

Chapter 301, SUBDIVISION RULES AND REGULATIONS

[HISTORY: Adopted by the Planning Board of the Town of Lancaster, under the Subdivision Control Law, MGL c. 41, §§ 81K to 81GG inclusive, in June 1953; printed as last amended 6-13-2011. Amendments noted where applicable.]

GENERAL REFERENCES

Planning Board -- See Ch. 17, Art. IV.
Community development and planning -- See Ch. 55.
Stormwater control -- See Ch. 170.
Wetlands protection -- See Ch. 215.
Zoning -- See Ch. 220.
Stormwater management rules and regulations -- See Ch. 305.
Wetlands protection rules and regulations -- See Ch. 306.

ARTICLE I, Authority

§ 301-1. Adoption; effective date. [Amended 6-13-2011]

Under the authority vested in the Planning Board of the Town of Lancaster by MGL c. 41, § 81Q, said Board hereby adopts these revised rules and regulations governing the subdivision of land in the Town of Lancaster. Such rules and regulations shall be effective in June 2011.

ARTICLE II, General Provisions

§ 301-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADEQUATE ACCESS -- Vehicular access to lots that is reasonably convenient, safe, comfortable and durable for use by the public, as specified at § 301-6B, C and D. [Added 6-13-2011]

APPLICANT -- Must be the owner of all the land included in the proposed subdivision or the owner's agent or representative, or his assigns. [Amended 4-27-1987]

BOARD -- The Planning Board of the Town of Lancaster.

COLLECTOR STREET -- A street which handles traffic equivalent to that generated by 50 homes or more, or which serves nonresidential abutting property.

DEAD-END STREET -- A street, extension of a street, or system of streets connected to other streets only at a single point.

FLOODPLAIN DISTRICT -- The Floodplain District as established in Chapter 220, Zoning, of the Code of the Town of Lancaster.

LANE -- A street which carries traffic equivalent to that generated by 12 or fewer dwelling units, which has no abutting property either used or zoned for commerce or industry, and which is not capable of extension.

MINOR STREET -- A street which cannot qualify as a lane but which can be expected to handle less traffic than a collector street.

NONRESIDENTIAL SUBDIVISION -- A subdivision any part of which lies within any district other than the Residential District established by Chapter 220, Zoning. [Added 4-27-1987]

RESIDENTIAL SUBDIVISION -- A subdivision which lies entirely within the Residential District established by Chapter 220, Zoning. [Added 4-27-1987]

VITAL ACCESS -- Vehicular access to lots minimally sufficient to allow them to be reached by police, fire and other agencies charged with protecting the public peace, safety and welfare, including an alternate means of access if access is subject to periodic interruption. [Added 6-13-2011]

§ 301-3. Plan procedures.

A. Necessity. Only those plans which constitute subdivisions as that term is defined in MGL c. 41, § 81L, require the approval of the Planning Board. However, all plans, whether subdivisions within the meaning of the law or not, must have either approval as a subdivision, or endorsement that they do not require approval, before they will be accepted for recording at the Registry of Deeds or for registering at the Land Court.

B. Date of submittal. [Amended 6-13-2011]

(1) All plans shall be submitted to the Planning Board either by delivery at a public meeting of the Planning Board or by registered or certified mail, return receipt requested, addressed to the Planning Board. Plans intended to be submitted at a regular meeting of the Planning Board must be forwarded to the Town Clerk not later than 4:00 p.m. five business days prior to the Planning Board meeting, and must appear on the agenda for that meeting. The date of submission shall be the date of the Planning Board meeting at which a plan is delivered, or in the case of a plan sent to the Planning Board by registered or certified mail, the date the plan is received by the Planning Board.

(2) No plan for review, whether for approval or for endorsement that approval is not required, shall be accepted as a submittal unless and until all information necessary for such review, as described herein under the applicable provisions of submission requirements, are fully provided, unless waived in writing by the Board. At the time of submission, a determination shall be made by the Planning Board, using a checklist, that the submission materials are either complete or incomplete. [Added 4-27-1987]

(3) If the submission has been determined to be incomplete, the applicant shall be so advised forthwith, and requested to withdraw the plan and application, and to resubmit when submittals are complete. A plan shall not be considered submitted and the review period will not begin until submittals are substantially complete. [Added 4-27-1987]

- (4) Plans intended for review by the Planning Board shall be accompanied by a check made payable to the Town of Lancaster. The check shall provide payment for administrative and review fees as applied under various sections of these regulations. Administrative fees are nonrefundable and are provided to cover the expenses to the Planning Board for notices and general administrative costs. Review fees are an estimate of the cost to the Planning Board to obtain professional, independent, nongovernmental review services related directly to the project. Unexpended review fees will be returned to the applicant.

§ 301-4. Plan believed not to require approval. [Amended 6-13-2011]

- A. 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,^{iEN} may submit his plan to the Planning Board in the manner set forth above, accompanied by the necessary evidence to show that the plan does not require approval. Said person shall submit to the Planning Board two prints of the plan and an application (Form A).^{iiEN} Said person shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such determination (Form A). Form A shall be accompanied with payment of an administrative fee as established from time to time by the Planning Board.^{iiiEN}
- B. In order to be considered by the Board, such plans shall show all of the following:
 - (1) A locus plan of the land showing its total configuration in relation to surrounding streets and to abutting boundaries at two inches equals 1,000 feet;
 - (2) Any existing structures on the land shown on the plan and dimensions of yards relating to such structures;
 - (3) Any existing structures on any remaining adjoining land owned by the applicant and dimensions of yards relating to such structures, if such structure is within 50 feet of a property line being created;
 - (4) Indication of remaining frontage of any adjoining land in the same ownership;
 - (5) Present owner of the land shown on the plan, and all abutting owners; and
 - (6) Location of any easement or way, public or private, across the land, with a designation as to the use of the same.
 - (7) A notation, as appropriate, indicating all lots or parcels shown on the plan that are not buildable lots.
- C. If the Board determines that the plan does not require approval, it shall forthwith, without a public hearing, endorse on the plan the words "Planning Board approval under Subdivision Control Law not required." Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action.

D. If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within 21 days of submission of said plan so inform the applicant and return the plan. The Board shall also notify the Town Clerk of its determination.

§ 301-5. Subdivision plan and approval required.

No person shall make a subdivision within the meaning of the Subdivision Control Law^{ivEN} 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 to and approved by the Planning Board as hereinafter provided.

§ 301-6. Access adequacy.

A. General. No plan shall be endorsed as not requiring approval under the Subdivision Control Law and no subdivision plan shall be approved unless each building lot to be created by such plan has adequate access as intended under the Subdivision Control Law, MGL c. 41, §§ 81K through 81GG.

B. Standards of access adequacy. [Amended 9-11-2000; 6-13-2011]

- (1) Streets within a subdivision. Streets within a subdivision shall be determined to provide adequate access if and only if complying with the standards established in Article IV of this regulation, except as waived by the Board.
- (2) Ways providing access to a subdivision. Ways providing access to the streets within a subdivision shall be determined to provide adequate access only if there is assurance that, prior to construction on any lots, the following standards will be met by those ways:

	Development Potentially Served		
	12 or Fewer Dwelling Units	13 to 49 Dwelling Units	More Units or Business
Minimum right-of-way (feet)	33	40	50
Surface type	8-inch gravel	3-inch bit. concrete	3-inch bit. concrete
Surface width (feet)	18 feet	20	24
Minimum sight distance (feet)	125 feet	225	400
Maximum grade	12%	11%	9%

- (3) Existing ways providing frontage outside subdivisions. An existing private way shall be determined to provide access adequate to constitute lot frontage for lots not within a subdivision only if meeting the standards of Subsection B(2) unless

the Planning Board determines that in a specific case unusual circumstances render lesser provisions adequate to serve the lot with access and utilities. An existing public way shall be determined to provide access adequate to constitute frontage for lots not within a subdivision only if it provides at least "vital access" to those lots, such as for emergency vehicles and, if the access provided is subject to periodic interruption, an alternative means of emergency access is available.

- C. Obligations. The Board may require, as a condition of its approval of a subdivision plan, that the developer dedicate or acquire and dedicate a strip of land for the purpose of widening access ways to a width as required above, and that he either make physical improvements within such way or compensate the Town for the cost of such improvements in order to meet the standards specified above.
- D. Waivers. The Board may waive strict compliance with these requirements only upon its determination, following consultation with the Board of Public Works, Police Chief, Fire Chief, and Select Board, that the way in fact will be sufficient to serve the needs for access and utilities to serve potential needs of land abutting on or served by the way in question.

ARTICLE III, Procedure for Submission and Approval of Plans

§ 301-7. Preliminary plan.

- A. General. A preliminary plan **MUST** be submitted for any proposed nonresidential subdivision and **MAY** be submitted for any proposed residential subdivision. The submission of such a preliminary plan will enable the subdivider, the Board, other municipal agencies, and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a definitive plan is prepared. Therefore, it is strongly recommended that a preliminary plan be filed in every case. [Amended 4-27-1987]
- B. Submittals.
 - (1) Any person who seeks approval of a preliminary plan of a subdivision shall:
 - (a) Submit to the Planning Board:
 - [1] An application (Form B).^{vEN}
 - [2] Five prints of the preliminary plan.
 - [3] An application fee as established from time to time by the Planning Board.^{viEN}
 - (b) Submit to the Board of Health:

- [1] A copy of the application (Form B).
- [2] One print of the preliminary plan.
- (c) Submit to the Town Clerk (by delivery of certified mail):
 - [1] A copy of the application (Form B).
- (2) In addition to those items required to be submitted, it is requested that the following be furnished:
 - (a) A locus plan of the subdivision, showing its street configuration in relation to the surrounding area and to zoning district boundaries at a scale of one inch equals 1,000 feet.
 - (b) In the case of a subdivision covering less than all of the land owned by the subdivider in the area of the subdivision, a plan showing in a general manner the proposed overall development of all of said land.
 - (c) Preliminary findings, in a general way, of the environmental analysis, if expected to be required.
- C. Plan contents. The preliminary plan shall be clearly drawn at a suitable scale (preferably one inch equals 40 feet). Said preliminary plan should show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the definitive plan, and shall show:
 - (1) Subdivision name, boundaries, North point, date, scale, legend, and title "preliminary plan."
 - (2) Name and address of the record owner, applicant, registered engineer, and registered surveyor.
 - (3) Names of all abutters from the most recent tax list.
 - (4) Existing and proposed lines of streets, ways, easements, and any public or common areas within the subdivision in a general manner.
 - (5) The proposed system of drainage, including adjacent existing natural waterways, in a general manner.
 - (6) The approximate boundary lines of proposed lots, with approximate areas and dimensions.
 - (7) Location, names, and widths of adjacent streets approaching or near the subdivision.
 - (8) Topography of the land in a general manner. [Added 4-27-1987]
- D. Field trip. In order to facilitate field inspection and review of the site of the proposed subdivision, it is desirable that there be temporary staking along the center line of all

proposed roads in the subdivision, or if that is impractical, some alternative method of enabling on-site review.

- E. Approval. Within 45 days after the date of submission of a preliminary plan, the Board shall notify the applicant and the Town Clerk either that the plan has been approved, or that the plan has been approved with modifications suggested by the Board or agreed upon by the person submitting the plan, or that the plan has been disapproved, and in the case of disapproval, the Board shall state in detail its reasons therefor. Such approval does not constitute approval of a subdivision but does facilitate the procedure in securing final approval of the definitive plan. [Amended 4-27-1987]
- F. Other plans. [Added 4-27-1987]
 - (1) Any plan submitted by the applicant to the Board in advance of the definitive plan, which does not conform to the requirements hereof pertaining to a "preliminary plan," shall not be so designated nor shall such a plan be given approval by the Board.
 - (2) Moreover, the submission of a preliminary plan for examination by the Board shall not be deemed a submission of a definitive plan of a subdivision of land for approval by the Board under MGL c. 41, § 81U, and the action of the Board on such preliminary plan shall not prejudice the action on the definitive plan. The plan shall be clearly marked "preliminary plan."

§ 301-8. Definitive plan.

- A. Submittals. Any person who desires approval of a definitive plan of a subdivision shall:
 - (1) Submit four full-size (32 inches by 24 inches) copies and one reduced copy (11 inches by 17) inches of the following to the Planning Board: [Amended 6-13-2011]
 - (a) The definitive plan, as described at Subsection B. The original definitive plan drawing will only be needed if and when actual signing of the plan takes place.
 - (b) Street plans and profiles of every proposed street, as described at Subsection C.
 - (c) At the same scale as the definitive plan, a development plan, showing existing and proposed topography at two-foot contour intervals, distinction between upland and wetland, indication of annual high-water mark, location of tree cover, outstanding individual trees, existing structures including fences and walls, and proposed streets, drainage facilities, and lot lines. If located within the Floodplain District, the location of the base flood elevation (one-hundred-year flood) shall be indicated. If approved prior to submittal,

the Board may authorize topography at five-foot intervals if adequate to cover some or all areas. [Amended 4-27-1987]

- (d) A drainage plan and calculations, including description of the effects of two-, twenty-five-, fifty- and one-hundred-year storms. [Amended 6-13-2011]
 - (e) An overlay at the same scale as the definitive plan showing the Natural Resources Conservation Service (NRCS) interpretation for suitability for on-site sewage effluent disposal or showing United States Geological Survey (USGS) surficial geology, or both, except for areas proposed to be served by Town sewerage.
 - (f) Test pit logs for locations approved by the Planning Board with not more than one pit required per four proposed lots, selected to reveal general patterns of subsurface characteristics, after consultation with the Board of Health and the Conservation Commission. Locations shall be indicated on the development plan.
 - (g) Where connection to the public water system is not proposed, information indicating why such connection is not feasible, description of provisions to be made for water for firefighting, and information adequate to allow determination of compliance with requirements regarding potable water quality and quantity.
 - (h) An erosion control plan, indicating the erosion control measures to be employed, including description of locations of temporary stockpiles, spoil areas, temporary drainage systems, slope stabilization techniques, and sediment bins, and narrative description of how erosion from individual lots onto streets and into drainage systems is proposed to be controlled.
 - (i) A locus plan of the subdivision, showing its street configuration in relation to surrounding streets and to zoning district boundaries, at one inch equals 1,000 feet.
 - (j) Six sets of prints, 8 1/2 inches by 11 inches, showing an outline of the subdivision, all ways and lots, street names, and lot numbers. [Amended 6-13-2011]
 - (k) The environmental analysis, if required.
 - (l) Construction details and specifications, and road cross sections for each cross-section variant at all critical locations, except that where the proposed cross sections are identical with those shown in this regulation, annotation to that effect may be placed on the definitive plan and the cross-section drawing may be omitted. [Amended 4-27-1987]
- (2) Submit the following to the Planning Board:
- (a) If requested, traverse notes, evidence of ownership, language of any easements, covenants or deed restrictions applying or proposed to apply to

the area being subdivided, rights and easements obtained for utilities or drainage outside of the subdivision. [Amended 4-27-1987]

- (b) Two copies of properly executed application Form C.^{vii}EN
 - (c) An administrative fee as established from time to time by the Planning Board,^{viii}EN to be payable to the Town of Lancaster, to cover the Planning Board's expenses for notices, engineering and other consulting expenses, but not in lieu of charges which may be made by other Town agencies or the Lancaster Sewer District in connection with their review and other services. [Amended 4-27-1987]
 - (d) A list of names and mailing addresses for all abutters as they appear on the most recent local tax list, including property owners on the opposite side of any streets abutting the subdivision.
 - (e) A description of the land and the proposal, suitable for advertising.
 - (f) If the development plan [Subsection A(1)(c)] is on more than one sheet, a single copy of that plan with all sheets matched and joined. [Added 4-27-1987]
- (3) Submit to the Town Clerk by delivery or registered or certified mail:
- (a) A notice stating the date of the definitive plan submission to the Planning Board; and
 - (b) A copy of the completed application Form C.
- (4) File one copy of each of the following with the Board of Health:
- (a) Definitive plan.
 - (b) Street plans and profiles.
 - (c) The development plan. [Amended 4-27-1987]
 - (d) Environmental analysis, if any.
- B. Definitive plan contents. The definitive plan shall be prepared by a registered engineer and registered land surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth or Mylar. The plan shall be at a scale of one inch equals 40 feet, or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall be 24 inches by 36 inches. If multiple sheets are used, they shall show each lot in its entirety on one sheet, and shall be accompanied by an index sheet showing the entire subdivision at a scale of one inch equals 200 feet. The definitive plan shall contain the following information:
- (1) Subdivision name, boundaries, North point, legend, date, scale, and indication of zoning districts.

- (2) Name and address of record owner, subdivider, registered engineer, and registered surveyor, their stamps, and the names (and stamps, if appropriate) of any other professionals engaged in the design.
 - (3) Names of all abutters as they appear in the most recent certified tax list.
 - (4) Existing and proposed lines of streets, ways, lots, easements, and public or common areas within the subdivision. The proposed names of proposed streets shall be subject to the approval of the Planning Board. [Amended 6-13-2011]
 - (5) Sufficient data to determine the location, direction, and length of every street and way line, lot line, easement, and boundary line, and to establish those lines on the ground.
 - (6) Location of all permanent monuments, properly identified as to whether existing or proposed.
 - (7) Lot numbers enclosed in a circle, lot area in square feet; total lot frontage in feet. [Amended 4-27-1987; 6-13-2011]
 - (8) Location, names, and present widths of streets bounding, approaching, or within reasonable proximity of the subdivision sufficient to analyze traffic flow.
 - (9) On each sheet of the definitive plan, suitable space to record the action of the Board and the signatures of the members of the Board, and the Town Clerk's certification.
 - (10) Certification by the preparers of the plan that the plan and supporting materials were prepared under their direction, and have been designed in compliance with all applicable zoning and subdivision regulations. [Added 4-27-1987]
 - (11) Certification by an attorney that submittal of the plan by the applicant has been agreed to by owners of all the land included in the plan. [Added 4-27-1987]
- C. Street plans and profiles. For each street there shall be a separate plan at one inch equals 40 feet, and profile at one inch equals 40 feet horizontal, one inch equals four feet vertical, showing the following data:
- (1) Exterior lines of the way, with sufficient data to determine their location, direction, and length.
 - (2) Existing center-line profile to be shown as a fine, continuous line. Existing center-line profile for intersecting streets to be shown for at least 100 feet each side of the intersection of street center lines. Existing right sideline shall be shown as a light dashed black line, left sideline as black dots. Elevations shall be based on USGS datum. [Amended 4-27-1987]
 - (3) Proposed center-line profile to be heavy, continuous line, with elevations shown every 50 feet (25 feet on vertical curves).
 - (4) Existing and proposed watercourses, ponds, and wetlands.

- (5) Road center-line stationing.
 - (6) All sewer and drainage facilities to be shown on the profiles indicating proposed pipe sizes, slopes, and rim and invert elevations; and on the street plans, showing pipe sizes.
 - (7) Plan location and size of existing and proposed water mains, hydrants, and main gate valves. Profile location and size of existing and proposed water mains and hydrant supply lines, only when they are crossed by sewer and drainage facilities. [Amended 4-27-1987]
 - (8) Location of proposed streetlights.
 - (9) Location of the following, unless waived by the Board: existing and proposed street paving, sidewalks, and curbs.
- D. Environmental analysis. A comparative environmental analysis shall be submitted for any subdivision creating frontage potentially allowing eight (8) or more dwelling units, and in other cases where the Board determines it appropriate in light of special circumstances. The scope of such analysis, including development alternatives to be compared and consequences to be studied, shall be as agreed to by the Planning Board and may be required to include up to two major alternatives to the plan proposed, with as much of the following information as determined by the Planning Board to be necessary for plan evaluation. The analysis shall be prepared by an interdisciplinary team to include a civil engineer and an architect or landscape architect, unless otherwise agreed to by the Planning Board. The Planning Board may direct that the team also include a wetlands scientist where there are wetlands on or abutting the proposed property, and either a wildlife biologist or an ecologist, qualified in wildlife habitat evaluation. The analysis shall indicate differences among alternatives regarding: [Amended 6-13-2011]
- (1) Impact upon ground- and surface water quality and level including estimated phosphate and nitrate loading on groundwater and surface water from septic tanks, lawn fertilizer, and other activities within the development. For subdivisions located in whole or in part within Water Resource Districts as established in Chapter 220, Zoning, of the Code of the Town of Lancaster, this shall include analysis of open and closed drainage system alternatives, examining effects upon the basin water budget and upon the speed of transport of contaminants;
 - (2) Material effects upon important wildlife habitats, outstanding botanical features, and outstanding landscape features or historic environs; [Amended 6-13-2011]
 - (3) Capability of soils, vegetative cover, and proposed erosion control efforts to support proposed development without danger of erosion, silting, or other instability;
 - (4) Relationship to the requirements of MGL c. 131, §§ 40 and 40A (the Wetlands Protection Act) and to the Massachusetts Environmental Policy Act (MEPA); [Amended 6-13-2011]

- (5) Inclusion of natural landscaping that minimizes the need for water/irrigation usage; [Amended 6-13-2011]
- (6) Impact upon the existing water supply system and well capacity of the Town;
- (7) Road layout, building siting, and lot shape for solar energy potential;
- (8) Ability of streets providing access to the subdivision to safely provide such access, including measurement of sight distances at each intersection with proposed streets, impact of development traffic on the traffic level of service, gap acceptance analysis, and analysis of hazards owing to limited sight distances, alignment, or other characteristics of access roads. [Amended 4-27-1987]

E. Performance guarantee.

- (1) Form of guarantee. Before the Planning Board endorses its approval of a definitive plan, the developer shall agree to complete without cost to the Town all improvements required by this regulation, and shall provide security that he will do so, either by covenanting not to sell or build upon any lots until completion of the improvements (which covenant must be referred to on the plan and registered or recorded with it), or by posting bond or other security which the Town can utilize in the event that the improvements are not completed within two years, or by some combination of these. Such security shall be provided so that no structure shall be occupied until streets or ways serving such structures have been surfaced with at least the binder course.
- (2) Security amount. If completion is secured by bond or deposit, the amount shall be determined by the Board to cover:
 - (a) The cost for the Town to install the required improvements;
 - (b) Maintenance for one year;
 - (c) Inflation over the time allowed for completion of work; and
 - (d) Ten-percent contingency.
- (3) Release of guarantee. The Board may grant partial release from such security for partial completion of improvements, if it determines that the completed portion provides a reasonable system for circulation and utilities pending completion of the rest. The Board may release the developer from the covenant upon receipt of an agreement executed by the applicant and by the holder of a first mortgage on the premises providing for retention of funds and their availability to the Town upon default. (See MGL c. 41, § 81U, 11th paragraph.) Full security shall not be released until the integrity of road pavement, drainage, shoulders, and grading has been verified following a full winter of use, and until trees and other vegetation have been established.

F. Review by Board of Health. The Board of Health shall report to the Planning Board in writing its approval or disapproval of the plan, and in the event of disapproval, shall make specific findings as to which, if any, areas shown on such plan cannot be

used for building sites without injury to the public health and include specific findings and the reasons therefore in such report and, where possible, shall make recommendations for the adjustment thereof. Such Health Board or Officer shall send a copy of such report, if any, to the person who submitted said plan. Any approval of the plan by the Planning Board shall then only be given on condition that no building or structure shall be built or placed upon the areas designated without written consent of the Board of Health and shall endorse on the plan such condition, specifying the lots or land to which said condition applies.

G. Public hearing.

- (1) Before approval of the definitive plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board by advertisement in a newspaper of general circulation in the Town, once in each of two successive weeks, the first publication being not less than 14 days before the day of such hearing. A copy of said notice shall be mailed to the applicant, and via registered mail, to all owners of land abutting upon the subdivision as appearing in the most recent tax list.
- (2) It is essential that the applicant either be present at the public hearing or be represented by an agent authorized to make an appearance, speak on the applicant's behalf, provide necessary information, and make necessary commitments. [Added 4-27-1987]

H. Decision.

- (1) After the public hearing the Board in due course will approve, modify and approve, or disapprove the definitive subdivision plan submitted. Criteria for action by the Board shall be the following:
 - (a) Completeness and technical adequacy of all submissions;
 - (b) Determination that development at this location does not entail unwarranted hazard to safety, health and convenience of future residents of the development or of others because of possible natural disasters, traffic hazard, or other environmental degradation;
 - (c) Conformity with the requirements of Article IV;
 - (d) Determination, based upon the environmental analysis (where submitted), that the subdivision as designed will not cause substantial and irreversible damage to the environment, which damage could be avoided or ameliorated through an alternative development plan; [Amended 4-27-1987]
 - (e) Access adequacy as provided at § 301-6;
 - (f) Conformity with all applicable zoning requirements;
 - (g) Consistency with the purposes of the Subdivision Control Law.^{ixEN}

- (2) Notice of such action, or of an agreed extension of the time for such action, must be provided by the Planning Board to the Town Clerk within 90 days following the date of submission of the plan if it follows action on (or failure to timely act on) a preliminary plan, or 135 days following the date of submission in cases where no preliminary plan was submitted. [Added 4-27-1987]

- I. Certificate of approval. The action of the Board in respect to such a plan shall be by vote, copies of which shall be certified and filed with the applicant. If the Board modifies such plan, it shall state in its vote the reasons for its action. In the event of disapproval, the Planning Board shall state in detail wherein the plan does not conform to the rules and regulations of the Planning Board or the recommendations of the Health Board Officer, and shall revoke its disapproval and approve a plan which, as amended conforms to such rules and regulations or recommendation, provided that an amended plan is submitted to the Planning Board, in the same manner as the definitive plan, within seven months from the date on which the definitive plan was disapproved. Final approval, if granted, shall be endorsed on the original drawing of the definitive plan by the signatures of a majority of the Board, but not until the statutory twenty-day appeal period has elapsed following the filing of the certificate of the action of the Board with the Town Clerk, and said Clerk has notified the Board that no appeal has been filed. After the definitive plan has been approved and endorsed, the applicant shall furnish the Board with two prints thereof. Final approval of the definitive plan does not constitute the laying out or acceptance by the Town of streets within a subdivision. [Amended 4-27-1987]

ARTICLE IV, Design and Construction Requirements

§ 301-9. General.

- A. Design guidelines. All subdivisions shall be designed and improvements made by the developer consistent with the requirements of Article IV. Design and construction shall do the following:
 - (1) Reduce, to the extent reasonably possible:
 - (a) Volume of cut and fill;
 - (b) Area over which existing vegetation will be disturbed; especially if within 200 feet of a river, pond, or stream, or having a slope of more than 15%;
 - (c) Number of mature trees removed;
 - (d) Extent of waterways altered or relocated;
 - (e) Visual prominence of man-made elements not necessary for safety or orientation;
 - (f) Erosion and siltation;

- (g) Flood damage;
 - (h) Number of driveways exiting onto existing streets;
 - (i) Disturbance of important wildlife habitats, outstanding botanical features, and scenic or historic environs.
- (2) Increase, to the extent reasonably possible:
- (a) Vehicular use of collector streets to avoid traffic on streets providing house frontages;
 - (b) Visual prominence of natural features of the landscape;
 - (c) Legal and physical protection of views from public ways;
 - (d) Street layout facilitating south orientation of houses;
 - (e) Use of curvilinear (consisting of or bounded by curved lines) street patterns.
- B. Conformance with Master Plan. The street layout and utilities in all plans shall conform to the proposals of the Lancaster Master Plan, where applicable.
- C. Standards of construction. Standards of construction not otherwise specified hereunder shall be according to the "Standard Specifications for Highways and Bridges of the Massachusetts Department of Public Works" (latest edition with amendments in effect at that time).
- D. Typical cross sections. Design and construction shall conform to the typical cross sections.^{xEN}

§ 301-10. Streets.

A. Location.

- (1) All streets in the subdivision shall be designed so that they will provide safe vehicular travel. Due consideration shall also be given to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- (2) Streets shall be continuous and in alignment with existing streets as far as is practicable.
- (3) If adjoining property is not subdivided, proper provision for extending streets shall be made.
- (4) Reserve strips prohibiting access to streets or adjoining property will not be permitted except where, in the opinion of the Planning Board, such strips are in the public interest.

B. Alignment.

- (1) Streets shall intersect at 90° when possible, and at not less than 60° in other cases.
- (2) The minimum center-line radius of any curve shall be 100 feet on a lane, 150 feet on a minor street, and 200 feet on a collector street or where gradient exceeds 5%. The Planning Board may require a greater radius where deemed necessary for the public safety.
- (3) All intersections and approaches to intersections shall be cleared of any obstructions to the motorist's view and maintained clear. Street lines at intersections shall be cut back to provide for pavement radii of not less than 25 feet.
- (4) Sight distances of at least 225 feet in each direction shall be provided at intersections, except that 400 feet sight distance shall be provided at intersections with collector streets, state-numbered highways, and other streets having high-speed traffic. At intersections involving such streets, intersection designs shall allow for longer turning radii, and safe acceleration and deceleration, potentially involving increased street width, increased curb radii, and use of traffic islands for channelization. Between intersections, minimum sight distance shall be as follows: [Amended 4-27-1987]
 - (a) Collector street: 400 feet.
 - (b) Minor street: 225 feet.
 - (c) Lane: 125 feet.
- (5) Center-line offsets for intersecting streets shall not be less than 150 feet.

C. Dead-end streets.

- (1) Only lanes may be permitted to be dead-end streets, unless, in the opinion of the Board, such dead-end streets are necessitated in other cases by topography or other local conditions.
- (2) Dead-end streets shall be provided at the closed end with a cul-de-sac having pavement diameter of 120 feet and property line diameter of 160 feet, or an alternative turnaround designed for a vehicle of thirty-foot length, eight-foot width, and having an outside turning radius of 57 feet. Islands in the cul-de-sac are not recommended. [Amended 6-13-2011]

D. Width.

- (1) Minimum street width shall be as follows: [Amended 4-27-1987; 6-13-2011]

Type of Street	Right-of-Way (feet)	Pavement (feet)
Collector street	60	30
Minor street	50	24

Type of Street	Right-of-Way (feet)	Pavement (feet)
Lane	40	24

A divided boulevard shall be 12 feet on each side. [Added 6-13-2011]

- (2) The center line of the paved surface shall normally coincide with the right-of-way center line.
- (3) The Planning Board may require slope easements where retention cannot be adequately handled within the required right-of-way.

E. Grades.

- (1) Grades of all streets shall not be less than 1.0%.
- (2) The maximum grades for streets shall be as follows:
 - (a) Collector street: 8%.
 - (b) Minor street: 10%.
 - (c) Lane: 11%.
- (3) Grades shall not exceed 4% within 30 feet of an intersecting street.
- (4) All changes in grade exceeding 1% shall be connected by vertical curves of sufficient length to afford a passing sight distance of at least the following, unless drainage considerations for sag vertical curves dictates otherwise:
 - (a) Collector street: 275 feet.
 - (b) Minor street: 175 feet.
 - (c) Lane: 125 feet.
- (5) The street surface shall have a cross slope of 3/8 inch per foot on each side of the center line.
- (6) Center-line profile shall normally be at least three feet above the grade of adjacent, nonbordering vegetative as well as bordering vegetative, wetlands. [Amended 4-27-1987]

F. Construction.

- G. Surface preparation. Clearing and grubbing shall be performed to remove stumps, brush, roots, boulders, and like material from the area of the traveled way, shoulders, sidewalks, utility trenches, but elsewhere, wherever feasible, existing vegetation shall be protected.

- H. Forming the subgrade. All topsoil, subsoil, rocks, ledge and other unsuitable material shall be excavated to a depth of at least 16 inches within the traveled way, 12 inches for shoulders, and 10 inches for sidewalks. Unless a permit is granted by the Town for the removal of loam and topsoil, said material shall be stockpiled on the premises for final landscaping of roadway shoulders and adjacent house lots. The depth of excavation may be reduced by written authorization of the Planning Board or its agent if the existing base is clean gravel suitable for roadway foundation. A greater depth of excavation may be required in any area where the subgrade material (clay, peat, etc.) will not support the roadway, or drainage conditions require more gravel to establish a firm foundation. Prior to placement of the gravel base course, the entire subgrade surface shall be thoroughly compacted by means of a three-wheel roller weighing not less than 10 tons or equivalent pneumatic tired or vibratory compactors. After compacting, the surface shall show no deviation in excess of two inches from the grades indicated on the drawings. No gravel base course shall be placed in any subgrade area until said area has been inspected and approved by the Planning Board or its agent. [Amended 6-13-2011]
- I. Placing and compacting base course materials. Base course gravel shall be placed in maximum lifts of eight inches to provide a twelve-inch compacted base depth within the traveled way. Each lift is to be thoroughly compacted with a three-wheel roller weighing not less than 10 tons, or equivalent pneumatic tired or vibratory compactors. The final lift is to be a finer gradation with no stones larger than three inches in diameter. The base course gravel shall be placed not less than two months prior to surfacing. All drainage and utilities are to be installed prior to placing base course gravel. The base course gravel, once approved, is not to be disturbed by digging without written authorization of the Planning Board or its agent. [Amended 6-13-2011]
- J. Conditioning of base course prior to surfacing:
- (1) The surface of the base course will be inspected and tested for tolerances by the Department of Public Works or its agent. Any deviations in excess of the required tolerances shall be corrected by the subdivider as directed. Any ruts or soft yielding areas in the base course shall be corrected by removing unsuitable material, adding suitable material, reshaping and recompacting as directed. The base course, immediately before surfacing, shall be fine-graded to three inches below final grade as shown on the profiles of the definitive plan, with the grades of the street surface properly marked on grade stakes set no further apart than 50 feet. Grading shall be by means of a self-propelled road grader and such hand labor as may be required. Compaction will be by an approved-type roller weighing not less than eight tons. The surface shall show no deviation in excess of 1/4 inch from the grades indicated on the definitive plan. [Amended 6-13-2011]
- K. Application of permanent surface. A pavement of Class I bituminous concrete, Type I-1, shall be placed in strict accordance with the Massachusetts DPW Standard Specifications (Sections 460.0 through 460.62, or later revisions). Said pavement shall be laid in two courses, consisting of 2 1/2 inches compacted thickness of binder

course and 1 1/2 inches of wear course. The completed pavement shall have a uniform compacted thickness of four inches. No permanent surface shall be applied after November 1 unless authorized in writing by the Planning Board or its agent. Utilities, road base, drainage system and binder course shall be placed before any building permits are issued within that project phase. [Amended 6-13-2011]

- L. Berms and curbs. Bituminous concrete berms shall be installed on both sides of all roadways in conformity with the typical cross section appended hereto,^{xii}EN except where waived by the Board where open drainage systems are being relied upon. [Amended 4-27-1987]
- M. Driveways. All driveways extending from the completed road surface to the lot line must have a topping of at least three inches of bituminous concrete. All driveway slopes must end at the street right-of-way, then continue forward to the completed road surface in the same grade as the sidewalk strip and/or shoulder in order to allow proper drainage of surface water. See the Lancaster Zoning Bylaws for curb cut design standards.^{xiii}EN For driveways in excess of 1,000 feet, refer to the Required Off-Street Parking section in the Lancaster Zoning Bylaws.^{xiii}EN [Amended 6-13-2011]
- N. Access through another municipality. In instances where access to a subdivision is proposed to cross land in another municipality, the applicant shall provide the Board with certification from appropriate authorities in that municipality that such access is in accordance with the subdivision regulations of such municipality, and with its master plan if applicable, and that a legally adequate performance bond has been duly posted, or that such access is already adequately improved to handle prospective traffic. [Amended 4-27-1987]

§ 301-11. Stormwater management. [Amended 6-13-2011]

Refer to the Lancaster Stormwater Management Bylaw that was adopted in October 2007 for the process of securing a local stormwater management permit.^{xiv}EN

- A. General approach. Storm drains, culverts, swales, detention basins, and related facilities shall be designed to permit the unimpeded flow of all natural watercourses, to endure adequate drainage at all low points along the streets, to control erosion, and to intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the areas being drained. Where determined to be appropriate by the Planning Board, stormwater shall be carried on the ground surface and recharged ("open system") rather than piped to surface water ("closed system"). Peak storm flows and runoff at the boundaries of the development in a twenty-five-year frequency storm shall be no higher following development than prior to development, unless an increase is authorized by the Planning Board, following consultation with the Conservation Commission and consideration of the ability of receiving wetlands or water bodies to absorb the increase and the consequences of providing detention capacity. In the Floodplain District, adequate drainage systems shall be provided to reduce exposure to flood hazards. Drainage systems shall be designed based on a twenty-five-year frequency storm, except that culverts shall be based on a fifty-year

storm, detention basins shall be based on a one-hundred-year storm, and in a one-hundred-year storm streets shall remain passable and drainage shall not enter buildings. [Amended 4-27-1987]

B. Storm drains.

- (1) Except where drainage swales are used, catch basins will generally be required on both sides of the roadway on continuous grades at intervals of not more than 300 feet. Storm drains and culverts shall be no less than 12 inches inside diameter and shall be of greater size if required by design considerations. All drains shall have a minimum of three-foot cover, except where reinforced concrete pipe is used and there the minimum cover shall be two feet. A catch basin to manhole configuration shall be used. [Amended 4-27-1987]
- (2) Proper connections shall be made with any existing drains in adjacent streets or easements where they may exist and prove adequate to accommodate the drainage flow from the subdivision. If the surface water drains will discharge into adjacent existing streets, or onto adjacent properties not under the control of the applicant, the latter shall clearly indicate what course the discharge will take, and shall present to the Board evidence from the owner of the adjacent property that such discharge is permitted. [Amended 4-27-1987]
- (3) Subdrains or interceptor drains are required where necessary to preclude flowage of groundwater threatening to the integrity of the road surface.
- (4) Drainage calculations shall normally assume all tributary area to be developed as zoned. Water velocities shall be between two and 10 feet per second in pipes, and not over five feet per second in swales.

C. Catch basins. Catch basins shall be provided with grates installed and approved as to design by the Board. Manholes shall be provided at changes in direction, and wherever there is a change in size of pipe. Not more than two catch basins may be connected in series rather than to manholes. Catch basins and manholes shall be constructed with standard concrete blocks, with brick and mortar or, if required by depth, of reinforced concrete. Catch basins shall have a three-foot deep sump.

D. Detention basins. [Added 6-13-2011]

- (1) An operations and maintenance plan must be submitted as part of the stormwater management permit application. This plan shall outline a maintenance schedule for all drainage structures, including swales and detention basins. The Planning Board may require that a maintenance bond, or other such instrument, be posted to insure that the ongoing maintenance is addressed.
- (2) Invasive aquatic weeds must be removed from all new detention basins and stormwater channels for a period of one full year.

E. Water Resource Districts. Within Water Resource Districts as established in Chapter 220, Zoning, of the Code of the Town of Lancaster, provisions for contaminant removal shall be made employing detention basins with subsurface drains or

perforated risers, oil and grit separator catch basins, or other devices where appropriate.

§ 301-12. Utilities.

A. Installation. All sewers, gas lines, water pipes, telephone, electricity, and CATV cable shall be installed underground before roadway base course installation. [Amended 6-13-2011]

B. Water.

- (1) Whenever feasible, the water supply shall be from a public water supply system. In such cases, the water supply system will be considered adequate only if it is capable of providing gravity service to each proposed fire hydrant with a flow of 750 gpm (gallons per minute) at 20 psi (pounds per square inch) residual pressure within single-family detached residential developments, or meeting Insurance Safety Office (ISO) requirements for other developments, and only if capable of providing gravity service to each proposed lot with static pressure of 40 psi at street grade. Where any part of any lot is at elevation 450 feet msl (mean sea level) or higher, the applicant shall submit engineering analysis documenting system adequacy. [Amended 4-27-1987; 6-13-2011]
- (2) If connection to a public water system is proposed but it is determined by the Board that the above standards will not be met in part or all of the subdivision for reasons beyond the reasonable responsibility of the developer, the Board may nevertheless approve the plan subject to a condition that any lot not adequately served shall not be built upon until service has been made adequate or, if sooner, 24 months have elapsed from the date of plan approval in order to allow time to remedy system deficiencies.
- (3) Water system materials and construction shall meet the specifications of the Lancaster Board of Water Commissioners.
- (4) Permanent dead-end water mains shall not normally be allowed. Easements shall be provided where necessary to allow for extension or looping of mains through subsequent development.
- (5) Individual water meters shall be installed for each house. [Added 6-13-2011]
- (6) A waterline stub shall be installed at the time the foundation is constructed. [Added 6-13-2011]
- (7) Where connection to an adequate public water system is infeasible, the Planning Board shall approve a subdivision only upon its determination, following consultation with the Fire Department, that reserved access to a fire pond or other provisions will adequately provide for fire safety, and upon its determination, following consultation with the Board of Health, that wells on each lot are likely to be able to provide a sustained yield of five gallons per minute with water quality meeting the Department of Environmental Quality

Engineering's "Drinking Water Regulations of Massachusetts," as amended from time to time. One test well may be required of the applicant per 10 potential lots, or the Planning Board's determination may be based upon the written statement of a hydrogeologist following his analysis of well records on nearby premises, subsurface conditions, and the effects of this subdivision and other potential sources of contamination.

Upon recommendation of the Fire Department, the Planning Board may require the installation of a cistern(s) as a source of water for fire suppression. Such requirement may specify the number, size and type of cistern to be installed for each subdivision plan, and may also specify the location and distance from the nearest water line. Maintenance of the cistern(s) will be the responsibility of the developer or the homeowners' association, until such time that the road is accepted by the Town. [Added 6-13-2011]

C. Sewerage. [Amended 4-27-1987]

- (1) Provisions shall be made for Lancaster Sewer District sewerage to serve all subdivisions that both lie within the district and can feasibly be serviced by the district system. Service will be determined to be infeasible only if requiring of the developer as much or more off-site expenditure to make connection as required for on-site system development, including house connections, or if requiring unobtainable easements, or for other extraordinary reason. The expense of such connection shall be borne by the applicant according to the Rules and Regulations of the Lancaster Sewer District Commissioners.
- (2) Design and construction of a district public sewage collection system(s), along with fees for engineering/legal review, shall be as required by the Rules and Regulations of the Lancaster Sewer District Commissioners.
- (3) No subdivision that shows connection to district public sewerage shall be approved by the Planning Board unless the lots shown to be so connected lie within the Lancaster Sewer District, or were voted into the district according to the Rules and Regulations of the Lancaster Sewer District Commissioners, prior to such approval.

D. Floodplain District. In the Floodplain District, all public utilities and facilities such as gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage.

§ 301-13. Other improvements.

A. Sidewalks.

- (1) The Planning Board may require sidewalks on one or both sides of the street if it is felt that the public safety will be served by their installation. Normally, no sidewalk will be required on lanes.

- (2) All materials shall be removed for the full width of the sidewalk to a subgrade 10 inches below the finished grade as shown on the cross section; and all soft spots and other undesirable material below such subgrade shall be replaced with a good binding material and rolled. This excavated area then shall be filled with eight inches of good quality gravel and rolled with a pitch toward the curb of 3/8 inch to the foot. Two inches of compacted bituminous concrete shall be placed; provided, however, that if a granolithic surface is desired and/or specified by the Board, specifications of the Massachusetts Department of Public Works shall be complied with.
 - (3) Wheelchair ramps shall be provided at all intersections of sidewalks and streets, and elsewhere as appropriate.
- B. Shoulders. Shoulders shall be at least three feet wide, pitched towards the curb or swale at between 3/8 inch and two inches per foot. The shoulder shall have an eight-inch gravel foundation, and four inches of topsoil (after rolling).
- C. Lighting. [Added 6-13-2011]
- (1) Streetlights shall be installed at every major intersection in the subdivision plan. Refer to the Lighting Section in the Lancaster Zoning Bylaws^{xvEN} for design standards for streetlights and illumination.
 - (2) The Planning Board may also require that individual pole lights be installed at each house site.
- D. Plantings.
- (1) Unpaved areas within the right-of-way which have been stripped by the construction shall be graded to meet the adjoining property with a slope of not more than one foot vertical to two feet horizontal in cut or one foot vertical to three feet horizontal in fill. Those areas shall be covered with at least five inches of good quality topsoil and thickly seeded with perennial grasses or other planting materials approved by the Board.
 - (2) Suitable existing trees within the right-of-way, if larger than a four-inch caliper and located outside the shoulders, shall be preserved. Trees to be retained shall not have grade changed over their root areas more than 12 inches. Where suitable trees do not exist at intervals of less than 40 feet on each side of the street, they shall be provided by the developer.
 - (3) Trees to be planted shall be well-branched, nursery-grown stock at least 2.5 inches trunk diameter at four feet above the ground, and shall be free of injury, harmful insects, and diseases. Such species will be native to the region and in no instance shall be an exotic or invasive species. [Amended 6-13-2011]
 - (4) New plantings shall be guaranteed by the developer for a period of two growing seasons, and the subdivision security shall reflect this requirement. [Amended 6-13-2011]

- E. Street signs. As soon as a street is paved, street signs conforming to those placed by the Town shall be erected at each end of the street. The word "Private" shall be lettered on a separate sign placed under the street sign. This separate sign shall be removed when the street is accepted by the Town.
- F. Monuments.
 - (1) Monuments shall be installed at all street intersections; at all points of change in direction of curvature of the streets; at each lot corner along the street; and as necessary to locate any easements to be deeded to the Town.
 - (2) Monuments must be granite or reinforced concrete and set to a depth of not less than four feet below finished grade and flush with finished grade. Reference points are to be drilled in the top of each monument.
 - (3) A certified monument plan must be submitted prior to the issuance of a building permit. [Added 6-13-2011]
- G. Guardrails. Guardrails of a type approved by the Board shall be installed wherever grade falls more than five feet below center-line grade within 20 feet of the paved area of any street, or in other cases where the Planning Board determines that safety warrants installation. [Amended 4-27-1987]

§ 301-14. Other requirements.

- A. Open space.
 - (1) The Planning Board may require the plan to show a potential park or parks suitably located for recreational purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of the land, normally not exceeding 5% of plan area. It shall connect to abutting public open space, if possible. [Amended 6-13-2011]
 - (2) The Board may by appropriate endorsement on the plan require that no building be erected upon such park or parks for a period of not more than three years without its approval. This land shall be made available for purchase by the Town. Failure to purchase within three years shall free the owners from restrictions.
 - (3) The Planning Board may request the plan to show potential open space for the recreational enjoyment and nature appreciation for Town residents and to protect natural landscape features, plants and wildlife. Where possible, the proposed open space should connect to other conservation land and take into consideration natural features unique to the landscape. Open space should consist of upland habitat and not consist of the non-buildable wetlands portion of the property. [Added 6-13-2011]
 - (4) An alternative method to appropriating open space can be found in the Flexible Development Section^{xvi}EN of the Lancaster Zoning Bylaws. A forty-percent

requirement for open space is mandated in this type of development model.
[Added 6-13-2011]

- (5) In lieu of the above open space options, the Planning Board may accept a contribution towards the funding of off-site recreational or open space opportunities for the enjoyment of the Town's citizens. [Added 6-13-2011]

B. Earth removal. Any area within the subdivision used for the extraction of gravel or borrow shall be regraded, loamed, and in sod before final release is granted by the Planning Board. Where earth removal is associated with the construction of the subdivision, the developer shall provide the amount of earth to be removed and disposition of such earth, the method of removal, and the means proposed to prevent erosion and sedimentation to protect adjacent areas. [Amended 6-13-2011]

C. Steep slopes. [Added 6-13-2011]

- (1) The purposes of this subsection shall be to preserve and enhance the landscape by encouraging the maximum retention of natural topographic features, such as natural drainage swales, streams, slopes, ridgelines, rock outcroppings, vistas, natural plant formation and trees; to minimize the effects of grading to insure that the natural character of steep slopes is retained; to minimize water runoff and soil erosion problems incurred in grading of steep slopes; and to encourage innovative architectural, landscaping, circulation and site design. For the purposes of this subsection, the term "natural" shall be defined as the condition of the ground surface as it exists at the time a subdivision or development is proposed, including any man-made alterations such as grading, excavation or filling which may have occurred prior to the time such subdivision or development is submitted. No land intended for subdivision or development may be altered so as to circumvent this regulation.
- (2) The slope of land at any point, stated as a percentage, shall be defined as the change in elevation over a horizontal distance measured perpendicular to the contours divided by the distance over which the change occurs multiplied by one hundred.

Slope = (Change in elevation/horizontal distance measured perpendicular to contours) x 100

- (3) All natural slopes exceeding 35% over a horizontal distance of 10 feet as measured perpendicular to the contour on a tract or parcel of land intended or proposed for subdivision or on a building lot are protected and shall remain undisturbed.
- (4) The Planning Board may grant a waiver from the provisions of this subsection if, in the Board's opinion, the proposal satisfies the purposes set forth above.

D. Maintenance. The entire area within the right-of-way shall be properly maintained by the developer until accepted by the Town. Immediately prior to such acceptance, all

catch basins shall be cleaned, streets swept, and the remainder of the right-of-way and any other areas to be deeded to the Town shall be cleared, mowed, or otherwise put in first-class order. Snow removal and sanding of the streets shall be the responsibility of the developer until such acceptance. Any fences erected in the common area or the right-of-way shall be maintained by the developer or the homeowners' association in perpetuity. [Amended 6-13-2011]

- E. Cleaning up. Before sale of a lot, the subdivider shall clean up any debris thereon caused by construction of public improvements.
- F. Easements.
 - (1) Easements for utilities across lots or centered on rear of side lot lines shall be provided where necessary and shall be at least 20 feet wide.
 - (2) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way of adequate width to conform substantially to the lines of such watercourse, drainageway, channel or stream and to provide for construction or other necessary purposes (such as maintenance).
- G. Protection of natural features. Due regard shall be shown for all natural features such as large trees, watercourses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision.
- H. Record plans. Upon completion of construction, and before release of the performance guarantee, the subdivider shall have prepared and submitted record plans at one inch equals 40 feet, which shall indicate the actual location of all of the following:
 - (1) Street lines;
 - (2) Traveled way edges;
 - (3) Path locations;
 - (4) Permanent monuments;
 - (5) Locations, slopes, and inverts of the required utilities and drainage;
 - (6) Locations of any other underground utilities, such as electricity, telephone lines, and streetlighting.
- I. Certification. A professional civil engineer retained by the developer shall certify that all construction was executed in conformance with the subdivision regulations and with all requirements agreed upon as a condition to plan approval.
- J. Special studies. If warranted by unusual conditions of location, services, geology, or design, studies beyond those required under § 301-8, Definitive plan, Subsection A, Submittals, may be necessary in order to make sound decisions regarding approval or modification of the definitive plan. In such cases, such studies shall be prepared by a

consultant agency or firm agreed to by the applicant and the Planning Board, retained at the expense of the applicant. [Added 4-27-1987]

§ 301-15. Release of performance guarantee.

- A. Request for release. Upon completion of the foregoing requirements, security for the performance of which was given by bond, deposit, or covenant, or upon the performance of any covenant, with respect to any lot, the applicant may request and agree on terms of release with said Planning Board.
- B. Completion requirements. To assist in determining whether satisfactory completion has been made, the Planning Board shall receive properly completed inspection forms (Forms H and I)^{xviiEN} from the subdivider. The required improvements will not be considered complete until: [Amended 6-13-2011]
 - (1) The subdivider has filed with the Planning Board a record plan as required at § 301-14H. [Amended 4-27-1987]
 - (2) The areas to be accepted by the Town have gone through a winter and succeeding spring without substantial deterioration.

ARTICLE V, Administration

§ 301-16. Inspections.

At least one week prior to commencement of street construction, the Department of Public Works shall be notified by certified mail of the intended commencement. The Department of Public Works shall, upon receipt of such notification, appoint an agent and instruct said agent to make continuing inspections of the work to insure that the requirements listed below are adhered to. The wages of said agent shall be determined by the Board of Public Works in accordance with the accepted Town Pay Schedule and paid to the Town by the developer. The inspecting agent shall furnish the subdivider with a checklist (Form I)^{xviiiEN} of steps to be completed. The subdivider shall not proceed with any steps until all prior steps have been signed by the inspector as satisfactorily completed. The completed checklist is to be returned to the Planning Board. Failure to submit a completed checklist may be deemed sufficient cause for the Board to withhold final approval of the roadway construction.

§ 301-17. Variation. [Amended 4-27-1987; 6-13-2011]

Strict compliance with the requirements of these rules and regulations may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with the Subdivision Control Law.^{xixEN} Because this standard, by which the Board is to determine whether in any case it will decline to apply the regulations, makes

granting of a request for such action uncertain, the applicant is encouraged to submit requests for waiver from strict compliance of any regulation(s) with the preliminary plan or at least 90 days prior to submitting the definitive plan, to avoid disapproval of a definitive plan that does not comply with applicable regulations. The applicant shall state, in his written request, why he believes that the regulation(s) should not apply to the particular land under application, and why he believes that granting such waiver(s) would be in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.

§ 301-18. One residential structure per lot.

Not more than one building designed or available for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere within the Town without the consent of the Planning Board. Consent shall be granted only for structures in compliance with zoning restrictions, and only upon the Board finding that adequate ways servicing such site for each building have been provided in the same manner as otherwise required for lots within a subdivision.

§ 301-19. Reference to statute.

For matters not covered by these rules and regulations, reference is made to MGL c. 41, §§ 81K to 81GG, inclusive.

Form A - Application for Endorsement of Plan Not Believed to Require Approval

File one completed form with the Planning Board and one copy with the Town Clerk.

Plan provided to the Planning Board _____

Form A provided to the Town Clerk _____

To the Planning Board:

The undersigned, believing that the division of property as shown on the accompanying plan does not constitute a subdivision within the meaning of the Subdivision Control Law, hereby requests an endorsement thereon that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant _____

Address _____

2. Name of Surveyor _____

Address _____

3. Deed of property recorded in Worcester Registry, Book _____ Page _____

4. Location and Description of Property _____

5. Proposed use of land if other than single-family residence

6. Number of lots shown on plan _____

Signature of Owner _____

Address _____

If it is not obvious, please indicate the grounds on which you believe your plan not to be a subdivision (either A, B, or C) (cannot be a combination).

- | | Lot Numbers |
|---|-------------|
| A. Each lot on the plan or altered by it meets one of these criteria: | |
| 1. Has all the frontage required under zoning on: | |
| (a) A public way, or | _____ |
| (b) A way which the Town Clerk certifies is maintained and used as a public way, or | _____ |
| (c) A way shown on a plan approved and endorsed earlier by the Planning Board under this law, or | _____ |
| (d) A way in existence prior to and which the Board finds adequate for the way's proposed use, or | _____ |
| (e) A way shown on a plan of a subdivision registered in the Land Court prior to | _____ |
| 2. Has been clearly marked on the plan to be either: | |
| (a) Joined to and made a part of an adjacent lot, or | _____ |
| (b) "Not a building lot". | _____ |
| B. Each lot on the plan contains a building which existed prior to | _____ |
| C. The plan simply describes already existing parcels with no new lot divisions. | _____ |

Form B - Application for Approval of a Preliminary Plan

File one completed form with the Planning Board, one copy with the Board of Health and a notice of submission with the Town Clerk.

Date transmitted _____
Date of next Planning Board meeting _____
(presumed "Submittal" date) _____

To the Planning Board of Lancaster:

The undersigned herewith submits the accompanying Preliminary Plan of a subdivision entitled _____ for approval under the provisions of the Subdivision Control Law and your Rules and Regulations covering the Subdivision of Land.

1. Name of Applicant _____
Address _____ Telephone _____
 2. Name of Owner (if not applicant): _____
Address _____
 3. Name of designer: _____
Address _____
 4. Deed of property recorded in Worcester Registry, Book _____ Page _____
Title of property registered in the Worcester Registry of the Land Court, Certificate of Title No. _____
 5. Location and Description of Property _____

 6. Number of lots on the plan: _____
- Signature of Applicant: _____
- Signature of Owner (if not Applicant): _____

Form C - Application for Approval of Definitive Plan

File one completed form with the Planning Board and one copy with the Town Clerk.

Plan provided to the Planning Board _____

Form C provided to the Town Clerk _____

To the Planning Board of Lancaster:

The undersigned herewith submits the accompanying Definitive Plan of land for approval as a subdivision under the requirements of the Subdivision Control Law and the Lancaster Planning Board's Rules and Regulations Covering the Subdivision of Land.

1. Name(s) of Applicant(s): _____

Address(es): _____

2. Name of Subdivision: _____

3. Name(s) of Surveyor and other designers:

4. Deed of property dated _____ recorded in Worcester Registry of Deeds, Book _____ Page _____. Title of property registered in the Worcester Registry of the Land Court, Certificate of Title No. _____ (attach additional pages if necessary for description of additional deeds or title).

5. Location and Description of Property:

Street reference: _____

Assessor's map reference: _____

Total land area: _____

6. Number of lots on the plan: _____

7. Type of Subdivision (Residential or Non-residential): _____

I (we) hereby certify that the applicant(s) itemized above have been authorized by me (us) to file a subdivision plan with the Planning Board on property that I (we) own, and that such property is free of encumbrances except for any itemized below.

Signature of Owner: _____

Address _____

Signature of Owner: _____

Address _____

Mortgages or other encumbrances: _____

Name and address for all notices to be provided the "Applicant" in cases where there are more than a single applicant or the applicant and owner are not the same:

Name: _____

Address: _____

Form D-1 - Certificate of Approval of a Definitive Subdivision Plan

Town Clerk

Dear :

The Lancaster Planning Board hereby certifies that at a meeting of said Board on _____, 20____, at which a quorum was present, following a public hearing by the Board on _____, 20____, pursuant to notice published in _____ on _____, 20____, and on _____, 20____, it was (unanimously) VOTED: That a Definitive Plan of a subdivision called _____, most recently dated _____, 20____, and designed by _____, registered as an engineer or land surveyor in Massachusetts, submitted for the Board's approval by

_____, applicant, be and hereby is approved on condition that prior to the Board's endorsement of its approval thereon the subdivider shall furnish guarantees to the Planning Board as provided in the Subdivision Regulations that except as otherwise expressly provided in § 81-U of Chapter 41, G.L., no lot included in such plan shall be built upon or conveyed until the work on the ground necessary to serve such lot has been completed in the manner specified by the Subdivision Regulations of the Town of Lancaster with the following specific qualifications:

1. All such installation and construction shall be completed within 24 months of this date;
2. All streets or ways shall be surfaced with at least a two-inch binder course prior to application for occupancy permits for any structures served by such streets or ways;
3. _____
(further qualifications and schedule stipulations)
4. _____

or a performance bond or other security in lieu of completion has been accepted by the Planning Board.

Respectfully submitted,

By _____

Planning Board

Form D-2 - Certificate of Disapproval of a Definitive Subdivision Plan

Town Clerk

Dear :

The Lancaster Planning Board hereby certifies that at a meeting of said Board on _____, 20____, at which a quorum was present, following a public hearing by the Board on _____, 20____, pursuant to notice published in _____ on _____, 20____, and on _____, 20____, it was (unanimously) VOTED: That a Subdivision Plan of a subdivision called

_____, most recently dated _____,
20____, and designed by _____, registered as an engineer or land
surveyor in Massachusetts, submitted for the Board's approval by
_____, applicant, be and hereby is disapproved for the following
reasons:

Respectfully submitted,

Planning Board

Form E-1 - Performance Bond Secured By Deposit

The undersigned _____ of
_____ (name of municipality), _____ (name
of state), hereby binds and obligates himself and any executors, administrators, devisees,
heirs, assigns, and successors to the Town of Lancaster, a Massachusetts municipal
corporation, in the sum of _____ dollars, and has secured this obligation by
depositing with the Treasurer of the Town of Lancaster the following:

(statement of deposit)

If the undersigned or his executors, administrators, devisees, heirs, successors and assigns
fully and satisfactorily observe and perform in accordance with the qualifications and
time schedule herein specified, all of the covenants, conditions, agreements, terms and
provisions contained in the application signed by the Owner and dated _____,
20____, under which approval of Definitive Plan of a subdivision, entitled
_____ and dated _____, 20____, has been or is hereafter
granted by the Lancaster Planning Board, then this obligation shall be void; otherwise it
shall remain in full force and effect and the aforesaid security for said sum shall become
and be the sole property of the Town of Lancaster as liquidated damage. The following
qualifications and schedule are specified:

1. All improvements obligated under this bond shall be completed within 24 months of
this date;

2. All streets or ways shall be surfaced with at least a two-inch binder course prior to application for occupancy permits for any structures served by such streets or ways;
3.
(further qualifications and schedule stipulations)
- 4.

IN WITNESS WHEREOF the undersigned has hereunto set his hand and seal this _____ day of _____, 20____.

Witness

Signature of Applicant

Date

Date

Approved as to form:

Town Counsel

Date

Approved as to Sureties:

Town Treasurer

Date

Form E-2 - Performance Bond Surety Company

The undersigned _____ as principal, and _____, a corporation duly organized and existing under the laws of the State of _____ and having a usual place of business in _____, as Surety, hereby bind and obligate themselves and their respective heirs, executors, administrators, devisees, assigns, and successors, jointly and severally, to the Town of Lancaster, a Massachusetts municipal corporation, in the sum of _____ dollars.

If the Principal shall fully and satisfactorily observe and perform in accordance with the qualifications and time schedule herein specified all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____, 20____, under which approval of a definitive plan of a certain subdivision, _____ and dated _____, 20____, has been or is hereafter granted by the Lancaster Planning Board, then this obligation shall be

void: otherwise, it shall remain in full force and effect and the foresaid sum shall be paid to the Town of Lancaster as liquidated damage.

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

The following qualifications and schedule are specified:

1. All improvements obligated under this bond shall be completed within 24 months of this date;
2. All streets or ways shall be surfaced with at least a two-inch binder course prior to application for occupancy permits for any structures served by such streets or ways;
3.
(further qualifications and schedule stipulations)
- 4.

IN WITNESS WHEREOF the undersigned has hereunto set his hand and seal this _____ day of _____, 20__.

Principal

By: _____
Title

Surety

By: _____
Attorney-in-Fact

Form F - Covenant

The undersigned _____ of _____ (name of municipality), _____ (name of state), hereinafter called "Covenantor", having submitted to the Lancaster Planning Board application for approval of a Definitive Plan of a subdivision entitled _____, dated _____, 20__, designed by _____, does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to § 81-U, Chapter 41, G.L. (Ter. Ed.) as amended, that:

1. Except as otherwise expressly provided in § 81-U of Ch. 41, G.L., no lot included on such plan shall be built upon or conveyed until the work required in relation to such lot has been completed in the manner specified by the Subdivision Regulations of the Town of Lancaster or a performance bond or other security in lieu of completion has been accepted by the Planning Board, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:
 - (a) Application for Approval of Definitive Plan (Form C) signed by the Applicant and dated _____, 20__.
 - (b) The Definitive Plan as qualified by the Certificate of Approval (Form D-1) issued by the Planning Board dated _____, 20__.

2. It is the intention of the covenantor and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid Subdivision and shall operate as restrictions upon said land, and shall be binding upon the executors, administrators, devisees, heirs, assigns, and successors in title to the premises.

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

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

*If more than one owner, all must sign.

IN WITNESS WHEREOF the undersigned, covenantor as aforesaid, does hereunto set his hand and seal this _____ day of _____, 20____.

Covenantor

Address

Description of Mortgages: _____

(Give complete names and Registry of Deeds reference)

Assent of mortgagees:

_____, ss. _____, 20__ then personally appeared _____ and acknowledged the foregoing instrument to be a free act and deed, before me _____,

NOTARY PUBLIC

My commission expires: _____, 20____.

Form G - Certificate of Release

The undersigned, being a majority of the Planning Board of the Town of Lancaster, Massachusetts, hereby certify that the requirements for work called for by the Covenant dated _____, 20__, and recorded in Worcester Registry of Deeds, Book _____ Page _____ (or registered in) Worcester Land Registry District as Document No. _____ and noted on Certificate of Title No. _____ in Registry Book _____ Page _____, have been completed to the satisfaction of the Planning Board as to the following enumerated lots shown on Plan entitled

_____ recorded with said Deeds, Plan Book _____
Page _____, (or registered in said Land Registry District, Plan Book _____, Plan No. _____) and said lots are hereby released from the restrictions as to sale and building specified thereon. Lots designated on said Plan which are hereby released are as follows: _____

Majority of the Planning Board of the Town of Lancaster

Then personally appeared _____, one of the above named members of the Planning Board of the Town of Lancaster, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me _____, 20____.

_____ My commission expires: _____,
20____.
Notary Public

Form H - Engineer's Certificate of Completion

(to be executed by developer's engineer)

Subdivision known as _____

I hereby certify that all improvements required for the below listed ways, a part of the above named subdivision, have been completed in all respects in accordance with the Rules and Regulations of the Lancaster Planning Board and the approved plans entitled _____ by _____ and dated _____, 20____ and as approved by said Planning Board on _____.

Signed this _____ day of _____, 20__

by _____ Reg. C.E.

Then _____ personally appeared _____ the above named _____ and affirmed that of his belief and knowledge, the foregoing statements are true.

NOTARY PUBLIC

My commission expires: _____, 20 ____.

Form I - Subdivision Inspection Checklist

(to be executed by Planning Board engineer)

Inspection Number	Subject	Initials of Planning Board's Agent	Date of Inspection
1.	Sub-grade plane-preliminary	_____	_____
2.	Installation of drains and catch basins	_____	_____
3.	Installation of services:		
	a. Water	_____	_____
	b. Gas	_____	_____
	c. Sewerage	_____	_____
	d. Cable utilities	_____	_____
4.	Sub-grade plane-final	_____	_____

- | | | | |
|-----|-----------------------------|-------|-------|
| 5. | Gravel base | _____ | _____ |
| 5a. | Base course paving | _____ | _____ |
| 6. | Grade of catch basin inlets | _____ | _____ |
| 7. | Installation of curbing | _____ | _____ |
| 8. | Final surfacing | _____ | _____ |
| 9. | Sidewalks and shoulders | _____ | _____ |
| 10. | Street signs | _____ | _____ |
| 11. | Final clean-up | _____ | _____ |
| 12. | Tree planting | _____ | _____ |
| 13. | Monuments | _____ | _____ |

Form J - Guarantee Price Estimate

Date of estimate _____

Estimator _____

Subdivision name _____

Street name _____

Stations _____ to _____

Centerline length _____ feet

Construction Item	Remaining Quantity	Unit	Unit Price	Estimated Cost
1. Clear and grub	_____	lf	\$ _____ /lf	\$ _____
2. Construct to subgrade	_____	lf	\$ _____ /lf	\$ _____
3. Gravel foundation	_____	lf	\$ _____ /lf	\$ _____
4. Bit. conc. base course	_____	lf	\$ _____ /lf	\$ _____

Construction Item	Remaining Quantity	Unit	Unit Price	Estimated Cost
Bit. conc. finish course	_____	lf	\$_____	\$_____
			/lf	
5. Granite curbing	_____	lf	\$_____	\$_____
			/lf	
Granite curb inlets	_____	lf	\$_____	\$_____
			/lf	
6. Sidewalks	_____	lf	\$_____	\$_____
			/lf	
7. Water mains	_____	lf	\$_____	\$_____
			/lf	
Hydrants	_____	lf	\$_____	\$_____
			/lf	
Gate valves	_____	lf	\$_____	\$_____
			/lf	
Service connections	_____	lf	\$_____	\$_____
			/lf	
8. Catch basins	_____	lf	\$_____	\$_____
			/lf	
Drain manholes	_____	lf	\$_____	\$_____
			/lf	
Drain pipe	_____	lf	\$_____	\$_____
			/lf	
Headwalls	_____	lf	\$_____	\$_____
			/lf	
Stream shaping	_____	lf	\$_____	\$_____
			/lf	
Rip rap	_____	lf	\$_____	\$_____
			/lf	
Detention basins	_____	lf	\$_____	\$_____
			/lf	
9. Sewer manholes	_____	lf	\$_____	\$_____
			/lf	
Street sewer pipe	_____	lf	\$_____	\$_____
			/lf	
House laterals	_____	lf	\$_____	\$_____
			/lf	

Construction Item	Remaining Quantity	Unit	Unit Price	Estimated Cost
10. Cable utility trench	_____	lf	\$ _____ /lf	\$ _____
Street lights	_____	lf	\$ _____ /lf	\$ _____
11. Street monuments	_____	lf	\$ _____ /lf	\$ _____
Lot bounds	_____	lf	\$ _____ /lf	\$ _____
12. Street signs	_____	lf	\$ _____ /lf	\$ _____
13. Shade trees	_____	lf	\$ _____ /lf	\$ _____
14. Topsoil and seed	_____	lf	\$ _____ /lf	\$ _____
15. Record plans	_____	lf	\$ _____ /lf	\$ _____
16. Incidental items	_____	lf	\$ _____ /lf	\$ _____
Guard rail	_____	lf	\$ _____/lf	\$ _____
Retaining wall	_____	lf	\$ _____/lf	\$ _____
_____	_____		\$ _____	\$ _____
_____	_____		\$ _____	\$ _____
Subtotal (a)			\$ _____	
Construction management @ 10% of (a)			\$ _____	
Maintenance @ 2% of (a)			\$ _____	
Contingency @ 10% of (a)			\$ _____	
Subtotal (b)			\$ _____	
Inflation @ 6% of (b) per year compounded			\$ _____	
Total guarantee required			\$ _____	

Schedule of Fees and Deposits

Lancaster Planning Board

Schedule of Fees and Deposits for Plans submitted Under the Rules and Regulations Governing the Subdivision of Land [Amended November 2004]

Zoning Bylaws	\$15.00 per copy
Subdivision rules and regulations	\$15.00 per copy
Approval not required (ANR)	\$100.00 plus \$50.00 per lot
Site plan review	\$200.00 plus \$15 per space, plus professional review
Special permit	\$150.00 plus \$15.00 per unit
Special permit extension	\$150.00
Preliminary subdivision	\$1,000.00 (\$200.00 administrative, \$800.00 professional review), plus \$225.00 per lot
Definitive subdivision	\$500.00 (\$100.00 administrative, \$400.00 professional review), plus \$10.00 per foot of road (\$5.00 administrative, \$5.00 professional review)
Advertising/mailing costs	Paid by applicant

Provide one check made payable to the "TOWN OF LANCASTER" in the total amount for the plan or plans to be submitted. Unexpended Review Deposits will be returned to the Applicant.

Example 1

An ANR plan is to be submitted for two lots to be separated from a larger lot. Three new lots will be created; the two smaller lots with the larger remaining land as a third. A check for \$250 is submitted with the Plan.

Example 2

A six-lot subdivision is proposed with 1,500 feet of roadway to be created.

The Preliminary Plans are submitted with a check for \$2,500 (\$1,000 plus \$225 for each lot).

The Definitive Plans are submitted with a check for \$15,500 (\$500 plus \$10 by 1,500 feet of road).

-
- ⁱ Editor's Note: See MGL c. 41, §§ 81K to 81GG.
 - ⁱⁱ Editor's Note: Said form is included at the end of this chapter.
 - ⁱⁱⁱ Editor's Note: See the Schedule of Fees and Deposits at the end of this chapter.
 - ^{iv} Editor's Note: See MGL c. 41, §§ 81K to 81GG.
 - ^v Editor's Note: Said form is included at the end of this chapter.
 - ^{vi} Editor's Note: See the Schedule of Fees and Deposits at the end of this chapter.
 - ^{vii} Editor's Note: Said form is included at the end of this chapter.
 - ^{viii} Editor's Note: See the Schedule of Fees and Deposits at the end of this chapter.
 - ^{ix} Editor's Note: See MGL c. 41, §§ 81K to 81GG.
 - ^x Editor's Note: The typical cross sections are on file in the Planning Board office.
 - ^{xi} Editor's Note: The typical cross sections are on file in the Planning office.
 - ^{xii} Editor's Note: See Ch. 220, Zoning.
 - ^{xiii} Editor's Note: See Ch. 220, Art. VI, Required Off-Street Parking.
 - ^{xiv} Editor's Note: See Ch. 170, Stormwater Control. See also Ch. 305, Stormwater Management Rules and Regulations.
 - ^{xv} Editor's Note: See Ch. 220, Zoning.
 - ^{xvi} Editor's Note: See § 220-15, Flexible development.
 - ^{xvii} Editor's Note: Said forms are included at the end of this chapter.
 - ^{xviii} Editor's Note: Said form is included at the end of this chapter.
 - ^{xix} Editor's Note: See MGL c. 41, §§ 81K to 81GG.