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**RULES AND REGULATIONS  
GOVERNING THE SUBDIVISION OF LAND  
TOWN OF EASTHAMPTON, MASSACHUSETTS**

(Adopted under the Subdivision Control Law  
Sections 81K to 81GG inclusive, Chapter 41, G.L.)

**SECTION 1.00**

**TITLE, PURPOSE AND AUTHORITY**

**1.01 Title**

These rules and regulations of the Easthampton Planning Board shall be known and may be cited as the "Rules and Regulations Governing the Subdivision of Land, Town of Easthampton, Massachusetts," which herein are called "These Rules and Regulations."

**1.02 Purpose**

These Rules and Regulations governing the subdivision of land have been enacted for the purpose of protecting the safety, convenience, and welfare of the inhabitants of the Town of Easthampton by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions, and in proper cases, parks and open areas.

The powers of the Planning Board under these Rules and Regulations 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 case of fire, flood, panic and other emergencies; for ensuring compliance with the Easthampton Zoning By-Law; 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 and with the ways in neighboring subdivisions.

It is the intent of the Rules and Regulations that any subdivision plan filed with the Planning Board shall receive the approval of such Board if such plan conforms to the recommendation of the Board of Health and to these Rules and Regulations; provided, however, that the Planning Board may, when appropriate, waive, as provided for in Section 3.04, such portions of these Rules and Regulations as is deemed advisable.

**1.03 Authority**

Under the authority vested in the Planning Board of the Town of Easthampton 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 Easthampton.

## SECTION 2.00

### DEFINITIONS

For the purpose of these Rules and Regulations, the terms and words in the following list shall have the stated meaning. In addition, unless a contrary intention clearly appears, the other terms and words defined in the Massachusetts Subdivision Control Law shall have the meaning given therein.

- APPLICANT:** Either the owner of the land, whether corporate or individual, stated in the application for subdivision, or all the owners where title is held jointly, in common, or in tenancy by the entirety. An agent, representative, or his assigns may act for the owner, provided written evidence of such fact is submitted. Evidence in the form of a list of its officers and designated authority to sign legal documents and shall be required for a corporation.
- BOARD:** The Planning Board of the Town of Easthampton.
- ENGINEER:** Any person who has been registered as a civil engineer or is legally authorized by the State of Massachusetts to perform professional engineering services.
- COLLECTOR STREET:** A street which receives and distributes traffic to and from various sub-areas within a neighborhood and receives traffic from a given neighborhood and carries it to an arterial highway. These streets can be part of the state roadway system.
- LOT:** An area or parcel of land in one ownership with definite boundaries ascertainable or to be ascertainable of records, and used, or set aside and available for use, as the site of one or more buildings and buildings accessory thereto or for any other definite purpose.
- MINOR STREET:** A street which primarily provides access to individual parcels.
- OWNER:** As applied to real estate, the person (as hereinafter defined) holding title to a parcel, tract or lot of land, as shown by the record in the appropriate Land Registration Office, Registry of Deeds or Registry of Probate.

**PERSON:** An individual or two or more individuals, or a group or association of individuals, having a common or undivided interest in a tract of land including a partnership or a corporation.

**ROADWAY:** That portion of a way which is designed and prepared for vehicular use.

**SITE:** A portion of a lot, tract, or parcel of land provided for the location of a building, with the necessary or convenient amount of land adjacent to such building used in connection therewith, whether such portion is separated from the rest of the lot, parcel, or tract by definite boundaries or not.

**SUBDIVISION:** The division of a tract of land into two or more lots including re-subdivision, and, when appropriate to the context, relating to the process of subdivision of the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if, at the time when it is made, every lot within the tract so divided has a frontage on (a) a public way, or a way which the Town Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan previously approved and endorsed in accordance with the Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective in the town having, in the opinion of the 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 the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by the Easthampton Zoning By-Law for 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 into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

**SUBDIVISION CONTROL LAW:** Refers to Sections 81K to 81GG inclusive of Chapter 41, of the General Laws of the Commonwealth of Massachusetts, titled "Subdivision Control."

**SUBDIVISION TYPE I:** A subdivision for single-family residential purposes in which the minimum lot size, as designed, is over 20,000 square feet.

**SUBDIVISION TYPE II:** A subdivision for multi-family residential purposes, and for single-family residential purposes in which the minimum lot size, as designed, is 20,000 square feet, or less, or for non-residential purposes.

**SURVEYOR:** Any person who has been registered or otherwise legally authorized by the State of Massachusetts to perform land surveying services.

## SECTION 3

### GENERAL

#### 3.01 Limitation of One Dwelling on Any Lot

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision, or elsewhere in the town, without the consent of the Planning Board. Such consent may be conditional upon the providing of adequate ways of furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision.

#### 3.02 Forming a Subdivision

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

#### 3.03 Effect of Prior Recording of Subdivision Land

The recording of a plan of land within the town, in the Registry of Deeds of Hampshire County, prior to the effective date of the Subdivision Control Law in the Town of Easthampton, showing the division thereof into existing or proposed lots, sites or other divisions and ways furnishing access thereto, shall not exempt such lands from the application and operation of these Rules and Regulations except as specifically exempt by Section 81FF of the Subdivision Control Law.

#### 3.04 Variation

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

#### 3.05 Validity

The validity of any of the foregoing rules, regulations and requirements shall not affect the validity of the remainder.

3.06 Repealer

Any previous Rules and Regulations Governing the Subdivision of Land in the Town of Easthampton as adopted by the Easthampton Planning Board and all amendments thereto, are repealed in whole.

3.07 Effective Date

These Rules and Regulations shall be effective on and after the 19th day of March, 1975.

## Section 4

### Procedure for Submission and Endorsement of Plans Believed Not to Require Approval

#### 4.01 General

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law (M.G.L. c.41), may submit his or her plan as hereinafter provided, to the Planning Board for such determination.

#### 4.02 Submission Requirements

The applicant shall submit the plan in permanent reproducible form on Mylar with five additional copies, to be retained by the Board and the Town Clerk, and three completed copies of application Form A (see Appendix A) to the Board, accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or by registered or certified mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if requested, give written receipt thereof.

A filing fee as set in the Fee Schedule (Appendix B) shall be included with the submission of the plan.

## Section 4

### Procedure for Submission and Endorsement of Plans Believed Not to Require Approval

#### 4.01 General

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law (M.G.L. c.41), may submit his or her plan as hereinafter provided, to the Planning Board for such determination.

#### 4.02 Submission Requirements

The applicant shall submit the plan in permanent reproducible form on Mylar with five additional copies, to be retained by the Board and the Town Clerk, and three completed copies of application Form A (see Appendix A) to the Board, accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or by registered or certified mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if requested, give written receipt thereof.

A filing fee as set in the Fee Schedule (Appendix B) shall be included with the submission of the plan.

#### 4.03 Endorsement

If the Board determines that the plan does not require approval, it shall, without a public hearing, forthwith endorse on the plan the words, "Plan does not require approval under Subdivision Control Law. This endorsement is not a determination as to conformance with zoning regulations." By vote of the Board, one member of the Board may be authorized to endorse said plan in the name of the Board, provided that the determination must, in all cases, be made by the Board itself. Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action by delivering an endorsed Form A. The Board shall distribute the four copies of the endorsed print as follows: Planning Board (with Form A), Town Clerk (with Form A), Building Inspector, and Board of Assessors.

If the Board determines that the plan does require approval

under the Subdivision Control Law, it shall, within 21 days of submission of said plan, so inform the applicant and return the plan.

If the Board fails to act upon the plan and notify the applicant of its action within the prescribed 21 days, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.

## SECTION 5

### PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PRELIMINARY PLANS

#### 5.01 General

Prior to the submission of a Preliminary Plan to the Planning and the Board of Health, the subdivider should discuss the Plan with the Town Engineer, Town Planner, Superintendent of Public Works and the Board of Health to obtain their recommendations. These recommendations may be incorporated in the Preliminary Plan with any changes and additions suggested by the Planning Board.

A Preliminary Plan of a subdivision may be submitted by the applicant for discussion and action by the Board. The submission of such a Preliminary Plan will enable the applicant, the Board, other municipal agencies and owners of property abutting the subdivision to discuss and clarify any problems of such subdivision before a Definitive Plan is prepared. A Preliminary Subdivision Plan shall be filed for all non-residential subdivisions. For all Preliminary Plans filed, the Board shall have forty-five (45) days in which to review and act on the plan. Therefore, it is strongly recommended that a Preliminary Plan be filed in every case.

#### 5.02 Filing Procedure

The plan shall be submitted by delivery at a meeting of the Board or by registered mail or certified mail to the Board, in care of the Town Clerk. If so mailed, the date of receipt shall be the date of submission of the plan. In addition, written notice shall be given by the applicant to the Town Clerk by delivery or by registered or certified mail, stating that he has submitted such a plan.

The applicant shall file the drawing(s) on suitable reproducible material and nine (9) prints shall be filed with the Board in accordance with Section 81S of the Subdivision Control Law. The prints shall be distributed to the Planning Board (5), the Town Clerk, the Town Engineer, the Town Planner, and the Conservation Commission. The applicant shall also file one set of prints with the Board of Health. A properly executed application Form B (see Appendix A) shall be filed with the Preliminary Plan submitted to the Board as well as an application fee (refer to Fee Schedule, Appendix B).

### 5.03 Contents

The Preliminary Plan submission shall include at least two (2) alternative concepts for developing the parcel(s). Said alternative concepts shall include at least one concept showing the parcel developed with the Open Space Residential Development Requirements of Section XVI of the Easthampton Zoning Bylaw.

Said Plan shall be identified as a Preliminary Plan and shall show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the Definitive Plan. Such information shall include:

1. the subdivision name, boundaries, north point, scale, legend, and title "Preliminary Plan";
2. the names and addresses of the record owner and the applicant and the names, addresses and professional seals of the designer, engineer or surveyor;
3. the names of all abutters, as determined from the most recent local tax list;
4. the names of proposed streets, the existing and proposed lines of streets, ways, easements; and any public areas within the subdivision in a general manner. The purpose of all easements shall be indicated;
5. the proposed sanitary sewer system and water distribution system in a general manner;
6. the proposed system of drainage, including existing natural waterways, in a general manner;
7. the approximate boundary lines of proposed lots with approximate areas and dimensions;
8. the names, approximate location, and widths of adjacent streets;
9. the topography of the land in a general manner.
10. an index plan at a scale of one inch equals 200 feet (1"=200') [when multiple sheets are used];
11. a locus plan at a scale of one inch equals 1000 feet (1"=1000') on all preliminary plans;
12. zoning districts of all areas show on the plan;

13. a complete Development Impact Statement (Appendix J) to expedite Planning Board review.

#### 5.04 Action by Board

After submission, the Board will review the Preliminary Plan to determine whether it is in compliance with the design standards of these Regulations. The Board will make a recommendation as to which alternative design concept is preferred.

The Board may give such Preliminary Plan its approval, with or without modification. Such approval does not constitute approval of a subdivision but does facilitate the procedure in securing final approval of the Definitive Plan.

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

Notice of its action must be given by the Board to the applicant and Town Clerk within 45 days of the date of submission.

## SECTION 6

### PROCEDURE FOR SUBMISSION AND APPROVAL OF DEFINITIVE PLANS

#### 6.01 General

A Definitive Plan shall be governed by the Subdivision Regulations in effect at the time of submission of such plan or in effect at the time of the submission of a Preliminary Plan provided that a Definitive Plan evolved therefrom shall have been submitted to the Planning Board within seven (7) months from the date of submission of the Preliminary Plan.

A Definitive Plan shall be governed by the zoning in effect at the time of submission of such plan or a Preliminary Plan from which a Definitive Plan is evolved in accordance with the provisions of Section 6 of Chapter 40A of the General Laws of the Commonwealth.

#### 6.02 Filing Procedure

Any person who submits a Definitive Plan of a subdivision to the Board for approval shall give written notice to the Town Clerk in accordance with the provisions of Section 81T of the Subdivision Control Law and shall be responsible for filing a copy of Definitive Plan with the Board of Health on the same date of submittal to the Board. The applicant shall file with the Board the following:

1. An original reproducible drawing of the Definitive Plan (including all plans, maps and cross sections required by Section IV B2), a photographic Mylar reproduction of the original drawing, and ten (10) contact prints thereof, dark line on white background. Ten (10) copies of a completed Development Impact Statement (Appendix J) shall be included. The original drawing and original Development Impact Statement will be reserved for signatures to be returned to the applicant after approval or disapproval.

The ten copies will be distributed to the Board (5), the Conservation Commission, the Town Planner, the Town Engineer, the Town Clerk, and public safety officials for review. Two of the copies (Board, Clerk) shall have the significant features illustrated according to the following color scheme:

Roads - dark grey  
Streams and Water bodies - blue  
Open Space and Recreation Areas - green  
Pedestrian and Bicycle Paths - brown  
Subdivision Boundaries - black

2. A properly executed application Form C (See Appendix A).
3. An application filing fee per the Fee Schedule (Appendix B) to cover the cost of advertising notices, clerical expenses, public hearing, and plan review by the Board and town staff.
4. A Certified List of Abutters on Form D (Appendix A).

#### 6.03 Contents

The Definitive Plan shall be prepared by an engineer and surveyor and shall be clearly and legibly drawn in black India ink. The surveying shall conform to the requirements of the American Congress for Surveying and Mapping. The plan shall be a scale of 1"=40' or such other scale as the Board may accept to show details clearly and adequately. Sheet size shall be 24 inches by 36 inches with a border of 3/4 inch. If multiple sheets are used, they shall be accompanied by an index sheet to a scale of not less than 1"=100', showing the entire subdivision. The Definitive Plan shall contain all of the required contents of the Preliminary Plan (Section 5.03) as well as the following information:

1. Subdivision name, boundaries, true north point, date, scale, legend, and title "Definitive Plan".
2. A locus plan of the subdivision at a scale of 1"=1000', indicating its position within the Massachusetts Coordinate System as specified in Chapter 47 of the Acts of 1941 and showing the right-of-way lines of all proposed streets in the subdivision and their location in relation to two or more existing streets, or portions thereof, shown and readily identifiable as to locus on the Town Map and to such accuracy that the Town Map may be placed over the location plan for purposes of actual transfer.

3. Names and address of record owner and applicant, and the name of the engineer and surveyor who prepared the plan. Certificates and seals of the engineer and the surveyor that they actually prepared the plan, and an additional certificate by the surveyor that all surveying conforms to the Technical Standards for Property Surveys of the American Congress on Surveying and Mapping.
4. Names of all the abutters as they appear in the most recent tax list including owners of land separated from the subdivision by only a street, and zoning district boundaries, if any. Also, the location of abutting property and if registered land, the case number and ties to the land court survey.
5. Existing and proposed lines of streets, ways, lots, rights-of-way, easements, and public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Board.) The purposes of easements shall be indicated.
6. Location, names, and present widths of streets bounding, approaching, or within reasonable proximity of the subdivision.
7. Location of natural waterways and water bodies within and adjacent to the subdivision.
8. Zoning districts of all areas shown on the plan.
9. Major site features, such as existing trees of over 8-inch caliper, watercourses, stone walls, historic features, fences, buildings, large trees, rock ridges and outcropping, and marshes.
10. Sufficient data, including length, bearings, radii, and central angle, to determine the exact location, direction and length of every street, right-of-way, and pavement line and boundary line, and to establish these lines on the ground. A table of the boundary traverse closure and street closures is required. The location of the subdivision shall be tied to the Commonwealth of Massachusetts Coordinate Mapping System by locating corners, indicating a baseline, or using a grid.

11. Location of all permanent monuments and bench marks, and each lot marker, properly identified as to whether existing or proposed. All bench marks shall be tied into and employ the USGS (United States Geological Survey) datum system, if such datum is within 500 feet of the subdivision.
12. Boundary lines, areas in square feet, and dimensions of all proposed lots, with all lots designated numerically and in sequence. The boundary lines and areas of other adjoining land of the applicant not included in the subdivision shall also be shown.
13. A landscape planting plan showing location, type, size and maintenance of species presented on a separate sheet per the requirements of Section 8.15.
14. Suitable space to record the action of the Board and the Board of Health and the signatures of the members of the Board on each sheet of the Definitive Plan. Where the applicant elects to secure completion of required improvements by covenant (rather than bonds or surety), there shall be a notation above such space as follows:

Approved \_\_\_\_\_,  
 subject to covenant conditions set forth  
 in a covenant executed by \_\_\_\_\_  
 dated \_\_\_\_\_, and  
 to be (recorded) (registered) herewith.

Items 15, 16, and 17, may be submitted on the same sheet as the Definitive Plan or on a separate sheet(s).

15. Existing and proposed topography, at a scale of 1"=40' with a 2-foot contour interval, unless the Board agrees that the natural surface of the ground may be adequately represented by contours with larger intervals or by figures of elevation.
16. Profile plans shall be prepared as follows:

A horizontal scale of 1"=40'.  
 A vertical scale of 1"=4'.

Existing centerline in fine black solid line, with elevations every 50 feet, all of which shall refer to USGS datum, if such datum is within 500 feet of the subdivision.

Existing right sideline in fine black dotted line.

Existing left sideline in fine black dash line.

Proposed centerline grades in heavy lines with figures showing grade elevations at every 50-foot station, except in vertical curves which shall be at every 25-foot station. Centerline grades with precise elevations at PVC, PVT, high point, and low point.

Elevations are to be referred to USGS datum. Permanent bench marks must be shown on the plan by location and elevation.

Rates of gradient shown by figures (%'s).

Size, location and rates of gradient of proposed storm water drains, catchbasins, and manholes.

Size, location and rates of gradient of sanitary sewer system, if any is proposed.

Size and location of all other underground utilities to be placed in the right-of-way.

Location of any intersecting public or private ways. All center lines, street lines and curb lines of streets for 200 feet either side of each intersection on a connecting street.

17. On the same sheet, there shall be drawn cross sections of the proposed streets, properly located and identified by station number, at such intervals along the streets as will adequately indicate any variations in its section, supplemented, where necessary, by lines on the layout plan showing the width and location of proposed roadways, utility locations, planting strip, gutters, sidewalks, light poles, and similar physical features.
18. The plan and profile of one street only shall be shown on each sheet.

19. The location, materials, and size of all existing and proposed water mains as well as required new waterways. The location, size, and grades of pipes, catchbasins, manholes, and drainage outlets, including any proposed cellar or house drains. The location, size, grades, and materials of all existing and proposed sanitary sewers, manholes, and other necessary appurtenances. The location and results of percolation tests and the level of the water table for each lot proposed within the subdivision as required by the Board of Health.
20. Subsurface conditions on the tract, location, and results of tests made to ascertain subsurface soil, rock and ground water conditions, and depth to ground water.
21. Size and location of existing and proposed water supply facilities.
22. Location of all the following improvements unless specifically waived in writing by the Board: street paving, sidewalks, street lighting standards, all utilities above and below ground (i.e., telephone, cable TV, gas), curbs, gutters, storm drainage, and all easements.
23. A storm drainage system shown including invert and rim elevations of all catch basins and man-holes together with surface elevations of all waterways within the subdivision at 100 foot intervals and approximate depth of water at these points. Surface elevation and approximate depth of water at the annual high water line shown at each point where drainage pipe ends at a waterway. Drainage calculations performed by the applicant's engineer, including design criteria used, drainage area and other information sufficient for the Board to check the size of any proposed drain, culvert, detention pond, or bridge. Existing storm sewerage should be shown.
24. A proposed method of ownership and maintenance for any proposed detention basins or ponds (per Appendix I).
25. If the property that comprises the subdivision or any part or boundary thereof has been examined, approved, and confirmed by the Massachusetts Land Court, such information shall be noted on the plan with case numbers and other pertinent references

to Land Court procedure, and the same requirements shall apply to adjoining parcels of land.

26. Any other pertinent information which the Planning Board may request.

#### 6.04 Additional Subdivision Requirements

1. Borings (see Section 8.01). The purpose of borings is to assist the developer and the project's engineer in designing an appropriate roadway and related utilities based on existing water table and subsurface soil conditions (i.e., a clay subsurface might necessitate extra excavation and extra depth for gravel base; a water table near ground surface might necessitate the installation of subdrains along the edge of the road, etc.). In case of a development located with the limits of the aquifer recharging the Town's wells, borings should provide enough information to facilitate the Town's determining the development's impact on subsurface water quality. The actual location at which each boring is made shall be shown on the plans. The borings shall be certified by a Massachusetts Professional Engineer.
2. Hydrology Study and Drainage Calculation. The applicant shall submit, as part of his/her/their application, calculations showing a) that any proposed drainage system has been designed according to the standards set forth in Section 8.17; and b) any impact said drainage system would have on existing drainage systems downstream from the former's point of discharge.
3. Sanitary Sewer Study. The applicant shall submit as part of his/her/their application, calculations showing a) that any proposed sanitary sewer system has been designed according to the standards set forth in Section 8.20 and b) any impact said sanitary system would have on existing sanitary systems downstream from the former's point of discharge.
4. Water Study. The applicant shall submit as part of his/her/their application, a study certified by the Town's current water consultant showing that the proposed water system would provide the development with adequate fire flows. The standard for fire flows will be determined by the Easthampton Fire Chief. The study will also show the impact of the development on the water pressure of the surrounding area.

5. Development Impact Statement. The developer shall submit an analysis of the impact of the proposed development by a qualified professional on a) schools, b) traffic, c) water; d) sewer; e) municipal services such as public works, police, fire, libraries, recreation, etc. The standards used in calculating impacts should be carefully documented and fully referenced (see Appendix J). Each of the sections of said analysis (traffic, water, sewer, etc.) shall be presented as a separate document so that it can be forwarded by the Board to the appropriate Town department in assessing the cumulative impact of development on the Town. Regardless of the above, the Board's decision shall be based on criteria set in Section 1.02.

In order to insure the protection of the general public against any possible undesirable impact of the development on natural resources, the developer shall include in the impact statement an analysis of any such matters of environmental concern, such as preservation of wetlands, surface and ground water quality and air quality. Said analysis shall be conducted by a registered professional.

6. Easements. All easements to be granted by the developer to the Town of Easthampton shall be shown on the subdivision plans with bearings and distances, and their purpose shall be clearly stated. In addition, the applicant shall submit, as part of his application, easement documents, suitable for recording, deeding said easements to the Town. The easements shall be submitted by the Board to the Department of Public Works and the Town Counsel, and their response shall be given in writing within thirty (30) days of the date of submittal.

7. Restrictive Covenants. The applicant shall submit, whenever applicable, as part of his/her/their application, any and all documents such as, but not limited to, master deeds, restrictive covenants, deed restrictions, homeowners' association rules and regulations of any commonly owned/shared land, detention pond, open space, recreation area, etc. Said documents shall be submitted by the Board to the Department of Public Works and the Town Counsel, and their response shall be given in writing within thirty (30) days of the date of submittal.

8. On-Lot Sewage Disposal System. Where sewage disposal is to be by individual on-lot sewage disposal system, the Definitive Plan shall be accompanied by a report, prepared by a Registered Civil Engineer, which includes the following:

- a. The results of percolation and deep hole soil tests performed on each lot, in accordance with Title 5 of the State Environmental Code.
- b. A map which locates the soil test sites on each lot.
- c. Other data, including topographic conditions, natural drainage patterns, soil characteristics, maximum ground water elevations.
- d. When on-site water supplies are to be used, the location of those supplies must be shown on a map along with proposed on-site sewage disposal systems and any existing off-site sewage disposal systems within 100 feet of the property line.
- e. A statement by a registered Civil Engineer as to the suitability of the area for the installation of subsurface sewage disposal systems of the general type and size as indicated in the Massachusetts Environmental Code 314CMR Title 5- Department on Environmental Protection.

9. Review by Board of Health as to Suitability of the Land. At the time of the filing of the Definitive Plan, the applicant shall also file with the Board of Health two contact prints of the Definitive Plan, dark line on white background. The Board of Health shall, within 45 days after filing of the plan, report to the Planning Board in writing its 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 therefor in such report, and where possible, shall make recommendations for the adjustment thereof. Any approval of the plan by the Planning Board shall then only be given on condition that the designated lots of land shall not be built upon or served with any utilities (including cesspools, septic tanks, and drainage) without prior consent of the Board of Health. The Planning Board shall endorse on the plan such condition, specifying the lots or land to which such condition applies. Failure of the Board of Health to report shall be deemed approval by the Board of Health.

10. Wetlands Protection. In accordance with Chapter 131, Section 40, of the Massachusetts General Laws, no person shall remove, fill, dredge, or alter any bank, beach dune, flat, marsh or swamp bordering on any existing creek, river, stream, pond, lake or any land under said waters or subject to flooding without receiving a negative determination of applicability or any order of conditions from the local Conservation Commission and/or Department of Environmental Protection.

Failure of the Conservation Commission to report to the Planning Board within thirty (30) days after receipt of a Definitive Plan shall not exempt the proposed plan from wetland regulations established pursuant to the General Laws, Chapter 131, Section 40.

11. Flood Plain District. All subdivision proposals and other proposed new development shall be reviewed to determine whether such proposals will be reasonably safe from flooding. Refer to applicable section of Easthampton Zoning Bylaw.

12. Aquifer Protection District. Any portion of a proposed subdivision which lies within the limits of the Aquifer Protection District shall conform to the requirements of said district as stated in the Zoning Bylaw.

13. Construction Quantities. The applicant shall submit a detailed estimate for all construction within the proposed roadway layout and/or public utility easements, certified by the project's Registered Professional Engineer. Said estimate shall be based on the "Standard Specifications for Highways and Bridges", 19XX Edition, as amended, of the Commonwealth of Massachusetts, and shall include:

- a. quantity, unit price and total amount for each construction item; and
- b. total amount for cost of completion of project.

14. Lighting System. The applicant shall include a complete street lighting system for the proposed street in the Definitive Plans. Said system shall be in conformance with existing systems in the Town, as supplied by the local electric company.

15. Compliance with Existing Town Regulations and Requirements.

Before approval of the plan, the applicant shall comply with all the reasonable rules and regulations of the Town Departments. Copies of the Zoning By-Laws, and general by-laws, and regulations of the Water, Sewer, and Highway Departments, and the Board of Health, may be obtained from the respective departments. Also before final approval of the plan, the applicant shall see to it that lots in a Definitive Plan be in conformity with the applicable zoning regulations, and failure of the lots to so comply will be adequate grounds for disapproval of the Definitive Plan.

16. Erosion/Sedimentation Control Plan - In order to ensure, mitigate and prevent erosion/sedimentation of disturbed areas during and after construction activities, the developer shall submit a plan showing, in detail, what and when such measures will be implemented, on both a temporary and permanent basis.

6.05 Approval of Definitive Plan

1. Public Hearing

Before approval, modification and approval, or disapproval, of the Definitive Plan is given, a public hearing shall be held by the Board, notice of the time and place of which and of the subject matter, sufficient for identification, shall be given by the Board by advertisement in a newspaper of general circulation in Easthampton once in each of two successive weeks, the first publication being not less than 14 days before the day of the hearing.

A copy of said notice shall be mailed by the Board by registered mail to all owners (as appearing in the most recent tax list), of land abutting upon the subdivision, or separated from the subdivision by only a street as appearing in the most recent tax list submitted by the applicant (see Form D). The applicant or his representative should be present at the hearing.

2. Approval, Modification or Disapproval

After the required hearing, but within the period specified in the Subdivision Control Law, the Board shall take final action thereon. It may approve, modify and approve, or disapprove said plan, as provided by statute. Any approval of the plan by the Planning Board shall only be given on the condition that the designated lots or land shall not be built upon or served with any utilities, such as septic tanks or cesspools, and drainage without prior consent of the Board of Health. The Planning Board shall endorse on the plan such conditions as set forth by the Board of Health and the lots and land affected by such conditions. The action of the Board in respect to such plan shall be certified and filed with the Town Clerk and sent by registered mail, postage prepaid to the applicant at his address as stated on the application. Favorable action shall require a majority vote of the Board members.

If the Board modifies and disapproves such plan, it shall state with its vote the reasons for its action. Final approval, if granted, shall be endorsed on the reproducible drawings of the Definitive Plan by the signatures of the majority of the Board, but not until the statutory 20-day appeal period has elapsed following the filing of the certificate of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed, or if appeal has been taken, not until the entry of a final decree of the court sustaining the approval of such plan.

Final approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of streets within a subdivision. Such laying out or acceptance shall be by action of the Board of Selectmen upon recommendation of the Board and the Department of Public Works.

3. Endorsement

An approved, or approved with modifications, plan shall not be endorsed until after the mandatory twenty (20) day appeal period has elapsed and not until the applicant has:

- a. Posted the necessary performance guarantee. The monetary value of said guarantee, using any method other than a covenant, shall be based on a revised construction quantity estimate (see Section

6.04.13) if conditional approval of the subdivision was given and if said approval changed the original quantities. In addition, the monetary value of the performance guarantee shall reflect projected construction costs of completing the project. The Board may extend the date of submittal of the guarantee.

- b. Made the necessary corrections, whenever applicable, on the plan, easements, master deeds, restrictive covenants, etc., if conditional approval was given to the satisfaction of the Board.
- c. Presented to the Board, and the Board has subsequently approved, any additional information requested as part of a conditional approval.
- d. Paid the necessary inspection fee (if Section 9.01 is applicable).
- e. Delivered to the Board two (2) sets of reproducible drawings of the Definitive Plan with the necessary corrections. After endorsement by the Board, the applicant shall deliver to the Board ten (10) sets of copies of the endorsed Definitive Plan.
- f. Failure of the applicant to meet the above requirements shall be full and sufficient reason to withhold endorsement.
- g. If the applicant fails to submit the required Performance Guarantees, easements and other documentation and the endorsement of the Plan by the Planning Board is delayed more than six months after the expiration of the twenty day appeal period, the Planning Board, on its own motion, shall exercise its power to modify, amend or rescind its approval of the subdivision plan or to require a change in the plan as a condition of said plan retaining the status of an approved plan.

4. Performance Guarantee

Before endorsement of the Board's approval of a Definitive Plan of a subdivision, the applicant shall agree to complete the required improvements specified in Sections 7 and 8 for all lots in the subdivision, such construction and installation to be secured in accordance with Section 81U of the Subdivision Control

Law by one, or in part by one and in part by another, of the following methods which may from time to time be varied by the applicant.

a. Approval with Bonds or Surety. The applicant shall either file a surety company performance bond (the bond shall be executed by a surety company satisfactory to the Board) (see Appendix, Form G) or provide a deposit of money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements specified in Section 7 and 8 not covered by a covenant under "b" below. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Town Counsel, as to sureties by the Town Treasurer and shall be contingent on completion of such improvements within two years of the date of the bond or surety. At the discretion of the Board, a time extension may be granted.

b. Approval with Covenant. The applicant shall file a covenant (see Appendix, Form H), executed and duly recorded by the owner of record, running with the land, whereby such ways, services, and, whenever applicable, temporary turnarounds as specified in Section V, not covered by bond or deposit under "a" above, are constructed and installed to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed. Such covenant shall be endorsed upon the Definitive Plan or contained in a separate document which shall be referred to on the plan and delivered to the Planning Board. Upon approval of the covenant by Town Counsel and the Board, the applicant shall note the Board's action on the Definitive Plan (see Section 6.03.14), and the applicant shall record the covenant, endorsed Definitive Plan, and other appropriate documents at the Registry of Deeds.

5. Completion Time Schedule. The Performance Guarantee, whether by bond, deposit of money or covenant, as previously described herein shall be contingent upon the completion of such improvements as required in these Rules and Regulations within a maximum period of two (2) years of the date of such bond, deposit of money, or covenant. There shall be at least a nine (9) month period between the completion date of all improvements and the expiration date of any bond or deposit of money. Said nine (9) months shall give the

Town the opportunity to complete the necessary improvements in case a) the developer is unable to do so; and/or b) the Board denies any requests for an extension of time.

Upon written request from the applicant, the Planning Board may, at its discretion, grant an extension of time, and such agreement shall be executed and affixed to the bond or covenant.

In the case of a surety company bond, such an agreement for an extension shall not be effective until the surety delivers to the Board a written statement that the surety agrees to the proposed alteration of the completion schedule and that such alteration shall not relieve or affect the liability of the surety company.

Failure to complete all improvements as required by these Rules and Regulations within the time allotted shall cause the Board a) to draw upon the performance guarantee in order to complete said improvements; and/or b) schedule a public hearing in order to rescind approval of the subdivision in accordance with appropriate sections of Chapter 41, Section 81, of M.G.L.

6. Recording of Plan. Within 10 days after the Definitive Plan, as approved and endorsed, has been recorded at the Hampshire Registry of Deeds and, in the case of registered land, with the recorder of the Land Court, the applicant shall notify the Board in writing of such recording. Subsequent to said recording, the Board shall file within seven (7) calendar days one (1) print of the Definitive Plan with the Building Inspector. Unless the Building Inspector has received such print, he shall issue no permit for a building on any lot within the subdivision. Further, in accordance with the statute, where approval with covenant is noted thereon, he shall issue no permit for the construction of a building on any lot within the subdivision, except upon receipt from the Board of a copy of the Certificate of Performance (see Appendix A, Form I) releasing the lot in question.

#### 6.06 Release of Performance Guarantee

1. Procedures for Partial Release. The subdivider may, upon partial completion and installation of improvements required under Sections 7 and 8, security for the performance of which was given by bond, deposit or covenant, make formal application, in writing to the Planning Board for partial release of his/her

Performance Guarantee, in accordance with the procedures set forth herein:

- a. Bond or Deposit of Money. The penal sum of any such bond, or the amount of any deposit held may, from time to time, be reduced by the Planning Board, upon formal application in the manner prescribed herein, and the obligations of the parties thereto released by said Board in part. The applicant shall present to the Board a list of all construction items performed and/or completed, said list to be based on Section 6.04.13. The amount to be reduced by the Board, after consultation with the Town Engineer, shall be based upon prevailing construction costs at the time the application for reduction is made. In addition, the Board shall withhold a 10% retainage on any reduction it approves, said retainage to be released under Section 6.06.2.
  - b. Covenant. The subdivider may request a Release of Conditions (see Appendix A, Form I) for designated lots ;where the required improvements have been completed for that section of roadway beginning at any intersection with a Town road and abutting lots up through the last lot to be released. Lots may only be released if they abut the completed portion of the road. No partial release from the covenants will be approved if the total length of roadway, including a temporary turnaround, abutting said designated lots, exceeds the Town's maximum allowable length for dead end streets, as mentioned in Section 7.01.6, unless the Board has already approved within the limits of the development a dead-end street exceeding said limits.
2. Procedures for Full Release. The subdivider may, upon partial completion and installation of improvements required under Sections 7 and 8, the security for the performance of which was given by bond, deposit or covenant, make formal application, in writing, to the Planning Board for full release of his/her Performance Guarantee. Before the Planning Board releases the full interest of the Town in said performance guarantee, the Planning Board shall:
- a. Obtain in writing from the Town Engineer or from a registered professional engineer chosen by the Board, a certificate or statement (see Appendix A, Form I) that all work required by these Rules and Regulations has been constructed in conformance with the approved construction plans. In the case

where roadways will remain under private ownership, the above mentioned certificate or statement shall be supplied by the project's registered professional engineer.

- b. Obtain from the applicant a set of record construction plans. Approval of said plans by the Board shall take place after review of the former by the Town Engineer.
- c. Receive from the applicant street acceptance plan or plans and necessary documents. Said plans and

documents, after approval by the Board and the Town Engineer, shall be presented by the Planning Board to the Board of Selectmen for a formal street acceptance.

- d. The Board shall obtain in writing from the Board of Health a statement that each on-lot sewerage system was installed in accordance with the Easthampton Board of Health rules and regulations and Article XI of the Sanitary Code of the Department of Health of the Commonwealth of Massachusetts and each on-lot water system was installed in accordance with the Manual of Individual Water Supply Systems of the U.S. Department of Health, Education and Welfare.
- e. The applicant may be required to execute an instrument, in a form approved by the Board, transferring to the Town or to an approved public utility, without cost, valid unencumbered title to all sanitary sewers, water mains, and appurtenances thereto, and other utilities constructed and installed in the subdivision or approved portion thereof, and conveying to the Town or to an approved public utility without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain such sanitary sewers, water mains and other utilities, with any manholes, conduits, and other appurtenances, and to do all acts incidental thereto, in through, and under the whole of all streets in the subdivision or approved portion thereof, and if any such sewers or water mains have been constructed and installed in land not within such streets, then in, through, and under a strip of land extending fifteen (15) feet in width on each side of the centerline of all such sewers and water mains. The Board may require greater than fifteen (15) feet in width on each side of the center line where it deems necessary.
- f. If the Planning Board determines that all improvements as shown on the endorsed Definitive Plan have been completed satisfactorily, it shall release the interest of the City in such performance guarantee and return the bond or deposit, including the 10% retainage to the person who furnished the same, or release the covenant, by appropriate instrument, duly acknowledged, which may be recorded.

- g. If the Planning Board determines after inspection that said construction or installation has not been completed, or wherein said construction or installation fails to comply with these Rules and Regulations, the Planning Board shall send by registered mail to the applicant and deliver to the Town Clerk the details wherein said construction or installation fails to comply with its rules.
  - h. The applicant shall have thirty (30) days after receipt of such notice to correct all problems mentioned in the above. Failure of the applicant to finish all the necessary work within said thirty (30) days shall cause the Board to draw upon the bond or deposit of money as mentioned below.
  - i. Any such bond may be enforced and any such deposit may be applied by the Planning Board for the benefit of the Town of Easthampton, as provided in Chapter, Section 81 of the M.G.L. upon failure of the performance for which any cost to the Town of completing such construction and installation.
3. Release of Lots from Covenant in Exchange for Bond or Deposit of Money. The subdivider may request a Release of Lots from Covenant in exchange for a bond or deposit of money provided that:
- a. The lots run consecutively and are released on both sides of the road simultaneously, beginning with the lots nearest any intersection of the subdivision road and a Town road; lots across the road from each other must be released together.
  - b. The amount of the surety of bond shall be determined by the Planning Board, based on regulations as set in Sections 6.04.13 and 6.05.3.a. the amount of the surety of bond shall be determined on a request by request basis, and each request shall be judged on its own merits.

#### 6.07 Deviation from Approved Plan

1. After approval of any Definitive Plan, the location and width of ways shown thereon, or any street or way subject to the Subdivision Control Law, shall not be changed unless the plan is amended in accordance with the provisions set forth in Section 81-W, Chapter 41, as amended, of the General Laws, and approved by the Planning Board.

2. In the event the applicant desires to alter or change the grade of a street or the size, location or layout of a storm sanitary or water line or appurtenant structure, he shall:
  - a. Provide the Board with a written statement requesting such alteration or change.
  - b. Provide the Board with three (3) prints of the original Definitive Plan with the proposed changes drawn on said prints in red.
  - c. No change or alteration shall be permitted unless such change or alteration has been approved by the Planning Board.
  - d. After approval of a change or alteration, the applicant shall cause such approved changes to be shown on the record plans (see Appendix G).
  - e. Deviations from material and construction specifications shall not be allowed, except as specifically authorized by the Planning Board, upon consultation with the Town Engineer.
  - f. The Board shall have thirty (30) days to respond to the applicant's request for said change or alteration.

**SECTION 7.00**  
**DESIGN STANDARDS**

**7.01 Streets and Ways**

Streets and ways shown on the subdivision plan, or on a plan for more than one dwelling building per lot, must comply with the following requirements:

**1. General**

- a. No street or way through private property shall be accepted by the town unless the same be constructed and completed in accordance with the Standard Cross Section, Street Layout Plan, Profile and the required specifications of the Town of Easthampton.
- b. Before any excavation is done on any road, a permit must be obtained from the Department of Public Works and a performance bond of \$1,000.00 or more, as determined by the Board shall be furnished to the Department of Public Works.
- c. Where any excavation is done, trenches must be backfilled with gravel and patched with asphalt patch. All evidence of street excavation must be hauled away by the contractor making the excavation.

**2. Location**

- a. All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness and design of the street layout in order to obtain the maximum livability and amenity of the subdivision. As far as practicable, streets should also follow natural contours.
- b. The proposed streets shall conform, so far as practicable, to the Easthampton Master Plan, as adopted in whole or in part by the Board.
- c. 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.

- d. Provisions satisfactory to the Board shall be made for the proper projection of streets adjoining to properties and their street connections, if they are already subdivided, or to the Plan Boundary when adjoining properties are not already subdivided or developed. Accesses to adjoining property which is not yet subdivided shall be provided in such a manner that cross connections will be spaced at not more than 1,000-foot intervals.

When plans include such connections or projections, the Board may require full construction of the same as part of the street system for the purpose of providing adequate facilities for water, sewerage and drainage in the subdivision and for coordinating the ways in the subdivision with the town and adjacent subdivisions.

- e. Streets and ways shall be continuous and in alignment with existing streets, as far as practicable, to insure free and safe movement of vehicular traffic.
  - f. Temporary dead-end or cul-de-sac streets shall conform to the provisions of alignment, width, and grade that would be applicable to such streets if extended.
  - g. The developer shall make every effort to avoid the creation of dead-end streets.
3. Alignment. Horizontal and vertical alignment shall be in accordance with the standards shown in Appendix E.
  4. Grade. Grades shall be in accordance with the standards as shown in Appendix E.
  5. Intersections. Streets and ways shall be laid out so as to intersect in accordance with the standards as shown in Appendix E and the following:
    - a. Street and way lines at all intersections, between proposed streets or between, whenever applicable, a proposed and/or existing street, shall be rounded with a curve at each corner which has a property line radius of not less than thirty (30) feet.
    - b. The center line of all intersecting streets or ways shall be a straight line from the point of intersection of said center line for a distance of no less than one hundred (100) feet.

- c. On any street where the grade exceeds two (2) percent on the approach of the intersection, a leveling area, with a maximum slope of two (2) percent shall be provided for a distance of not less than thirty (30) feet measured from the nearest gutter line of the intersecting street.

6. Cul-de-Sac or Dead End Street

- a. A permanent cul-de-sac or dead-end street shall be no longer than five hundred (500) feet in length measured along the centerline of construction from its beginning to the center of the island at the turnaround. Cul-de-sacs or dead end streets shall be allowed only on local streets in Type I Subdivisions.
- b. Permanent cul-de-sac streets shall be provided with a turnaround at the end of the street having a minimum outside roadway radius of sixty (60) feet and a property line radius of at least eighty (80) feet (see Appendix D). The center of the cul-de-sac shall be on the centerline of construction.
- c. A permanent cul-de-sac turnaround (island) shall be constructed in lieu of paving the entire area of the cul-de-sac. The roadway pavement shall have the same width as the roadway leading into the cul-de-sac, said pavement width beginning at the exterior radius of the turnaround, with the inner circle graded, seeded and/or appropriately planted with acceptable trees or shrubs, or left with natural tree growth. The maintenance of said inner circle shall be the responsibility of the developer, his successors and assigns or a homeowners' association. The inside radius of the cul-de-sac pavement shall be constructed with granite-edging type SA (see Section 8.06)
- d. A temporary cul-de-sac shall be allowed only where, in the opinion of the Planning Board, it is essential to the reasonable development of the subdivision and where it is a part of a street or way that eventually will be extended into adjoining property. The design of a temporary turnaround shall be satisfactory to the Planning Board, and clearly shown on the plan as temporary in nature, and such property lines shall be those which would normally have been required or used without the turnaround.

Regardless of the above, no temporary cul-de-sac shall be allowed if the street length exceeds the limit set in these Rules and Regulations.

Layout of the turnaround beyond the normal street right-of-way lines shall be in the form of an easement to the Town of Easthampton covering said premise included in the turnaround. When the street is extended into adjoining property, the easement shall become null and void.

7. Cross Sections

a. Cross sections shall be in accordance with the standards as shown in Appendix C, Typical Street Cross Section.

b. Roadways shall be constructed for the full length and width. The centerline of such roadways shall coincide with the centerline of the street rights-of-way, unless a minor variance is specifically approved by the Board.

c. Only one typical cross section need be shown on the Definitive Plan if the former conforms to the standard shown in Appendix C. Any variation from the typical standard should be shown on the construction plans at fifty (50) foot intervals.

8. Right-of-Way Width. The right-of-way shall be in accordance with the standards as shown in Appendix F.

9. Paved Roadway Width. The roadway width shall be based on the following criteria:

a. Projected traffic volume generated by the development, based on ten (10) average daily trips (ADT) per dwelling unit (i.e., a two-family house will generate 20 ADT).

b. The maximum number of vehicles, based on the above mentioned ADT per dwelling unit, whether generated within the development (as in the case of a dead-end street) or outside said development (as in the case of a through street) and passing any section of a roadway will determine the width of the entire length of said roadway, based on standards as shown in Appendix F.

- c. In establishing the proposed road width, the developer shall also consider the future growth of the surrounding area.
- d. The centerline of the roadway shall coincide with the center line of the right-of-way, unless otherwise approved by the Board.
- e. Greater widths may be required by the Planning Board when deemed necessary for present and future vehicular traffic. This may include widening and upgrading existing streets.

#### 7.02 Easements

1. For municipal utilities easements shall be thirty (30) feet in width, except that wider easements may be required by the Board where necessary. Utilities shall be located as close as possible to the center line of the easement.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a stormwater easement or drainage right-of-way of adequate width to conform substantially to the lines of the water course, drainage way channel or stream and to provide for construction or other necessary purpose.

#### 7.03 Open Space

Before approval of a plan the Board may also, in proper cases, require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park(s) shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Board may by appropriate endorsement on the plan require that no building be erected upon such park(s) for a period of not more than three years without its approval. The Board shall not require dedication of such recreation areas without just compensation to the owner. Where the subdivision constitutes an approved Open Space Residential Development under the Zoning Bylaw of the Town, the disposition of the open space under such approval shall be designated as part of the subdivision plan.

7.04 Protection of Natural Features, Scenic Points and Historic Spots

All natural features, such as large trees, water courses, scenic points or historic spots, and similar community assets shall be preserved, if in the opinion of the Board, they will add attractiveness and value to the subdivision.

7.05 Fencing

Fencing shall be required in subdivisions abutting limited or controlled access highways or expressways, or other limited or controlled access roads. Fencing may be required in other areas where physical features require such safety.

7.06 Guard Rails

Guard rails shall be provided at points of hazard along the roadway, such as fixed objects and the pavement edge, high fills, fills on sharp curvature, along water courses, steep cliffs, along deep ditches in cuts and similar locations as required by the Planning Board. Type and installation of guard rails shall be approved by the Town Engineer.

7.07 Sidewalks

Sidewalks shall be required on both sides of all streets in Type II subdivision and Type I subdivision collector streets. Sidewalks shall be required on one side of all streets in Type I subdivision local streets.

7.08 Wheelchair Ramps

All sidewalks shall be handicapped accessible from the roadway at all intersections. Wheelchair ramps to accomplish the above shall be designed and constructed according to the Commonwealth of Massachusetts Department of Public Works, "Construction Standards", 1977 Edition, as amended.

## SECTION 8.00

### CONSTRUCTION STANDARDS

All construction shall follow the Commonwealth of Massachusetts Department of Public Works' a) Standard Specifications for Highways and Bridges," 1988 edition as amended (to be referred hereto as the "Standard Specifications"), b) "Construction Standards", 1977, as amended (to be referred to hereto as the "Construction Standards") and the following:

#### 8.01 Borings

The work shall consist of making soil-test borings, obtaining and preserving acceptable samples, preparing a report of the results obtained and delivery of the report and samples in conformance with appropriate provisions of Section 190 of the Standard Specifications and these Rules and Regulations.

#### 8.02 Construction Staking (Stakes)

The developer shall employ, at his own expense, a professional engineer or a registered land surveyor to set all lines and grades in a manner satisfactory to the Town Engineer and in accordance with the provisions of Section 5:07 of the Standard Specifications.

#### 8.03 Site and Earthwork

1. All materials and construction methods used for roadway excavation and embankments shall conform to Section 100 of the Standard Specifications.
2. All natural features, such as large trees, watercourses, scenic points, historic plots, and similar community assets shall be preserved. It is the opinion of the Board that this protection and preservation will add to the attractiveness and value of the subdivision.
3. The entire area within the right of way lines, except for trees and other vegetation intended to be preserved, shall be cleared and grubbed of all stumps, brush, roots, and like material. All rock or masonry with a maximum dimension over three inches and within six inches of the top of subgrade shall be removed. Trees intended to be preserved shall be protected by suitable boxes, fenders, or wells as appropriate.

4. In a cut area all material shall be removed to subgrade. All unsuitable material, such as peat, highly organic silt or clay, or any other material that, in the opinion of the Town Engineer, is considered to be detrimental to the subgrade, shall be removed and shall be replaced by bank-run gravel, and be brought to proper compaction with a ten-ton roller.
5. Topsoil, defined as fertile, friable, natural material which has demonstrated vegetative growth, and found on the site, can be used within the right-of-way, provided it conforms with the relative provisions of Section 751 of the Standard Specifications.
6. In fill areas the embankment shall be ordinary borrow specified and placed, as in the relevant provisions of Section 150 of the Standard Specifications.
7. Before the ground base course is spread, the subgrade shall be shaped to a true surface conforming to the proposed cross section of the road. Where fill is required, it shall be placed in layers not deeper than twelve (12) inches loose, except the last layer which shall not exceed four (4) inches in depth. The fill shall be ordinary borrow specified and placed as in the relevant provisions of Section 150 of the Standard Specifications. A tolerance of one-half (1/2) inch above or below finished subgrade will be permitted, provided this difference is not maintained over fifty (50) feet and the required cross section is maintained.
8. The subgrade shall be classified as follows:
  - a. Poor. Subgrade soils which become quite soft and plastic when wet. Included in these are soils having appreciable amount of clay, silt, and fine sand.
  - b. Medium. Subgrade soils which retain a moderate degree of firmness when saturated. Included are such soils as fine sands, silty sands, and sandy gravel with some silts and clays.
  - c. Good to Excellent. Subgrade soils which retain a substantial amount of their load-supporting capacity when saturated shall be classified as good. Included are clean sands and gravel free of detrimental amounts of plastic silts and clays. Subgrade soils unaffected by moisture shall be classified as excellent. Included are clean and sharp sands and gravel, particularly those that are well graded.

9. Inspections by the Town Engineer shall be required upon the completion of the subgrade.

#### 8.04 Pavement Structure

1. The pavement sub-structure shall be constructed in accordance with applicable provisions of Section 400 of the Standard Specifications and the following:

- a. Sub-Base. The sub-base shall be gravel borrow meeting M1.03.0 Type a specifications, except that the top four (4) inches shall be gravel borrow meeting M1.03.1 specifications. The gravel borrow shall be laid to a depth indicated in Appendix E.

Before the base is spread, the bank run gravel subbase shall be shaped to a true surface to a depth of 12-inches conforming to the proposed cross sections of the road, as shown on the Definitive Plan. The subbase installation shall be in accordance with the Standard Specifications, Section 401. It shall be compacted in layers not exceeding 8-inches in depth except the last layer shall not exceed 4-inches in depth and compacted to the proper percentage of the maximum dry density of the material (cohesive to 95 percent AASHO T-180D and cohesionless to 100 percent AASHO T-180D), and shall be treated with calcium chloride for dust layer.

- b. Base. A base course of 3-inches of processed gravel shall be laid and compacted in a separate course over the subbase in accordance with the materials and standards designated by the Standard Specifications, Section 405.

Over this base course shall be laid in two separate operations a 2 1/2-inch binder course of Class I bituminous concrete Type I-1 and a 1-inch surface course of Class I bituminous concrete Type I-1 both in accordance with Section 460 of the above state standards given. The finished surface must be level and even and is to form a close, even union around all curbs, and projecting frames. It is the contractor's responsibility to see that all manhole frames, gate boxes, and catchbasin frames are at street grade and accessible for their intended use.

Where fill is required, it shall be placed in layers not deeper than 12-inches and shall be compacted as in "a" above. Fill shall be suitable material free of all organic materials and not containing excessive amounts of clay.

- c. Binder Course. The binder course shall be asphalt concrete, in accordance with Section 420, Class I Bituminous Concrete Pavement Type I-1 (Binder Course Mix). It shall be laid to a depth indicated in Appendix E.
  - d. Surface Course. The surface course shall be asphalt concrete, in accordance with Section 460, Class I Bituminous Concrete Pavement Type I-1 (Top Course Mix). It shall be laid to a depth indicated in Appendix E.
  - e. No street or road surfacing shall be undertaken during the period from November 1 to April 1 of the following year, unless specific approval is given by the Town Highway Department.
2. Inspections shall be required by the Town Engineer upon completion of each layer of sub-base, base, and the binder and surface courses.

#### 8.05 Shoulders

Shoulders shall not be allowed in place of sidewalks, curbs and grass strips, as shown in the typical cross section (Appendix C) unless permission is specifically granted by the Planning Board.

#### 8.06 Curbing

1. For Type II subdivisions all curbing shall be granite Type VB unless otherwise approved by the Planning Board. Granite curb corners Type A shall be installed at all driveways.
2. In Type I subdivisions, curbing shall be bituminous concrete curb modified Type A (12" horizontal), except that all intersection radii and the outside radius of all turnarounds shall be constructed with granite curb Type VB (see Appendix E). The outside radius of the island in all cul-de-sacs shall be constructed with granite edging Type SB having a minimum thickness of 4" (see Appendix D).
3. Granite curb corners, wherever required, shall be Type A (see Section 9.04.6).

4. Granite curb inlets shall be built against all catch basin frames and shall be installed true to the horizontal and vertical alignment as shown on the plans.
5. All bituminous berms shall be placed on the bituminous binder.
6. The type and method of installation of bituminous berm, granite curb, granite edging, and granite curb corners shall conform to the relevant provisions of Section 470 and 500 respectively of the Standard Specifications.
7. Under special conditions, specially constructed berms or gutters may be required by the Planning Board.

#### 8.07 Driveway Approach Areas and Aprons

1. Driveway approach areas from the edge of the public roadway to the edge of the public right-of-way shall be constructed in accordance with standards and permits set by the Department of Public Works.
2. The nearest line of any driveway shall not be closer than fifty (50) feet from the intersection of any two streets.
3. The Planning Board may require the developer to construct certain driveway approach areas during the construction of the subdivision, in order to insure that certain physical characteristics, such as swales, steep side slopes, etc., do not get disturbed after the end of construction.

In addition, the developer shall make provisions for driveway openings in all cases where granite curb has been used, i.e., around all cul-de-sacs. Granite curb corners Type A shall be used at all such driveway openings. The developer shall follow the regulations as stated in #1 and #2 above in constructing said driveways.

4. Driveways of Type II subdivisions shall be shown on the Definitive Plans.

#### 8.08 Sidewalks

Sidewalks shall be required on both sides of all streets in Type II subdivisions and Type I subdivision collector streets. Sidewalks shall be required on one side of all streets in Type I subdivision local streets. Sidewalks shall meet the following requirements:

1. Sidewalks shall have a finished grade of 2.0 percent sloping toward the roadway. When unusual physical land characteristics or topographic conditions require, the Board may approve the placement of a sidewalk at a greater distance from the roadway or at a higher or lower elevation in relation thereof, provided such variation is indicated on the Definitive Plan.
2. Sidewalks shall be of cement concrete with a minimum width of five (5) feet in Type II subdivisions. In Type I subdivision collector streets sidewalks shall be of bituminous concrete with a minimum width of five (5) feet for collector streets and four (4) feet for local streets.
3. All sidewalks shall conform to the material and construction methods as specified in Section 701 of the Standard Specifications. In addition, all cement concrete sidewalks shall be reinforced with 10/10 - 6 x 6 wire fabric.
4. At all intersections, the sidewalks shall be constructed across the grassplot to the edge of the travelled way.
5. No sidewalks shall be constructed until all house construction performed by the subdivider is completed.

#### 8.09 Planting Strips

1. Planting strips shall be provided on each side of the roadway, between the roadway and the sidewalk.
2. The finished grade of such planting strips shall be two percent sloping toward the roadway. Where unusual physical land characteristics or topographic conditions exist, the Board may approve the construction of a planting strip at a slope greater than two percent, provided the finished slope will not project above a plane sloped at a ratio of two horizontal and one vertical upward or below a plane sloped at a ratio of two horizontal to one vertical downward from the edge of the roadway and provided such variation is indicated on the Definitive Plan.
3. No trees or other obstruction shall be placed or retained within the planting strip so as to be closer than two feet from the edge of the roadway.

4. The top 6-inches of planting strips shall consist of good quality loam, screened, raked and rolled with at least a 100-pound roller to grade. The loam shall be fertilized and seeded with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled with the loam is moist.
5. The Board may require that shade trees shall be retained or planted within the planting strip of a species and size directed by the Board.
6. The minimum width of any planting strip shall be seven (7) feet.

#### 8.10 Side Slopes

1. The area outside the sidewalk lines of a development shall be sloped at the maximum rate of 2 to 1, two feet horizontally to one foot vertically, to a point where it precisely coincides with the surrounding ground or the abutting property. If ledge, then the slope ratio shall be a foot horizontally to four feet vertically or as the Board may designate for the safety of the public. All construction methods and materials shall conform to the Standard Specifications, Section 751.
2. The top six (6) inches of side slopes shall consist of good quality loam extending to the right-of-way, screened, raked, and rolled with at least a 100-pound roller to grade. The loam shall be seeded with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled when the loam is moist. Loaming and seeding shall be in accordance with Sections 751 and 765 of the Standard Specifications.
3. Retaining walls of stone, or other suitable material satisfactory to the Board, shall be constructed outside the sidewalk lines of a development where the final grade of the exterior sidewalk lines is significantly above or below grade of the adjacent land, to support the street or the adjacent land as case may be; to a height as designated by said Board, if in the opinion of the Board, such retaining wall is necessary for the public interest and the safety and protection of the abutters or the general public, in addition to the slope requirements as enumerated.

#### 8.11 Street Name Signs

1. Street name signs and poles shall be of a design acceptable to the Board and shall bear the names of both intersecting streets, as indicated on the Definitive Plan.

2. At least two street name signs diagonally opposite each other shall be erected at each street intersection at The inside curb edge.
3. Specifications may be obtained from the Easthampton Department of Public Works.

#### 8.12 Light Standards

Poles and light fixtures for street lights shall be required by the Board. Spacing shall be determined by the Department of Public Works.

#### 8.13 Monuments and Markers

1. Reinforced concrete or granite bounds of not less than 6-inch by 6-inch by 3-feet with 3/8 inch drill hole in the center, shall be set to finish grade as shown on plans. All monuments shall be installed under the direction of a Massachusetts registered land surveyor.
2. Monuments shall be installed on both sidelines at all street intersections, points of change in direction or curvature of streets, points or tangent, and at other points where, in the opinion of the Board, permanent monuments are necessary. They shall also be set at the intersections of the sidelines and sidelines of existing streets.
3. No permanent monuments shall be installed until all construction which could destroy or disturb the monuments is complete.
4. Certification, in writing, shall be made by the Registered Engineer for the developer, to the Board of Public and the Planning Board that the bounds have been properly set in accordance with the approved plan and the Rules and Regulations of the Board.
5. All individual lots with subdivisions shall have permanent boundary markers, iron pins or cement bounds which designate all bounds.
6. All monuments shall be installed prior to any release of the performance guarantee and will be inspected by the Town Engineer.

#### 8.14 Bridges

Bridges shall be designed in accordance with the standards of the Massachusetts Department of Public Works.

### 8.15 Street Trees and Landscape Plan

Where, in the opinion of the Planning Board, the existing trees in the area of the subdivision are not adequate, provisions for at least two street trees per lot may be required in the side slope or in adjacent portions of each lot. A Landscape Plan including species, size and planting procedure for such trees shall be submitted and must be approved in writing by the Planning Board.

Planting operations and requirements for trees and plantings contained herein shall be in accordance with the standards and specifications of the American Nurserymen Association and the Associated Landscape Contractors of Massachusetts, and shall have a one year growth warranty.

### 8.16 Intersection Plantings

No small trees, shrubs or herbaceous plants that tend to obstruct visibility at street intersections shall be permitted within fifty (50) feet of the point of intersection of the curb or exterior roadway lines along both sides of the corner lot at the intersection.

### 8.17 Drainage

1. The construction of the drainage system, including methods of construction and quality of materials used, shall be in conformity with the Definitive Plan and Section 200 of the Standard Specifications.
2. The design capacity of the drains shall be determined by the rational method, unless the engineer exhibits satisfactory evidence that another approach is more appropriate for the specific case. The drainage boundaries of the total contributing drainage area, using a minimum of a ten (10) year design frequency storm. Where, in the opinion of the Board, flooding would produce property damage or a safety hazard, the design frequency storm shall be increased to twenty-five years. A one hundred (100) year design frequency storm shall be used for all bridge openings, major culverts, and detention areas. Drainage calculation shall be submitted with the Definitive Plan.
3. Pipe drains, where used, shall have a minimum diameter of twelve (12) inches in Type I subdivisions, and fifteen (15) inches in Type II subdivisions, and shall be laid in true line. All drainage pipe shall be reinforced concrete pipe, ACCM pipe (14 gauge), or other approved equal of appropriate strength. Rubber gaskets ("O" rings) shall be used for all pipe joints

of the reinforced concrete pipe mentioned above. The rubber gaskets ("O" rings) shall be of approved composition, size and shape to provide for a proper joint. In general, pipe drains should be designed to full flow with the hydraulic gradient at the crown. However, in flat slope areas surcharge may be allowed with the hydraulic gradient at a minimum depth of 1-foot below the ground level. In determining the capacity of concrete pipe drains, the Manning formula should be used with the coefficient of friction "n" equal to 0.013. The minimum velocity at design flow should be 2 1/2 fps (feet per second) and the maximum 15 fps.

4. Where feasible, stormwater should be directed to enter the nearest open stream channel or detention pond. Stormwater shall not be permitted to cross any roadway upon the surface but must be piped underground. Stormwater runoff shall not be permitted to flow upon the road surface for a longer distance than three hundred (300) feet before it enters the underground system. Catch basins shall be located on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet, at all sags in the roadway, and near the corners of the roadway at intersecting streets.
5. Proper connections shall be made with any existing public drainage system within four hundred feet (400) feet of the subdivision, if that system has the capacity to absorb the flows from the project area. Where adjacent property is not subdivided and no public drain is within four hundred (400) feet, adequate provisions shall be made for the detention of surface drainage within the boundaries of the subdivision.
6. No open water body or pond shall be filled in and no wet or swampy area shall be filled in unless it can be shown to the Board that provision has been made in the lower drainage system to account for the removal of the storage area represented by the former wet or swampy area. In addition, permits and approval must be secured from the appropriate Town, State, and/or federal authorities.
7. Where open stream channels exist within a subdivision, adequate provision shall be made for properly maintaining them or for properly enclosing them, if absolutely necessary. It is the Town's intent to preserve and maintain the natural features of such streams and any development should be planned accordingly.

8. Manholes and catch basins shall be precast, cast in place or block, and a typical detail of such, noting materials, dimensions and construction details, shall be part of the Definitive Plan.
9. Iron casting for manhole frames and covers and catch basin frames and grates shall be in accordance with Massachusetts Department of Public Works Standards.
  - a. Manhole covers shall have three (3) inch lettering to read "DRAIN". In addition, manhole covers shall be 26" in diameter.
  - b. Catch basin grates shall be square, type F, as manufactured by LeBaron Foundry Company, Box 746, Brockton, MA 02403, or other approved equal.
10. Drain manholes shall be located at every change in grade or direction of the drainage line, at catch basin connections, and shall not exceed three hundred (300) feet apart in a continuous system.
11. All catch basins shall connect directly to drain manholes.
12. All catch basins shall have a minimum of two and one-half (2 1/2) foot sumps.
13. If roadway sub-drainage is required, rigid perforated PVC or ACCM pipe of appropriate size shall be used. Installation and materials shall conform to the provisions of Section 260 of the Standard Specifications and the sketch shown in Appendix C.
14. If lot sub-drainage (i.e., foundation drains) is required, rigid six (6) inch PVC or ACCM pipe shall be used within the public layout. The method of connecting said sub-drainage to the public drainage system shall be approved by the Town Engineer prior to construction.
15. The maximum allowable slope on a drainage system for reinforced concrete pipe shall be seven (7) percent. The maximum allowable difference in elevation between inlet and outlet pipes in a drain manhole shall be one (1) foot. If greater slopes than seven (7) percent are necessary, ACCM pipe of appropriate size shall be used.
16. The maximum depth of any portion of the storm system shall be ten (10) feet.

17. In some cases, earth and stone-paved open channels should be used. The typical section of each channel should have a flat bottom and side slopes of one vertical and two horizontal, with the top of the slope at least 1-foot higher than the design water surface, the maximum velocity allowed in an open earth channel at design flow should be 6 fps. A coefficient of friction "n" equal to 0.030 should be used for both earth and stone-paved channels.

18. Wherever drainage systems are located in or terminate in lands not publicly owned, proper easements in a form and content acceptable to the Board and the Town Counsel shall be taken for their access. A ownership and maintenance plan shall be presented in accordance with Appendix I.

#### 8.18 Side Drains

Side drain trenches shall be four feet below finish grade, with asphalt coated corrugated metal or PVC perforated pipe covered by 18 inches of 1 1/4 inches trap rock. The diameter of the pipe shall be approved by the Department of Public Works. Remainder of trench shall be filled with coarse gravel. The pipe shall be to dimensions specified and shown on plans. (Under certain conditions, a State specification side drain may be constructed but approval must first be obtained from the Town Engineer). There shall be a side drain on each side of each street unless otherwise approved by the Planning Board.

#### 8.19 Water

1. Water mains, appurtenances and service connections shall be installed in conformity with the relevant provisions of Section 300 of the Standard Specifications and the specifications of the Easthampton Department of Public Works.
2. Water mains shall have a minimum cover of five feet and a maximum cover of five and one-half feet.
3. Public water mains shall not be less than 12 inches in Type II Subdivisions and not less than 8 inches in Type I Subdivisions except on short cross connections of 500 feet or less, in which case they may be reduced to six inches.
4. Water mains shall be ductile iron, Class 52, push-on or mechanical-joint-type with wedges at connections for conduction.

5. All fittings shall be ductile iron (mechanical joints). Tapping sleeves and valves (TSV) shall have iron bodies and mechanical joints.
6. All water mains shall be looped.
7. Provisions of Section 8.20.9 shall become part of this section.
8. A hydrant shall be located at each street intersection and not more than 500 feet apart in Type I Subdivisions and not more than 350 feet apart in Type II Subdivisions. A hydrant shall be located at the end of all cul-de-sacs.
9. Each hydrant shall be served directly from the water main through a 6-inch lateral connection. It shall be gated with a 5-inch bottom valve and shall have two, 2 1/2-inch hose outlets and one 5-inch pump outlet. Valves shall be located in such number and locations that lines by individual block may be isolated for maintenance purposes. Water service laterals shall be minimum 3/4" diameter type k copper with DPW-approved corporation cocks and curb stops.
10. Hydrants shall be equivalent to Kennedy "Guardian", five and a quarter inch open left valve, five and a half feet buried. Extensions shall not be allowed on hydrants.
11. A hydrant shall be placed five (5) feet from the edge of the pavement. A valve shall be installed between the hydrant and the main.
12. Corporation shall be 1 x 3/4 "Red Hed" brass, iron pipe threaded.
13. Curb stops shall be 3/4-inch "Red Hed" brass, compression ball valve, without waste. Curb boxes shall be "Buffalo" type with sliding top extension.
14. Thrust blocks shall be installed according to relevant provisions of Section 300 of the Standard Specifications. All thrust blocks shall be inspected and approved by the Easthampton Town Engineer.
15. Water services from curb box to the meter of any proposed structure shall be at least 3/4- inch copper (type k).
16. At water main intersections, all lines will be valved and the maximum spacing between valves on any one main

shall be seven hundred fifty (750) feet.

17. All valves shall open left.

18. All pipe lines shall be pressure tested under the supervision of the Easthampton Town Engineer. The test shall be done before all the services have been installed to the edge of the right-of-way. The water main and water services should hold a pressure of 150 p.s.i. for a minimum of four (4) hours.

In addition, the developer shall conduct, at his/her own expense, flow tests on the completed water system to insure that the fire flow requirements (see Section 6.04.04) have been met. Said flow tests shall be conducted under the supervision of the Town Engineer or his designee.

Leakage tests shall be conducted simultaneously with the pressure test. The Contractor shall furnish the required gauges, pump, and pipe connections necessary to conduct the test. Maximum allowable leakage shall be defined in gallons per hour, as determined by the formula:

$$L = \frac{ND/P}{3700} \quad \text{in which,}$$

L = the allowable leakage in gallons per hour  
N = the number of joints in the length of pipeline tested.  
D = the nominal diameter of the pipe in inches  
P = the average test pressure during the leakage test (psi gauge).

19. All potable water lines shall be disinfected according to AWWA designation C601-68.

20. In accordance with Town regulations, the subdivider shall connect to the public water system. Where the public water supply system is not located within four hundred (400) feet of the subdivision, the subdivider shall make arrangements to extend the existing water system to the subdivision at his/her expense.

#### 8.20 Sewerage

1. In accordance with Town regulations, the applicant shall connect all lots to the public sewerage system.

2. Under no condition will permission be granted to construct subsurface disposal systems within the Aquifer Protection District., Noted as R-80 and R-40 on the Town Zoning Map.
3. The construction of the sanitary system, including methods of construction and quality of materials used, shall be in conformity with the Definitive Plan, Section 230 of the Standard Specifications and the specifications of the Department of Public Works.
4. Sanitary sewer mains shall have a minimum diameter of eight (8) inches and shall be PVC, bedded in 3/4" stone to spring line of pipe or other approved equal.
5. Sanitary sewer services shall be four (4) inch PVC, bedded in 3/4" stone to springline of pipe, or other approved equal and shall be extended to the edge of the right-of-way.
6. The minimum slope for sanitary sewer pipes shall be such that a minimum design flow velocity of two and one-half (2 1/2) feet per second is achieved.
7. The maximum slope for sanitary sewer pipes shall be seven (7) percent. Drop sanitary sewer manholes shall be allowed only with outside "chimneys".
8. Manhole cover shall have three (3) inch lettering to read "SEWER". In addition, manhole covers shall be 26" in diameter.
9. The following requirements shall be met for the design and construction of sewerage systems in relation to water systems:
  - a. Horizontal Separation: Whenever possible, sewers shall be constructed in the center of the street. A lateral separation of ten (10) feet between the sewer and the water mains shall be maintained and the elevation of the top (crown) of the sewer shall be at least eighteen (18) inches below the bottom (invert) of the water main.
  - b. Vertical Separation: Whenever sewers must cross under water mains, the sewer shall be laid at such an elevation that the top of the sewer is at least eighteen (18) inches below the bottom of the water main. When the elevation of the sewer cannot be varied to meet the above requirement, the water main shall be relocated to provide this separation or reconstructed with mechanical-joint pipe for a

distance of ten feet on each side of the sewer. One full length of water main should be centered over the sewer so that both joints will be as far from the sewer as possible.

- c. When it is impossible to obtain proper horizontal and vertical separation as stipulated above, both the water main and sewer shall be constructed of mechanical-joint cast iron pipe and shall be pressure tested to assure water tightness.

10. Leakage/ Exfiltration Test

- a. All gravity type sewers shall be subjected to an exfiltration test at the direction of the Town Engineer. The sewer shall be made as nearly watertight as practicable and leakage measurements shall be made as directed and under the supervision of the Town Engineer.
- b. This test shall be carried out by isolating various sections of the line through the use of watertight plugs and filling the line with water to a predetermined level.
- c. Leakage from the sewer shall not exceed two hundred (200) gallons per inch diameter in twenty-four (24) hours per mile of sewer.
- d. Should the sections under test fail to meet the requirements, the contractor shall do all the work of locating and repairing leaks and retesting as the Town Engineer may require.
- e. The contractor shall furnish suitable test plugs, water, pumps, and appurtenances, and all labor required to conduct the tests properly on the sewer.
- f. Maximum depth of any portion of the sanitary system shall be ten (10) feet.

11. Private on-lot sewerage systems, where acceptable, shall be designed and constructed in conformity with Article XI of the Sanitary Code of the Department of Public Health and the Commonwealth of Massachusetts.

8.21 Other Utilities

Materials and construction methods shall be in accordance with the requirements of the involved utility company after said requirements have been approved by the Town Engineer and appropriate Town departments.

## 8.22 Utility Installation

The subdivider shall protect all utilities and appurtenances installed under these Rules and Regulations from any and all damage, until the entire subdivision is completed and approved as a whole by the Planning Board. Any damage to these utilities and appurtenances, prior to the approval of the Planning Board, the full cost of which shall be borne by the subdivider. Any material used which does not meet the town's standards, shall be replaced by the subdivider at his own expense.

The construction of streets and installation of public utilities shall conform to the standards in the following sections:

1. The applicant shall employ at his own expense an engineer to set all lines and grades in a manner satisfactory to the Board.
2. All utility lines shall be installed with the minimum cover as shown in Appendix C.
3. Sewers shall be laid to true line and grade.
4. Electric, telephone, and cable TV conduits shall be installed underground beneath the planting strip with a minimum cover as shown in Appendix C.
5. Width of trench at the pipe or conduit shall be equal to nominal diameter of the pipe or conduit, plus twenty-four (24) inches.
6. Sheet piling shall be used whenever necessary upon the direction of the Town Engineer and in conformance with relevant provisions of Section 950 of the Standard Specifications.
7. Pipe and conduits shall be surrounded by 6-inches of compacted screen gravel if set in earth and 12-inches if set in rock. In rock, clay, or peat excavation, trenches shall be excavated to a depth of twelve (12) inches or more below the bottom of any water pipe, storm drain, or sewer and filled with bank run or select gravel, whichever is approved by the Town Engineer.
8. Backfill shall be compacted to 90 percent of the maximum dry density of the material as determined by the American Association of State Highway Officials, Designation T-180D.

9. The water and sanitary sewer systems shall be tested and approved prior to installation of base course(s) and pavement.
10. All lot connections shall be installed to the right-of-way line, and marked or surveyed so as to be easily located in the future.
11. All underground utilities shall be installed as soon as the subgrading is completed and before any gravel is placed. They shall be tested and approved prior to installation of base course(s) and pavement.

#### 8.23 Retaining Walls

Retaining walls shall be designed in accordance with the Commonwealth of Massachusetts Department of Public Works Bridge Manual, including all amendments, and shall conform to the applicable subsections of Section 900 of the Standard Specifications.

#### 8.24 Cleaning Up

The entire area must be cleaned up within thirty days of completed construction so as to leave a neat and orderly appearance free from debris and other objectionable materials. All catchbasins shall be properly cleaned out.

**8.25 As-Built Plans**

As-built plans showing the location, grades, and other significant information regarding utilities shall be prepared by the applicant and submitted to the Town Clerk to forward to the Town Engineer following the final approval of the improvements as hereinafter provided. This may be done by correcting mylars of the original submittal. Plans should be in accordance with Appendix F.

**8.26 Required Improvements for an Approved Subdivision**

All streets, underground utilities, shoulders, curbing, sidewalks, planting strips, side slopes, street name signs, monuments and markers, drainage systems, water systems, sewerage systems, and easements shall be obtained and installed by the subdivider. The obtaining and installing of these improvements shall be in accordance with this Section (8.00) of these Regulations.

## SECTION 9.00

### ADMINISTRATION

#### 9.01 Inspection and Control

1. Inspection shall be made and the project shall be certified in writing to the Planning Board by the Town Engineer or his designee, or by a registered professional engineer chosen by the Board (see Section 9.01.9). In the case where roadways will remain under private ownership, the above mentioned certificate or statement shall be supplied by the project's registered professional engineer.
2. The Planning Board shall notify the Town Engineer and the developer in writing that the subdivision has been approved. Prior to construction, the developer, the project's engineer/surveyor, and the designated contractor shall attend a pre-construction conference to be arranged by the Town Engineer. Construction SHALL NOT COMMENCE ON ANY PORTION OF THE SUBDIVISION UNTIL THE CONFERENCE HAS BEEN HELD and the Engineer receives notification of Planning Board approval.
3. The developer shall notify in writing the Department of Public Works and the Planning Board two (2) days in advance of the date of commencement of construction and subsequent phases of construction so that proper inspection can take place.
4. The applicant shall be responsible to see that there are sufficient stakes, grades, batter boards, and other control points established and used in construction so that the Planning Board's agent may easily determine whether or not the plans and specifications are being followed in the construction. No underground construction shall be covered unless it has been inspected in accordance with these regulations and if such work has been obscured or covered to any extent, such construction shall not be approved until uncovered or otherwise brought into full view.
5. At the points hereinafter indicated the construction of required streets and other improvements shall be inspected:
  - a. Following completion of clearing and topsoil removal, the site shall be inspected.

- b. The installation of drainage shall be inspected prior to any backfilling of trenches or other covering of structures.
  - c. The installation of underground utilities and services shall be inspected by the Town Engineer prior to any backfilling of trenches or other covering of structures.
  - d. The installation of private on-lot sewerage system shall be inspected by the Board of Health.
  - e. The curbing shall be inspected by the Town Engineer prior to the placement of the top course of bituminous concrete surface.
  - f. The roadway shall be inspected by the Town Engineer upon completion of the subgrade gravel base course, binder and surface course prior to each required construction step.
  - g. Upon completion of the roadway pavement and any shoulders, curbing, sidewalks, and planting the roadway shall again be inspected.
  - h. Following the completion of all improvements required by Sections 7.00 and 8.00, the subdivision shall be inspected by the Town Engineer.
6. Unless approval of the work completed, including approval of materials used, to each point has been given in writing, no further work shall be done.
  7. Inspection shall be requested by the applicant at least two days in advance by notice to the Town Engineer.
  8. The cost of inspection shall be paid by the applicant according to the Fee Schedule shown in Appendix B.

A fee for inspections shall be paid by the applicant and shall be a sum equal to \$200.00 for each 1,000 feet of street being constructed or \$10.00 per site visit whichever is greater. Prior to the first request for inspection, a sum equal to \$200.00 for each 1,000 feet of street being constructed shall be deposited with the Board.
  9. If the Town Engineer cannot perform the inspection due to the size or complexity of the project or the unavailability of personnel, the Town may retain the services of a private engineer to perform such inspection service. The total cost of such services,

plus ten (10) percent to pay the Town's administrative costs, shall be paid by the applicant.

10. Inspections by the Town Engineer will in no way relieve the developer, contractor, or project engineer of responsibility in insuring that all materials and all construction meet all standards as stated in these Rules and Regulations.

#### 9.02 Interpretation

Whenever these Rules and Regulations made under the authority hereof differ from those prescribed by any local bylaw or other local regulations, the provision which imposes the greater restriction or the higher standard shall govern.

#### 9.03 Revocation of Approval

The Board reserves the right to revoke granted approval when subsequent inspection or other evidence establishes proof of willful disregard or violation of these Rules and Regulations by the applicant.

Notice of such action shall be given to the applicant and to the Town Clerk.

#### 9.04 Enforcement by Denial of Building Permits

1. The Building Inspector of the Town of Easthampton shall not issue building permits for any of the lots of any subdivision unless he/she is notified in writing that the approved subdivision plans and documents have been recorded at the Hampshire County Registry of Deeds. Said notice shall be sent to the Building Inspector within seven (7) calendar days after the date of said recording.

2. The Building Inspector of the Town of Easthampton shall issue no occupancy permits for any of the lots of any subdivision unless he/she is notified in writing by the Chair of the Planning Board that the following have been installed/constructed by the developer and approved by the Town Engineer:

- a. all utilities to said lot (including payment of all necessary "entry" fees);
- b. a driveway meeting Department of Public Works Standards; and
- c. at least the binder course on the proposed roadway from an existing Town roadway, up to at least the driveway mentioned above.

9.05 Material Testing

The developer shall test, upon the request of the Town Engineer and at his own expense, all materials to be used in the construction of the public ways. The tests shall be conducted by qualified firms/individuals which shall be approved by the Town Engineer.

**APPENDIX A**

**FORMS**

- A. Application - Approval Not Required Plan
- B. Application - Preliminary Plan
- C. Application - Definitive Plan
- D. Certified List of Abutters
- E. Cover Letter - Departmental Review
- F. Notice of Subdivision Approval or Disapproval
- G. Performance Bond
- H. Covenant
- I. Certificate of Performance/Covenant Release
- J. Submission of Additional Materials and Extension of Time Period
- K. Approval of More than One Dwelling Building on a Lot

Distribution (endorsed):  
Board (with Form A)  
Clerk (with Form A)  
Building Inspector  
Assessors

FORM A  
Easthampton, MA

APPLICATION FOR ENDORSEMENT  
OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: \_\_\_\_\_ 19 \_\_\_\_\_

To the Planning Board:

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

1. Applicant: \_\_\_\_\_ Signature \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_
2. Owner: \_\_\_\_\_ Signature \_\_\_\_\_  
Address: \_\_\_\_\_
3. Surveyor: \_\_\_\_\_ Signature \_\_\_\_\_  
Address: \_\_\_\_\_
4. Deed of property registered in \_\_\_\_\_ Registry.  
Book \_\_\_\_\_ Page \_\_\_\_\_
5. Location and Description of Property:
6. Zoning District \_\_\_\_\_ Frontage (feet) \_\_\_\_\_
7. Necessary evidence to show approval is not required:
8. File fee is attached (\$25)

Date of submission \_\_\_\_\_  
Town Clerk \_\_\_\_\_

FORM B  
Easthampton

APPLICATION FOR APPROVAL  
OF PRELIMINARY PLAN

Date \_\_\_\_\_ 19 \_\_\_\_\_

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Easthampton for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the Town of Easthampton.

1. Subdivider \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
2. Owner \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_
3. Engineer/Surveyor \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
4. Deed of Property recorded in \_\_\_\_\_ Registry  
Book \_\_\_\_\_ Page \_\_\_\_\_
5. Location and Description of Property:
6. Filing fee is attached (\$50 + \$30 x \_\_\_\_\_ acres).

Date of Submission \_\_\_\_\_

Town Clerk \_\_\_\_\_

Distribution: Planning Board (original, 5 copies)  
Conservation Commission  
Town Engineer  
Town Clerk  
Town Planner

FORM C  
Easthampton, MA

APPLICATION FOR APPROVAL  
OF DEFINITIVE PLAN

File one completed form with the Planning Board and a copy with the Town Clerk in accordance with the requirements of Section 6.

Date \_\_\_\_\_ 19\_\_\_\_

To the Planning Board:

The undersigned herewith submits the accompanying DEFINITIVE PLAN of property located in the Town of Easthampton for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land, Town of Easthampton.

1. Applicant \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
2. Owner \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
3. Engineer \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
4. Surveyor \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
5. Deed of Property Recorded in \_\_\_\_\_ Registry  
Book \_\_\_\_\_ Page \_\_\_\_\_
6. Easthampton Assessors' Map and Parcel Numbers \_\_\_\_\_
7. Location and Description of Property \_\_\_\_\_
8. File fee is attached (\$100 + \$50 x \_\_\_\_\_ acres).

Date of Submission \_\_\_\_\_

Town Clerk \_\_\_\_\_

Distribution: Planning Board (Mylar, 5 copies)  
Conservation Commission  
Town Engineer  
Town Clerk  
Town Planner (2 copies)

FORM D  
CERTIFIED LIST OF ABUTTERS

Easthampton, MA \_\_\_\_\_ 19\_\_\_\_

NAME AND ADDRESS OF APPLICANT: \_\_\_\_\_  
\_\_\_\_\_

NAME AND LOCATION OF SUBDIVISION: \_\_\_\_\_  
\_\_\_\_\_

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

To the Planning Board:

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

\_\_\_\_\_  
Assessor - Signature, Date

FORM E

DEPARTMENTAL REVIEW OF SUBDIVISION PLAN

To: Town Engineer Conservation Commission Fire Department Building Inspector Police Department

From: Planning Board

Subject: (description of plan, date, etc.)

- 1. The subject named plan attached has been submitted to the Planning Board for approval as a subdivision.

For the guidance of the Planning Board will you please note any appropriate comment or approval on the blank below and/or on the plan itself and return to the Planning Board as soon as possible.

- 2. Under the requirements of Section 81-U of Chapter 41 of the General Laws the Board of Public Health must notify the Planning Board within forty-five (45) days (all others 30 days) of the date of this notice if the Board of Health is in doubt as to whether any of the land in the subdivision can be used as building sites without injury to the public health.

(do not detach)

To: Planning Board

Date:

- 1. The undersigned (APPROVES / DISAPPROVES) of the subject named subdivision plan insofar as its requirements are affected.
2. The following comments are offered for the guidance of the Planning Board:

3. Bond requirement: \$ Department Signed

Date \_\_\_\_\_

FORM F

NOTICE OF SUBDIVISION APPROVAL OR DISAPPROVAL  
Easthampton, MA

To: Town Clerk

The Planning Board on \_\_\_\_\_ by \_\_\_\_\_ vote  
date

DISAPPROVED/APPROVED (cross out one) the following subdivision  
plan:

Name or description \_\_\_\_\_

New Street names \_\_\_\_\_

Submitted by: \_\_\_\_\_

Address \_\_\_\_\_

On \_\_\_\_\_  
Date

pending termination of the statutory twenty day appeal period.

Signed \_\_\_\_\_  
Chair, Easthampton Planning Board

This vote of the Planning Board is duly recorded in the minutes  
of their meeting.

- cc: Applicant
- Building Inspector
- Dept. of Public Works
- Fire Department
- Board of Health

- Police Department
- Assessors
- File
- Conservation Commission

FORM G  
PERFORMANCE BOND

Know all men by these presents that I (we) \_\_\_\_\_  
of \_\_\_\_\_ in the County of \_\_\_\_\_  
and Commonwealth of Massachusetts, as principal, and  
\_\_\_\_\_ Surety Company as surety, are holden and  
stand firmly bound and obligated unto the Town of Easthampton, a  
municipal corporation located in the County of Hampshire and the  
Commonwealth aforesaid, in the full and just sum of  
\_\_\_\_\_ (\$ \_\_\_\_\_) Dollars to be paid said Town  
of Easthampton, to the true payment whereof we bind ourselves and  
assigns jointly and severally by these presents.

Sealed with our seals and dated the \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_\_.

The condition of this obligation is such that if the above  
bounden \_\_\_\_\_ or his (its) (their)  
heirs, executors, administrators, successors and assigns shall in  
all things stand to abide by, and well and truly keep and perform  
within 24 months, the covenants, conditions and agreements  
contained in an application executed by him (it) (them) and dated  
\_\_\_\_\_ 19\_\_\_\_\_ under which approval of a plot of a certain  
subdivision bearing the name of \_\_\_\_\_  
located at \_\_\_\_\_  
in said Town of Easthampton has been granted, and complies  
(comply) with all provisions of law and the Rules and Regulations  
relating to Subdivision Control of the Planning Board of said  
town, then this obligation shall be null and void; otherwise it  
shall remain in full force and effect.

Principal(s)

By: \_\_\_\_\_

By: \_\_\_\_\_

Signed and sealed in the presence of:

\_\_\_\_\_  
\_\_\_\_\_

FORM H  
COVENANT

The undersigned \_\_\_\_\_ of  
(No. and Street) \_\_\_\_\_ Town \_\_\_\_\_ State

hereinafter called the "Covenantor", having submitted to the Easthampton Planning Board the Definitive Plan of a subdivision,

\_\_\_\_\_  
Name of Subdivision Dated \_\_\_\_\_

\_\_\_\_\_  
Name of Designee U.S. Cert. No. \_\_\_\_\_

does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to General Laws, Chapter 41, Section 81U, as amended, that:

1. The Covenantor is the owner of record of the premise shown on said plan;
2. This covenant shall run with the land \_\_\_\_\_ list lot #'s and be binding upon the executors, administrators, heirs, assigns of the covenantor, and their successors in title to the premises shown on said plan.
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Planning Board before such lot may be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgage premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell any such lot, subject only to that portion of this Covenant which provides that not lot so sold shall be built upon until such ways and services have been provided to serve such lot.
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services.

- 5. This covenant shall take effect upon the approval of said plan.
- 6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

The undersigned \_\_\_\_\_ (wife, husband) of the covenantor hereby agrees that such interest as (I, we) may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead, and other interest therein:

EXECUTED as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_  
19 \_\_\_\_\_.

_____	Signature
Witness	
_____	Signature
Witness	
_____	Signature
Witness	

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_ ss \_\_\_\_\_ 19\_\_\_\_

Then personally appeared the above named \_\_\_\_\_

and acknowledged the foregoing instrument to be (his) (her) (their) free act and deed, before me.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**FORM I  
CERTIFICATE OF PERFORMANCE  
COVENANT RELEASE**

\_\_\_\_\_ 19 \_\_\_\_\_

The undersigned, being a majority of the Planning Board of the Town of Easthampton, MA, hereby certify that the requirements for work on the ground called for by the covenant dated \_\_\_\_\_ 19 \_\_\_\_\_ and recorded in Hampshire County Registry of Deeds, Book \_\_\_\_\_ Page \_\_\_\_\_ or registered in the Land Court of the Commonwealth of Massachusetts as Document No. \_\_\_\_\_, and noted on Certificates of Title No. \_\_\_\_\_, to the satisfaction of the Planning Board as to the following enumerated lots shown on a plan titled \_\_\_\_\_ recorded with said Deeds, Plan Book \_\_\_\_\_, Plan \_\_\_\_\_, or registered in said Land Court, Plan Book \_\_\_\_\_, Plan \_\_\_\_\_ and said lots are hereby released from the restriction as to sale and building specified thereon.

Lots designated on said Plan as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Majority of the  
Planning Board  
of the Town of  
Easthampton

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_ SS

\_\_\_\_\_ 19 \_\_\_\_\_

Then personally appeared \_\_\_\_\_ one of the above named members of the Planning Board of the Town of Easthampton, MA and acknowledge the foregoing instrument to be the free act and deed of said Planning Board, before me

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

FORM J

APPLICATION FOR SUBMISSION/RESUBMISSION  
OF ADDITIONAL PLANS, MATERIALS,  
INFORMATION, ETC.  
AND  
FOR EXTENSION OF TIME PERIOD

File one completed form with the Planning Board (with fee) and a copy with the Town Clerk in accordance with the requirements of Section 6.00.

To the Planning Board:

The undersigned herewith submits/resubmits the accompanying additional plan, materials, information, etc., relative to the previously filed Definitive Subdivision Plan entitled \_\_\_\_\_ and originally filed on \_\_\_\_\_, for approval under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the Town of Easthampton.

Submitted/Resubmitted Plans:

_____	Sheet(s)	_____	Dated
Title			
_____	Sheet(s)	_____	Dated
Title			
_____	Sheet(s)	_____	Dated
Title			

Other Submitted/Resubmitted Materials, Information, Etc.:

_____	_____	Dated
Document		
_____	_____	Dated
Document		
_____	_____	Dated
Document		

With this Submission/Resubmission of the above listed additional plans, materials, and information I am also hereby requesting a sixty (60) day extension, from the date of this filing, to the Planning Board's Decision Deadline Date for the Approval or Disapproval of this Definitive Subdivision Plan.

Applicant \_\_\_\_\_ Signature \_\_\_\_\_  
Print or Type Name

Date of Submission: \_\_\_\_\_ Town Clerk \_\_\_\_\_

FORM K

REQUEST FOR APPROVAL OF MORE THAN ONE DWELLING  
BUILDING ON A LOT

Date: \_\_\_\_\_ 19 \_\_\_\_\_

To the Planning Board:

The undersigned, seeking to place more than one building for dwelling purposes on a lot, herewith asks the Planning Board for approval as provided for in the Easthampton Subdivision Rules and Regulations.

1. Applicant: \_\_\_\_\_ Signature \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

2. Owner: \_\_\_\_\_ Signature \_\_\_\_\_  
Address: \_\_\_\_\_

3. Surveyor: \_\_\_\_\_ Signature \_\_\_\_\_  
Address: \_\_\_\_\_

4. Deed of property registered in \_\_\_\_\_ Registry.  
Book \_\_\_\_\_ Page \_\_\_\_\_

5. Location and Description of Property (attach a plan showing the lot and proposed layout of buildings):

6. Zoning District \_\_\_\_\_ Frontage (feet) \_\_\_\_\_

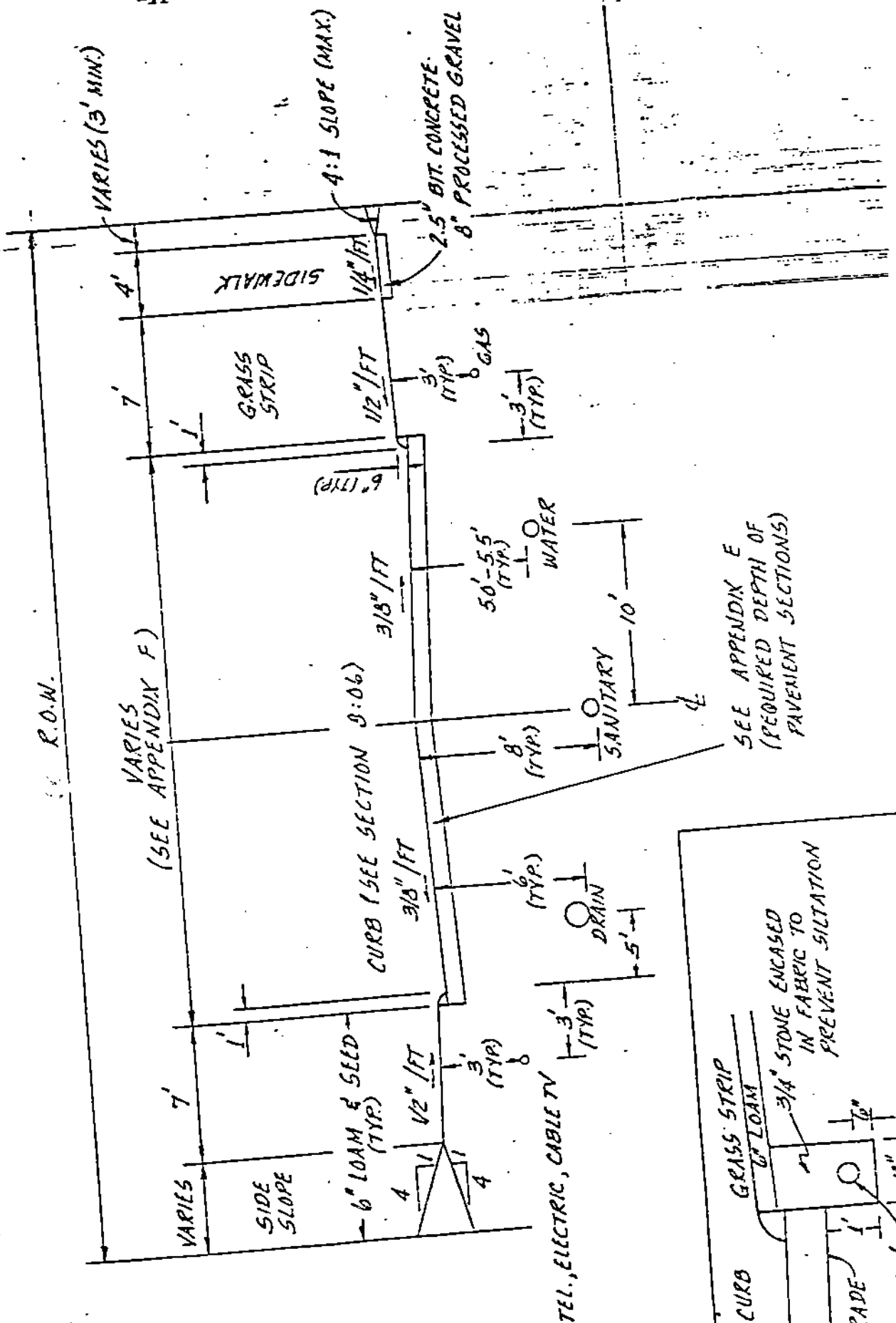
8. File fee is attached (\$25)

Date of Submission \_\_\_\_\_  
Town Clerk \_\_\_\_\_

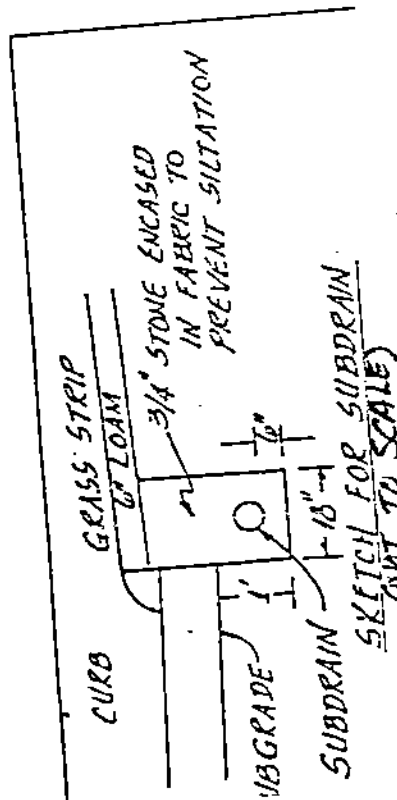
Appendix C

Typical Street Cross Section

TYPICAL CROSS SECTION  
LOCAL STREETS IN TYPE I SUBDIVISIONS  
(NOT TO SCALE)



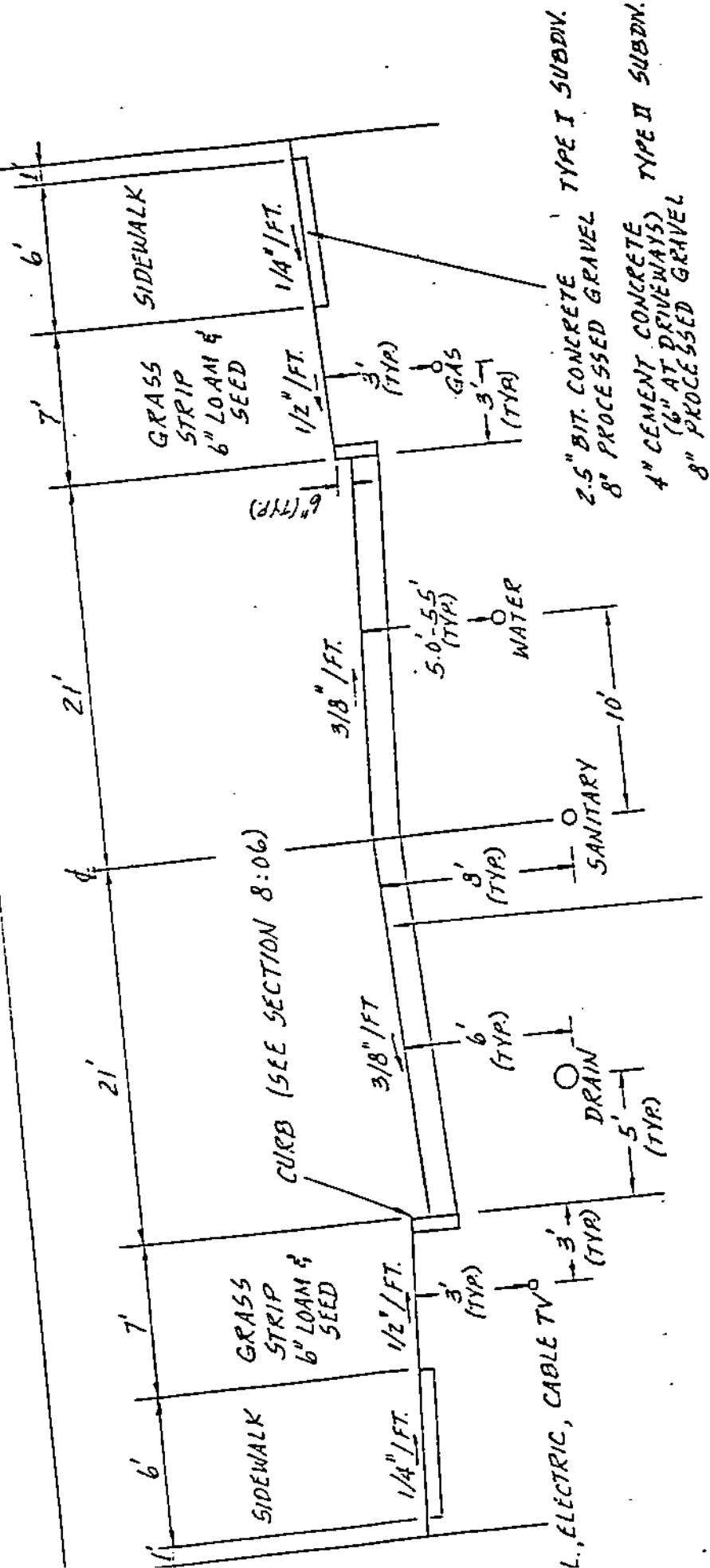
SEE APPENDIX E  
(REQUIRED DEPTH OF  
PAVEMENT SECTIONS)



SKETCH FOR SUBDRAIN  
(NOT TO SCALE)

ALL STREETS IN TYPE II SUBDIVISIONS  
 TYPICAL CROSS SECTION COLLECTOR STREETS IN TYPE I SUBDIVISIONS  
 SECTION 8:06  
 (NOT TO SCALE)

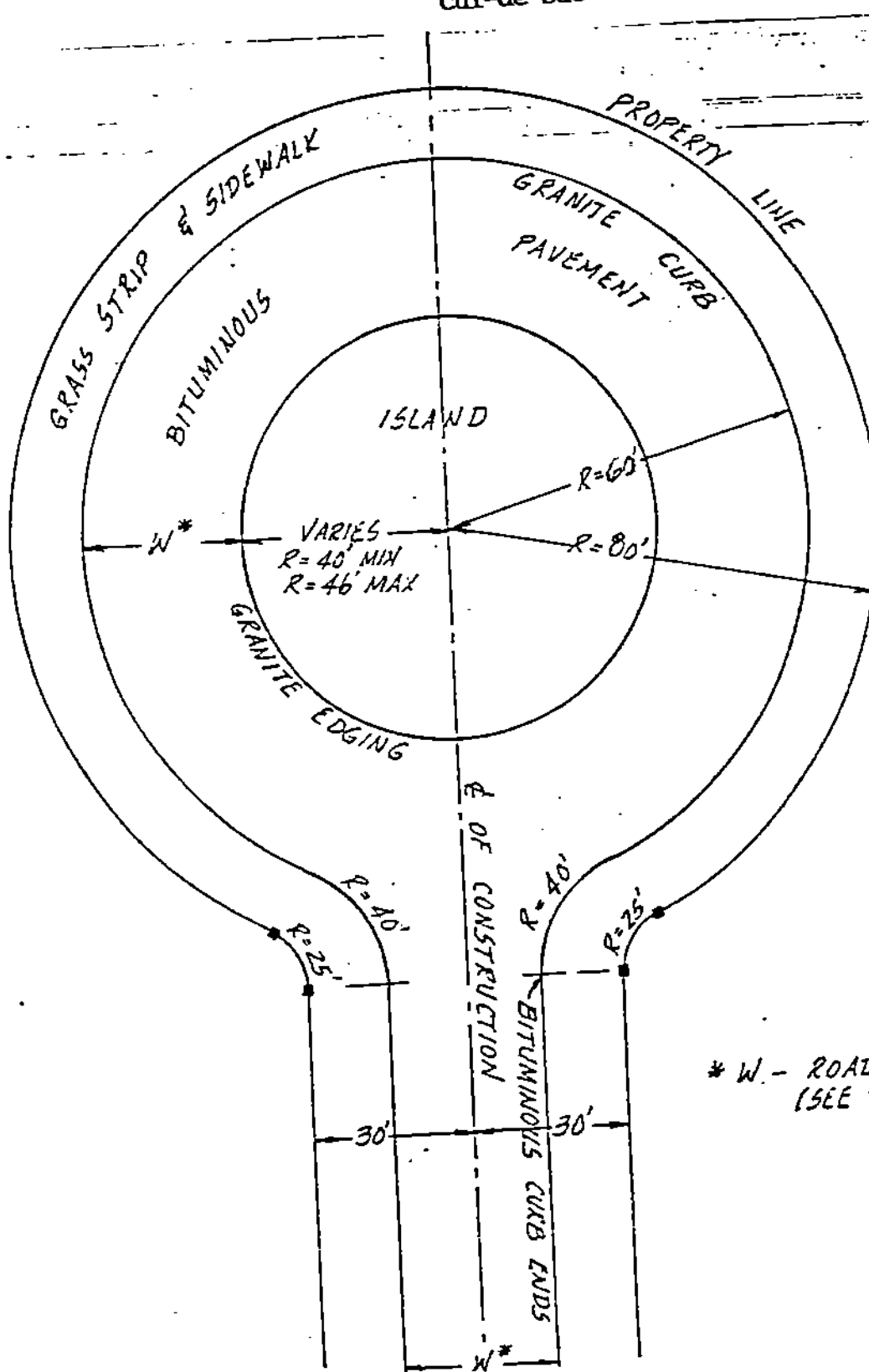
R.O.W.



SEE APPENDIX E  
 (REQUIRED DEPTH OF  
 PAVEMENT SECTION)

Appendix D

Cul-de-Sac



\* W. - ROAD WIDTH VARIES  
(SEE APPENDIX F)

**Appendix E  
DESIGN CRITERIA**

<b>CHARACTERISTICS</b>	<b>COLLECTOR Subdivision Type II</b>	<b>STREETS Subdivision Type I</b>	<b>Minor Streets</b>
<u>Horizontal Alignment</u>			
Minimum radius at centerline, feet	830	510	270
<u>Vertical Alignment</u>			
Clear stopping sight distance at 45 inches above pavement, feet	350	275	200
<u>Grade</u>			
Maximum, percent	6.0	6.0	6.0
Minimum, percent	0.5	0.5	0.5
<u>Intersection</u>			
Minimum intersection angle, degree	60	60	60
Minimum centerline offset, feet	125	125	125
Minimum radius at edge of travel way, feet	30	30	25
Minimum lengths of the two legs of a triangle whose legs are measured along the center of the nearest lane of the travelled way from the point of intersection within which no structure or vegetation shall be over 3 feet in height,	150	100	100
Sight distance a intersection feet	625	500	500

Horizontal curves on the street centerline shall not begin or end within 100 feet of the centerline of the intersecting street.

Appendix E (continued)

CHARACTERISTICS	COLLECTOR STREETS		Minor Streets
	Subdivision Type II	Subdivision Type I	
<u>Dead-End Streets</u>			
Maximum length without a turnaround, feet	Not Permitted	Not Permitted	400
Maximum length with a turnaround, feet	Not Permitted	Not Permitted	500
Minimum turnaround radius, at edge of roadway, feet	Not Permitted	Not Permitted	60

- Where the angle of intersection varies more than 10 degrees from a right angle, the radius at the edge of roadway may be adjusted accordingly as approved by the Board, in which case the opposite radius must be correspondingly adjusted. When the angle of the intersection is more than 10 degrees greater than a right angle, the radius at the edge of roadway may be increased as approved by the Board; when the angle is more than 10 degrees less than a right angle, the radius may be reduced.

Required Depth of Pavement Sections

		Subgrade Support Classification**		
		Poor	Medium	Good-Excellent
Type I Subdivision	Surface Binder	1" 2 1/2"	1" 2 1/2"	1" 2 1/2"
Type II Subdivision	Surface Binder	2" 3"	1" 3"	1" 2 1/2"
Type I & II Subdivision	Sub-base	18-24"	12-18"	12"

\*\* See Section 8.03.8

APPENDIX F

WIDTH OF ROADWAY IN LOCAL STREETS  
(Type I Subdivisions)

Maximum Development Traffic Volume Potential (MDTVP): The maximum traffic volume generated from the maximum number of dwelling units capable of being developed on a proposed roadway using the minimum lot frontage requirements.

	Pavement Width (face to face of berm)
Type A: Proposed street with MDTVP of not greater than 200 ADT	24'
Type B: Proposed street with MDTVP of not greater than 500 ADT	26'
Type C: Proposed street with MDTVP of not greater than 2,000 ADT	28'
Type D: Proposed street with MDTVP exceeding 2,000 ADT	30'

## APPENDIX G

### RECORD PLANS

The function of the record plan is to facilitate the Town in locating all components of the underground utilities within a street and/or public easements, so that the municipal utilities can be maintained, repaired and reconstructed in the future.

In preparing said plans, the project's professional engineer can make certain assumptions, such as, but not limited to: a sewer main was laid in a straight line between successive manholes, all materials (i.e., size and type of water pipe) are the same as what was shown on the approved construction plans, unless otherwise notified by the Town Engineer, etc.

The developer shall submit one set of originals and two sets of prints of the record plan which shall include the following:

- A. Stamped by project's registered professional engineer
- B. Same scale and size as originals
- C. Plans to show:
  1. Edge of road, type of curbing, driveways in existence at date of preparation of plan
  2. Right-of-way sidelines and lot property lines shown at least 100' from frontage (metes and bounds not necessary)
  3. Sanitary Sewer
    - a. Each component of sanitary sewer system to be clearly identified and marked
    - b. Stationing of manholes based on center-to-center distances between successive ones with lowest/beginning manholes being a 0+00 station
    - c. Type, size and class of pipe between each manhole
    - d. Location of sanitary sewer with distances from center of downstream manhole
    - e. Location of end of sanitary sewer service stubs at property lines. Each location, ties to fixed and easily identifiable objects and elevation of end of pipe (Town data).
    - f. Type, size and class of sanitary sewer service pipe
    - g. Location of, if any, pumping stations, syphons, etc.

#### 4. Storm Sewer

- a. Each component of storm sewer system to be clearly identified and marked.
- b. Stationing of manholes based on center-to-center distances between successive ones with lowest/ beginning manhole having a 0+00 station
- c. Type, size and class of pipe between each successive manhole and between manholes and catch basins
- d. Location of individual house/lot subdrains, if any, within the proposed road layout. Location of connections of said subdrains to storm system (i.e., distance from center of downstream manhole to connection, etc.). Location, ties to easily identifiable objects and elevation of end of subdrains at property line. Type, size and class of subdrains.
- e. Location, size and class of roadway curtain drains, if any, within proposed layout

#### 5. Water System

- a. Each component of water system to be clearly identifiable and marked
- b. Location, ties to fixed and easily identifiable objects, of all water gates, water service boxes, corporations, bends, reducers, T.S. & V., etc.
- c. Location, type and class of water main, hydrant branches, water services, etc.

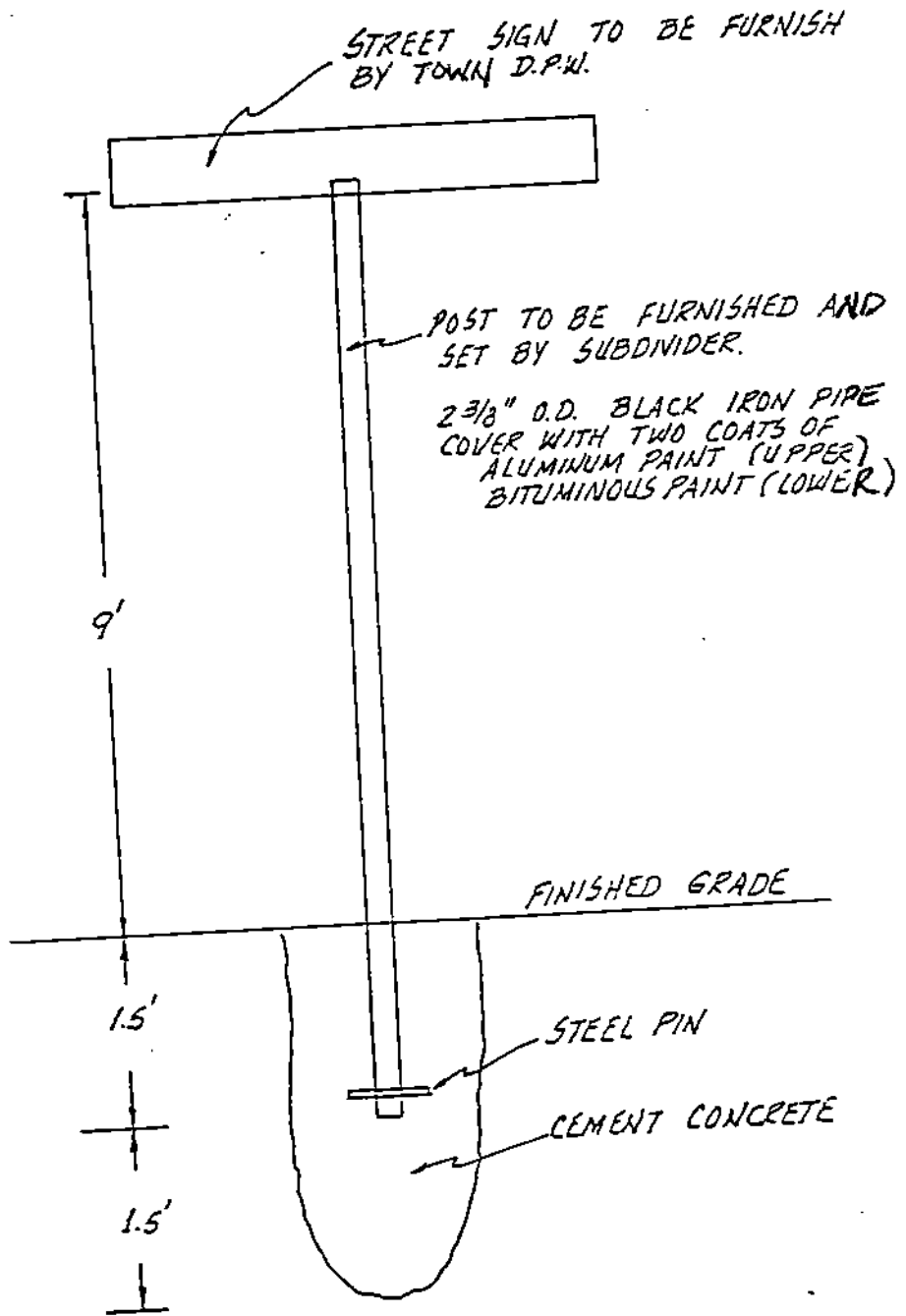
#### 6. Public Utilities

- a. It shall be the responsibility of the developer to insure that each public utility (gas, electric, telephone, cable TV) provides all the necessary information to the person preparing the record plan, so that all the components of each system can be plotted on the record plan. Components of said systems which can be identified on the ground such as gates, handholds, transformers, etc. shall be verified by the project's professional engineer.

7. Profile showing centerline of roadway and complete profile of storm and sanitary systems.

APPENDIX H

Typical Street Sign Installation



## APPENDIX I

### Detention Basin Design and Management

#### Detention Pond Policy

##### Town of Easthampton

Whereas detention basins or ponds are an increasingly popular method of holding stormwater for commercial and residential developments, and

Whereas the Town of Easthampton recognizes the importance of the use of detention basins in reducing water runoff; and

Whereas detention basins require some amount of maintenance to ensure long-term effectiveness

The Town of Easthampton hereby establishes the following policy for the maintenance and ownership of water detention basins and ponds:

#### PURPOSE

Due to recent policies desiring "no net site runoff", detention basins have become a preferred method of stormwater management. Basins are depressions in the land designed to hold the runoff from a particular site during the 100-year storm. Water then drains slowly to ground sources or slowly joins open streams.

Drainage systems shall conform to the following general drainage principles: (1) maximize recharge, (2) minimize runoff, (3) minimize clearing for drainage, (4) minimize erosion and siltation, (5) minimize cost of the drainage system, and (6) maintain the integrity of the natural drainage system (for example, swales, kettle holes, and intermittent streams).

The purpose of this policy is to provide design guidelines as well as to establish the short and long-term ownership and maintenance responsibilities of the basins.

## DESIGN

### I. Soil Tests and Results

As required in the Development Impact Statement (DIS), soil tests will be performed to determine the type of soil in the proposed subdivision and the permeability of the soil. This information is to be used to determine the design of the stormwater detention/drainage system.

Over permeable soils, generally, stormwater shall be detained so that it infiltrates the soil at or near the source, and there is no net runoff from the site. Over impermeable soils, stormwater drainage systems shall be designed to maximize the loss of pollutants and sedimentation prior to water infiltrating or running off the site. Where both soil types are present, the stormwater system should be designed such that the retention systems drain to the detention areas where topography allows; or two separate systems may be required.

### II. Design Standards for Permeable Soils

1. To the extent possible, stormwater detention areas shall make use of existing natural features including topography and vegetation.
2. Vegetation and natural materials such as, but not limited to, grasses, wetland plants, stone, and timbers are preferred over concrete, "rip-rap", and other man-made materials.
3. Detention areas shall be designed for the 100-year storm.
4. Detention areas shall not allow standing water higher than eighteen (18) inches for more than three days.
5. The side slopes of any detention area shall not exceed a 1:4 slope.

### III. Design Standards for Impermeable Soils

1. To the extent possible, stormwater retention areas and irrigation systems shall make use of existing natural features.
2. Vegetation and natural materials such as, but not limited to, grasses, wetland plants, stone, and timbers are preferred over concrete, "rip-rap", and other man-made materials.

3. Retention systems shall be designed for the 100-year storm.
4. Stormwater systems shall be designed as a series of smaller retention/diversion areas rather than a single large pond.
5. Retention areas shall have an overflow mechanism.

#### IV. Interaction with other Recharge Methods

Detention areas/retention systems may be used in conjunction with other recharge methods. These include, but are not limited to, gabion weirs, rooftop ponding, retention parking areas, ditch drains, porous asphalt paving, lattice concrete blocks and bricks, terraces, diversions, runoff spreaders, swales in series, and/or seepage pits or beds.

#### OWNERSHIP

##### I. Commercial and Industrial Development

Detention basins in commercial or industrial developments shall be owned by the developer, an individual owner, or a group of owners on a separate parcel.

##### II. Residential Development

In residential developments, detention basins larger than 1,000 square feet shall be placed on their own lot(s) which shall not be buildable. Access by way of a twenty foot easement shall be provided to the detention pond lots.

These detention basins shall be owned by the developer until such time as all the building lots are sold. At that time, the ownership shall be placed with a homeowners association established for this or other purposes.

Detention ponds which are smaller than 1,000 square feet may be included as part of other building lots. Ownership of the detention ponds is, therefore, conveyed with the lot. An easement for access must still be provided to the Town.

#### MAINTENANCE

Regular maintenance is an important part in the long-term continued effectiveness. A plan for maintenance of the detention basin(s) and associated structures shall be included in the submittal of any plan. This plan should include schedules for mowing and/or trap cleaning, for example.

All detention basins shall have easements to the Town of Easthampton in the event that the Town must provide additional maintenance.

The responsibility of maintaining detention basins within a development, commercial or residential, shall lie with the developer until the infrastructure has been put in place and all the lots have been sold.

At such time the detention basin maintenance shall either remain the responsibility of the developer or shall be transferred to a homeowners association.

The homeowners association may petition the Town to accept the maintenance responsibility of the basin(s). This request shall be brought to the Planning Board and must be approved by the Planning Board and the Department of Public Works.

#### INSPECTION AND ENFORCEMENT

The Town of Easthampton shall be responsible for ensuring that the detention areas are being maintained. Toward this end, the Town has the right to inspect the detention basins and to issue requests that maintenance be performed.

In the event the maintenance is not performed, the Town may issue fines of up to \$100 per day per basin until the maintenance is complete. If the Town must perform the maintenance itself, the Town may bill the responsible party for the cost of labor.

**APPENDIX J**  
**DEVELOPMENT IMPACT STATEMENT**

**Easthampton, MA**

A Development Impact Statement (DIS) is a documented written analysis of a proposed development which provides the Planning Board and town officials with information necessary for plan review.

It is a developer's responsibility to prepare and document the DIS in sufficient detail to permit an adequate evaluation by the Planning Board. Additional data may be requested in writing by the Board. It is necessary to respond to all sections of the DIS except when a written exemption is granted by the Planning Board.

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Name of Project: \_\_\_\_\_ Acreage: \_\_\_\_\_  
Type of Project: \_\_\_\_\_ Owner(s): \_\_\_\_\_  
Location: \_\_\_\_\_ Planner: \_\_\_\_\_  
Parcel Number(s): \_\_\_\_\_ Engineer: \_\_\_\_\_  
Zoning District(s): \_\_\_\_\_ Architect: \_\_\_\_\_

**I. Project Description**

- a. Number of Units: Total \_\_\_\_\_ Low Income \_\_\_\_\_  
Single Family \_\_\_\_\_ Two Family \_\_\_\_\_  
Row House \_\_\_\_\_ Condominium \_\_\_\_\_  
b. Ownership: Private \_\_\_\_\_ Rental \_\_\_\_\_ Other \_\_\_\_\_  
b. Number of bedrooms: Row Houses \_\_\_\_\_ Apartments \_\_\_\_\_  
c. Approximate price/unit: Private \_\_\_\_\_ Condominium \_\_\_\_\_  
Rental \_\_\_\_\_

**II. Circulation Systems**

1. Street Design - Explain reasons for location of streets, stubs, and intersections.
2. Street Classification - Classify the streets and stubs within the development according to the ??????? classification system. Project the number of motor vehicles to enter or depart the site per average day and peak hour.

3. Parking & Bus Stops - Discuss the number and screening of parking spaces. With respect to bus stops, explain the location, shelter design, and orientation to path systems.
4. Pedestrian and Bicycle circulation - Discuss the orientation of the pedestrian and bicycle system to activity centers, and location bike racks.

III. Support Systems

a. Water Distribution

1. Public - Discuss the project's distribution system, including projected demand, ability to serve all lots, use of water for air conditioning, fire protection, and any special problems such as check valves or booster pumps which must be dealt with.
2. Private - Discuss the types of wells proposed for the project, means of providing fire supply, and any special problems which might arise.

b. Sewage Disposal

1. Public - Discuss the project's sewage disposal system, including projected flow, k size of pumping stations, and any special problems such as lift stations or check valves which must be addressed.
2. Private - Discuss the type of system, level of treatment, suitability of soils and results of percolation.

c. Storm Drainage - Discuss the storm drainage system including the projected flow from a 50-year storm, name of the receptor stream, and any flow constrictions between the site and the receptor stream.

d. Refuse Disposal - Discuss the location and type of facilities, hazardous materials requiring special precautions, and screening.

e. Lighting - Discuss the location and size of lights, and methods used to screen adjoining properties from glare.

f. Fire Protection - Discuss the type and capacity of fuel storage facilities, location of storage areas for hazardous substances, special requirements, and distance to fire station.

g. Recreation

1. Public - Indicate the distance to and type of public facilities
  2. Private - Discuss the type of private recreation facilities to be provided within the development.
- h. Schools - Project the student population of the project for the nursery, elementary, Junior High School and Senior High School levels and indicate the distance, capacity, and present enrollment of the nearest elementary and secondary schools.

IV. Natural Conditions - Describe briefly the following natural conditions

- a. Topography - Indicate datum, source, date, slopes greater than 25%
- b. Soils - Indicate prime agricultural land, depth to bedrock, extent of land which has been filled.
- c. Mineral resources - Indicate extent and economic importance of resource, extent and means of proposed extraction, rehabilitation measures
- d. Surficial geology
- e. Depth to water table
- f. Aquifer recharge areas
- g. Wetlands
- h. Watercourses
- i. Flood prone areas
- j. Vegetative cover
- k. Unique wildlife habitats
- l. Unique flora

V. Design Factors - Describe briefly the following features. Photographs are helpful.

- a. Present visual quality of the area
- b. Location of significant viewpoints
- c. Historic structures
- d. Architecturally significant structures
- e. Type of architecture for development