



**RULES AND REGULATIONS  
GOVERNING THE SUBDIVISION OF LAND**

Planning Board  
Hopedale, Massachusetts

May 1976

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A TRUE COPY ATTEST

*Robert Phillips*  
HOPEDALE TOWN CLERK

SECTION V - REQUIRED IMPROVEMENTS AND CONSTRUCTION PROCEDURES FOR AN APPROVED SUBDIVISION.....18

A. Line and Grade Control.....18
B. Street and Roadway.....18
C. Sidewalks.....19
D. Grass Plots.....19
E. Monuments.....20
F. Street Signs.....21
G. Trees.....21
H. Utilities.....21
I. Clean Up During Construction.....23
J. Record Drawings and Acceptance Plans.....24
K. Maintenance of Roadways.....24
L. Industrial Subdivisions.....25

SECTION IV - ADMINISTRATION.....26
A. Authority.....26
B. Variation.....26
C. Reference.....26
D. Inspection and Control.....26
E. Enforcement by Denial of Building Permits.....27
F. Separability.....27
G. Amendments.....27

APPENDIX A - STANDARD FORMS

- Form A - Application for Endorsement of Plan Believed Not to Require Approval
Form B - Application for Approval of a Preliminary Plan
Form C - Application for Approval of Definitive Plan
Form D - Designer's Certificate
Form E - Certified List of Abutters
Form F - Covenant
Form G - Conveyance of Easements and Utilities
Form H - Inspection Form

RULES AND REGULATIONS  
GOVERNING THE SUBDIVISION OF LAND IN  
HOPEDALE, MASSACHUSETTS

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

PURPOSE

"The subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the town of Hopedale by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb un the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning bylaws; 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 city or town in which it is located and with the ways in the neighboring subdivisions. It is the intent of the subdivision control law that any subdivision plan filed with the planning board shall receive the approval of such board if said plan conforms to the recommendations of the board of health and to the reasonable rules and regulations of the planning board pertaining to subdivisions of land; provided, however, that such board may, when appropriate, waive, as provided for in section eighty-one R, such portions of the rules and regulations as is deemed advisable."

SECTION I. AUTHORITY

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

## SECTION II. GENERAL

### A. Definitions:

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

Board - The Planning Board of the Town of Hopedale.

Definitive Plan (Plan) - The plan of a subdivision as submitted (with appropriate application) to the Board for approval, to be recorded in the Registry of Deeds or filed with the Land Court when approved by the Board, and such plan when approved and recorded; all as distinguished from a preliminary plan.

Developer - A person (as hereinafter defined) who develops under a plan of a subdivision approved under Section III C of these Rules and Regulations.

Easement - A right acquired by public authority or other person to use or control property for a utility or other designated public purpose.

Engineer - Any person who is registered or otherwise legally authorized by the State of Massachusetts to perform professional civil engineering services.

General Laws - (abbreviated G.L.) The General Law of Massachusetts. In case of a rearrangement of the General Laws, any citation of particular sections of the General Laws shall be applicable to the corresponding sections in the new codification.

Owner - As applied to real estate, the person holding the ultimate fee simple 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, a partnership or a corporation having common or undivided interests in a tract of land.

Roadway - That portion of a way which is designed and constructed for vehicular travel.

Right-of-Way - That land dedicated for public use within which will be located the roadway, sidewalks, grass plots and utilities which will serve the subdivision.

Street - A public or private way either shown on a plan approved in accordance with the subdivision control law, or otherwise qualifying a lot for frontage under the subdivision control law.

Street, Major - A street which, in the opinion of the Board is being used or will be used as a thorough-fare within the Town of Hopedale or which will otherwise carry a heavy volume of traffic.

Street, Minor - A street which, in the opinion of the Board is being used or will be used primarily to provide access to abutting lots and which will not be used for through traffic.

Street, Secondary - A street intercepting one (1) or more minor streets and which, in the opinion of the Board, is used or will be used to carry a substantial volume of traffic from such minor street(s) to a major street or community facility, and normally including a principal entrance street of a large subdivision, or group of subdivisions and any principal circulation street within such subdivision.

Subdivider - A person who follows the procedures under Section III C to procure approval under said section with respect to a tract of land.

Subdivision - The division of a tract of land into two or more lots including resubdivision and, when appropriate to the context, relating to the process of subdivision of the land or territory subdivided; provided, however, that a division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if, at the time when it is made, every lot within the tract so divided has frontage on:

1. A public way, or a way which the Town Clerk certifies is maintained and used as a public way, or;
2. A way shown on a plan previously approved and endorsed in accordance with the Subdivision Control Law, or;
3. A way in existence when the Subdivision Control Law became effective in the Town of Hopedale 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 and the buildings erected or to be erected thereon. Such frontage shall be of at

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

Subdivision Control Law - Refers to Sections 81-K to 81-GG, inclusive of Chapter 41 of the General Laws of the Commonwealth of Massachusetts, entitled "Subdivision Control".

Surveyor - Any person who is registered or otherwise legally authorized by the State of Massachusetts to perform land surveying services.

Town - Town of Hopedale, Massachusetts

B. Subdivision

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

C. Limitation of One Dwelling on Any Lot - Residential Zones

Not more than one building designed or available for use for dwelling purpose 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 Board. Such consent may be conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision.

"D. Variation in Building Designs

Developers shall vary the exterior design of buildings in subdivisions to avoid a monotonous appearance.

### SECTION III

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

##### A. Plan Believed Not to Require Approval

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law may submit his original plan with three (3) prints thereof together with two (2) application Form A's (see Appendix) to the Town Clerk accompanied by the necessary evidence to show that the plan does not require approval. Or, if delivered to the Board, said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor.

If the Board determines that the plan does not require approval, it shall forthwith, without a public hearing endorse on the plan the words, "Approval under the Subdivision Control Law not Required".

The Board may add to such endorsement a statement of the reason approval is not required. The plan will be returned to the applicant, and the Board shall notify the Town Clerk of its action.

If the Board determines that the plan does require approval under the Subdivision Control Law, it will within 14 days of the submission of the plan, so inform the applicant and return the plan. The Board will also notify the Town Clerk of its action.

If the Board fails to act upon a plan submitted under this section within fourteen (14) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.

##### B. Preliminary Plan

###### 1. General

A preliminary plan of a subdivision may be submitted by the applicant to the Board for discussion and approval. The Board may submit said plan to the Board of Health and other municipal agencies for discussion and review. The submission of such a



preliminary plan will enable the subdivider, the Board, the Board of Health, other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivisions before a definitive plan is prepared. Therefore, it is strongly recommended that a preliminary plan be filed in every case. A properly executed application Form B (see Appendix) shall be filed with the preliminary plan submitted to the Board.

The Plan shall be submitted by delivery at a regularly scheduled meeting of the Board, or by registered or certified mail to the Board, postage prepaid in care of the Town Clerk. If so mailed, the date of mailing 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, that he has submitted such a plan. The Town Clerk shall give a written receipt, if requested, to the person who delivered such notice.

## 2. Contents

The preliminary Plan of a proposed subdivision or resubdivision of land shall be drawn on tracing paper, and five (5) copies thereof submitted showing:

- a. The subdivision name, boundaries, north point, date, scale (1" = 40'), legend and title "Preliminary Plan".
- b. The names of the record owner and the applicant, and the name of the designer, engineer or surveyor.
- c. The names of all abutters, as determined from the most recent local tax list.
- d. The existing and proposed lines of streets, ways, easements and any public areas within the subdivision in a general manner.
- e. The proposed system of drainage including adjacent existing natural waterways, in a general manner, proposed water, sewer and other underground utilities.
- f. The approximate boundary lines of proposed lots, with approximate areas and dimensions.

- g. The names, approximate location and widths of adjacent streets, adjacent structures and physical features such as fences, pools, etc.
- h. And the topography of the land at a contour interval of two (2) feet. Elevations shall be referred to mean sea level.
- i. Profiles for proposed streets shall be submitted at a scale of 1"=40' horizontal and 1"=4' vertical.
- j. A pencil on paper plan at a scale of 1"=100' showing all the streets, lots and exterior property lines of the proposed subdivision. This plan shall again be submitted with the evolved definitive plan showing all changes.

### 3. Action by Board

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 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 the Town Clerk within 60 days of the date of submission. Failure to act within that time shall be considered as approval of the preliminary plan.

### C. Definitive Plan

#### 1. General

Any person who submits a definitive plan of a subdivision to the Board for approval shall file with the Board the following:

- a. An original drawing of the definitive plan and seven (7) contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.
- b. A properly executed application Form C (see Appendix) in duplicate.
- c. A deposit of \$50.00 to cover the cost of advertising and notices.

The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval accompanied by a copy of the completed application (Form C).

## 2. Contents

The definitive plan shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth. The plan shall be at a scale of 1" = 40' or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24"x36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The definitive plan shall contain the following information:

- a. Subdivision name, boundaries, north point date and scale.
- b. Name and address of record owner, subdivider and engineer or surveyor.
- c. Names of all abutters as they appear in the most recent tax list.
- d. Lines of existing and proposed streets, ways, lots, 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.
- e. Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
- f. Location of all permanent monuments properly identified as to whether existing or proposed.
- g. Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- h. Identification of purpose of easements.
- i. Suitable space to record the action of the Board and the signatures of the members of the Board or officially authorized person.

Items j, k and l may be submitted on the same sheet as the definitive plan or on separate sheets.

- j. Existing and proposed topography at a suitable contour interval as required by the Board.

- k. Existing profiles on the exterior lines and proposed profile on the centerline of proposed streets at a horizontal scale of 1" = 40' and vertical scale of 1" = 4'. All elevations shall refer to the U.S.C. & G.S. datum, mean sea level.
- l. Proposed layout of storm drainage, gas, water supply, underground electrical distribution and sewage disposal systems.
- m. Location of natural waterways and water bodies within and adjacent to the subdivision.
- n. Major site features, such as existing stone walls, fences, buildings, large trees, rock ridges and out-croppings, and swamps.
- o. Where sanitary sewers are not available, the result of percolation tests and the level of the water table for each lot proposed within the subdivision. The tests shall be executed in accordance with the Regulation 14.2, "Percolation Test Procedures" of Article XI of the Massachusetts Sanitary Code and the Regulations of the Town Board of Health.

3. Review by Board of Health as to Suitability of the Land

At the time of filing of the definitive plan, the Board shall transfer to the Board of Health two (2) contact prints of the definitive plan, dark line on white background. The Board of Health shall report to the Board in writing, approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefor in such report, and where possible, shall make recommendations for the adjustment thereof. If, however, the proposed subdivision is to be served by the municipal sewer system, failure to make such a report within 45 days shall be deemed approved by said Board of Health. Every lot (so located that it cannot be served by a connection to the municipal sewer system) shall be provided with a septic tank and drain field satisfactory to the Board of Health.

4. Approval under Massachusetts General Law, Chapter 131 (Wetlands Protection Act)

Any person submitting a subdivision for approval by the Board, said subdivision to be built upon any bank,

flat, marsh, meadow or swamp bordering on any inland waterways, shall file for a permit to perform such activity under the Wetlands Protection Act (Chapter 131, Massachusetts General Laws.) This permit must be obtained before any development work commences.

5. Public Hearing

Before approval, modification and approval, or disapproval of the definitive plan is given, a public hearing shall be held by the Board. Notice of the time and place and of the subject matter, sufficient for identification, shall be given by the Board at the expense of the applicant by advertisement in a newspaper of general circulation in the Town once in each of two (2) successive weeks, the first publication being not less than fourteen (14) days before the day of such hearing. A copy of such advertisement shall be mailed to the applicant and to all owners of land abutting upon the land included in such plan as appearing on the most recent tax list.

6. Performance Guarantee

Before endorsement of its approval of a definitive plan of a subdivision by the Board, the subdivider shall agree to complete the required improvements specified in Section V for any lots in a subdivision, such construction and installation to be secured by one, or in part by one and in part by the other, of the following methods which may from time to time be varied by the applicant:

a. Approval with Bonds or Surety

The applicant shall either file a performance bond with approved surety or a deposit of money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements specified in Section V not covered by a covenant under b. hereof. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Board and shall be contingent on the completion of such improvements within one (1) year of the date of the bond, unless the time is extended by a vote of the Board.

b. Approval with Covenant

The applicant shall file a covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services as specified in Section V shall be provided

to serve any lot before such lot may be built upon or conveyed other than by mortgage deed; provided, that a mortgagee who acquired title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to that portion of the covenant which provided that no lot shall be built upon until such ways and services have been provided to serve such lot; and provided, further, that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Board. A deed of any part of the subdivision in violation hereof shall be voidable by the grantee prior to the release of the covenant but not later than three (3) years from the date of such deed.

Any covenant given under the preceding paragraph any condition required by the Health Board or officer shall be either inscribed on the plan or contained in a separate document, referred to on the plan.

7. Reduction of Bond or Surety

The penal sum of any such bond, or the amount of any deposit held under clause a. above, may, from time to time, be reduced by the Board, and the obligations of the parties thereto released by said Board in whole or in part.

8. Release from Performance Guarantee

Upon the completion of the improvements required under Section V, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant shall send by registered mail to the Town Clerk and the Board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been given has been completed in accordance with the requirements contained under Section V, such statement to contain the address of the applicant. If the Board determines that said requirements have been completed, it shall release the interest of the town in such bond and return the bond or the deposit to the person who furnished the same, or release the covenant by appropriate instrument, duly acknowledged, which may be recorded. If the Board determines that said construction or installation has not been completed, it shall specify in a notice sent by registered mail to the applicant and to the Town

Clerk the details wherein said construction and installation fails to comply with its rules and upon failure to do so within forty five days after the receipt by said clerk of said statement all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void. In the event that said forty-five (45) day period expires without such specification, or without the release and return of the bond or return of the deposit or release of the covenant as aforesaid, the said clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.

9. Release of Lots if Lender Guarantees Construction

Following the recording of a first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be to the applicant by the lender, the Board may, at its option, release lots from the operation of the covenant given pursuant to clause b. above, without receipt of a bond or deposit money upon delivery to the Board of an agreement with the Board, which agreement shall be executed by the applicant and the lender and shall provide for the retention by the lender of sufficient funds otherwise due the applicant to secure the construction of ways and the installation of municipal services specified in Section V. Said agreement shall also provide for a schedule of disbursements which may be made to the applicant upon completion of various stages of the work, and shall further provide that in the event the work is not completed within the time set forth by the applicant, any funds remaining undisbursed shall be available for completion.

10. Failure of Performance

Any such bond may be endorsed and any such deposit may be applied by the Board for the benefit of the town, as provided in Section 81 Y of the General Laws upon failure of the performance for which any such bond or deposit was given to the extent of the reasonable cost to the town of completing such construction and installation.

11. Certificate of Approval

The action of the Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant.

If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Approval, if granted, shall be endorsed on original drawing of the definitive plan by the signatures of a majority of the Board (or by the signature of the person officially authorized by the Board) but not until the statutory twenty (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. After the definitive plan has been approved and endorsed, the applicant shall furnish the Board with seven (7) prints thereof.

Approval of the definitive plan does not constitute the laying out or acceptance by the Town of streets within a subdivision.



SECTION IV  
DESIGN STANDARDS

A. Streets

1. Location and Alignment

- 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 of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- b. The proposed streets shall conform, so far as practicable, to the Master or Study Plan as adopted in whole or in part by the Board.
- c. Provision satisfactory to the Board shall be made for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- d. 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.
- e. Street jogs with centerline offsets of less than 125 feet should be avoided.
- f. The minimum centerline radii of curved streets shall be 150 feet. Greater radii may be required for major streets.
- g. Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than 60 degrees.
- h. Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than thirty (30) feet.
- i. Street patterns derived solely for the purpose of providing maximum lot development will be cause for disapproval.
- j. Cuts or fills in excess of eight (8) feet or roadway locations resulting in lots being more than eight (8) feet above or below the grade of the roadway shall be substantiated by the submission of cross sections showing the proposed grading within 200 feet of the roadway on both sides.

- k. Roadway cross sections shall be in accordance with the Typical Roadway Section in the appendix.

2. Width

The minimum width of street right of ways shall be fifty (50) feet. Greater width may be required by the Board when deemed necessary for major and secondary streets. The minimum width of pavement in all proposed streets shall be thirty (30) feet.

3. Grade

Grades of streets shall be not less than 0.75%. Grades shall not be more than 6.0% for major streets nor more than 10.0% for minor and secondary streets.

4. Dead-End Streets

- a. Dead-end streets shall not be longer than 500 feet unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions.
- b. Dead-end streets shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 100 feet, and a property line diameter of at least 120 feet.
- c. Consideration will be given to other forms of turnaround.

B. Easements

1. Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least twenty-five (25) feet wide.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a storm water easement or drainage right of way of adequate width to provide access for construction, maintenance or other necessary purposes.
3. Signed copies of easements and agreements effecting land not within subdivision but necessary for provision of utilities, shall be submitted to the Board before approval of plan.

C. Open Spaces

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 or parks 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 or parks without its approval for a period of three (3) years. The total amount of park area shall be approximately 8% of the gross area of the subdivision.

D. Protection of Natural Features

Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and similar community assets which, if preserved, will add attractiveness and value to the subdivision.

E. Lot Sizes

Proposed lots shall be in conformance with the Town's Zoning By-Law for the zoning districts in which the subdivision is located.

F. Utilities - General

All utilities shall be placed underground at the time of initial construction.

G. Storm Drainage Systems

Storm drainage systems shall be designed on the basis of a storm occurring once in 25 years, and the resulting runoff shall be calculated by the Rational Formula ( $Q=Ac_i$ ). Values of "c" less than 0.30 are not to be used in the computations.

All existing waterways, whether they are permanent or intermittent, shall be connected into the drainage system. Culverts conducting waterways underneath roadways shall be extended beyond the right of way line to a point at least twenty (20) feet beyond the rear range line of the proposed dwellings and shall terminate with concrete headwalls of an approved design to provide a maximum ground slope of 1 on 3. All open waterways shall have side slopes not exceeding a slope of 1 on 3.

H. Sanitary Sewers

Whenever the existing sanitary sewers are within 2,000 feet of a proposed subdivision, the developer shall make all necessary arrangements and shall construct the connecting sewer. Before connecting to any Town sewer, the developer must enter into an agreement with the Board of Sewer Commissioners for this right.

When the Town's sanitary sewer system is not available to the proposed subdivision, the developer may be required to install a sanitary sewer system and connect it to a

lot or lots, depending upon the size of the development. This system must be approved by the local Board of Health and the Massachusetts Department of Public Health.

I. Water Distribution System

Water mains shall be cement lined cast-iron pipe at least 6 inches in diameter on dead-end streets not exceeding 500 feet in length and 8 inches or larger for all other streets.

J. Fire Hydrants

Hydrants shall be provided every 500 running feet on one (1) side of each street unless a greater distance is approved.

## SECTION V

### REQUIRED IMPROVEMENTS AND CONSTRUCTION PROCEDURES FOR AN APPROVED SUBDIVISION

#### A. Line and Grade Control

1. All survey work shall be done under the direction of a registered professional engineer or land surveyor.
2. Before any roadway excavations are started, the roadway right of way shall be witnessed at fifty (50) foot intervals on both sides, and the proposed finished grades shall be marked thereon. Before any lots are built upon, the corners of the lots shall be witnessed. The aforementioned witness stakes shall be preserved throughout all the construction procedures.
3. All proposed underground utility work shall be controlled with respect to line and grade by offset stakes, batter boards, laser instruments, etc. as approved by the Road Commissioners.
4. All easements shall be witnessed before any lot on which they are located is built upon.
5. Monument locations shall be staked and witnessed by at least three (3) reference points.

#### B. Street and Roadway

1. The entire area of each street or way shall be cleared of all stumps, brush, roots, boulders, like materials and trees not intended for preservation. Stumps, roots and boulders shall be buried and all brush shall be chipped on the site. All loam and other yielding material shall be removed from the roadway area of each street or way and replaced with suitable material.
2. The plane of the bottom of the excavation and the top of the fill when completed shall be known as the subgrade. Before gravel is spread, the subgrade shall be shaped to a true surface, conforming to the proposed cross section of the street and rolled by a self-propelled roller weighing not less than twelve (12) tons. No gravel shall be placed on the finished subgrade until approval is given by the Planning Board.
3. All roadways shall be brought to a finished top of ~~gravel grade as shown on the profiles of the definitive~~ plan with a minimum of twelve (12) inches of gravel spread and rolled in layers not exceeding eight (8) inches in depth. Any stone with a dimension greater than six (6) inches shall be removed before it is rolled.

Rolling shall be done with a self-propelled roller weighing not less than twelve (12) tons. Gravel shall consist of hard, durable stone and coarse sand, practically free from loam and clay and uniformly graded.

No bituminous concrete shall be applied until the Road Commissioners inspect and approve the finished gravel base.

5. A three (3) inch compacted thickness of Class I bituminous concrete pavement, Type I-1 shall be placed on all roadways in conformance with the Massachusetts Department of Public Works Standard Specifications for Highways, Bridges and Waterways. Two (2) inches of coarse mix (binder) bituminous concrete shall be laid, then upon which shall be laid a one (1) inch course of fine mix (top) bituminous concrete.
6. Berms shall be of a dense mix, tack coated to the bituminous base course, machined formed of an approved configuration, eight (8) inches in height, on both sides of the roadway with and in conformance with Massachusetts Department of Public Works Standard Specifications for Highways, Bridges and Waterways.
7. Certifications as to conformance with the specified materials shall be furnished the Road Commissioners prior to placement of any pavement and upon completion of the work as to the quantity placed. Unless otherwise specified, all materials and workmanship shall conform to the requirements of the Standard Specifications for Highways, Bridges and Waterways by the Department of Public Works of the Commonwealth of Massachusetts.
8. The bituminous concrete binder course shall be placed before any dwelling is occupied in a subdivision. The bituminous concrete binder course shall be in at least through one winter before the top course can be placed.

C. Sidewalks

The subgrade for five (5) foot wide sidewalks shall be compacted, shaped and rolled. A foundation of not less than six (6) inches of gravel conforming to the requirements for roadway base shall be placed in the subgrade and rolled to a grade two (2) inches below finish top of walk. The gravel foundation shall be increased to twelve (12) inches at driveways. Two one-inch (1) compacted layers of top and bottom bituminous concrete shall be placed and thoroughly rolled on the graded gravel foundation. All rolling shall be done with a self-propelled roller weighing not less than three (3) tons.

D. Grass Plots

A four and one-half (4½) foot wide grass plot shall be

constructed between the back edge of berm and front edge of sidewalk. Loam topsoil shall be placed to a depth of four (4) inches after rolling with a hand roller weighing not less than one hundred (100) pounds per foot of width. The source of loam shall be inspected and approved by the Planning Board before placing. It shall have a normal amount of organic matter and be reasonably free from roots, hard dirt, heavy or stiff clay, stones larger than one (1) inch, lumps, coarse and noxious weeds, stick brush or other litter. Ground limestone, where necessary, shall be spread and thoroughly incorporated into the loam. Fertilizer shall be spread at the rate of two-tenths (0.2) of a pound per square yard and thoroughly incorporated into the loam. Seed conforming to the following proportions:

Red Fescue or Chewing's Fescue	60%
Red Top	20%
Kentucky Blue	20%

shall be spread at the rate of three and six-tenths (3.6) pounds to each one hundred (100) square yards. After raking a fine layer of loam over seed, the area shall be rolled with a hand roller weighing not less than one hundred (100) pounds per foot of width.

#### E. Monuments

Granite monuments shall be installed at all street intersections, at all points of change in direction or curvatures of streets, and at other points where, in the opinion of the Board, permanent monuments are necessary. No permanent monument shall be installed until all construction which would destroy or disturb the monuments is completed. The bounds shall be set at the depth and position as directed, and they shall not project above the ground more than two (2) inches. Bounds to be located in lawns, sidewalks, or drives may be set with the top of bound flush with the finished surface. Material for backfilling shall consist of suitable excavated material or borrow carefully placed about the bound and thoroughly tamped.

Granite monuments shall be four (4) feet long with the top surface and top twelve (12) inches on the four sides pointed. Top twelve (12) inches shall be six (6) inches square with a one-half ( $\frac{1}{2}$ ) inch diameter hole one (1) inch deep in the center of the top surface. The Planning Board shall approve setting procedures before any bounds are set, and all excavations shall be made using hand tools, or approved auger-type excavators. When the bound points fall on ledge, the use of a wrought iron rod may be directed, in which case a one and one-half ( $1\frac{1}{2}$ ) inch hole shall be drilled to a depth of eight (8) inches and a one (1) inch wrought iron rod shall be driven and wedged in the hole and then securely grouted.

Reinforced concrete bounds of the same dimensions as for granite bounds shall be installed at angle points on all easements.

F. Street Signs

Street signs of the same design and quality as presently being installed by the Hopedale Road Commissioners shall be installed at each street intersection prior to the occupation of any dwelling. The location of street signs shall be subject to the approval of the Road Commissioners.

G. Trees

Trees shall be installed at an average spacing of 100 feet on both sides of the proposed roadways. All trees must be Norway Maples, one and one-half (1½) to two (2) inches caliper, ten (10) to twelve (12) feet tall with good, straight stems. These trees shall be planted either in the four and one-half (4½) foot grass plots or behind the sidewalks, no further than ten (10) feet.

The planting cavity shall be of sufficient depth and width to accommodate the root system without cramping. A minimum of one (1) foot of loam and sufficient fertilizer shall be placed at each planting, and a minimum of a three (3) foot circle, two (2) inches deep of woodchip mulch shall surround each tree at the surface. The trees shall be well watered when planted.

Each tree shall be supported with a 2"x2"x8" wooden stake and shall be fastened at the top with a loop of rubber or suitable fabric hosing.

All trees shall be subject to a one (1) year guarantee.

H. Utilities

1. Sanitary Sewers

Collector sewers shall be vitrified clay or asbestos cement of a class specified by the Sewer Commissioner at least eight (8) inches in diameter laid to a minimum slope of one-half (½) foot per 100 feet and shall be deep enough to drain basement fixtures and prevent freezing. Precast concrete manholes shall be constructed at the ends of each line, and at all changes in grade, size and alignment. They shall not exceed a spacing of 300 feet, and shall be in accordance with the typical details for same in the appendix.

Line and grade shall be controlled by the use of laser instruments. All sewer pipe and manholes will be subject to an exfiltration test upon completion and before putting into service. The maximum allowable infiltration



or exfiltration rate shall be 500 gallons per mile of pipe per inch of pipe diameter in a twenty-four (24) hour period. The developer shall be responsible for furnishing all necessary materials, equipment and labor to conduct the tests which must be witnessed by the Planning Board or its designated agent.

House services shall be at least five (5) inches in diameter, laid at a minimum pitch of one-quarter ( $\frac{1}{4}$ ) inch per foot. All sewers, including house services, shall be laid in an envelope of three-quarter ( $\frac{3}{4}$ ) inch washed gravel. Deflections in line or grade in excess of one-half ( $\frac{1}{2}$ ) inch will be cause for rejection.

## 2. Storm Drains

All drain pipe shall be reinforced concrete conforming to A.S.T.M. Designation C76, Class III pipe, or such higher class as may be required by depth of trench, and shall be at least twelve (12) inches in diameter, and shall be laid to a slope which will maintain a velocity of three (3) feet per second when flowing full using  $N=.015$ .

Manholes shall be constructed at the end of each line, catch basin connections, at changes in grade, size and alignment, and shall not exceed a spacing of 300 feet.

Catch basins with three (3) foot sumps shall be built at all low points and on continuous upward grades at a spacing not to exceed 300 feet from the low point or preceding catch basins.

Drains shall be laid with open bottom joints in a three-quarter ( $\frac{3}{4}$ ) inch washed gravel cradle.

Provisions shall be made to collect and remove silt from the drainage system during the construction period.

## Water

Water mains shall be laid to provide a minimum cover of five (5) feet from the finished grade, and shall not be deeper than eight (8) feet. All piping shall be cement lined cast iron pipe designed for an internal working pressure of at least 150 psi. Fittings shall be cement lined and designated for the same internal working pressure. All fittings and hydrants shall have properly designed concrete thrust blocks installed behind them.

Gate valves shall be installed on each outlet of all tees and crosses; every 1,000 feet of main; on hydrant branches; and at dead end streets.

Hydrants shall be located every 500 feet, and shall have one (1) inch washed stone drainage sump one-half ( $\frac{1}{2}$ ) cubic yard in volume at its base.

Gate valves, road boxes and hydrants shall be equal in quality to those presently being purchased by the Town's Water Department.

Upon completion of the water main construction and prior to putting into service, a pressure and leakage test will be made. Any defects found shall be corrected immediately. Once a successful test has been run, the lines shall be chlorinated before they are put into service. The developer shall be responsible for providing all necessary equipment and labor to conduct the tests and chlorination which must be witnessed by the Engineering Department.

#### 4. Electric and Telephone Wiring and Street Lighting

All electric, telephone and other utility wires shall be placed underground in all subdivisions in strict conformity with the requirements of the particular utility company for such installations. Street lighting shall be provided in all subdivisions in accordance with the requirements of the Hopedale Planning Board.

#### 5. Gas Transmission

If gas is to be installed in the work, then the Commonwealth Gas Company must obtain a location in the right-of-way from the Planning Board or its designated agent.

#### 6. General

All utility services to each lot must be installed before the gravel base course is constructed.

All utility layouts shall be shown either on the definitive plan or copies of the definitive plan and are subject to the approval of the Board.

No backfilling or covering of any pipe shall be permitted until approved by the Board. Selected materials shall be tamped under and around pipes in six (6) inch layers to a point twelve (12) inches above the top of the pipe. See Standard Details in the Appendix.

The developer shall be responsible for the repair to any of his work for a period of one (1) year following original approval of same.

#### I. Clean-Up During Construction

The work sites shall be kept reasonably clear of debris at all times. Prior to the occupation of any house, the roadway base pavement, berms and sidewalk base shall have been

installed, extending to and fronting the lot on which said house is located, During additional house construction, existing paved surfaces shall be kept clear of dirt, and dust nuisances shall be kept abated. All drainage ditches, pipes and structures shall be kept clear of debris and open for control of storm water.

Upon completion of the subdivision, the developer shall remove all temporary structures, rubbish and surplus materials from the area. All pavements shall be swept clean and catch basin sumps shall have all accumulated debris removed therefrom.

J. Record Drawings and Acceptance Plans

Upon completion of the roadways, the developer shall have the original plans and profiles, which were approved by the Board, corrected and certified by his engineer to show actual as built locations and grades of all utilities and roadway profiles and any changes authorized by the Board. These plans shall be drawn with india ink on linen. This plan will be known as the record drawing. Ties to all gate valves, tees, service connection shut offs, sewer y's, etc. shall be superimposed thereon.

In addition to the record drawing, an acceptance plan shall be prepared and certified by a registered land surveyor. This plan shall be drawn with india ink on linen, showing the street widths, distances, bearings and complete survey data for all street lines and easements. All stone bounds set during the construction any any existing prior thereto shall be shown.

A blank space four (4) inches by eight (8) inches shall be provided on the lower right-hand corner of the plan for a title block to be filled in by the Board. The surveyor shall place a certification on the plan stating that the street or streets or portions thereof shown have been laid out and the monuments have been set as shown. The plan shall be signed by the surveyor and his stamp shall be affixed thereto.

K. Maintenance of Roadways

The developer shall be responsible for maintaining in good repair all roads in a subdivision for a period of two (2) years following their completion, or until they are accepted by the Town Meeting, whichever time is shorter. This maintenance shall include sweeping, cleaning of catch basins, repair of any settlements or cracking and adjustment of castings within the pavement.

L. Industrial Subdivisions

Industrial subdivisions shall conform to all requirements applicable to residential subdivisions except as follows:

1. Sidewalks will be required on one (1) side only.
2. Pavement thickness shall be three (3) inches and shall be placed in two (2) courses. The bottom course shall be two (2) inches thick and the top one (1) inch. The top course shall not be placed until all utility connections have been made to each lot.
3. Pavement width shall be thirty-six (36) feet between berms.
4. Berm radii at street intersections shall be fifty (50) feet minimum.
5. Roadway grades shall not exceed six(6) percent.
6. Looping streets and second exist should be provided to avoid cul-de-sac type turnarounds.
7. Travel lanes shall be marked in accordance with the latest Manual on Uniform Traffic Control Devices, Commonwealth of Massachusetts, Department of Public Works.

SECTION VI  
ADMINISTRATION

A. Authority

The Board shall be the administrative agency of these regulations and shall have all the powers assigned them by Section 81A to GG of Chapter 41 of the General Laws.

The Board may assign as their agents appropriate town agencies or officials, and may from time to time hire professional assistance to review plans and inspect improvements at the cost of the subdivider.

The Board on its own motion or on the petition of any interested person shall have the power to modify, amend or rescind its approval of a plan of a subdivision, or to require a change in a plan as a condition of its retaining the status of an approved plan.

B. Variation

1. Waiver of Compliance

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

C. Reference

For matters that may arise during subdivision procedures that are not covered by these regulations, the following are accepted as standards in their applicable portions, "Standard Specifications for Highways and Bridges, Massachusetts Department of Public Works" and "Sections 81K to 81GG of Chapter 41 of the General Laws" each as amended or updated from time to time.

D. Inspection and Control

1. At the points hereinafter indicated, the construction of required streets and other improvements shall be inspected:
  - a. The installation of underground utilities and services shall be inspected by the Road Commissioner or his appointed representative before the back-filling of trenches or other covering of structure.

- b. The roadway shall be inspected by the Road Commissioner upon completion of the subgrade, base course, binder and surface course prior to each required construction step.
  - c. The sidewalk shall be inspected by the Road Commissioner upon completion of the subgrade, base course, finish surface and loam strip prior to each required construction step.
  - d. Following the completion of all the improvements required, the subdivision shall be inspected by the Road Commissioner.
2. Unless the approval of the work completed, including approval of materials used to each point, has been given, no further work shall be done until such work is subsequently completed to the satisfaction of the Board.
  3. Inspections shall be requested by the developer at least twenty-four (24) hours in advance by notice to the Road Commissioner.
  4. When inspection or testing time exceeds one (1) hour in any week, the excess time will be billed the developer based on the employee's actual hourly rate of pay. Fractions of hours will be considered as a whole hour. Billing will be done monthly by the Road Commissioner.

E. Enforcement by Denial of Building Permits

No building shall be erected within a subdivision without written permission from the Board. The Board reserves the right to rescind prior permission to build for cause.

F. Separability

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

G. Amendments

These regulations or any portion thereof may be amended, supplemented or repealed from time to time by the Board after a public hearing on its own motion or by petition.

FORM A

APPLICATION FOR ENDORSEMENT ON PLAN BELIEVED NOT TO REQUIRE APPROVAL

(File two (2) completed forms together with the original plan and three (3) prints thereof with the Town Clerk)

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

To the Planning Board of the Town of Hopedale, Massachusetts

The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons:

1. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount of frontage and area required by the Town of Hopedale Zoning Bylaw and is on a public/private way, namely,

\_\_\_\_\_ which qualifies a lot for frontage under the Subdivision Control Law.

2. If lots do not have required frontage and area, explain:

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

3. Engineer's Name and Address \_\_\_\_\_

\_\_\_\_\_

4. The owner's title to the land is derived under a deed recorded in Worcester District Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, and is presently shown in whole or part on Assessors' Tax Plate \_\_\_\_\_, Plot \_\_\_\_\_

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

Applicant's Name, if not owner \_\_\_\_\_

Applicant's Address \_\_\_\_\_

APPROVAL UNDER THE SUBDIVISION  
CONTROL LAW NOT REQUIRED

HOPEDALE PLANNING BOARD

\_\_\_\_\_  
Date

FORM B

APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

(File one (1) completed copy with the Town Clerk and one (1) copy together with five (5) copies of the plans to the Planning Board)

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

To the Planning Board of the Town of Hopedale, Massachusetts

The undersigned, being the applicant as defined under Chapter 41,

Section 81-L for approval of a proposed subdivision entitled \_\_\_\_\_

\_\_\_\_\_ by (engineer) \_\_\_\_\_

\_\_\_\_\_ dated \_\_\_\_\_ 19 \_\_\_\_\_

Access will be from the following streets \_\_\_\_\_

Total Land Area \_\_\_\_\_; No. Lots \_\_\_\_\_; Feet of Roadway \_\_\_\_\_  
hereby submits said plan as a PRELIMINARY SUBDIVISION PLAN in  
accordance with the Subdivision Rules and Regulations of the  
Hopedale Planning Board and makes application to the Board for  
approval of said plan.

The undersigned's interest in said land is as follows \_\_\_\_\_

\_\_\_\_\_ The owner's title to said land is by deed dated \_\_\_\_\_ 19 \_\_\_\_\_

and recorded in the Worcester District Registry of Deeds Book \_\_\_\_\_,

Page \_\_\_\_\_ and is shown on Assessors' Tax Plate \_\_\_\_\_, Plot \_\_\_\_\_

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

Received By Town Clerk

Applicant's Signature \_\_\_\_\_

Applicant's Name, if not owner \_\_\_\_\_

Applicant's Address \_\_\_\_\_



FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

(File two (2) completed forms with the Town Clerk in accordance with the requirements of Section 111-C)

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

To the Planning Board of the Town of Hopedale, Massachusetts

The undersigned, being the applicant as defined under Chapter 41,

Section 81-L, for approval of a proposed subdivision shown on a

plan entitled \_\_\_\_\_

by (engineer) \_\_\_\_\_

\_\_\_\_\_ dated \_\_\_\_\_ 19 \_\_\_\_\_

Access will be from the following streets \_\_\_\_\_

Total Land Area \_\_\_\_\_ Acres; No. Lots \_\_\_\_\_; Feet of Roadway \_\_\_\_\_  
\_\_\_\_\_ hereby submits said plan as a DEFINITIVE SUBDIVISION PLAN  
in accordance with the Subdivision Rules and Regulations of the  
Hopedale Planning Board and makes application to the Board for  
approval of said plan.

The undersigned's interest in said land is as follows \_\_\_\_\_

\_\_\_\_\_

The owner's title said land is by deed dated \_\_\_\_\_ 19 \_\_\_\_\_

and recorded in the Worcester District Registry of Deeds Book \_\_\_\_\_,

Page \_\_\_\_\_, and is shown on Assessors' Tax Plate \_\_\_\_\_, Plot \_\_\_\_\_

Said plan (has/has not) evolved from a preliminary plan submitted

to the Board on \_\_\_\_\_ 19 \_\_\_\_\_ and was (approved with

Modifications/disapproved) on \_\_\_\_\_ 19 \_\_\_\_\_

The undersigned hereby applies for the approval of said DEFINITIVE  
plan by the Board, and in furtherance thereof hereby agrees to abide  
by the Board's Subdivision Rules and Regulations

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

Received by Town Clerk \_\_\_\_\_

Filing Fee of \$50.00  
(has/has not) been received

\_\_\_\_\_ not owner

FORM D

DESIGNER' CERTIFICATE

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

To the Planning Board of the Town of Hopedale, Massachusetts

In preparing the plan entitled \_\_\_\_\_

I hereby certify that the above named plan and accompanying data is true and correct to the accuracy required by the current Rules and Regulations Governing the Subdivision of Land in Hopedale, Massachusetts, and my source of information about the location of boundaries shown on said plan were one or more of the following:

1. Deed from \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_ dated \_\_\_\_\_ and recorded in  
the Worcester District Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_.
2. Other plans, as follows \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Detail and topography has been established by aerial survey\_\_\_\_; on ground survey \_\_\_\_\_; Other \_\_\_\_\_
4. Actual measurement on the ground from a starting point established by \_\_\_\_\_
5. Other sources \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_

(Registered Professional Engineer or Registered Land Surveyor).

Address \_\_\_\_\_  
\_\_\_\_\_

(Seal of Engineer  
or Surveyor)

FORM E

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

To the Planning Board of the Town of Hopedale, Massachusetts

The undersigned, being an applicant for approval of a definitive plan of a proposed subdivision entitled \_\_\_\_\_

\_\_\_\_\_ submits the attached listing of the adjoining property owner's names and addresses including the Assessors' tax plate and plot numbers for each property. This listing includes owners of land separated from the subdivision only by a street.

Signature of Applicant \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ To the Planning Board of the Town of Hopedale, Massachusetts

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

\_\_\_\_\_ Assessor

\_\_\_\_\_ Date

COVENANT

FORM F

The undersigned, \_\_\_\_\_ ) Owner  
 \_\_\_\_\_ ) and  
 \_\_\_\_\_ ) Address  
 hereinafter called the "Covenantors" having submitted to the  
 Hopedale Planning Board a definitive plan of a subdivision  
 entitled \_\_\_\_\_ ) Plan  
 \_\_\_\_\_ ) Title  
 made by \_\_\_\_\_ ) Engineer  
 \_\_\_\_\_ ) and  
 \_\_\_\_\_ ) address

do hereby covenant and agree with said Planning Board and the  
 successors in office of said Board pursuant to General Laws  
 (Ter. Ed.) Chapter 41, Section 81-U, as amended, that;

1. The covenantors are the owners of record of the premises  
 shown on said plan;
2. This covenant shall run with the land and be binding upon the  
 executors, administrators, heirs, assigns of the covenantors  
 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 Board  
 before such lot may be built upon or conveyed, other than  
 by mortgage deed; provided that a mortgagee who acquires  
 title to the mortgaged 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 no lot so sold shall be  
 built upon until such ways and services have been provided  
 to service 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 all lots not previously  
 released by the Planning Board without first providing such  
 ways and services;
5. No lot shall be built upon until such time as it has been  
 approved by the Hopedale Board of Health.
6. No lot shall be built upon until released by the said Planning  
 Board;
7. No loam or topsoil shall be removed from the area until the  
 subdivision is completed, and then only surplus matter, if  
 any, until a lot by lot permit is first obtained from the  
 Building Inspector;

(Any special provisions should be noted here)

8. This covenant shall take effect upon the approval of said plan;  
9. The recording of this covenant shall be made prior to the recording of the plan and reference to said covenant shall be placed upon the said plan.

IN WITNESS WHEREOF, the said \_\_\_\_\_ ) Owners  
\_\_\_\_\_ ) Name

have hereunto affixed their hands and seals this \_\_\_\_\_ ) Date  
day of \_\_\_\_\_, in the year one thousand nine hundred and \_\_)

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

\_\_\_\_\_ )  
Date

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

\_\_\_\_\_ )  
and acknowledged the foregoing instrument to be \_\_\_\_\_ free act  
and deed before me

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

My commission expires:

Approved as to form

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

FORM G

CONVEYANCE OF EASEMENTS AND UTILITIES

\_\_\_\_\_, of \_\_\_\_\_  
County, Massachusetts, for good and adequate  
consideration, grant to the Town of Hopedale, a municipal  
corporation in Worcester County, Massachusetts, the perpetual  
rights and easements to construct, inspect, repair, renew, replace,  
operate and forever maintain systems of water mains, sanitary  
sewers, storm drainage and appurtenances thereto, and do all acts  
incidental thereto, in, through and under the following described  
land:

\_\_\_\_\_  
\_\_\_\_\_  
appearing on a plan entitled \_\_\_\_\_

And, for the consideration aforesaid, the said grantor does hereby  
give, grant, transfer and deliver unto the Town of Hopedale all  
water distribution, sanitary sewer and storm drainage systems  
including related easements, and all appurtenances thereto that are  
now or hereafter constructed or installed in, through, or under  
the above described land by the grantor and the grantor's  
successors and assigns.

The grantor warrants that the aforesaid easements are free and  
clear of all liens or encumbrances, that he (it) has good title  
to transfer the same, and that he will defend the same against  
claims of all persons.

For grantor's title see deed from \_\_\_\_\_  
dated \_\_\_\_\_ 19 \_\_\_\_\_, and recorded in Worcester  
District Registry of deeds, Book \_\_\_\_\_, Page \_\_\_\_\_.

And (to be completed if a mortgage exists) \_\_\_\_\_  
(name and address) \_\_\_\_\_

the present holder of a mortgage on the above described land, which  
mortgage is dated \_\_\_\_\_ 19 \_\_\_\_\_, and recorded in said Deeds,  
Book \_\_\_\_\_, Page \_\_\_\_\_, for consideration paid, hereby  
releases unto the Town of Hopedale forever from the operation of  
said mortgage, the rights and easements hereinabove granted and  
assents thereto.

\_\_\_\_\_  
Authorized Signature of Mortgagor \_\_\_\_\_ Owner

IN WITNESS WHEREOF we have hereunto set our hands and seals this  
\_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_  
The personally appeared the above named \_\_\_\_\_ 19 \_\_\_\_\_  
\_\_\_\_\_ and acknowledged the foregoing to be \_\_\_\_\_  
\_\_\_\_\_ free act and deed, before me

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

FORM H

INSPECTION FORM

HOPEDALE, MASSACHUSETTS

Name of Subdivision \_\_\_\_\_ From Sta. \_\_\_\_\_ to Sta. \_\_\_\_\_

Name of Applicant \_\_\_\_\_ Phone of Applicant \_\_\_\_\_

Subject	Initials Of Agent	Date of Inspection
1. Clearing of Right-of-Way	_____	_____
2. Subgrade Preparation	_____	_____
3. Sanitary Sewers	_____	_____
4. Drainage (Below Grade) Installation	_____	_____
5. Water Installation	_____	_____
6. Gravel Base	_____	_____
7. Curb Installation	_____	_____
8. Binder Course	_____	_____
9. Drainage (At Surface ) Installation	_____	_____
10. Berm Installation (GRANITE SLOPE)	_____	_____
11. Finish Course	_____	_____
12. Sidewalk Construction	_____	_____
13. Street Trees and Planting	_____	_____
14. Grass Strips	_____	_____
15. Street Lights	_____	_____
16. Street Signs and Monuments	_____	_____
17. Final Clean-Up	_____	_____
18. Maintenance	_____	_____

The Planning Board shall be notified at least 24 hours before each required inspection as listed.

A TRUE COPY ATTEST

*Robert Phillips*

HOPEDALE TOWN CLERK

# PLANNING BOARD

TOWN OF HOPEDALE

## SUBDIVISION/SITE PLAN REVIEW DISTRIBUTION FORM

TO BE COMPLETED BY APPLICANT

Applicant: _____	Date: _____
Address: _____	Apt. No.: _____
City/Town: _____	State: _____
Telephone No.: ( ) - _____	Ext.: _____
	Fax No.: ( ) - _____
Type of Plan Submitted <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Subdivision of Land (§81P) - Approval Not Required <input type="checkbox"/> Subdivision of Land	
Site Location/Address: _____	
Description of Proposed Plan: _____ _____ _____	
Notes: Submit this form along with ten (10) copies of the Subdivision/Site Plan and any supporting documents to the Planning Board at a regularly scheduled meeting.  For additional requirements, refer to the Town of Hopedale Zoning By-Laws available at the Town Clerk's office.	

### TO BE COMPLETED BY TOWN

Date Received: _____	Response Date (30 days): _____			
Decision Date (60 days): _____				
On behalf of the above listed applicant and as required by the Town of Hopedale Zoning By-Laws, the Planning Board submits for your review the attached plans and documents. Please review the attached information as it pertains to your department and submit written comments, along with a copy of this form signed and dated, to the Planning Board prior to the above stated response date. If you have no comments and/or the information is not applicable to your department, please mark where noted, sign and date this form and return it to the Planning Board. Failure to reply within thirty (30) days will be interpreted as lack of opposition to the approval of the site plan.				
<u>Department:</u>	<u>No</u>	<u>Not</u>	<u>Signature</u>	<u>Date</u>
	<u>Comment</u>	<u>Applicable</u>		
_____ Board of Health	_____	_____	_____	_____
_____ Building Commissioner	_____	_____	_____	_____
_____ Conservation Commission	_____	_____	_____	_____
_____ Fire Department	_____	_____	_____	_____
_____ Highway Department	_____	_____	_____	_____
_____ Police Department	_____	_____	_____	_____
_____ Water/Sewer Department	_____	_____	_____	_____
_____ Town Clerk				



