

TOWN OF REHOBOTH



RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

Adopted August 14, 1947
Amended December 22, 1966
Amended October 28, 1971
Amended November 20, 1974
Amended September 2, 1987
Amended April 20, 1988
Amended September 28, 1988
Amended December 7, 1988
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SECTION 100 GENERAL

101 Authorities

101.1 Under the authority vested in the Planning Board of the Town of Rehoboth by Section 81 Q of Chapter 41 of the General Laws, said Board hereby adopts these Rules and Regulations governing the subdivision of land in the Town of Rehoboth, effective August 14, 1947. Rules and Regulations have been amended on the following dates: December 22, 1966, October 28, 1971, November 20, 1974, September 2, 1987, April 20, 1988, September 28, 1988, December 7, 1988, January 24, 1990, December 27, 1990, March 26, 1997, April 24, 1997, June 19, 2000 and July 9, 2001.

102 Purposes

102.1 These Rules and Regulations have been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the Town of Rehoboth, by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases, parks and open areas. The powers of a Planning Board and of a Board of Appeals under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic, and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, and street lighting and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the Town of Rehoboth and with the ways in neighboring subdivisions. Such powers may also be exercised with due regard for the policy of the Commonwealth to encourage the use of solar energy and protect the access to direct sunlight of solar energy systems. It is the intent of these Rules and Regulations that any subdivision filed with the Planning Board shall receive the approval of such board if said plan conforms to the recommendations of the Board of Health and to these Rules and Regulations of the Planning Board Governing the Subdivision of Land; provided, however, that The Planning Board may, when appropriate, waive, as provided in Section 81 R of Chapter 41 of the General Laws, such portions of these Rules and Regulations as the Planning Board deems advisable.

103 Definitions

"AASHTO" A Policy On Geometric Design Of Highways And Streets, developed and adopted by the American Association of State Highway and Transportation Officials (most current edition).

"Arterial Street" shall mean, as determined by the Planning Board, a continuous street or highway e.g. the State numbered routes in Town – Rte. 44, 118 and 6) that serves, or is expected to serve as a route for the circulation of traffic into, out of, or around the municipality and carries a volume of traffic greater than 3,500 vehicles per day.

"Block" shall mean an area of land enclosed on ~~two~~ three or more sides by street rights-of-way.

"Calls" shall mean a bearing and distance.

"Collector Street" shall mean, as determined by the Planning Board, a street whose principle function is to carry traffic between local streets, collectors and arterial streets and carries volumes of traffic between 1,000 and 3,500

vehicles per day.

"Cul-de-sac" shall mean a type of street that provides an outlet at one end only, with an appropriate provision for a turnaround at the point of termination.

"Dead-End Street" shall mean a subdivision street or that portion of a subdivision street from which there are not at least two completely separate and non-overlapping routes of street access (ingress & egress) to an existing public way.

"Detention Facility" shall mean a man-made basin, depression with dike, and/or related structures, for the purpose of slowing the rate at which storm water is discharged, having a free-flowing outlet, e.g. a pipe or weir, to allow water from storm events to be discharged, and which may allow temporary storage of water during and immediately following a storm event.

"Driveway" shall mean an access constructed within the public way, connecting the public way with adjacent property and intended to be used in such a way that the access into adjacent property will be complete and will not cause the blocking of any sidewalk, border area, or street roadway (see AASHTO).

"Intersection Sight Distance" shall mean the unobstructed view of sufficient lengths along the intersecting streets to permit the driver to anticipate and avoid potential collisions.

"Local Street or Residential Street" shall mean, as determined by the Planning Board, a street that provides direct access to abutting land use activities and connections to arterial and collector streets and carries volumes of traffic less than 1,000 vehicles per day.

"Loam" shall mean topsoil and plantable soil borrow that shall consist of fertile, friable, natural topsoil, reasonably free of stumps, roots, stiff clay, stones larger than 1 inch diameter, noxious weeds, sticks, brush or other litter.

"Preliminary Plan" shall mean a plan of a proposed subdivision or resubdivision of land, as defined in M.G.L. Chapter 41, Section 81-L, Subdivision Control Law, that may be submitted by the subdivider/applicant to the Planning Board for discussion, approval, modification or disapproval by the Board.

"Retention Facility" shall mean a man-made basin, depression with dike, and/or related structures for the purpose of retaining or impounding water, which does not have a free-flowing outlet, e.g. a pipe or weir. Leaching pits, or similar infiltration structures shall not constitute an outlet within the meaning of this definition.

"Single Access Street" shall mean a permanent or temporary dead-end street, or series of dead-end streets intersecting with each other in such a way as to provide sole access (ingress & egress) to and from an existing street. A street of single access shall include but not be limited to, cul-de-sac, "T", or "Y" or "t" or a "lollipop", "signpost" or "loop", and other dead-end types.

"Subdivision" shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law, if at the time when it is made, every lot within the tract so divided has frontage on

- (a) a public way or a way which the Clerk of the Town certifies is maintained and used as a public way, or

(b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or

(c) a way in existence when the subdivision control law became effective in the Town of Rehoboth, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

Such frontage shall be of at least such distance as is then required by zoning or by-law, if any, of the Town of Rehoboth for the erection of a building on such lot. Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the Town of Rehoboth into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

“Wetlands” shall be defined as set forth in M.G.L. Ch. 131, Section 40.

104 Fee Schedule

The following fees shall be paid at the time of the filing of subdivision applications:

ANR (Form A)	\$75.00 per lot (minimum fee = \$150.00)
Preliminary Discussion Preliminary Subdivision Plan (Form B)	No Associated Fee \$75.00 per lot (maximum fee = \$750.00)
Definitive Subdivision Plan (Form C) if Preliminary Plan has been filed within one year	\$150.00 per lot for plan showing 1 to 7 lots \$300.00 per lot for plan showing 7 or more lots
Definitive Subdivision Plan (Form C) if no Preliminary Plan has been filed within one year	\$1,500.00 + \$150.00 per lot for plan showing 1 to 7 lots \$300.00 per lot for plan showing 7 or more lots
Amendment to, modification of or rescission of a Definitive Subdivision Plan (Form E)	\$150.00 per affected lot

The following fee shall be withheld by the Town Treasurer upon refund to the applicant of the final amount of any performance guarantee in the form of cash, passbook, bond, or other financial instrument:

Five per cent (5%) of the total interest accrued by the deposit from the time of the initial deposit to the time of the refund of the final amount remaining.

SECTION 200 APPROVAL NOT REQUIRED (ANR) PLANS

201 Criteria

201.1 Any person who wishes to cause to be recorded in the Registry of Deeds or 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 a properly executed application Form A to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval.

201.2 Applications which are found to be incomplete may be returned to the applicant without endorsement of the Board or denied by the Board on the ground that insufficient information has been provided to determine whether or not the plan constitutes a subdivision in the meaning of CH. 41, Sec. 81L, M.G.L.

202 Submissions

202.1 Any person submitting a plan to the Planning Board for endorsement of a plan that does not require approval under the Subdivision Control Law shall submit a complete and accurate application (Form A), one mylar and five print copies of the plan and information as required by these Rules and Regulations to the Planning Board at a regularly-scheduled meeting and notice given to the Town Clerk, or to the Planning Board by registered mail in care of the Town Clerk, or by delivery to the Town Clerk. The Town Clerk shall, if requested, give a written receipt therefore. Plans submitted to Town Office, whether by registered mail or in person, may only be received and only the Town Clerk or Assistant Town Clerk may sign the receipt for it. Plans submitted in any other fashion will be forwarded to the Town Clerk or returned to the applicant for resubmission, at the option of the Planning Board. The decision timeline for plans submitted to any person other than the Town Clerk or Assistant Town Clerk shall begin when the plans are stamped as received by the Town Clerk's Office. or by the Clerk of the Planning Board, if submitted at a Planning Board meeting.

202.2 The applicant shall file with the Town Clerk a complete and properly executed copy of a Form A application and current copy of the deed. If the applicant is not the owner of the property, the application shall be signed by the owner(s), or accompanied by a letter or power of attorney signed by the owner(s) and empowering the applicant to act on behalf of the owner(s) with regard to the property.

202.3 The applicant shall file with the Planning Board:

- .01 A complete and properly executed Form A application and authorization, if necessary, as described above;
- .02 One Mylar (original plan) and five (5) prints;
- .03 The appropriate filing fee in the form of a check made payable to the Town of Rehoboth.

202.4 An application is deemed not submitted if it does not comply with the requirements of Section 202 and 203 of these Rules and Regulations.

203 Plan Content

203.1 Contents: Plans submitted to the Planning Board for endorsement under approval Not Required Under Subdivision Control Law shall be suitable for recording in the Bristol County Registry of Deeds and contain the following information:

- .01 An original drawing of the plan and five contact prints, having a minimum size of 8 1/2" x 11" and a maximum

size of 24" x 36". Lettering shall be 1/8" or larger, and a minimum border of 3/4" shall be provided.

.02 A block, *located along the right border of the plan sheet*, with a (top) header bearing the notation "Approval Not Required Under Subdivision Control Law", followed by a minimum of three lines for endorsement by the Planning Board, a line for the date of endorsement, *and the statement: "Signatures of the Planning Board DO NOT GUARANTEE that all or any part of the lots shown are BUILDABLE LOTS," as depicted on Plate D.*

.03 A title block, located in the bottom right corner of the plan sheet, bearing the notation: "APPROVAL NOT REQUIRED PLAN FOR (NAME OF OWNER) and including site address, date of plan (revision date(s), if necessary), and scale, as depicted on Plate E.

.04 The name, seal and signature of the Massachusetts Registered Professional Land Surveyor who prepared the plan.

.05 The owner(s) name, mailing address, telephone number, current deed book / page reference, as depicted below:

OWNER / APPLICANT:

Name

Address

Town or City / State

Zip Code

DEED BOOK ## / PAGE ##

.06 North point with a notation as to whether true or magnetic.

.07 Legend (if applicable).

.08 A locus map (*U.S.G.S. preferred*) to scale, located in the top right corner of the plan sheet.

.09 Notice of any decision by the Zoning Board of Appeals, including but not limited to variances and exceptions, regarding the lot(s) or any building thereon, located on the plan sheet as a "NOTE:"

.10 Notice of any application, including date & parcel numbers, previously submitted to the Planning Board pertaining to this parcel, or any portion thereof, or any building thereon.

.11 Street name(s), whether the way is public or private and any and all easements.

.12 All zoning districts, whether underlying districts or overlay districts, in which the entire parcel or any portion thereof lies, shall be noted on the plan. If the boundary line of any district, either underlying or overlay district, passes through the property, that boundary line shall be drawn and noted on the plan. If no portion of the property lies within the Groundwater Protection, Flood Plain, or other overlay district, a statement to that effect shall be placed on the plan. Building setback lines shall be placed on the plan with screened / lighter dashed-dotted lines.

.13 Base Flood Elevation: If the entire parcel or any portion thereof lies within the 100-year flood zone, as shown on the most current Flood Insurance Rate Maps for the Town of Rehoboth, published by the U.S. Department of Housing and Urban Development, the zone, the base flood elevation in feet relative to mean sea level, and the boundary of the flood zone shall be noted on the plan.

.14 Complete dimensions (angles, distances, bearings, areas, etc.) of all lots to be defined by reference to not less than three permanent bounds on each lot of which at least two shall be on one line. Plan "calls" shall be placed on

the plan progressing from the previous course. Lot lines shall be shown in their entirety. Perimeter of the parcel being divided shall be depicted with a heavier pen width.

.15 Location and use of existing buildings, and/or structures, including distances to front, rear and side yard lines, cemeteries, stonewalls, fences, in addition to noting the location and boundaries of swamps, marshlands, waterways, water bodies, wetland areas, and rivers or streams as defined in the Rehoboth Zoning By-Law and in M.G.L. Ch.131, Sec. 40.

.16 Total lot area as defined in the Rehoboth Zoning By-Law and total wetland area as defined in M.G.L. Ch 131, Sec 40. "AREA SUMMARY" on plan, as depicted on Plate F. If a lot is absent of any wetland area, then a notation "NO WETLANDS EXIST ON THIS LOT", should be noted on the affected lot.

.17 Adjacent land owned by the owner, including lots not being subdivided shown in its entirety. All remaining frontage of lots belonging to the owner must be shown. (Remaining frontage and lot(s) may be shown at a smaller scale.)

.18 Names, property address, deed book / page reference of any and all adjacent land owners as they appear on the most recent real estate tax commitment list prepared by the Rehoboth Board of Assessors, as depicted below:

A.P. ## LOT ##
n / f
NAME
STREET ADDRESS
DEED BOOK ## / PAGE ##

.19 Frontages of abutting properties adjacent to the required frontage of the retreat lot must be depicted on plan if lot being created qualifies as a "Retreat Lot" under Rehoboth Zoning By-Law 5.1.01.

.20 The plan shall bear a certification that states the following, "I certify that this plan has been prepared in accordance with the Massachusetts Board of Registration of Professional Land Surveyors standards."

204 Plan statuses as determined by the Planning Board

204.1 If the Planning Board determines that the plan does not require approval, it shall without a public hearing and without unnecessary delay endorse on the plan the words "Approval under the Subdivision Control Law not required".

204.2 The Planning Board may add to such endorsement a statement of the 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.

204.3 If the Planning Board determines that the plan does require approval under the Subdivision Control Law, it will so inform the applicant and return the plan. The Planning Board will also notify the Town Clerk of its action.

204.4 If the Planning Board fails to act upon a plan submitted under this section within twenty-one days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.

205 Subdivisions

205.1 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 300 PRELIMINARY PLANS

301 Purposes

301.1 It is very strongly recommended that a Preliminary Plan be filed in every case, allowing the Boards and Commissions forty-five (45) days in which to study the plan and to make recommendations toward the preparation of the Definitive Plan. A Preliminary Plan of a subdivision may be submitted by the applicant to the Planning Board, Board of Health and Conservation Commission for discussion and approval, modification or disapproval by any of the Boards or Commissions. The submission of the Preliminary Plan will enable the applicant, the Boards, Commissions, other town agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before costly engineering drawings for a Definitive Plan are prepared. The applicant may thus avoid the expense and delays which may be necessitated by changes in a Definitive Plan.

302 Submissions

302.1 An applicant submitting a Preliminary Plan shall file a properly executed copy of a Form B and eight prints of the plan with the Planning Board, one copy with Board of Health and one copy with the Conservation Commission. The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval of a Preliminary Plan and accompanied by a copy of the completed application (Form B).

302.2 A preliminary plan of a subdivision may be submitted by the applicant for discussion, modification, approval, conditional approval or disapproval by the Board. The applicant shall demonstrate ownership of the fee interest on the land in question or else document that he/she is acting as the duly authorized agent of said owner by means of a notarized letter so stating. Any change deemed to be significant by the Planning Board, such as a new roadway location or connection, shall require a new submission and filing fee. The Board may, at its discretion, waive filing fees where changes to plans are required through circumstances beyond the control or design responsibility of the applicant.

303 Contents

303.1 The Preliminary Plan so titled shall be drawn at a scale of one (1) inch to each forty (40) feet or at a scale approved by the Planning Board. 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. The plan shall be prepared by an Engineer and Land Surveyor registered in Massachusetts, shall be clearly and legibly drawn and shall bear a certification signed by the Land Surveyor on the title sheet stating that the plan is derived from an actual survey made on the ground according to Planning Board and State Standards.

303.2 Plans shall conform to M.G.L. Ch 36, Sec 13A and shall be twenty four (24) inches wide and thirty-six (36) inches long. If multiple sheets are required they shall be numbered index sheets showing the entire subdivision. The index sheet shall contain a key plan at one (1) inch equals one hundred (100) feet or as approved by the Board, indicating the location of each sheet. The Plan shall contain the following:

.01 A title block, located in the bottom right corner of the plan sheet, bearing the notation: "PRELIMINARY SUBDIVISION PLAN FOR (NAME OF OWNER) and including site address, date of plan (revision date(s), if necessary), and scale, as depicted on Plate E.

.02 A locus map (*U.S.G.S. preferred*) to scale, located in the top right corner of the plan sheet.

.03 North point with a notation as to whether true or magnetic.

.04 Legend (if applicable).

.05 The owner(s) name, mailing address, telephone number, current deed book / page reference, as depicted below:

OWNER / APPLICANT:

Name

Address

Town or City / State

Zip Code

DEED BOOK ## / PAGE ##

.06 Names, property address, deed book / page reference of any and all adjacent land owners as they appear on the most recent real estate tax commitment list prepared by the Rehoboth Board of Assessors, as depicted below:

A.P. ## LOT ##

n / f

NAME

STREET ADDRESS

DEED BOOK ## / PAGE ##

.07 The existing and proposed lines of streets, ways, easements, and any public areas within the subdivision.

.08 The proposed system of drainage and utilities including adjacent existing natural waterways.

.09 Complete dimensions (angles, distances, bearings, areas, etc.) of all lots to be defined by reference to not less than three permanent bounds on each lot of which at least two shall be on one line. Plan “calls” shall be placed on the plan progressing from the previous course. Lot lines shall be shown in their entirety. Perimeter of the parcel being divided shall be depicted with a heavier pen width.

.10 The names, approximate location, area and dimensions of existing nearby streets (*public or private*), ways, easements and public areas;

.11 The topography of the land that will show contours at intervals of five feet or less;

.12 All zoning districts, whether underlying districts or overlay districts, in which the entire parcel or any portion thereof lies, shall be noted on the plan. If the boundary line of any district, either underlying or overlay district, passes through the property, that boundary line shall be drawn and noted on the plan. If no portion of the property lies within the Groundwater Protection, Flood Plain, or other overlay district, a statement to that effect shall be placed on the plan. Building setback lines shall be placed on the plan with screened / lighter dashed-dotted lines.

.13 Notice of any decision by the Zoning Board of Appeals, including but not limited to variances and exceptions, regarding the lot(s) or any building thereon, located on the plan sheet as a “NOTE:”.

.14 Base Flood Elevation: If the entire parcel or any portion thereof lies within the 100-year flood zone, as shown on the most current Flood Insurance Rate Maps for the Town of Rehoboth, published by the U.S. Department of Housing and Urban Development, the zone, the base flood elevation in feet relative to mean sea level, and the boundary of the flood zone shall be noted on the plan.

.15 Location and dimensions of easements for underground water storage tanks and dry hydrants used for fire protection.

.16 Location and use of existing buildings, and/or structures, including distances to front, rear and side yard lines, cemeteries, stonewalls, fences, in addition to noting the location and boundaries of swamps, marshlands, waterways, water bodies, wetland areas, and rivers or streams as defined in the Rehoboth Zoning By-law and in M.G.L. Ch.131, Sec. 40.

.17 The plan shall bear a certification that states the following, "I certify that this plan has been prepared in accordance with the Massachusetts Board of Registration of Professional Land Surveyors Standards", and the name, seal and signature of the Massachusetts Registered Professional Land Surveyor who prepared the plan.

304 Planning Board Actions

304.1 Within forty-five (45) days of submission of a Preliminary Plan the Planning Board shall approve such preliminary plan with or without modifications and with or without conditions suggested by it or agreed upon by the person submitting the plan or shall disapprove such preliminary plan, and in the case of disapproval, shall state its reasons therefore. The Planning Board shall notify the Town Clerk of its approval or disapproval, as the case may be. One copy of the plan shall be returned to the applicant and the others retained by the Board. **APPROVAL OF A PRELIMINARY PLAN DOES NOT CONSTITUTE APPROVAL OF A SUBDIVISION AND THE ACTION OF THE BOARD ON SUCH PRELIMINARY PLAN SHALL NOT PREJUDICE ITS ACTION ON THE DEFINITIVE PLAN.**

SECTION 400 DEFINITIVE PLANS

401 General

401.1 The Definitive Plan shall conform substantially to a Preliminary Plan as approved but may constitute only that portion which is proposed to be recorded and developed at the time. The subdivision rules and regulations and zoning by-laws in effect at the time of the submission of the preliminary plan shall govern the definitive plan if it is duly submitted within seven months; otherwise, no plan shall be approved unless it complies with the requirements of existing subdivision regulations and zoning by-laws.

402 Submissions

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

.01 The mylar drawing of the Definitive Plan and seven contact prints thereof, dark line on white background. The mylar drawing will be returned after approval or disapproval.

The Planning Board or its agent(s) will not allow the applicant to remove the mylars for any reason unless the applicant requests an extension equivalent to the amount of time the mylars are absent from the office of the Planning Board, and the Planning Board grants such extension.

.02 A properly executed application Form C.

.03 A deposit to be determined by the Planning Board to cover the cost of adverting and notices, payable to the Town of Rehoboth.

.04 A signed certification must be written or printed on each plan filed with the Board as follows:

I certify that the actual survey was made on the ground in accordance with the existing Land Court Instructions on/or between (date) and (date).

Date _____
Surveyor (signature) _____

.05 An environmental impact evaluation as described in Section 403.1.28 unless previously submitted with the preliminary plan.

402.2 The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval and accompanied by a copy of the completed application (Form C), and shall file two (2) copies of said Plan with the Board of Health within seventy-two (72) hours of submission.

403 Contents

403.1 The Definitive Plan shall be prepared, signed and sealed by a Massachusetts Registered Professional Engineer or a Massachusetts Registered Land Surveyor and shall be clearly and legibly drawn in indelible ink on mylar. The plan shall be at a scale of one-inch equals forty feet or such other scale as the Planning Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24" X 36". If multiple sheets are used an index sheet showing the entire subdivision shall accompany them. The Definitive Plan shall contain the following information:

- .01 Subdivision name, boundaries, state plane coordinates, north point, date, scale, bench mark and datum. All elevations shall be to N.G.V.D. base.
- .02 Name and address of record owner, subdivider, and engineer or surveyor;
- .03 Names of all abutters as they appear in the most recent tax list;
- .04 Existing and proposed lines of streets, ways, lots, easements, waterways, and public or common areas within the subdivision. (The proposed street names shall be shown in pencil until they have been approved by the Selectmen.);
- .05 Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground. Plan "calls" shall be placed on the plan progressing from the previous course;
- .06 Location of all permanent monuments properly identified as to whether existing or proposed. The distance and bearing to the nearest town, county or state monument on an accepted way. Monuments at all points of curvature and changes in direction of street side lines, or where designated by the Engineer retained by the Town;
- .07 Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision;
- .08 Suitable space to record the action of the Board and the signatures of the members of the Board;
- .09 Existing and proposed topography at a one (1) foot contour interval unless otherwise agreed upon with the Planning Board;
- .10 Lengths, radii, central angles and tangent lengths of all curves in lot lines and street lines. Plan "calls" shall be placed on the plan progressing from the previous course;
- .11 All zoning districts, whether underlying districts or overlay districts, in which the entire parcel or any portion thereof lies, shall be noted on the plan. If the boundary line of any district, either underlying or overlay district, passes through the property, that boundary line shall be drawn and noted on the plan. If no portion of the property lies within the Groundwater Protection, Flood Plain, or other overlay district, a statement to that effect shall be placed on the plan.
- .12 Base Flood Elevation: If the entire parcel or any portion thereof lies within the 100-year flood zone, as shown on the most current Flood Insurance Rate Maps for the Town of Rehoboth, published by the U.S. Department of Housing and Urban Development, the zone, the base flood elevation in feet relative to mean sea level, and the boundary of the flood zone shall be noted on the plan.
- .13 Areas of lots with lot numbers and areas of other adjoining land of applicant not included in the subdivision;
- .14 Sizes and location of existing and proposed storm drainage and water supply;
- .15 All information required on the preliminary plan shall be shown on the Definitive Plan;
- .16 A storm drainage system will be shown on a separate sheet. The plan shall include invert and rim elevations of all catch basins and man-holes together with surface elevations of all waterways within the subdivision ~~of~~ at one hundred (100) foot intervals and approximate depth of water at these points. Surface elevation and approximate

depth of water shall be shown at each point where drainage pipe ends at a waterway;

.17 Sufficient data to determine readily the location, bearing and length of every street and way line, lot line and boundary line and to reproduce same on ground; all bearings to be referred to true meridian. Plan "calls" shall be placed on the plan progressing from the previous course;

.18 Subsurface conditions on the tract, location and results of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water, and location and results of soil percolation tests; if individual sewage disposal systems are proposed; (on a separate sheet);

.19 Location of any and all resource areas as defined by M.G.L. Chapter 131, Section 40. The Rehoboth Conservation Commission or Massachusetts Department of Environmental Protection shall approve the resource area(s) delineation(s) prior to definitive subdivision plan approval if any work activities are being proposed within their jurisdiction. Additionally, the location of flood plains, rock outcrop, isolated trees of over 10 inch caliper, and other significant natural features, such as perimeters of all tree groves, tree stands with prevalent species noted, etc.

.20 Perimeter plan showing the proposed street and lot layout of the subdivision

.21 Minimum building set-back lines on all lots;

.22 Location of all the following improvements unless specifically waived in writing by the Board: street paving, sidewalks, street signs, street lighting standards, all utilities above and below ground, curbs, gutters, street trees, storm drainage;

.23 Location and dimensions of all easements, including, but not limited to: drainage easements, underground water storage (fire tank) easements, sight easements, and utility easements.

.24 A note stating that the fire tanks and components are to be handled, installed, backfilled and tested strictly in conformance with the manufacturer's directions and to the satisfaction of the Rehoboth Planning Board and Fire Department.

.25 A dimensioned detailed drawing showing the fire tank, the dimensions of the excavation, specifications of bed and backfill material, anchoring provisions, depth of cover, concrete slab or pad if required, and configuration, dimensions (including threading and wall thickness) and material of suction tube, fill pipe and vent pipe (detail provided by the Rehoboth Planning Board).

- .26 A legend denoting any signs and symbols used on the plan and not otherwise explained;
- .27 Delineation showing tops and toes of slopes caused by roadway cut or fill where it extends outside of right of way lines;
- .28 Environmental Impact Evaluation, submitted in a narrative form, accompanied by such plans, calculations, and exhibits as may be appropriate. It shall review the impact of the proposed subdivision on traffic, drainage, erosion, surface and groundwater quality and quantity, noise and lights, vegetation, wildlife and other natural resources; and shall describe the anticipated intensity of use or occupancy. If several alternative methods of subdividing are possible, as regards street pattern, grading, and drainage, the Evaluation shall compare their anticipated impact on the environment in order to show that the design selected minimizes the adverse and maximizes the beneficial environmental impacts;
- .29 A sight distance plan shall accompany each Definitive Subdivision Plan submission and be shown on a separate sheet. Said sight distance plan shall be based on American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design Of Highways and Street (most current edition), with the exception that the vertex of the departure sight triangle on the minor road shall be ten (10) feet from the edge of the major road traveled way; for all intersections existing and proposed. Said sight distance plan shall contain at a minimum: a title; legend; north point; scale; seal and signature of a Massachusetts Registered Professional Engineer or a Massachusetts Registered Land Surveyor; a plan view and profile of all proposed intersections drawn at a horizontal scale of 1" = 40' and vertical scale of 1" = 4'; existing and proposed grades;
- .30 Location of approved percolation test pits and deep observation pits in accordance with the Rules and Regulations of the Board of Health. Whether or not septic systems are proposed, general soil logs and groundwater profiles shall be shown based on on-site observation pits and/or wells and/or percolation test. Soil logs shall be sufficient in detail to show the depth of organic matter, subsoil thickness, and depth to bedrock (up to ten 10' feet). Locations of test pits shall be adequately distributed throughout the land area to the satisfaction of the Planning Board or providing at least two (2) approved percolation test pits per every lot, and one (1) test pit per each three hundred (300) feet of proposed roadway, and one test pit within each fire tank easement. Additional test pit locations shall be developed through consultation with the Board, Planning Board Engineer, and Town Planner as may be required by the specific conditions on the site. The Board of Health shall witness all percolation tests;
- .31 Location of proposed well and septic systems for each lot shall be shown on the plan.

404 Profiles of Proposed Streets

404.1 Plan and Profiles must be made on the same sheet and shall be drawn with:

- .01 A horizontal scale of 1 inch to 40 feet.
- .02 A vertical scale of 1 inch to 4 feet.
- .03 Existing center line in fine black solid line with elevations shown every 50 feet.
- .04 Existing right-of-way side line in fine black dash line.
- .05 Existing left right-of-way line in fine black dotted line.
- .06 Proposed center line grades and elevations in black, with elevations shown every fifty (50) foot station, except that in vertical curves elevations shall be shown at twenty-five (25) foot station and at PVC (point of vertical curve) and PVT (point of vertical tangency).
- .07 All existing intersecting walks and driveways shown on both sides.
- .08 All elevations will refer to the U.S. Coast and Geodetic Survey bench marks.
- .09 Rates of gradient shown in black figures.
- .10 Size and location of existing proposed water mains and their appurtenances and surface drains and their

appurtenances.

.11 Profiles shall show vertical location of water lines, drainage lines and other utilities as well as required new waterways. Sizes and types of all pipes shall be shown as well as inverts of all pipes at each manhole or catch basin, together with invert elevation and rim elevation of each manhole or catch basin. Profiles shall be included for each proposed main water line and all proposed sewage system lines as well as all proposed drainage lines whether or not within the subdivision.

405 Reviews by the Board of Health as to Suitability of Land

405.1 At the time of filing of the Definitive Plan, the subdivider shall also file with the Board of Health two contact prints of the Definitive Plan, dark line on white background. The Board of Health shall within forty-five days after filing of the plan, report to the Planning Board in writing, approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report, and where possible, shall make recommendations for the adjustment thereof. Every lot (so located that it cannot be served by a connection to the municipal sewer system) shall be provided with a septic tank and drain-field satisfactory to the Board of Health.

406 Public Hearing

406.1 Before approval, modification and approval, or disapproval of the definitive plan is given, a public hearing shall be held by the Planning Board, notice of the time and place of which and of the subject matter, sufficient for identification, shall be given by the Planning Board at the expense of the applicant by advertisement in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication being not less than fourteen days before the day of such a hearing or if there is no such newspaper in such a city or town then by posting such notice in a conspicuous place in the city or town hall building for a period of not less than fourteen (14) days before the day of such a hearing, and by mailing a copy of such advertisement to the applicant and to all the owners of land abutting upon the land included in such plan as appearing on the most recent tax list.

406.2 In cases where the Planning Board feels it would be an aid in explaining a proposed sub-division to the public, the Board may require the subdivider to furnish scale 3 Dimensional contour model of the site before and after development. These models would be made to the specifications and scales approved by the Board and might require in some cases the inclusion of abutting property. The models would become the property of the Planning Board.

407 Performance Guarantee

407.1 Before endorsement of its approval or conditional approval of a Definitive Plan for a subdivision, the Planning Board shall require security for the construction of ways and installation of municipal services in accordance with the rules and regulations of the Board. Such construction and installation shall be secured by one, or in part by one and in part by another, of the methods described in Section 407.1.01 and Section 407.1.02, which may be selected and from time to time varied by the applicant with the approval of the Board.

.01 Approval of Bond with Surety or Money or Negotiable Securities-bond or a deposit of money or negotiable securities (i.e. Form G - Performance Secured by Deposit of Money; Form H - Performance Secured by Surety Company; Form I - Performance Secured by Registered Negotiable Securities; Form J - Performance Secured by Bank Passbook; or Form K - Performance Secured by Lender's Agreement) in an amount determined by the Board to be sufficient to cover the cost of all of the improvements as specified in Section 600, REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION, the maintenance cost of such improvement for two years and a ten percent (10%) contingency factor shall be required. Detailed cost estimates for all improvements

shall be submitted by the applicant's professional engineer for review. If said estimates are found by the Board and its engineer to be unsatisfactorily low, a revised estimate satisfactory to the Board will be required. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Board and as to sureties by the Town Accountant, and shall not expire until released by the Board. Upon the completion of the subdivision, in full compliance with the plans and conditions, the Board will release the Performance Guarantee in part, retaining up to ten percent (10%) of the Performance Guarantee for a period of two (2) years or until the roads are accepted at Town Meeting, whichever is earlier. The penal sum of any such bond, or the amount of any deposit held above may, from time to time, be reduced by the Board and obligations of the parties thereto released in whole or in part.

.02 Approvals by Covenant - (i.e. Form F - Covenant) Instead of filing a bond with surety or depositing money or negotiable securities or providing a lender agreement, the applicant may provide covenant restrictions. Such covenant, executed and duly recorded at the Bristol County Registry of Deeds, Northern District or at the Bristol County Northern District Division of Land Court, as the case may be by owner of record, running with the land, shall provide that construction of ways and installation of municipal services shall be provided for the entire subdivision before any lot may be built upon or conveyed. Such a covenant shall comply with M.G.L. Ch 41, Sec 81U as amended. Any covenant given shall be either inscribed on the plan or contained in a separate document referred to on the plan. Upon the completion of the subdivision, in full compliance with the plans and conditions, the Board will release the Covenant upon the prior deposit of money with the Board with a completed Form G (Performance Secured by Deposit of Money) sufficient in an amount, in the opinion of the Planning Board's Consulting Engineer, to cover the possible repairs to the subdivision for two (2) years or until the roads are accepted at the Town Meeting, whichever is earlier.

407.2 When the Developer requests the early release of a covenant, before the total completion of the subdivision, the Board may, at its discretion, release the covenant upon receipt by the Board a satisfactory performance security as specified under M.G.L. Sect. 81 U sufficient, in the opinion of the Planning Board's Consulting Engineer, to cover the cost of completing the subdivision per approved plans and conditions and to cover the cost of possible repairs, for the following two (2) years, or until the roads are accepted at the Town Meeting, whichever is earlier.

408 Minor Changes, Plan Revisions, Incomplete Submissions

408.1 Definitive Plans submitted to the Planning Board for review under the Town Clerk's stamp may not be revised without the consent of the Board, and only as discussed during a public session. Any such changes shall be prominently noted on the plan set cover sheet, and on any individual sheets affected to as to make clear the plan of record on which the action of the Board is being requested.

408.2 The Board reserves the right to disapprove incomplete submissions prior to posting of a public hearing, or at any time up to the closing of the public hearing unless, in its opinion, review of the plan is not hampered by the absence of required information. In the event of such disapproval, the plans shall be returned to the applicant, and a copy of the Certificate of Disapproval filed with the Town Clerk noting the reason for the Board's action. The Planning Board reserves the right to retain any filing and review fees, or to reimburse any portion of such fees to the applicant, based on the extent to which the review has proceeded and to cover administrative costs of filing, notification, distribution, etc

409 Certificate of Approval, Modification, or Disapproval

409.1 The action of the Planning Board in respect to such plan as to approval, modification or disapproval thereof shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail, postage prepaid, to the applicant. If the 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 the original drawing of the Definitive Plan by the signatures of a majority of the Planning Board but not until the statutory twenty (20) day appeal period has

elapsed following the filing of the Certificate of Action of the Planning Board with the Town Clerk, and said Clerk has notified the Planning Board that no appeal has been filed. The Town Clerk shall endorse the plan and refer to on said plan the fact that there was no notice of appeal received during the twenty (20) day appeal period. Definitive plans evolved from the submission of a preliminary plan, which has received approval, with or without modifications, shall be governed by the rules and regulations relative to subdivision control law in effect at the time of submission of the preliminary plan, provided that the definitive plan is duly submitted within seven (7) months from the date on which the preliminary plan was submitted. Failure of the Board to take final action regarding a plan submitted to it within ninety (90) days after such submission, or such further time as may be agreed upon at the written request of the applicant, shall be deemed to be an approval thereof. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with four (4) prints thereof.

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

409.3 Unless otherwise specifically provided, in the conditions of approval, the subdivision plan must be completed within a two-year period from the date of such approval and if a development is not completed in its entirety in that time, the applicant must again petition the Board for action on the undeveloped portion.

410 Prohibited Activities

410.1 After the submission of a Form B or Form C no site preparation, tree cutting, filling, excavation and other work done in anticipation of the subdivision plan approval shall be performed prior to the submission and approval of a definitive plan. The Planning Board reserves the right to disapprove any such work, to order restoration of the site, and to assess fines as provided for in these regulations or by Massachusetts General Law upon filing a Form A, Preliminary or Definitive Plan application.

411 On-Site Inspections

411.1 The applicant/developer is responsible for requesting inspection at the proper stages in the process of installation of improvements. The applicant shall obtain a copy of Form N and it shall be the applicant's responsibility to secure the signature of the inspector (see Section 704 Inspection), at the appropriate time in the construction process.

411.2 Should an inspection not be performed due to the failure of the applicant/developer to notify the inspector, (see Section 704 Inspection), the applicant will be required to uncover the improvements. No work will be accepted that has been covered before inspection. Proper notice is required.

411.3 The applicant/developer shall submit a Form N to the Planning Board, complete with the date and signature of the appropriate inspector (Planning Board's Consulting Engineer, Highway Superintendent, Fire Chief) noted on the form for the purpose of verifying the completion of any and all phases of construction.

412 Certificate of Completion

412.1 Upon completion of the construction of ways and installation of services in accordance with the Rules and Regulations of the Board, security for the performance of which was given by Section 408.1.01 and/or Section 408.1.02, or upon the performance of any covenant with respect to any lot, the applicant shall submit "as-built" drawings of all utilities and drainage systems to the Boards and a written statement in duplicate to the Town Clerk, containing the address of the applicant and the Town Clerk shall furnish the Planning Board with one copy of the above statement with a notice provided by the applicant from the Bristol Registry of Deeds verifying that the plan

has been recorded in a Book and Page number format, and the date the plan was recorded. If the Board is satisfied that all requirements have been met, it shall release the interest of the Town in such bond and return the bond or the deposit to the person who furnished same, or release the covenant by appropriate instruments (a completed Form O - Certificate of Completion - Release of Municipal Interest), duly acknowledged, which may be recorded.

412.2 If it is determined that the necessary work has not been completed, the Board shall so notify the applicant in writing specifying the details. Failure of the Board to so notify the applicant within forty-five (45) days after the receipt by the Town Clerk will cause all obligations under the bond to cease and terminate by operation of law. Any deposits shall be returned and any covenant shall become void.

412.3 If the forty-five (45) day period expires without such specifications, or without release and return of the bond or return of the deposit or release of the covenant, the Town Clerk shall issue a certificate to such effect, duly acknowledged which may be recorded.

412.4 No building permit shall be issued by the Inspector of Buildings for a lot within a subdivision that is secured by covenant until the Board has released such lot. Further, no building permit shall be issued by the Inspector of Buildings for a lot within a subdivision which is subject to a Schedule of Development until a release has been granted by the Board pursuant to the Schedule of Development Zoning By-Law.

SECTION 500 DESIGN STANDARDS

501 General

501.1 Basic Requirements

The subdivider shall observe all design standards for land subdivision as hereinafter provided. These standards shall be considered minimum standards and shall be varied from or waived, only as provided in Section 600.

501.2 Conformance with Comprehensive Plan

Any proposed subdivision shall conform as far as practicable, to the proposals and intentions of the Comprehensive Plan as adopted in whole or in part by the Planning Board, unless substitute proposals may be shown to the satisfaction of the Board to serve better the general area of the subdivision and the Town.

501.3 Minimum Lot

No lot area or width, in a subdivision, shall be less than the minimum required by the Zoning By-Law for the District in which it is located.

501.4 One Dwelling Per Lot

Not more than one building designed or available for use as a dwelling shall be erected or placed or converted to such use, on any lot in a subdivision, or elsewhere in the Town, without the consent of the Planning Board, who may attach appropriate conditions. No building shall be erected within a subdivision without written permission from the Inspector of Buildings. No building on any lot in any subdivision shall be designed or used for dwelling purposes for more than one family *except as allowed by the Rehoboth Zoning By-Laws*.

501.5 Protection of Natural Features

Due regard shall be shown for 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 subdivision.

.01 Removals of Gravel or Earth Materials

Removal of gravel or other earth materials within a subdivision, except in connection with road construction, construction of buildings and accessory improvements including but not limited to, installation of septic systems, driveways and swimming pools and provided that the quantity of gravel or other earth materials moved does not exceed that displaced by the portion of the building or accessory improvement located below finished grade, is prohibited except where expressly permitted by permit granted by the Rehoboth Gravel Committee. For the purposes of this section, removal shall constitute the moving of gravel or other earth materials from one location to another location within the boundaries of the land included in the Subdivision Plan, or the moving of gravel or other earth materials out of the land included in the Subdivision Plan.

501.6 Access Through Another Municipality

In case access to a subdivision crosses land in another municipality; the Board may require certification, from appropriate authorities, that such access is in accordance with the Master Plan and subdivision requirements of such municipality and that a legally adequate performance bond has been duly posted or that such access is adequately improved to handle prospective traffic.

501.7 Reserve Strips

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

501.8 Further Subdivision

In case a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the logical and economic extension of streets, utility easements, drainage ways, and public areas into such parcels.

501.9 Re-subdivision

The re-subdivision of all or part of land covered by an existing plan shall be governed by these regulations. Such re-subdivision shall show clearly that area or areas which are being re-platted and shall show the file number of all previous plans of these same areas with dates of filing. All areas last subdivided more than seven years previous to the date of application shall be re-subdivided.

502 Streets

502.1 Arrangement

The proposed streets shall be considered in ~~their~~ relation to existing and planned streets, to topographic and geologic conditions and to public convenience and safety. They shall provide for:

- .01 the discouragement of through traffic on residential streets,
- .02 the maximum attractiveness, livability and amenity of the subdivision as defined within the approved Master Plan (document may be found in the Planning Department Office).

502.2 Access

- .01 Same side intersections of collector and local/residential street with arterial streets will not be allowed at intervals of less than six hundred (600) feet (see figure 502.2.01)
- .02 Each subdivision will be required to have at least two street connections with an existing collector and/or arterial street, which street connections can be reached by vehicle from every lot within the subdivision using streets within such subdivision. A subdivision which has that number of lots which, when added to the number of previously approved subdivisions to which streets of the proposed subdivision directly connect, totals less than 25, shall not be subject to the requirements of the previous sentence (see figure 502.0.01 on next page).

Figure 502.2.01

502.3 Street Jogs

The offset between the intersections of opposite streets (street jogs) on arterial and collector streets shall not be less than two hundred fifty (250) feet. Street jogs on local/residential streets with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.

(See figure 502.3(a & b))

502.3 (a)

502.3 (b)

502.4 Right-of-Way Widths and Alignments

.01 On all classifications of streets the following characteristics shall be:

Street Classification	Right-of-Way (ft)	Radius of Centerline Curve (ft)	Max. Gradient (%)
Arterial	60 (max.), 60 (min.)	1200 (min.)	4
Collector	60 (max.), 60 (min.)	850 (min.)	6
Local/Residential	60 (max.), 50 (min.)	150 (min.)	8

.02 Irregular right-of-way widths will not be permitted.

.03 Grades of streets shall not be ~~not~~ less than 0.5%.

.04 The grade shall not exceed 3% at intersections and at curves in streets.

.05 The minimum width of pavement for driveway entrances within the rights-of-way to industrial lots shall be thirty (30) feet, flaring to forty (40) feet.

.06 The minimum width of pavement for driveway entrances within the rights-of-way to residential lots shall be ten (10) feet, flaring to fourteen (14) feet at the edge of pavement.

502.5 Intersection

.01 Rights-of-way (R.O.W.), shall be laid out so as to intersect as nearly as possible at right angles. No R.O.W. shall intersect any other R.O.W. at less than sixty (60) degrees, and an angle of sixty (60) degrees or greater must be maintained for a minimum distance of one hundred (100) feet from the intersection of the centerlines. Property lines at R.O.W. intersection shall be cut back to provide for a curb radius on the roadway of not less than thirty (30) feet, except where the angle of intersection varies more than ten degrees from a right angle. In such case, the radius of the curve connecting the acute angle may be less and the opposite radius must be correspondingly greater.

502.5(a)

Standard Design (Right Angles)

502.5(b)

Design Not Allowed (Less than 60°)

502.5(c)

Minimum Design (Equal to 60°)

.02 No intersection shall include more than four (4) approaches.

502.6 Dead-End Streets

.01 For the purpose of these rules, a subdivision street or that portion of a subdivision street from which there are not at least two completely separate and non-overlapping routes of street access to an existing public thoroughfare shall be deemed a "dead end" street. Examples of such dead end streets shall include a "T" or "Y" or "t" or "cul-de-sac" or a "lollipop" or "signpost" connecting at the bottom with an existing public thoroughfare. Dead end streets shall be no longer than six hundred (600) feet. Maximum length is measured from the property line at the roadway layout of the existing way to the end of the turning circle. A turning circle must be provided at the end of all dead-end streets.

The Planning Board may grant waivers from the six hundred foot (600) maximum length if the following conditions are satisfied:

- a. A dead-end street in excess of six hundred (600) linear feet (LF) but no greater than eight hundred (800) linear feet (LF) must meet the following conditions:
 - (1.) Eighty-percent (80%) of the lots (rounded to the greater number) serviced by the dead-end street must contain a minimum of two (2) acres (87,120 square feet) of area,
 - (2.) Curvilinear layout of roadway is preferred when possible; roadways shall be designed to follow the natural contours of the property with minimal disturbance to natural vegetation,
 - (3.) A Declaration of Restriction pursuant to M.G.L. Chapter 41, Section 81R must be executed, stating that 'no further subdivision will be permitted,' and recorded at the Registry of Deeds contemporaneously with the recording the Definitive Subdivision Plans.
 - (4.) No lot created under this option shall be utilized for the purposes of a duplex residence.

- b. A dead-end street in excess of eight hundred (800) linear feet (LF) but no greater than twelve hundred (1200) linear feet (LF) must meet the following conditions:
 - (1.) Eighty-percent (80%) of the lots (rounded to the greater number) serviced by the dead-end street must contain a minimum of two and one half (2 1/2) acres (108,900 square feet) of area, two (2) of those acres (87,120 square feet) shall contain contiguous upland as set forth in M.G.L. Ch. 131, Section 40.

- (2.) Curvilinear layout of roadway is preferred when possible; roadways shall be designed to follow the natural contours of the property with minimal disturbance to natural vegetation,
- (3.) A Declaration of Restriction pursuant to M.G.L. Chapter 41, Section 81R must be executed, stating that 'no further subdivision will be permitted,' and recorded at the Registry of Deeds contemporaneously with the recording the Definitive Subdivision Plans.
- (4.) Bicycle / Pedestrian paths will be required for roadway lengths greater than one thousand (1000) linear feet (LF), refer to Plate G.
- (5.) No lot created under this option shall be utilized for the purposes of a duplex residence.

- c. A dead-end street in excess of twelve hundred (1200) linear feet (LF) but no greater than two thousand (2000) linear feet (LF) must meet the following conditions:
 - (1.) The dead-end street will provide access to no more than fourteen (14) lots, inclusive of Form A lots at the beginning of the proposed roadway,
 - (2.) Eighty-percent (80%) of the lots (rounded to the greater number) serviced by the dead-end street must contain a minimum of three (3) acres (130,680 square feet) of area, sixty thousand (60,000) square feet (1.38 acres) shall contain contiguous upland as set forth in M.G.L. Ch. 131, Section 40.
 - (3.) Curvilinear layout of roadway is preferred when possible; roadways shall be designed to follow the natural contours of the property with minimal disturbance to natural vegetation,
 - (4.) A Declaration of Restriction pursuant to M.G.L. Chapter 41, Section 81R must be executed, stating that 'no further subdivision will be permitted,' and recorded at the Registry of Deeds contemporaneously with the recording the Definitive Subdivision Plans.
 - (5.) No lot created under this option shall be utilized for the purposes of a duplex residence.

.02 Dead-end streets must provide access to a minimum of three (3) lots and to a maximum of seven (7) lots. Streets ending in a cul-de-sac shall be provided at the closed end with a turn-around in conformance with Plate B; no exceptions to the number of lots, length of roadway and turn-around radius will be granted, unless as conditioned in 502.6.01. A fifteen (15) foot easement may be required at the end of cul-de-sacs to provide for continuation of pedestrian traffic and/or utilities to the next street. A planted area forty (40) feet in diameter shall be installed in the center of the turnaround and planted with appropriate low growing plantings, as approved by the Rehoboth Tree Warden.

.03 Dead-end streets on the same side of an existing roadway shall not be placed within six hundred (600) feet of each other.

.04 Dead-end streets on opposite sides of an existing roadway shall not be within five hundred (600) feet of each other if intersecting an arterial street, or within

502.7 Sight Distance

.01 The information contained in Section 502.7 is based on American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design Of Highways and Street (most current edition).

.02 Sight Distance is defined as the length of roadway ahead visible to a driver without obstruction. Sight Distance shall be evaluated as recommended by the American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design Of Highways and Street (most current edition). Sight Distance shall be measured within the right-of-way (R.O.W.) of the roadway.

.03 Stopping Sight Distance is the sum of two distances; the distance traversed by the vehicle from the instant the driver sights an object necessitating a stop to the instant the brakes are applied and the distance required to stop the

vehicle from the instant the brake application begins. The legal speed limit on a street is used to determine the required stopping sight distance.

.04 As stated in Table 1 below; for a given legal speed limit, the minimum stopping sight distance must be available at all points along the proposed street:

**TABLE 1
MINIMUM STOPPING SIGHT DISTANCE***

LEGAL SPEED LIMIT (MPH)	15	20	25	30	35	40	45	50	55
DISTANCE (ft)	80	115	155	200	250	305	360	425	495

.05 As stated in Table 2 below; for a given legal speed limit, the minimum intersection sight distance is required to the center of each travel lane on the main street from every point on the intersecting roadway within ten (10) feet from the near edge of the nearest travel lane on the main street:

**TABLE 2
MINIMUM INTERSECTION SIGHT DISTANCE**

LEGAL SPEED LIMIT (MPH)	15	20	25	30	35	40	45	50	55
INTERSECTION SIGHT DISTANCE (ft)	170	225	280	335	390	445	500	555	610

503 Blocks

503.1 In general, block lengths shall not be less than five hundred (600) feet. Blocks of over eight hundred (800) feet in length shall be provided with a pedestrian way at a convenient location. Such pedestrian way shall run the width of the block. (For further standards see Section 505, Pedestrian Ways.) Each normal block shall be planned to provide two rows of lots, but large irregularly-shaped blocks with interiors served by cul-de-sacs and/or interior

parks will be considered.

504 Easements

504.1 Whenever possible, easements shall be continuous and their layout shall create as few irregularities as possible.

504.2 Streams or water-courses shall be provided with a right-of-way conforming substantially with the line of its course, but not less than twenty (20) feet in width, measured from the Mean-Annual-High-Water (MAHW) mark outward. Parallel streets or pedestrian ways and/or appropriate access may be required in connection therewith. The placement of streams and water-courses into open or covered culverts shall be kept to a minimum.

504.3 Utility easements shall generally follow lot lines and shall be not less than sixteen (16) feet in width.

505 Pedestrian Ways

505.1 Pedestrian ways or foot paths will be required to provide convenient circulation or access to schools, playgrounds, shopping, churches, transportation, parks, conservation areas and/or other facilities. Such ways shall consist of a right-of-way (R.O.W.) of at least fifteen (15) feet in width.

506 Open Space and Basic Considerations for Site Selection

506.1 Areas for open space, parks and/or playgrounds will be required to be set aside in accordance with the proposals and intents of the Master Plan and Ch 41, Sec 81U of the General Laws as amended. Such areas shall be not less than five percent of the total subdivision land area; depending upon the location and quality of the land being set aside. The minimum area acceptable, for later public acquisition, shall be one acre. No building may be erected or placed on such an area for a period of three years without the approval of the Board.

506.2 Any open space, park or playground shall provide at least forty-five (45) feet of continuous frontage on a street, and pedestrian ways will normally be required to provide access from each of the surrounding streets, if any, to which the open space, park or playground has no frontage. Further, such parks and/or playgrounds will be required to have maintenance provided for by covenants and agreements acceptable to the Board, until public acquisition by the Town of Rehoboth.

507 Staking Out of the Centerlines on the Ground

507.1 At the time definitive plans are submitted, centerlines of proposed streets shall be clearly marked by stakes and flags at one hundred (100') foot stations for easy on-site observation on the ground.

507.2 Before construction begins, the centerlines shall be accurately staked on the ground at fifty (50') foot stations and on curves at twenty-five (25') foot stations.

SECTION 600 REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION

601 Basic Requirements

601.1 The subdivider shall install all of the improvements itemized herein unless waived in writing by the Board. All requests for waivers shall be submitted in writing and shall reference the applicable Sections of the Regulations.

601.2 All work done under this section shall be done under the direction of the Planning Board.

601.3 No aforementioned Bond or Covenant shall be released until full approval in writing of all work done under this section is received by the Planning Board from their designated inspector.

602 Improvement Specifications

602.1 Minimum Widths and Depths

The following minimum improvement standards shall be required in relation to streets and roadways.

.01 Minimum Width Requirements (in feet)

Street Class	Pavement (ft)	Planting Strips	Sidewalks
Arterial	36	2 @ 9.5 ft.	1 @ 5 ft.
Collector	34	2 @ 10.5 ft.	1 @ 5 ft.
Local/Residential	26	2 @ 5 ft.	When considered necessary, see Plate A.

.02 Minimum Depth Requirements (in inches)

Street Class	ROADWAY			PLANTING STRIP
	Gravel Base	Binder Course	Finish Course	Loam
Arterial	12	2	1.5	8
Collector	12	2	1.5	8
Local/Residential	12	2	1.5	8

Street Class	SIDEWALKS			CURBS	
	Gravel Base	Binder Course	Finish Course	Granite	Concrete
Arterial	10	1.5	1	17	24
Collector	10	1.5	1	17	24
Local/Residential	10	1.5	1	17	24

602.2 Roadway

.01 See Plate A for typical section (Appendix 1).

.02 The gravel base shall consist of two six inch layers of gravel, laid and compacted separately on top of the properly prepared sub-grade plane. The bottom layer shall consist of an approved gravel containing stones no larger than six (6) inches in diameter. The top layer shall be crushed bank gravel or equal. A good grade of gravel with a maximum of eight percent fines shall be used. Both layers shall be thoroughly compacted with a ten ton roller. The total depth of gravel shall not be less than twelve (12) inches after compaction. Before graveling to grade shall be accomplished, the sub grade shall be inspected and approved by the Superintendent of Streets.

.03 The entire area of each Right-of-way shall be cleared except trees and shrubs of esthetic value are to remain provided that they are located at least two (2) feet from the proposed side line of the finished road pavement, and are approved by the Tree Warden and the Superintendent of Streets.

.04 All existing material shall be removed to the sub-grade plane for a width of two feet beyond the edge of proposed pavement.

.05 Ledge and large boulders shall be removed to a depth of at least one foot below sub-grade plane for the entire width of the finished roadway.

.06 Clay, muck, loam or other unstable material shall be removed to a greater depth as directed. The Planning Board may require the applicant to have test pits dug in the proposed roadway areas, with such pits and the digging thereof, to be reviewed by the Planning Board Engineer and the Superintendent of Streets, particularly in cases involving a high groundwater level or other problems.

.07 When in the process of clearing the roadway in preparation for construction it becomes desirable to bury certain materials in the subdivision as a means of disposal, the following conditions shall be adhered to:

Burial sites shall be chosen on a boundary line between two lots; NO trees, branches, bushes or brush are to be buried within the subdivision. It is recommended that trees, branches, bushes and brush that must be cut from the roadway be removed from the subdivision by chipping or harvesting for pulpwood or firewood, etc.

.08 Driveways shall be incorporated in road construction at a maximum distance of twenty (20) feet from the center line, and shall be paved with 1-1/2 inches of binder course and one (1) inch of finish course. Minimum widths of pavement for driveway entrances shall be thirty (30) feet flaring to forty (40) feet for industrial lots and ten (10) feet flaring to fourteen (14) feet for residential lots.

603 Curbs and Berms

603.1 Curbs and berms may be required on both sides of all roadways. Type VA-4 Granite or Type VA concrete curbs as specified in Section F of "Standard Specifications for Highways and Bridges" -- as amended shall be used under the following conditions:

- (1) All finished grades over 6%.
- (2) All headers for catch basins.
- (3) All street intersections on the curve and extending 6 feet tangential to the point of curvature and point of tangency along the side line of roadway at the intersection.

603.2 Curbing shall be installed in accordance with the construction standards put forth in section F 1.30 - F 1.34 of "Standard Specifications for Highways and Bridges" - as amended.

604 Sidewalks

604.1 Sidewalks of not less than five (5) feet in width shall be constructed on one or both sides of the street, when in the opinion of the Planning Board such sidewalks are necessary. The sidewalk shall be constructed of bituminous concrete. The sidewalk shall slope to the curb 3/16" to the foot. The foundation shall be a minimum of ten (10) inches of approved gravel well compacted with two (2) ton roller. A binder course of Class F bituminous concrete rolled to 1-1/2" shall be laid, and topped with a finished course of Class I bituminous Concrete rolled to one (1) inch. The slope maximum shall be ten (10) percent. Cross-slope or crown shall be designed not to exceed three quarters (3/4) inch per foot.

604.2 Applicable material standards and construction methods found in Section G-2 of "Standard Specifications for Highways and Bridges" - as amended, will apply.

605 Storms and Surface Drainage

605.1 Storm drainage, culverts, ditches, and related installations, including catch basins, gutters and manholes shall be installed to provide adequate disposal of surface water including control of erosion, flooding and standing water from or in the subdivision and adjacent lands. Catch basins shall be built in conformity with specifications of the Superintendent of Streets on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet, at low points and sags in the roadway and near corners of the roadway at intersection streets. Manholes shall be placed at the center line of streets along main drainage lines at intervals of not more than one hundred fifty (150) feet

and at every bend or change in direction of the drainage line, or as necessary when in the opinion of the Board strict adherence to the prescribed one hundred fifty (150) foot interval may result in maintenance difficulties. In addition, catch basins shall be placed at low points in vertical curves.

.01 Drainage improvements shall be designed to ensure that the peak rate of storm runoff from the entire site for a 50-year, 24-hour storm event shall not exceed the rate of runoff from the site in its condition prior to development. Due regard shall be paid to maintaining the natural infiltrative capacity of the soil and to minimizing the volume of storm runoff discharged from the site. Drainage calculations using appropriate methods subject to Planning Board approval, shall be submitted to the Planning Board.

.02 Natural and man-made water bodies and drainage ways shall be protected against damage from erosion and sedimentation. A plan for the control of soil erosion during and after construction shall be prepared which describes measures and techniques to be used to minimize erosion. In general, such plans shall be designed to minimize disturbed areas, to stabilize and revegetate disturbed areas and to retain sediment within the development site.

605.2 Materials

Storm drains shall be Vitriified Clay, Cement Concrete, Reinforced Concrete asphalt coated corrugated metal at the developers option, except where such drains pass under a roadway. In such case they shall be Reinforced Concrete.

605.3 Size and Slope of Drains

Sizes and slope of drains shall satisfy the "Rational Formula" $Q = aci$.

605.4 Responsibility

The responsibility for adequate drainage shall rest with the developer. This shall include connection with existing drainage facilities provided by the Town.

Where property adjacent to the subdivision, but within the same watershed, is not subdivided, provision shall be made for proper projection of the drainage systems by continuing appropriate drains and easements to the exterior boundaries of the subdivision at such size and grade as will allow for such projection. Drainage rights which are appropriate, sufficient and necessary to handle drainage from the subdivision and adjacent areas shall be secured for the Town.

606 Water

606.1 Water pipes and related equipment, such as hydrants and main shutoff valves, shall be constructed to serve all lots on each street in the subdivision in conformity with specifications of the applicable water department. Connection to existing Town water facilities to assure adequate supply shall be the responsibility of the developer.

607 Sewers

607.1 Sewer pipes and related equipment, such as manholes and connecting Y's shall be installed in conformity with the standards set by the Master Sewer Plan, or, in the absence of such plan, standards set by the Board of Health.

607.2 Connection to existing or provision for connection to proposed town sewer facilities at proper grade and elevation shall be the responsibility of the developer.

608 Utilities

608.1 All wiring, cables and other appurtenances of electric power, telephone, cable television for service or distribution purposes shall be placed below ground unless the Planning Board determines that such placement is not feasible or is not in the best interest of the Town. Electric power cables shall not be less than thirty (30) inches below finished grade.

609 Retaining Walls

609.1 Retaining walls shall be installed where deemed necessary by the Board and shall comply with specifications set forth in Standard Specifications for Highways and Bridges" - as amended.

610 Fire Protections

610.1 Subsurface Water Storage Tanks (Fire tanks)

Subsurface water storage tanks for fire protection shall be installed within a subdivision when in the opinion of the Planning Board and the Chief of the Rehoboth Fire Department such tanks are necessary to protect the public safety

by providing adequate water availability and flow. No tank installation shall be started until the contractor has obtained a permit from the Rehoboth Fire Department. The tank should be filled the first time at the expense of the Developer.

610.2 Location

All subsurface water tanks shall be located within easements provided exclusively for this purpose. Tanks shall be not more than fifteen hundred (1,500) feet apart, so that every house will be within seven hundred fifty (750) feet of a tank. The fire tank located closest to the intersection of the proposed new road with the existing public way shall be located within fifty (50) feet from Station 0+00, as measured along the right-of-way sideline of the proposed road between Stations 0+00 and 1+00. Each suction pipe shall be located at least seven (7) feet but no more than nine (9) feet from the edge of the traveled way.

610.2.01 Location Option

The following option can be requested by the applicant:

Tank spacing may be increased to two thousand (2,000) feet between tanks, so that every house will be within one thousand (1,000) feet of a tank, with the maximum of one tank eliminated per subdivision provided the Fire Department is supplied by the developer at the developers expense with four (4) inch supply hose, related equipment and accessories, approval and length as determined by the Rehoboth Fire Department.

The option must be approved by the Rehoboth Fire Department to be considered by the Planning Board. The Planning Board may approve or deny at the Boards discretion. (05/2000)

610.3 Tank Specifications

.01 Tanks shall be of a watertight fiberglass design capable of holding not less than ten thousand (10,000) gallons. Tanks shall be from a manufacturer approved by the Rehoboth Planning Board and Fire Department and which has manufactured such tanks for at least ten (10) years preceding the installation.

.02 Warranty - Tanks shall carry a warranty by said approved manufacturer which covers manufacturing defects and other failures for at least 30 years. Said warranty shall be transferable to the Town of Rehoboth, when the Town assumes ownership of the tank. Said warranty shall be from a manufacturer, approved by the Rehoboth Planning Board and Fire Department, which has manufactured such tanks for at least the ten years preceding the installation, or the tank shall be secured by a bond from a surety acceptable to the Planning Board and Town Treasurer. The developer shall submit to the Engineer for the Planning Board copies of all warranties, checklists, certificates, and other written materials which accompany the tank.

.03 Suction Pipe - Each tank shall be equipped with a six (6) inch diameter, Schedule 40, seamless suction pipe composed of steel with wall thickness of one-eighth (1/8) inch, and terminating in a six-inch NPT fitting. Said suction pipe shall be screened and shall extend four (4) inches from the bottom of the tank to a point not greater than thirty-two (32) inches above the finish grade at the edge of the traveled way. That portion of the suction pipe inside the tank shall be composed of PVC pipe. A six-inch (6") PVC cap having a steel bar, one-inch by one-quarter-inch by at least two (2) feet long, bolted to it, shall be installed on the suction pipe. Said bar shall have a three-eighths-inch hole drilled through one end to accommodate a lock. In addition, a chain of sufficient length to reach the bar shall be attached to the suction pipe.

.04 Fill Pipe - Each tank shall be equipped with a four-inch (4")- diameter steel fill pipe having two and one-half inch (2.5") fire department national standard thread. Said pipe shall extend three (3) feet above finish grade, be

screened to prevent stones from entering the tank and be equipped with a cap equipped with a chain and capable of being locked to the pipe. Said fill pipe shall terminate in a tee with a plug installed on top to allow measurement of the water level in the tank.

.05 Vent-Pipe - Each tank shall be equipped with a steel vent pipe six (6) inches in diameter. Said pipe shall extend three (3) feet above finish grade, terminating in an elbow angled at 180 degrees so as to allow the opening of the pipe to face the ground. The opening shall be screened with one-fourth-inch mesh steel screening .

All cap and plug threads shall be liberally coated with Never Seez or equivalent compound to prevent thread seizure due to ice or rust.

610.4 Installation

.01 Tanks shall be handled, stored, installed, anchored and tested in accordance with the manufacturer's instructions.

.02 Excavation - For tanks of 10,000 to 20,000 gallon capacity, the tank hole size in stable soil conditions shall allow for twenty-four (24) inches between the tank sides and ends and the banks of the hole. The tank hole shall be deep enough to allow a minimum of twelve (12) inches of required backfill bed over the hole bottom (or over the concrete slab if required), a concrete slab (if required), backfill cover over the tank as specified in section 610.4.05.

.03 Bed and backfill - All excavated native soil must be replaced with backfill approved by the Engineer for the Planning Board and certified to meet the manufacturer's requirements pertaining to particle size, roundness, quality and soundness. No sand or native soil shall be mixed with the approved gravel. In areas of unstable soils, changing groundwater levels, or watery conditions, or where, in the opinion of the Planning Board, it is in the best interests of the Town, the Planning Board may require the installation of a concrete slab below the tank, and may specify other modifications such as anchoring, filter fabric, or change in size of the tank hole in accordance with the manufacturer's instructions.

All such installations shall be approved by the Engineer for the Planning Board.

.04 Anchoring - Provisions for anchoring, where required, shall be in accordance with the manufacturer's instructions, and approved by the Engineer for the Planning Board.

.05 Backfill Cover - The tank shall be covered by a minimum of sixty-nine (69) inches of backfill or other minimum as the Planning Board may require to limit intrusion of the tank into the groundwater. All installations shall meet the requirements of the manufacturer.

.06 Barricading - The tank area shall be barricaded using temporary fencing to prevent vehicle travel over the tank until installation is complete. Thereafter, the pipes shall be protected by bollards placed in accordance with Fire Department recommendations.

610.5 Inspection

.01 The developer or contractor shall provide the Engineer for the Planning Board with soil test and water table results, and backfill material certification with sufficient notice to review this material before the date of tank installation. Where groundwater is a consideration, buoyancy calculations by a registered engineer must be submitted to verify whether concrete hold-down structures are necessary.

.02 Request for Inspection - The developer or contractor shall submit a Request for Inspection Form (Form R) to both the Engineer for the Planning Board and the Fire Department two (2) working days before the desired inspection date.

.03 The tank shall be tested in accordance with the manufacturer's instructions at the expense of the developer, before installation. The Engineer for the Planning Board shall, at the expense of the developer, be present during all stages of tank installation and testing and shall inspect the tank before it is installed, the excavation, backfill, concrete pads or anchoring provisions, if required, pipes and fittings, and all other items and installation activities deemed necessary by the Engineer.

.04 Installations of other utilities or structures within the underground water storage (fire) tank easement

Other utilities should be installed on easements provided for their use. Installation of other utilities, such as electric, telephone or TV cables, boxes, or other components, within the tank easement shall be allowed only with the approval of the Engineer for the Planning Board and the Fire Department.

610.6 Maintenance

Underground water storage (fire) tank easements shall be maintained free of all woody vegetation to allow access to the site by Fire Department vehicles and personnel.

610.7 Reserved

611 Street Trees

611.1 Street trees shall be planted at sixty (60) feet or lesser intervals on both sides of all streets unless specifically waived. Such trees shall be at least twelve (12) feet in height and two and one half (2-1/2) inches in nursery caliper. Trees shall be planted twenty-four (24') feet from the center line of the road.

612 Planting Strips

612.1 Not less than eight (8) inches of good quality loam seeded with grass conforming to Massachusetts Highway Specifications and rolled. The loam shall contain not less than 4% nor more than 20% organic matter as determined by the loss on ignition of oven-dried samples. If required by the Planning Board, test samples shall be oven-dried to constant weight at a temperature of two hundred-thirty (230) degrees Fahrenheit (+ or -) nine (9) degrees.

The areas to be loamed and seeded shall be those areas along the sides of the roads between the asphalt berm and the property line and where-ever else shown on the Definitive Plan.

613 Street Signs

613.1 Street name signs shall be furnished and erected at all street intersections prior to the occupancy of any house on the street. All streets not accepted by the Town shall be so indicated by a sign stating "NOT AN ACCEPTED WAY - REHOBOTH SELECTMEN". Signs shall be approved by the Superintendent of Streets.

614. Street Lights

614.1 Street lights shall be installed as required by the Planning Board.

615 Guard Rails

615.1 Guard rails and guideposts shall be placed as specified by Highway Department Superintendent, to assure public safety.

616 Monuments

616.1 Monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets and at other points where, in the opinion of the Planning Board, permanent monuments are necessary. Such monuments shall be concrete or granite monuments three (3) feet six (6) inches in length, dressed to five (5) inches square at the top and a 3/8" drill hole in the center, and not less than six (6) inches square at the bottom, shall be set according to good engineering practice as designated in the definitive plan. No permanent monument shall be installed until all construction, which would disturb or destroy the monuments is complete.

617 Bench Marks

617.1 Project Bench Marks

.01 Establish at least one project bench mark in a protected location suitable for use during and after construction, and clearly show and describe it on the definitive plans.

.02 All bench marks, elevations and contours shall be based on National Geodetic Vertical Datum (NGVD).

.03 It shall be the obligation of the Developer, through his Engineer, to furnish the Planning Board with undeniable proof to the satisfaction of the Planning Board of the accuracy of all bench marks shown and/or used.

617.2 Permanent Bench Marks

.01 The Planning Board, or its agent(s) at the direction of the Planning Board, shall establish and maintain a system of official bench marks in the Town of Rehoboth.

.02 The Rehoboth Planning Board shall employ as its agent, a Registered Professional Engineer and/or Registered Land Surveyor who shall establish and maintain the Town of Rehoboth Bench Mark System.

617.3 The duties of the Planning Board or its agent, relative to the Town of Rehoboth Bench Mark System shall be as follows:

.01 Establishment:

The Planning Board agent shall establish an initial list of acceptable bench marks. In addition, the location of all accepted bench marks shall be shown on a town map.

.02 Maintenance:

The Planning Board agent shall add other bench marks to the official list when appropriate. In addition, when a bench mark has been removed or disturbed, the Planning Board agent shall delete said bench mark from the official list and revise the list accordingly.

617.4 The Rehoboth Planning Board shall make available to the public through the office of the Town Clerk copies of the Official List of Town of Rehoboth Bench Marks and post a copy of a Town map showing the locations of the official bench marks.

618 Specifications for Bench Mark Installation

618.1 At least one (1) permanent bench mark shall be established in each subdivision to provide the Planning Board or its agent with a means of ascertaining the accuracy of topographic data including the definitive subdivision plan. All subdivisions shall conform to the Town of Rehoboth Bench Mark System in survey, design, and construction standards listed below.

618.2 The datum for all Town approved bench marks shall be the National Vertical Geodetic Datum (a.k.a. U.S.C.&G.S.) Mean Sea Level Datum of 1929.

618.3 The bench mark must be set in a readily accessible location, but protected from possible disturbance.

618.4 The surface of the bench mark must have a clear space above it to allow for a leveling rod to be held vertically on it.

618.5 The bench mark shall be solid, immovable, permanent and readily identifiable. An acceptable bench mark must conform to at least one of the following:

.01 A bronze disk which has been set by the United States Geodetic Survey or the Massachusetts Department of Public Works and so identified;

.02 A similar bronze disk, a brass pin with a lead plug, or a chisel mark set in a granite or concrete monument. Said monument shall be at least six inches by six inches (6" x 6"), at least four feet (4') in length and set no less than three feet six inches (3'6") into the ground or;

.03 A bronze disk, brass pin, or chisel mark set in a substantial natural ledge, or in a substantial stone or concrete manmade structure which can be reasonably expected to remain undisturbed into the foreseeable future.

618.6 The bench mark shall be set in accordance with accepted engineering practice.

618.7 A detailed description of the bench mark and its location, together with a plan drawn by a Massachusetts Registered Professional Engineer or Registered Land Surveyor showing its locations with at least four (4) ties to permanent points shall be submitted to the Planning Board for its review.

618.8 Field notes recorded by a Registered Land Surveyor showing a closed loop level run from an existing bench mark approved by the Planning Board to the proposed bench mark and back, shall be submitted to the Planning Board for its review.

618.9 All approved bench marks shall be added to the Town of Rehoboth List of Accepted Bench Marks.

619 Surveys of Improvements as Installed

619.1 After all street construction is completed, a map showing center-line contour of road as built, all inverts of drainage system as installed, all utilities as installed, and monuments as installed shall be furnished by two copies to the Planning Board and two copies to the Superintendent of Streets.

620 Final Clean Up

620.1 Upon completion of all work on the ground, the subdivider shall remove from the street and adjoining property all temporary structures, all rubbish, and surplus material, and shall leave the area in a neat orderly condition.

621 Maintenance of Roadways

621.1 The subdivider shall be responsible for maintaining all roads in a subdivision for a period of two (2) years after release of performance bond as required in Section III herein, or until the roads are accepted by the Town Meeting, whichever time is shorter. To assure such responsibility, the Subdivider shall guarantee the maintenance of the roads in a subdivision in a condition which meets all the requirements of these rules and regulations to the satisfaction of the Planning Board, by posting with the Town a maintenance bond by a surety company bond issued by a company authorized to do business in the Commonwealth, to be in a penal sum as required by the Board to secure the maintenance as herein provided, or by a deposit of money or negotiable securities sufficient in amount, in the opinion of the Board, to secure the aforesaid maintenance.

622 Location of Driveways

622.1 Proposed driveways shall be designed to intersect the street at a grade not greater than ten percent (10%) for a minimum distance of twenty-five (25) feet back or less from the edge of the traveled way, and shall intersect generally at right angles and in locations having proper sight distances. Curb cuts for driveways shall not be placed within fifty (50) feet of street intersections.

SECTION 700 ADMINISTRATIONS

701 AUTHORITIES

701.1 The Planning Board shall be the administrative agency of these regulations and shall have all the powers assigned them by Sec 81A to GG of Ch 41 of the General Laws. The Zoning Board of Appeals, as established under Ch 40A of the General Laws, shall function as the Subdivision Board of Appeals. The Planning Board may assign as their agents appropriate town agencies or officials and from time to time hire professional assistance to review plans, inspect improvements, and prepare an environmental impact Statement, at the cost of the subdivider. The Board on its own motion or on the petition of any interested person shall have the power to modify, amend or rescind its approval of a plan of a subdivision, or to require a change in a plan as a condition of its retaining the status of an approved plan.

702 VARIATIONS

702.1 Waiver of Compliance

Strict compliance with the requirements of these rules and regulations may be waived only when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law. In waiving strict compliance the Board may require such alternative conditions as will serve substantially the same objective as the standards or regulations waived.

703 REFERENCES

703.1 For matters that may arise during subdivision procedures that are not covered by these regulations the following were accepted as standards in their applicable portions: "Sections 8IK to 8IGG" of Chapter 41 of the General Laws; "Standard Specifications for Highways and Bridges" Massachusetts Department of Public Works:

each as amended or up-dated from time to time.

704 INSPECTIONS

704.1 Inspection shall be carried out at appropriate times during the improvement of the subdivision, see Exhibit B. The subdivider shall notify the responsible agencies (V-B) and the Planning Board three days before carrying out each operation to be inspected. The responsible agency shall appoint a competent person or shall make arrangements with a professional person or firm, to carry out such inspection. The costs of such inspections shall be borne by the subdivider with all responsible agencies billing the Town Treasurer and the Treasurer sending a monthly bill or statement to the subdivider with a duplicate going to the Planning Board. The inspection fee shall include 'portal to portal' and 'off-site' (analysis of plans) costs. In addition, the developer shall commission a Massachusetts Registered Professional Engineer or a Massachusetts Registered Professional Land Surveyor to take responsible charge of all construction layout work, including "as-built" work, provided however that a Massachusetts Registered Professional Engineer shall not be required to take responsible charge of the determination of property lines. Said engineer or surveyor shall, prior to the Planning Board's signing the Definitive Plans, provide the Planning Board with a completed Form "L" (see appendix).

705 Application Review Fees-Special Municipal Account

705.1 When reviewing an application for permit approval, the Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project or because of a project's potential impacts. The Board may require that applicants pay, at time required by the Board, a "review fee" consisting of the reasonable costs to be incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of an application. The review fee may be increased or decreased by the Board from time to time depending on the needs of the project as determined by the Board.

705.2 In hiring outside consultants, the Board may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances/bylaws, and regulations.

705.3 Funds received by the Board pursuant to this section shall be deposited with municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only in connection with the review of a specific project or projects for which a review fee has been or will be collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the application/permit.

705.4 Review fees may only be spent for services rendered in connection with specific project from which they were collected. Accrued interest may also be spent for this purpose. At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project, shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

705.5 Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month

following the filing of the appeal, the selection made by the Board shall stand

706 VALIDITY OF REGULATIONS

706.1 If any section, paragraph, sentence, clause, or provision of these regulations shall be adjudged not valid, the adjudication shall apply only to the material so adjudged and the remainder of these regulations shall be deemed valid and effective.

707 AMENDMENTS

707.1 These regulations or any portion thereof may be amended, supplemented or repealed from time to time by the Board, on its own motion, or by petition, after a public hearing. In either case a public hearing shall be held according to the applicable provisions of Section 81Q, Chapter 41, of the General Laws.

708 FORMS

On the following pages are sample forms for the administration of these Regulations. The administrative content of these forms may be revised from time to time by administrative action of the Board apart from section 707. **Copies of these forms may be obtained from the Town Clerk.**

Approved as amended 01/22/2003:

David Tidwell, Chairman
Edward J. Bertozzi, Jr, Vice-Chairman
Bethany Baker, Clerk
Joseph Ferrini
James Muri
Robert Moitozo
Eileen Ryan

REHOBOTH PLANNING BOARD

Amended: December 22, 1966, Rehoboth Planning Board
Amended: October 28, 1971, Rehoboth Planning Board
Amended: November 20, 1974, Rehoboth Planning Board
Amended: September 02, 1987, Rehoboth Planning Board
Amended: April 20, 1988, Rehoboth Planning Board
Amended: September 28, 1988, Rehoboth Planning Board
Amended: December 07, 1988, Rehoboth Planning Board
Amended: January 24, 1990, Rehoboth Planning Board
Amended: December 27, 1990, Rehoboth Planning Board
Amended: January 24, 1990, Rehoboth Planning Board
Amended: December 27, 1990, Rehoboth Planning Board
Amended: March 26, 1997, Rehoboth Planning Board
Amended: April 24, 1997, Rehoboth Planning Board
Amended: June 19, 2000, Rehoboth Planning Board
Amended: July 9, 2001, Rehoboth Planning Board