FORM B

APPLICATION FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAN

The undersigned requests a determination by the Rochester Planning Board, that approval under Subdivision Control Law is not required for the plan entitled _____ and dated _____ consisting of _____ lot(s) proposed to be divided from a _____ acre tract of land located _____. The subject property is _____ included in Assessors Map/Lot _____ and recorded at Plymouth County Registry of Deeds, Book/Page _____. The undersigned applies for approval of said plan in accordance with the Rules and Regulations of the Rochester Planning Board. The undersigned has submitted the following fees:

Application Fee: _____

Outside Consultant Account: _____

I hereby certify that all the information provided in this application form and required attachments is true and accurate to the best of my knowledge. I agree to notify the Rochester Planning Board in writing of any changes in the information provided in the application, as soon as practicable. I understand failure to provide the required information and fees may result in denial of my project.

Signature of Applicant or Legal Representative: _____ Date: _____

Printed Name: _____ Address: _____

Telephone #: _____ Cell #: _____

Signature of Owner (if different from applicant): _____ Date: _____

Printed Name: _____ Address: _____

Telephone #: _____ Cell #: _____

Name of Preparer: _____ Date: _____

Printed Name: _____ Address: _____

Telephone #: _____ Cell #: _____

Rochester Planning Board
Submittal Check List for "Preliminary Subdivision of Land"

The plan must show Zoning District(s) and any zoning district boundary lines including the "River Valley Overlay District", the "Ground Water Protection District" and any other overlay districts, if the plan involves land within the "Mattapoisett River Valley Water Supply Zone"; provide documentation of presentation of the plan to the "Mattapoisett River Valley Water Supply Protection Advisory Committee: at least 30 days prior to submission to the Planning Board.

All submittals to the Planning Board for consideration must conform to the requirements of the Rules and Regulations Governing the Subdivision of Land, Section 3 including but not limited to the following: Submittals will not be deemed complete, and will not be accepted until all of the documentation specified in Section 3 has been submitted:

- ☐ 1. The original and one (1) copy of a completed and signed Form B application.
- ☐ 2. If more than one owner or in the event the applicant is not the owner of record, the Form B application shall be signed by each owner authorizing the filing of the plan.
- ☐ 3. The original "Mylar" tracing, at a scale of 1" = 40' or other such suitable scale as may be determined by the Planning Board to clearly and accurately depict the required plan contents.
- ☐ 4. Eight (8) contact prints.
- 5. Three (3) prints measuring 11 by 17 inches.
- ☐ 6. Electronic PDF file of Application and PDF file of plan emailed to the Town Planner.
- ☐ 7. \$100.00 per Plan.
- ☐ 8. Deposit of sufficient funding to satisfy Section 6.2 f the Rules & Regulations Governing the Subdivision of Land.
- ☐ 9. A copy of the deed(s) vesting title in the current owner.
- ☐ 10. A Municipal Lien Certificate
- ☐ 11. The plan must have the names of all abutting property owners within 300 feet of the subject property as Certified by the Assessor's Office. The applicant is to obtain the list, prepare and mail via certified mail the notice to abutters, state, and local planning agencies and surrounding communities; and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the Public Hearing.
- ☐ 12. Receipt of the submittal of the Preliminary Plan to the Board of Health must be provided.
- ☐ 13. The plan must have the legend and title "Preliminary Plan".
- ☐ 14. The plan must have the Subdivision name.
- ☐ 15. The plan must have the boundaries.
- ☐ 16. The plan must have a north arrow.

- ☐ 17. The plan must have the plan date.
- ☐ 18. The plan must have the scale and legend.
- ☐ 19. A declaration regarding the status of the subject parcel(s) pursuant to Chapter 61, 61A, or 61B.
- ☐ 20. The plan must show existing and proposed lines of streets, ways, easements (and purpose of easements) and any public areas within the subdivision in a general manner.
- ☐ 21. The plan must show the location, names and present widths of streets bounding, approaching, or within the immediate proximity of the subdivision, showing both roadway widths and right-of-way widths.
- ☐ 22. The plan must show the boundary lines, area in square feet and dimensions of all proposed lots.
- ☐ 23. The plan must show the name, address and seal of the Registered Professional Engineer, Registered Professional Surveyor and Registered Professional Landscape Architect who prepared the plan.
- ☐ 24. The plan must show the topography of the land at ten (10) foot contour intervals based on NAVD 1988 and FEMA Flood maps.
- ☐ 25. The plan must show any zone or district boundary established by the Town of Rochester Zoning By-Law that divides the area to be subdivided including River Valley Overlay District, Ground Water Protection District and any other overlay districts.
- ☐ 26. The plan must show location of wetlands and significant features such as stone walls, trees of 12-inch caliper or larger, and/or historically significant areas.
- ☐ 27. The plan must show that each proposed lot complies with the shape-rectangle specified in the Rochester Zoning By-Law Chapter 20.40.D.1.
- ☐ 28. The plan must show the proposed system of utilities including a preliminary layout of all required utility systems including but not limited to storm drainage, water, sewer, etc.
- ☐ 29. The plan must show the Assessors Map number and Lot numbers and/or house number of the subject parcel and abutting properties as they appear on the most recent tax list.
- ☐ 30. Documentation satisfactory to the Planning Board of the legal status of the street from which project access is planned. Copies of agreements granting the developer rights essential to the development of the land and construction work proposed.

Print Name of Applicant

Date

Acceptor's Signature

Date



TOWN OF ROCHESTER

Planning Board

37 Marion Road, Rochester, MA 02770

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DATE: _____

FORM C

APPLICATION FOR APPROVAL OF A DEFINITIVE SUBDIVISION PLAN

The undersigned hereby submits a Definite Plan entitled _____
and dated _____ consisting of _____ lot(s) proposed to be divided from a _____ acre tract of
land located _____.

The subject property is _____ included in Assessors Map/Lot
_____ and recorded at Plymouth County Registry of Deeds, Book/Page
_____.

The above reference Definitive Plan (evolved/ did not evolve) from a
Preliminary Plan filed with this Board. The undersigned applies for approval of said plan in
accordance with the Rules and Regulations of the Rochester Planning Board.

**Where the plan does not comply, an attached list of requested waivers which specifically notes each provision of
the rules and regulations requested to be waived along with a discussion of the reasons for the waiver and a
description of the substitute measures where applicable.**

The undersigned has submitted the following fees:

Application Fee: _____

Outside Consultant Account: _____

**I hereby certify that all the information provided in this application form and required attachments is true and
accurate to the best of my knowledge. I agree to notify the Rochester Planning Board in writing of any changes in
the information provided in the application, as soon as practicable. I understand failure to provide the required
information and fees may result in denial of my project.**

Print Name Applicant or Legal Representative: _____

Address: _____

Telephone #: _____ Cell #: _____

_____ Date: _____

Signature of Applicant or Legal Representative

Print Name of Owner: _____

Address: _____

Telephone #: _____ Cell #: _____

_____ Date: _____

Signature of Applicant Owner (if different from applicant)

Print Name of Engineer or Surveyor: _____

Address: _____

Telephone #: _____ Cell #: _____

Date: _____

Signature of Engineer or Surveyor _____

Description of proposed project:

Rochester Planning Board
Submittal Check List for “Definitive Subdivision of Land”

The plan must show Zoning District(s) and any zoning district boundary lines including the “River Valley Overlay District”, the “Ground Water Protection District” and any other overlay districts, if the plan involves land within the “Mattapoissett River Valley Water Supply Zone”; provide documentation of presentation of the plan to the “Mattapoissett River Valley Water Supply Protection Advisory Committee: at least 30 days prior to submission to the Planning Board.

All submittals to the Planning Board for consideration must conform to the requirements of the Rules and Regulations Governing the Subdivision of Land, Section 3 including but not limited to the following: Submittals will not be deemed complete, and will not be accepted until all of the documentation specified in Section 3 has been submitted:

- ☐ 1. The original and one (1) copy of a completed and signed Form C application.
- ☐ 2. If more than one owner or in the event the applicant is not the owner of record, the Form C application shall be signed by each owner authorizing the filing of the plan.
- ☐ 3. The original “Mylar” tracing, at a scale of “1 inch = 40 feet”.
- ☐ 4. Eight (8) contact prints.
- ☐ 5. Three (3) prints measuring 11 by 17 inches.
- ☐ 6. Electronic PDF file of Application and PDF file of plan emailed to the Town Planner.
- ☐ 7. 2 copies of the Definitive Subdivision Lotting Plan at a scale of 1 inch = 200 feet.

- ☐ 8. \$500.00 if without a Preliminary Plan - \$250.000 if with a Preliminary Plan.
- ☐ 9. With or without Preliminary Plan; plus \$150.00/lot; plus \$2.00 per linear foot of roadway.
- ☐ 10. A deposit of sufficient funding to satisfy Section 6.2 f the Rules & Regulations Governing the Subdivision of Land.
- ☐ 11. A deposit of money to cover advertising.
- ☐ 12. A copy of the deed(s) vesting title in the current owner.
- ☐ 13. A Municipal Lien Certificate for each lot involved in the application.
- ☐ 14. The plan must show the name of the applicant and owner of record with the book and page number of the recorded deed.
- ☐ 15. The plan must show the name, address and seal of the Registered Professional Engineer, Registered Professional Surveyor and Registered Professional Landscape Architect who prepared the plan.
- ☐ 16. The plan must have the names of all abutting property owners within 300 feet of the subject property as Certified by the Assessor's Office. The applicant is to obtain the list, prepare and mail via certified mail the notice to abutters, state, and local planning agencies and surrounding communities; and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the Public Hearing.
- ☐ 17. Receipt of the submittal of the Definitive Plan to the Board of Health must be provided.
- ☐ 18. A written "Request for Waivers" with a description of each request with an explanation as to why the applicant believes such waiver(s) are warranted.
- ☐ 19. 4 copies of the Stormwater Management Report and any other supporting calculations.
- ☐ 20. The plan must have the legend and title "Preliminary Plan".
- ☐ 21. The plan must have the Subdivision name.
- ☐ 22. The plan must have the boundaries.
- ☐ 23. The plan must have a north arrow.
- ☐ 24. The plan must have the plan date and date of submission of the Preliminary Plan if applicable.
- ☐ 25. The plan must have a legend.
- ☐ 26. The plan must have a locus map.
- ☐ 27. The plan must have a scale.
- ☐ 28. The plan must show existing and proposed lines of streets, ways, easements, and public and common areas within and adjacent to the subdivision. The purpose of each easement shall be indicated on the plan.

- ☐ 29. Location of all permanent monuments properly identified as to whether existing or proposed.
- ☐ 30. The plan must show the location, names and present widths of streets bounding, approaching, or within the immediate proximity of the subdivision, showing both roadway widths and right-of-way widths.
- ☐ 31. The plan must have suitable space to record the action of the Planning Board and the signature of the seven (7) members of the Planning Board on each sheet of the Definitive Plan set.
- ☐ 32. Where the applicant elects to secure completion of the required improvements by covenant (rather than bond or surety), there shall be a notification above such space as follows:
- "Approved _____, subject to a covenant conditions set forth in a covenant executed by _____, dated _____, and to be recorded herein".*
- ☐ 33. The plan should have existing and proposed topography with 2-foot contours intervals, unless a smaller contour interval is required by the Planning Board, to properly define the existing or proposed topography.
- ☐ 34. The plan must show the surface elevation of all water bodies within the subdivision and ground surfaces identified as to the type.
- ☐ 35. The plan must show existing profiles on the exterior lines and proposed profile on the center-line or proposed streets at a horizontal scale of 1" = 4'.
- ☐ 36. The plan must show any zone or district boundary established by the Town of Rochester Zoning By-Law that divides the area to be subdivided including River Valley Overlay District, Ground Water Protection District and any other overlay districts.
- ☐ 37. Profiles shall also indicate the location of any intersecting public or private ways, and the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting and other underground utilities to be placed within the right-of-way.
- ☐ 38. 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, boundary line, construction baseline, and easement, and to establish these lines on the ground.
- ☐ 39. The plans show typical cross sections of the proposed streets, properly located and identified by station number.
- ☐ 40. The plan shall show existing and proposed centerline profiles of all utility and access easements beyond the normal right-of-way lines of the proposed roadways at a horizontal scale of 1" = 4'.
- ☐ 41. Standard utility construction details as well as any special construction details or other pertinent information.
- ☐ 42. Copies of agreements granting the developer rights essential to the development of land and construction work involved, including the right of access over existing ways.
- ☐ 43. Percolation tests and soil evaluation test pits certified by a Commonwealth of Massachusetts Soil Evaluator.
- ☐ 44. Certified soil evaluation test pit information and maximum groundwater elevations shall be provided along the proposed subdivision roadway at intervals not to exceed 500-feet and shall be witnessed by the Board of Health.

- ☐ 45. Traffic sight distances, vertical and horizontal, for all intersections within the subdivision and for the public ways adjoining the subdivision at location of ingress or egress shall be shown.
- ☐ 46. The plan shall provide for the safety of proposed driveway location in the case of a driveway being located in close proximity to a road intersection.
- ☐ 47. Identify all Zoning District and any Zoning District boundary lines including the River Valley Overlay Districts, the Groundwater Protection District and any other overlay districts.
- ☐ 48. Identify all significant physical features on the subject property and within 150 feet of the project such as utilities, stone walls, boulders larger than 5 cubic yards, buildings, driveways, swales, knolls, trees of 12-inch caliper or greater within 20-feet of all existing and proposed travel ways.
- ☐ 49. Plans involving ten (10) or more lots (or if in the opinion of the Planning Boardd specific site conditions warrant said study) shall demonstrate full compliance with the Rules and Regulation Section 4.2.1.12 pertaining to the Environmental Impact.
- ☐ 50. Homeowner's Association Draft Agreement (for streets and municipal services that are intended to be private).

Print Name of Applicant

Date

Acceptor's Signature

Date



TOWN OF ROCHESTER

Planning Board

37 Marion Road, Rochester, MA 02770

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SITE PLAN REVIEW APPLICATION

Prior to submitting a Site Plan, an applicant shall meet informally with a technical review committee consisting of the following: Town Planner, Conservation Agent, Highway Surveyor, Board of Health Agent, Building Inspector, Police Chief and Fire Chief. The purpose of said meeting is to review the applicant's conceptual plans for a property and provide preliminary comment prior to incurring significant engineering design expense. This step is intended to streamline the permit process. The applicant should request such a meeting through the Town Planner.

The applicant shall then meet informally with the Planning Board at a regular public meeting to review the information the applicant must submit and determine the required filing fee. The Planning Board shall advise the applicant in writing of the amount of the filing fee and the applicant shall provide a preliminary list of waivers for discussion with respect to the site plan details under Section 1.10, within twenty days of the pre-submission meeting. Any technical services required to assist the Planning Board in preparing its written response shall be included as part of the Escrow account fee under Section 1.13.

The undersigned hereby submits a Site Plan Review application entitled:

Location of premises involved: _____

Assessors Map(s): _____ Lot(s): _____

Nature of Plan proposed: _____

The undersigned applies for approval of said plan in accordance with the Site Plan Review and Approval By-Law of the Town of Rochester. The undersigned has submitted the following fees:

Site Plan Review Application: _____

Outside Consultant Account: _____

I hereby certify that all information in this application for and required attachments and supporting material is true and accurate to the best of my knowledge. I agree to notify the Rochester Planning Board of any changes in the information provided in the application, in writing, as soon as practicable. I understand that failure to provide the required information and fees may result in a denial on my project.

Print Name of Applicant: _____

Address: _____

Telephone: _____ Cell phone: _____

Signature of Applicant or Legal Representative: _____ Date: _____

Print Name of owner: _____

Address: _____

Telephone: _____ Cell phone: _____

Signature of Owner (if different from applicant): _____ Date: _____

Print Name of Engineer or Surveyor: _____

Address: _____

Telephone: _____ Email: _____ Stamp No. _____

Signature of Engineer or Surveyor _____ Date: _____

Description of Proposed Project: _____

Submittal Checklist for "Site Plan Review"

If the plan involves land within the Mattapoisett River Valley Water Supply Zone, the applicant shall file copies of the Definitive Plan with the Mattapoisett River Valley Water Supply Advisory Committee at least 30 days prior to submission to this Planning Board.

All submittals to the Planning Board for consideration must include the following:

- ☐ 1. The original and one (1) copy of a completed and signed Site Plan application.
- ☐ 2. The plan must show the name of the applicant and owner of record.
- ☐ 3. If the owner of record is a corporation, the name and address of the president and secretary shall be submitted with the application.
- ☐ 4. If more than one owner of record or in the event the applicant is not the owner of record, the Site Plan application shall be signed by each owner authorizing the filing of the plan.
- ☐ 5. 8 full size contact prints (for various boards and commissions).
- ☐ 6. 2 copies of reports (stormwater, traffic, etc.).
- ☐ 7. 2 prints measuring 11 by 17 inches.
- ☐ 8. A PDF file of entire submittal shall be emailed to the Town Planner and Board Administrator.
- ☐ 9. A dollar deposit for Site Plan Review fee as specified in the Rules & Regulations Section 6.
- ☐ 10. A deposit of money to cover advertising: \$60.00
- ☐ 11. A dollar deposit for independent consultant for engineering review and/or legal counsel satisfying the provisions of the Site Plan By-Law Chapter 22.10.1.5
- ☐ 12. An original, current signed W-9 form.
- ☐ 13. A copy of the deed(s) vesting title in the current owner.

- ☐ 14. A Municipal Lien Certificate for all lots involved.
- ☐ 15. Acreage of tract to nearest tenth of an acre.
- ☐ 16. Date of site plan. All revisions shall be noted and dated.
- ☐ 17. The plan must show the name, address and seal of the Registered Professional engineer and Registered Professional Surveyor and Registered Landscape Architect who prepared the plan
- ☐ 18. Title of development, north arrow, scale, Assessor's map and lot number, locus map.
- ☐ 19. The names of all owners of land abutting the property and abutters to abutters within three hundred (300) feet of the property line as Certified by the Assessors' Office. The applicant is to obtain the list, prepare and mail via certified mail the notice to abutters, state and local agencies, and surrounding communities; and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the public hearing.
- ☐ 20. A Written Narrative addressing each requirement in Chapter 22.10.1.10. of the Rochester Zoning By-Law (including Standards for Review, Landscaping, Utilities and Drainage, Traffic and Parking and Open Space); and including a list of requested waivers from the Planning Board requirements as specified in Chapter 22.10.1.10.
- ☐ 21. All calculations necessary to determine conformance to bylaw regulations.
- ☐ 22. Place for recording the action of the Planning Board and for the signature of the seven members of the Planning Board on each sheet of plans and/ or documents to be approved by the Planning Board.
- ☐ 23. Such other information as may be required to show that the details of the site plan are in accordance with applicable standards of the zoning bylaw.
- ☐ 24. Zone boundaries and Overlay Districts shall be shown on the site plan as they affect the parcel.
- ☐ 25. Boundaries of the property lines and lines of streets, lot reservations, easement and areas dedicated to public use, including grants, restrictions and rights-of-way.
- ☐ 26. All distances as measured along the right-of-way lines of existing streets abutting the property to the nearest intersection with any other public street.
- ☐ 27. Topography of the land at two (2) foot contour intervals base on NAVD 1988 and FEMA Flood Maps.
- ☐ 28. If any areas fall within the 100-year flood plain as delineated on the Flood Insurance Rate Maps for the Town of Rochester, the area will be shown and base elevations shown.
- ☐ 29. The location of the consecutively numbered flags denoting wetland resources shall be shown on the plan.
- ☐ 30. Location of existing rock outcrops, general soil types (including limitations as noted in "Soils and their interpretations for Various Land Uses" as prepared by the U.S. Department of Agriculture), high points, vistas, watercourses, depressions, ponds, marshes, wetlands, flood plain designations as shown on the Flood Insurance Rate Maps for the Town of Rochester, wooded areas and major trees (12" caliper or over) and other significant existing features including previous flood elevations of watercourses, pond and marsh areas as determined by survey.
- ☐ 31. Location of existing buildings, which shall remain and all other existing structures such as walls, stone walls, fences, culverts, bridges, roadways, farm and woods roads etc. with spot elevations of such structures. Structures to be removed shall be indicated in dashed lines.
- ☐ 32. Layout of proposed buildings or structures, including elevations plans and floor plans, height of buildings, including relationship to existing and proposed grades. The type and color of materials to be used shall be indicated.
- ☐ 33. The location, type and screening details for all waste disposal containers shall be shown.

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- 34. Location of signs.
- 35. A landscape plan showing all existing natural features, trees, forest and water resources and proposed changes to these features including size and type of plant material. Water resources will include ponds, lakes, brooks, streams, wetlands, floodplains and drainage detention/retention areas.
- 36. Utilities and Drainage (Plans must conform to requirements of Chapter 22.10.1.10.4.)
- 37. Traffic and Parking (Plans must conform to requirements of Chapter 22.10.1.10.5.)
- 38. Open Space (Plans must conform to requirements of Chapter 22.10.1.10.6)
- 39. Applicant has submitted a Letter of Intent to take land out of Chapter 61 to the Board of Selectmen and the Assessor's Office.

Print Name of Applicant

Date

Acceptor's Signature

Date



TOWN OF ROCHESTER

Planning Board

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www.townofrochestermass.com

Date: _____

SPECIAL PERMIT APPLICATION And Request for Hearing

Petitioner: _____

Owner: _____

The petitioner requests the following Special Permit from the Planning Board:
Specific Zoning By-law and/or the name of the Special Permit requested:

- ☐ Special Permit (Back Lot)
- ☐ Special Permit (Common Driveway)
- ☐ Special Permit (Flexible Development)
- ☐ Special Permit (Special Residential Development)
- ☐ Special Permit (Other) _____

Location of premises involved: _____

Assessors Map(s): _____ Lot(s): _____

Nature of Plan proposed: _____

The undersigned has submitted the following fees:

Special Permit Application: _____

Outside Consultant Account: _____

Print Name of Applicant: _____

Address: _____

Telephone: _____ Cell phone: _____

Signature of Applicant or Legal Representative: _____ Date: _____

Print Name of owner: _____

Address: _____

Telephone: _____ Cell phone: _____

Signature of Owner (if different from applicant): _____ Date: _____

I hereby certify that all information in this application for and required attachments and supporting material is true and accurate to the best of my knowledge. I agree to notify the Rochester Planning Board of any changes in the information provided in the application, in writing, as soon as practicable. I understand that failure to provide the required information and fees may result in a denial on my project.

Description of Proposed Project: _____

Flexible Development: Please provide a written narrative addressing how the project meets the requirements found in Chapter 20.40.F.12 including but not limited to: Purposes, Landscape Design, Additional Site Design Standards, Open Space Requirements and Bonus Incentives.

Special Residential Development: Please provide a written narrative addressing how the project meets the requirements found in Chapter 22.20 including but not limited to: Location Design Standards and Landscaping, Interrelationship of Buildings, Perimeter Buffer, Common Property, Parking, Road Construction Standards, Other Facilities, Project Maintenance, Building Architecture and Common Water and Sanitary.

Submittal Checklist for "Special Permit"
Backlot/Common Driveway/Flexible Development/Special Residential Development

If the plan involves land within the Mattapoisett River Valley Water Supply Zone, the applicant shall file copies of the Definitive Plan with the Mattapoisett River Valley Water Supply Advisory Committee at least 30 days prior to submission to this Planning Board.

All submittals to the Planning Board for consideration must conform to requirements of the Rules and Regulations Governing the Subdivision of Land, Section VIII including but not limited to the following:

- ☐ 1. The original and one (1) copy of a completed and signed Special Permit application.
- ☐ 2. The original "mylar" tracing, at a scale of 1 inch = 40 feet.
- ☐ 3. 8 contact prints.
- ☐ 4. 3 prints measuring 11 by 17 inches.
- ☐ 5. 2 copies of the Special Permit plan at a scale of 1 inch = 200 feet.
- ☐ 6. A PDF file of application, plans, and accompanying documents emailed to the Town Planner and Board Administrator.
- ☐ 7. \$200 Special Permit application fee.
- ☐ 8. Check to cover advertising fee.
- ☐ 9. A copy of the deed(s) vesting title in the current owner.
- ☐ 10. A Municipal Lien Certificate.
- ☐ 11. If more than one owner of record or in the event the applicant is not the owner of record, the Special permit application shall be signed by each owner authorizing the filing of the plan.
- ☐ 12. The plan must show the name of the applicant and owner of record with book and page numbers of the recorded deed.
- ☐ 13. Names of all owners of land abutting the property and abutters to abutters within 300 feet of the property line as Certified by the Assessors' Office. The applicant is to obtain the list, prepare and mail via certified mail the notice to abutters, state and local agencies, and surrounding communities;

and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the public hearing.

☐

14. Receipt of submittal of the Special Permit to the Board of Health must be provided.

☐

15. A written "Request for Waivers" with a description of each request with an explanation as to why the applicant believes such a waiver is warranted.

☐

16. The plan must have the Subdivision name.

☐

17. The plan must have the boundaries.

☐

18. The plan must have the north point.

☐

19. The plan must have the plan date.

☐

20. The plan must have a legend and scale.

☐

21. The plan must have a locus map.

Identify all Zoning Districts and any Zoning District boundary lines including the River Valley Overlay Districts, the Groundwater Protection District, and any other Overlay Districts.

☐

22. The plan must have suitable space to record the action of the Planning Board and the signature of the seven (7) members of the Planning Board on each sheet of the Special Permit plan set.

☐

23. A copy of the Letter of Intent and Right of First Refusal submitted to the Board of Assessors and Board of Selectmen.

FOR FLEXIBLE DEVELOPMENT AND SPECIAL RESIDENTIAL DEVELOPMENT (in addition to the above checklist items):

☐

24. 1 copy of the Stormwater Management report and any other supporting calculations and a PDF copy emailed to the Town Planner and Board Administrator.

☐

25. The plan must show the proposed lines of streets, ways, lots, and easements and public and common areas within and adjacent to the subdivision with the purpose of each easement indicated on the plan.

☐

26. Locations of all permanent monuments properly identified as to whether existing or proposed.

☐

27. The plan must show the location, names, and present widths of streets bounding, approaching, or within the immediate proximity of the subdivision, showing both roadway widths and right-of-way widths.

☐

28. A "Confirmation of Approval" of proposed street names from the Board of Selectmen will be required prior to final approval of the Special Permit by the Planning Board.

☐

29. Where the applicant elects to secure completion of the required improvements by covenant (rather than bond or surety), there shall be a notification above such space as follows:

"Approved _____, subject to a covenant conditions set forth in a covenant executed by _____, dated _____, and to be recorded."

☐

30. The plan should have existing and proposed topography with 2-foot contour intervals, unless a smaller contour interval is required by the Planning Board, to properly define the existing or proposed topography.

☐

31. The plan should show the surface elevation of all water bodies within the subdivision and ground surfaces identified as to type. In the event that there are no wetlands and/or floodplains on any land within and adjacent to the perimeter of the subdivision within 100-feet, a statement to that effect shall be noted on the plans.

- ☐ 32. The plan shall show existing profiles on the exterior lines and proposed profile on the center-line of proposed streets at a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'.
- ☐ 33. Profiles shall also indicate the location of any intersecting public or private ways, and the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting, and other underground utilities to be placed within the right-of-way.
- ☐ 34. The plans shall show typical cross sections of the proposed streets, properly located and identified by station number, at such intervals along the street as will adequately indicate any variations in its section, supplemented where necessary, by lines on the layout plan showing the width and location of proposed roadways, planting strips, gutters, sidewalks, and similar physical features.
- ☐ 35. The plan shall show existing any proposed centerline profiles of all utility and access easements beyond the normal right-of-way lines of the proposed roadways at a horizontal scale of 1" = 40' and vertical scale of 1" = 4'. All elevations shall refer to NGVD 1998 datum. Profiles shall indicate the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting, and other underground utilities, as well as the finish centerline profile and proposed width of all travel ways to be placed within the easement.
- ☐ 36. Standard utility construction details as well as any special construction details or other pertinent information, which the Board may request as is necessary to evaluate the feasibility of the proposed design of the subdivision.
- ☐ 37. Copies of agreements granting the developer rights essential to the development of the land and construction work involved, including the right of access over existing ways.
- ☐ 38. Percolation tests and soil evaluation test pits certified by a Commonwealth of Massachusetts Soil Evaluator shall be performed in areas designated for sub-surface sewage disposal and stormwater management
- ☐ 39. Certified soil evaluation test pit information and maximum groundwater elevations shall be provided along with the proposed subdivision roadway at intervals not to exceed 500-feet and shall be witnessed by the Board of Health. Additional soil testing and/or borings may be required by the Planning Board if, in its opinion there may exist adverse soil or groundwater conditions which may be detrimental to public health/safety and the construction of the roadways and stormwater management systems.
- ☐ 40. Traffic sight distances, vertical and horizontal, for all intersections within the subdivision and for the public ways adjoining the subdivision at location of ingress or egress shall be shown.
- ☐ 41. Identify all significant physical features on the subject property and within 150 feet of the project as utilities, stone walls, boulders larger than 5 cubic yards, buildings driveways, swales, knolls, and trees of 12-inch caliper or greater within 20-feet of all existing and proposed travel ways.
- ☐ 42. A traffic impact analysis, prepared by a Registered Professional Engineer in the Commonwealth of Massachusetts, shall be prepared for all Special Permit plans, or where in the opinion of the Planning Board, such study is necessary for the safety and welfare of the inhabitants of the Town.

Print Name of Applicant

Date

Acceptor's Signature

Date

and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the public hearing.

- ☐ 14. Receipt of submittal of the Special Permit to the Board of Health must be provided.
- ☐ 15. A written "Request for Waivers" with a description of each request with an explanation as to why the applicant believes such a waiver is warranted.
- ☐ 16. The plan must have the Subdivision name.
- ☐ 17. The plan must have the boundaries.
- ☐ 18. The plan must have the north point.
- ☐ 19. The plan must have the plan date.
- ☐ 20. The plan must have a legend and scale.
- ☐ 21. The plan must have a locus map.

Identify all Zoning Districts and any Zoning District boundary lines including the River Valley Overlay Districts, the Groundwater Protection District, and any other Overlay Districts.

- ☐ 22. The plan must have suitable space to record the action of the Planning Board and the signature of the seven (7) members of the Planning Board on each sheet of the Special Permit plan set.
- ☐ 23. A copy of the Letter of Intent and Right of First Refusal submitted to the Board of Assessors and Board of Selectmen.

FOR FLEXIBLE DEVELOPMENT AND SPECIAL RESIDENTIAL DEVELOPMENT (in addition to the above checklist items):

- ☐ 24. 1 copy of the Stormwater Management report and any other supporting calculations and a PDF copy emailed to the Town Planner and Board Administrator.
- ☐ 25. The plan must show the proposed lines of streets, ways, lots, and easements and public and common areas within and adjacent to the subdivision with the purpose of each easement indicated on the plan.
- ☐ 26. Locations of all permanent monuments properly identified as to whether existing or proposed.
- ☐ 27. The plan must show the location, names, and present widths of streets bounding, approaching, or within the immediate proximity of the subdivision, showing both roadway widths and right-of-way widths.
- ☐ 28. A "Confirmation of Approval" of proposed street names from the Board of Selectmen will be required prior to final approval of the Special Permit by the Planning Board.
- ☐ 29. Where the applicant elects to secure completion of the required improvements by covenant (rather than bond or surety), there shall be a notification above such space as follows:
"Approved _____, subject to a covenant conditions set forth in a covenant executed by _____, dated _____, and to be recorded."
- ☐ 30. The plan should have existing and proposed topography with 2-foot contours intervals, unless a smaller contour interval is required by the Planning Board, to properly define the existing or proposed topography.
- ☐ 31. The plan should show the surface elevation of all water bodies within the subdivision and ground surfaces identified as to type. In the event that there are no wetlands and/or floodplains on any land within and adjacent to the perimeter of the subdivision within 100-feet, a statement to that effect shall be noted on the plans.

- ☐ 32. The plan shall show existing profiles on the exterior lines and proposed profile on the center-line of proposed streets at a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'.
- ☐ 33. Profiles shall also indicate the location of any intersecting public or private ways, and the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting, and other underground utilities to be placed within the right-of-way.
- ☐ 34. The plans shall show typical cross sections of the proposed streets, properly located and identified by station number, at such intervals along the street as will adequately indicate any variations in its section, supplemented where necessary, by lines on the layout plan showing the width and location of proposed roadways, planting strips, gutters, sidewalks, and similar physical features.
- ☐ 35. The plan shall show existing any proposed centerline profiles of all utility and access easements beyond the normal right-of-way lines of the proposed roadways at a horizontal scale of 1" = 40' and vertical scale of 1" = 4'. All elevations shall refer to NGVD 1998 datum. Profiles shall indicate the location, material, and size of existing and proposed storm drains, water mains, sewers, fire alarm, street lighting, and other underground utilities, as well as the finish centerline profile and proposed width of all travel ways to be placed within the easement.
- ☐ 36. Standard utility construction details as well as any special construction details or other pertinent information, which the Board may request as is necessary to evaluate the feasibility of the proposed design of the subdivision.
- ☐ 37. Copies of agreements granting the developer rights essential to the development of the land and construction work involved, including the right of access over existing ways.
- ☐ 38. Percolation tests and soil evaluation test pits certified by a Commonwealth of Massachusetts Soil Evaluator shall be performed in areas designated for sub-surface sewage disposal and stormwater management
- ☐ 39. Certified soil evaluation test pit information and maximum groundwater elevations shall be provided along with the proposed subdivision roadway at intervals not to exceed 500-feet and shall be witnessed by the Board of Health. Additional soil testing and/or borings may be required by the Planning Board if, in its opinion there may exist adverse soil or groundwater conditions which may be detrimental to public health/safety and the construction of the roadways and stormwater management systems.
- ☐ 40. Traffic sight distances, vertical and horizontal, for all intersections within the subdivision and for the public ways adjoining the subdivision at location of ingress or egress shall be shown.
- ☐ 41. Identify all significant physical features on the subject property and within 150 feet of the project as utilities, stonewalls, boulders larger than 5 cubic yards, buildings driveways, swales, knolls, and trees of 12-inch caliper or greater within 20-feet of all existing and proposed travel ways.
- ☐ 42. A traffic impact analysis, prepared by a Registered Professional Engineer in the Commonwealth of Massachusetts, shall be prepared for all Special Permit plans, or where in the opinion of the Planning Board, such study is necessary for the safety and welfare of the inhabitants of the Town.

Print Name of Applicant

Date

Acceptor's Signature

Date



TOWN OF ROCHESTER

Planning Board

37 Marion Road, Rochester, MA 02770

Phone: 508-763-5421 (Ext 207) Fax: 508-763-5379

www.townofrochestermass.com

Date: _____

APPLICATION FOR WORK ON SCENIC HIGHWAY (Route 105)

Prior to submitting a Site Plan, an applicant shall meet informally with a technical review committee consisting of the following: an agent for the Planning Board, Conservation Agent, Highway Surveyor, Board of Health Agent, and Building Inspector. The purpose of said meeting is to review the applicant's conceptual plans for a property and provide preliminary comment prior to incurring significant engineering design expense. This step is intended to streamline the permit process. The applicant should request such a meeting through an agent for the Planning Board.

The Planning Board shall advise the applicant in writing of the amount of the filing and any exceptions with respect to the site plan details under Section 1.10, within twenty days of the pre-submission meeting. Any technical services required to assist the Planning Board in preparing its written response shall be included as part of the application fee under Section 1.13.

The undersigned hereby submits an application and plan for work on Scenic Highway (Route 105) entitled: _____

The Plan requiring review involves the property located at: _____ on Assessors

Map(s): _____ Lot(s): _____

The plan proposes the following (one sentence description of the proposal): _____

The undersigned applies for approval of said plan in accordance with the Site Plan Review and Approval By-Law of the Town of Rochester. The undersigned has submitted the following fees:

Site Plan Review Application: _____

Outside Consultant Account: _____

I hereby certify that all information in this application for and required attachments and supporting material is true and accurate to the best of my knowledge. I agree to notify the Rochester Planning Board of any changes in the information provided in the application, in writing, as soon as practicable. I understand that failure to provide the required information and fees may result in a denial on my project.

Print Name of Applicant: _____

Address: _____

Telephone: _____ Cell phone: _____

Signature of Applicant or Legal Representative: _____ Date: _____

Print Name of owner: _____

Address: _____
Telephone: _____ Cell phone: _____
Signature of Owner (if different from applicant): _____ Date: _____

Print Name of Engineer or Surveyor: _____
Address: _____
Telephone: _____ Email: _____ Stamp No. _____
Signature of Engineer or Surveyor: _____ Date: _____

Description of Proposed Project: _____

Submittal Checklist for "Site Plan Review of Work on Scenic Highway (Route 105)"

If the plan involves land within the Mattapoisett River Valley Water Supply Zone, the applicant shall file copies of the Definitive Plan with the Mattapoisett River Valley Water Supply Advisory Committee at least 30 days prior to submission to this Planning Board.

All submittals to the Planning Board for consideration must include the following:

- ☐ 1. The original of a completed and signed application.
- ☐ 2. A check payable to Town of Rochester for the Review Fee as specified in the Rules and Regulations Section 6.
- ☐ 3. A check payable to Town of Rochester for an independent consultant for engineering review satisfying the provisions of the Site Plan By-Law Chapter 22.10.1.5, *if applicable*.
- ☐ 4. A deposit of money to cover advertising
- ☐ 5. A copy of the deed(s) vesting title in the current owner.
- ☐ 6. A Municipal Lien Certificate from the Rochester Tax Collector.
- ☐ 7. A declaration regarding the status of the subject parcel(s) pursuant to Chapter 61, 61A, or 61B.
- ☐ 8. If more than one owner of record or in the event the applicant is not the owner of record, the Site Plan application shall be signed by each owner authorizing the filing of the plan. If the owner of record is a corporation, the name and address of the President and Secretary shall be submitted with the application.
- ☐ 9. The names of all owners of land abutting the property and abutters to abutters within three hundred (300) feet of the property line as Certified by the Assessors' Office. The applicant is to obtain the list, prepare and mail via certified mail the notice to abutters, state and local agencies, and surrounding communities; and pay for the cost of the mailing. Proof of the certified mailing must be presented to the Planning Board prior to the opening of the public hearing.

- ☐ 10. The original "Mylar" tracing, at a scale of "1 inch = 40 feet" or other such suitable scale as may be determined by the Planning Board to clearly and accurately depict the required plan contents.
- ☐ 11. 8 full size, printed copies of the plan
- ☐ 12. PDF file of plan emailed to an agent of the Planning Board.

Plans must contain the following

- ☐ 13. Name of the applicant and owner of record.
- ☐ 14. Existing and proposed boundary lines including dimensions.
- ☐ 15. Street names and Assessor's Map and Lot numbers.
- ☐ 16. Location of all existing building, wells, and septic systems with accurate distances to any existing lot lines.
- ☐ 17. Title box, north arrow, date of survey, locus map, and graphic scale.
- ☐ 18. Acreage to the nearest tenth of an acre.
- ☐ 19. Names and house numbers of all abutting property owners as they appear in the most recent tax list.
- ☐ 20. All lines of existing streets, ways, and easements of the abutting properties.
- ☐ 21. All existing water bodies including, ponds, brooks, rivers, bordering vegetated wetlands, and any other wetland resource areas.
- ☐ 22. Seal and signature of the Commonwealth of Massachusetts Registered Professional Land Surveyor who prepared the plan.
- ☐ 23. Signature block for the seven signatures of the Planning Board on all pages of the plan to be approved by the Planning Board.
- ☐ 24. A 3.5-inch blank square reserved for the use of the Plymouth County Registry of Deeds and comply with all other requirements listed on their website.
- ☐ 25. Such other information as may be required to show that the details of the site plan are in accordance with applicable standards of the zoning by-laws.

Print Name of Applicant

Date

Acceptor's Signature

Date