SUBDIVISION REGULATIONS

MANSFIELD, MASSACHUSETTS

Adopted March, 1954
Revised June, 1972
Amended October, 1975
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Amended April, 2002
Amended September, 2002
Amended March 28, 2018
(including all amendments)

A True Copy

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MANSFIELD TOWN CLERK, Marianne Staples

PRICE $10.00

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
MANSFIELD, MASSACHUSETTS
(adopted under the Subdivision Control Law
Section 81-K to 81-GG inclusive, Chapter 41, G.L.)

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Installation of underground electrical utilities are in accordance with the provisions of the Mansfield Municipal Electric Department, "Construction Requirements for New Developments for Residential and Commercial/Industrial," effective October 13, 2004, revised February 9, 2011.

Specifications for Lift Station for Sanitary Sewerage are in accordance with the Mansfield Department of Public Works, Drainlayers' Regulations, as amended March 2, 2005.

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
MANSFIELD, MASSACHUSETTS
(adopted under the Subdivision Control Law
Section 81-K to 81-GG inclusive, Chapter 41,G.L.)

PURPOSE

These subdivision regulations are adopted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the Town of Mansfield 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 and the Board of Appeals under the Subdivision Control Law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger of life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning bylaws; for securing adequate provisions 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 Subdivision Control Law (under which these regulations are adopted) that any subdivision plan filed with the Planning Board shall receive the approval of such board if said plan conforms to the recommendation 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 81-R, such portions of the rules and regulations as is deemed advisable"(Section 81-M of Chapter 41, G.L.).

SECTION 1. AUTHORITY

Under the authority vested in the Planning Board of the Town of Mansfield 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 Mansfield. These regulations shall be effective on and after the first day of March, 1954, as herein amended June 5, 1972, and further amended October 22, 1975, August 4, 1976, April 20, 1977, September 21, 1977, April 16, 1986, April 8, 1987, September 28, 1988, September 6, 1989, May 23, 1990, May 30, 1990, June 13, 1990, August 30, 1995, August 12, 1998, June 23, 1999, April, 2002, September 2002 and March 28, 2018.

SECTION 2. GENERAL

2.1. Definitions

APPLICANT. A person (as hereinafter defined) who applies for the approval of a plan of a subdivision or a person who applies under Section 2.2. "Applicant" shall include an owner, or his agent or representative, or his assigns.

BOARD. The Planning Board of the Town of Mansfield.

CERTIFIED BY. Certified by (or endorsed by) a Planning Board, as applied to a plan or other instrument required or authorized by the Subdivision Control Law to be recorded, shall mean, bearing a certification or endorsement signed by a majority of the members of the Planning Board, or by its chairman or clerk or any other person authorized by it to certify or endorse its approval or other action and named in a written statement to the registry of deeds and recorder of land court, signed by a majority of the board. (Section 81-L of the General Laws)

DEVELOPER. A person (as hereinafter defined) who develops under a plan of a subdivision approved under Section 3. of these Rules and Regulations.

GENERAL LAWS. (abbreviated G.L.) The General Laws 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 section in the new codifications.

LOW IMPACT DEVELOPMENT (LID). An approach to land development that manages stormwater, site drainage and site infrastructure design, layout and construction in order to promote sustainable stormwater management practices and reduce, as much as possible, the impact of development or redevelopment on the natural environment.

LOT. An area of land in one (1) ownership, with definite boundaries ascertainable of record and use, or set aside and available for use, as the site of one (1) or more buildings and buildings accessory thereto.

MUNICIPAL SERVICES. Sewer, water drains, water pipes, gas pipes, electrical lines, telephone lines, cable television systems and any other services, as required, and their respective appurtenances.

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.

PLANNING BOARD. Planning Board shall mean a Planning Board established under Section 81-A, or Board of Selectmen acting as a Planning Board under said section, or a board of survey in a city or town which has accepted the provisions of the Subdivision Control Law as provided in Section 81-N or corresponding provisions of earlier laws, or has been established by a special law with powers of subdivision control. (Section 81-L of Chapter 41 of the General Laws.)

PLANNING BOARD AGENT. Town employee, inspector or consultant authorized by the Planning Board to review subdivisions and administer the regulations.

PRELIMINARY PLAN. A plan of a proposed subdivision or a resubdivision of land prepared in accord with Section 3.2 to facilitate proper preparation of a definitive plan.

PLAN OR DEFINITIVE 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.

RECORDED. Recorded shall mean recorded in the Registry of Deeds of county or district in which the land in question is situated, except that, as affecting registered land, it shall mean filed with the recorder of the Land Court. (Section 81-L of Chapter 41 of the General Laws.)

REGISTRY OF DEEDS. Registry of Deed shall mean the Registry of Deeds of the county or district in which the land in question in situated, and when appropriate, shall include the Land Court. (Section 81-L of Chapter 41 of the General Laws.)

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

STREET, MAJOR*. A street which, in the opinion of the Board is being used, or will be, used as a thoroughfare within the Town of Mansfield or which will otherwise carry a heavy volume of traffic (generally over fifteen hundred [1500] vehicles per day). (See Vehicle Trips Per Day, Page 8.)

STREET, MINOR*. A street which, in the opinion of the Planning Board, is being used, or will be used, primarily to provide access to abutting lots and which will not be used for through traffic nor carry more than three hundred (300) vehicles per day. (See Vehicle Trips Per Day, Page 8.)

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 (generally over three hundred (300) vehicles per day) from such minor street(s) to a major street or community facility, and normally including a principal entrance street to a shopping center, industrial park, planned unit development, or a large subdivision, or group of subdivisions, and any principal circulation street within such subdivision (See Vehicle Trips Per Day, Page 8).

SUBDIVISION. "Subdivision" shall mean the division of a tract of land into two (2) or more lots and shall include a re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; provided, however, that the division of a tract of land into two (2) or

more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if at the time when it is made, every lot within the tract so divided has frontage on (a) a public way, or a way which the Town Clerk of the Town of Mansfield certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved 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 Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by zoning or other...bylaw.

"Conveyances or other instruments adding 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 (2) or more buildings were standing when the Subdivision Control Law went into effect in the Town in which the land lies into separate lots on each of which one (1) such building remains standing, shall not constitute a subdivision." (Section 81-L of Chapter 41 of the General Laws.)

SUBDIVISION CONTROL. The power of regulating the subdivision of land granted by the Subdivision Control Law, Chapter 41, Sections A through GG inclusive, as hereinafter amended.

TOWN. Town of Mansfield, unless otherwise specified.

***VEHICLE TRIPS PER DAY**. For the purpose of determining street type, the Planning Board shall calculate ten (10) trips per day for single family or each unit in a duplex residence and six (6) vehicle trips per day for each town house or unit in an apartment or multi-family structure.

WAIVER: The Planning Board may voluntarily waive, by majority vote only, strict compliance with a specific subdivision regulation upon reasonable petition of an applicant and after the Planning Board finds that such action is in the public's and the Town's best interest and not inconsistent with the intent and purpose of subdivision control law (MGL Chapter 41, Section 81R).

2.2. **Approved Plan Required**

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 for sale of lots in a subdivision or the construction of ways, or preparation therefore or the installation of utilities and municipal services therein, unless and until a Definitive plan of such subdivision has been submitted and approved by the Planning Board as hereinafter provided.

2.3. **Source of Information Required**

In those cases in which the land shown on the plan is abutted by land of an owner not the owner of the land as shown, the Board may require a statement from the person who prepared the plan as to the source or sources of the information about the location of boundaries. A separate form for such statement will be furnished by the Board, see Form D Designer's Certificate (Appendix A.7).

2.4. **More Than One Building for Dwelling Purposes on a 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 lots 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 furnishing access to each site for such building in the same manner as otherwise required for lots within a subdivision.

2.5. **Fee**

The following fees shall be payable to the Town upon submission of the following plans:

Form "A" (ANR) Plan.....$195.00 Submission fee PLUS:
$195.00 per lot shown on the Plan

Preliminary Plan..... $580.00 (to be credited towards Definitive Plan If filed within seven (7) months)

Definitive Plan.....$810.00 Submission fee PLUS:
$500.00 per lot shown on the plan PLUS:
$9.75 lineal foot of roadway

Modification.....$680.00 Submission fee PLUS:
$500.00 Per Additional/Revised Lot shown on the plan PLUS:
$9.75 Per Additional/Revised linear foot of roadway

*The submission fee does <u>not</u> include mailing and advertising costs, which are the applicant's responsibility.

2.6. **Flood Insurance Requirements**

2.6.1. In accordance with the requirements of the Federal Insurance Administration, all plans submitted to the Mansfield Planning Board shall be reviewed to determine whether such plans and ultimate development will be reasonably safe from flooding. If a development proposal is in the flood prone area, any such proposals shall be reviewed to assure that all such proposals are consistent with the need to minimize flood damage within the flood-prone area, all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and adequate drainage is provided to reduce exposure to flood hazards.

2.6.2. All new roads constructed within an approved subdivision and in a flood prone area shall be constructed at an elevation equal to or greater than the 100-year flood. In such areas, the lots shall be graded to a minimum elevation two (2) feet above the center line of the road.

2.7. **Responsibility for Information Submitted**

All plans submitted in accordance with these Regulations shall conform to accepted principals of correct land use, good planning, and correct engineering. The Planning Board assumes any information to be true and correct unless there appears evidence to the contrary. The acquisition of necessary rights and a presentation of complete and correct information are the responsibility of the applicant, and the failure to do so, including the failure or inability to obtain all necessary permits, licenses, the leases or rights, may be construed a reason for disapproval or rescission of approval or other action provided by law.

It shall be the applicant's responsibility to pick up plans filed with the Planning Board. On Approval Not Required Plans, the applicant shall pick up the original linens within 30 days of the date of endorsement. On definitive subdivision plans, the applicant shall pick up the final linens within 30 days after the 20-day appeal period has expired. After that time, the Planning Board or the Town of Mansfield will not be responsible for them.

SECTION 3.
PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

3.1. **Plan Believed Not to Require Approval**

3.1.1. **Submission of Plan**

Any person who wishes to cause to be recorded in the Registry of Deeds, or to be filed with the Land Court, a plan of land and who believes that his plan does not require approval under the Subdivision Control Law may submit his plan and three (3) contact prints and three (3) copies of a properly executed Form A (See Appendix A.4) to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery, or registered or certified mail, a notice with the Town Clerk stating the date of submission of such determination accompanied by a copy of said application and describing the land to which the plan relates sufficiently for identification. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor.

Said plan shall be a minimum dimension of eight and one-half inches by eleven inches (8-1/2" x 11") or a maximum size not to exceed twenty-four inches by thirty-six inches (24" x 36") and shall contain the following information:

3.1.1.1. Lots have the required frontage on one of the following:

3.1.1.1.1 a public way, or a way which the Town Clerk of the Town of Mansfield certifies is maintained and used as a public way, or

3.1.1.1.2 a way shown on a plan theretofore approved in accordance with the Subdivision Control Law, or

3.1.1.1.3 a way in existence when the Subdivision Control Law became effective in the Town of Mansfield (March 1954) having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land, the buildings erected or to be erected thereon.

3.1.1.2. Identification of the plan by name of owner of record and location of the land in question.

3.1.1.3. The statement "Approval Under Subdivision Control Law Not Required" and provide sufficient space for the date and the signatures of all seven (7) members of the Board.

3.1.1.4. Zoning Classification and location of any Zoning District Boundaries that may lie within the locus of the plan.

3.1.1.5. In the case of the creation of a new lot, the remaining land area and frontage of the land in the ownership of the applicant shall be shown.

3.1.1.6. Notice of any decisions by the Zoning Board of Appeals, including but not limited to variances and exceptions regarding the land or any buildings thereon.

3.1.1.7. Abutters from the latest available Assessor's records unless the applicant has knowledge of changes subsequent to the latest available Assessor's records.

3.1.1.8. Distance to the nearest road or to other permanent monument, or tied into the Town of Mansfield Vertical Control System.

3.1.1.9. Location of all existing buildings, including setback and side and rear yard designations.

3.1.1.10. A key plan at one thousand (1,000) feet to the inch shall be filed.

3.1.1.11. Existing water bodies and wetlands to demonstrate compliance with Section 4.8. Water Body Setback and Wetland Protection as enumerated in the Mansfield Zoning By-Laws. Where a water body or wetland is located within

the boundaries of the property, elevations of the water at the time of the survey shall be shown on the plan.

Elevations and limits of the 100-year flood discharge as taken from the Bristol County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, dated July 16, 2015 and as may be amended.

3.1.1.12. The following statement shall appear on the plan below signatures of the Board: "Signatures of the Planning Board do NOT guarantee that any or all lots on the plan are buildable lots."

3.1.2. **Endorsement of Plan Not Requiring Approval**
If the Planning Board determines that the plan does not require approval, it shall, without a public hearing and within the period of time set forth in M.G.L., Chapter 41, Section 81P from the date of submission, endorse the words on the plan.

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

3.1.3. **Determination that Plan Requires Approval**
If the Planning Board determines that the plan does require approval under the Subdivision Control Law, it shall, within the period of time set forth in M.G.L., Chapter 41, Section 81P from the date of the submission of the plan, so inform the applicant, in writing, and return the plan. The Planning Board shall also notify the Town Clerk, in writing, of its action.

3.1.4. **Failure of the Board to Act**
If the Planning Board fails to act upon a plan submitted under this section or fails to notify the Town Clerk and the person submitting the plan of its action within the period of time set forth in M.G.L., Chapter 41, Section 81P from date of submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required, and it shall forthwith make such endorsement of said plan, and on its failure to do so forthwith, the Town Clerk shall issue a certificate to the same affect.

3.1.5 Within ten (10) days of recording the ANR Plan at the Registry of Deeds, the applicant shall notify the Planning Board in writing, presenting evidence of the recording of the plan, and eight (8) copies of the recorded plan. In addition, one digital file of the recorded Definitive Plan shall be submitted in AutoCad DWG, on a CD or a flash drive. The plan Vertical Datum shall reference the North American Vertical Datum of 1988 (NAVD 88), and the plan shall contain a minimum of two benchmarks. The horizontal orientation shall be tied and referenced to the Mansfield GIS horizontal control monuments (North American

Datum of 1983, NAD 83). Upon receipt of such notification, the Planning Board shall file one (1) copy of the recorded plan with the Building Inspector, one (1) copy with the Board of Health and three (3) copies with the Department of Public Works. The digital copy shall be filed with the Department of Public Works. For an ANR Plan, the digital file shall be submitted at the time of filing.

3.2. Preliminary Plan

3.2.1. General

A Preliminary Plan of a subdivision may be submitted by the applicant, and eleven (11) prints of it shall be filed with the Town Clerk and shall be distributed accordingly. The applicant shall file by delivery or registered or certified mail a notice with the Town Clerk stating the date of submission for such approval of a Preliminary Plan and accompanied by a copy of a properly executed application "Form B". The submission of such a Preliminary Plan will enable the subdivider, the Planning Board, the Board of Health, the Department of Public Works, the Police Department, the Fire Department, the Board of Assessors, the Engineer to the Planning Board (Agent) and other Town agencies and owners of property abutting the subdivision to discuss and clarify the details of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in each case. A properly executed application Form B (see Appendix A.5) shall be filed with the Preliminary Plans submitted to the Planning Board.

3.2.2. Contents

The Preliminary Plan shall be drawn at a scale of forty feet (40') to the inch. The plan shall be designated as a "Preliminary Plan" and to form a clear basis for discussion of the details of the subdivision and for preparation of the Definitive Plan, the plan shall contain the following:

3.2.2.1. The subdivision name, if any, boundaries, north point, date, scale, legend, locus at a scale of one inch equals one thousand feet (1"= 1,000') and title "Preliminary Plan."

3.2.2.2. The names and addresses of the record owner of the land and the subdivider and the name and address of the designer, engineer and surveyor who made the plan, which shall appear in the lower right hand corner.

3.2.2.3. The names of all abutters, as determined from the last assessment, unless the applicant shall have more recent knowledge of such abutters.

3.2.2.4. The existing and proposed lines of streets, ways, easements and public or common areas within the subdivision, in a general manner.

3.2.2.5. The zoning classification of land shown on the plan.

3.2.2.6. The proposed system of sewage disposal, water installation, and of drainage, including adjacent existing natural waterways, in a general manner.

3.2.2.7. The approximate boundary lines of proposed lots, with approximate areas and dimensions.

3.2.2.8. The names, approximate location and widths of adjacent street, or streets, approaching or within reasonable proximity of the subdivision.

3.2.2.9. The topography of the land with a two foot (2') contour interval based on the U.S. Coast and Geodetic Map and tied to the Town of Mansfield vertical control system. Water bodies and their elevations shall be shown with the date of measurement.

While the following items are not required of a Preliminary Plan submission, the applicant is strongly encouraged to provide this information in order to allow the Planning Board to make a more comprehensive review of the plan and to enable the Board to provide better guidance to the applicant prior to submitting a definitive plan.

3.2.2.10. The proposed names of the proposed streets and a number on each lot on each proposed street.

3.2.2.11. The profiles of existing grades and approximate proposed finished grades of the roadway, and drain and sewer utilities.

3.2.2.12. Area of adjoining land and water of the applicant not presently being subdivided.

3.2.2.13. Major features of the land such as existing walls, fences, monuments, buildings, trees twelve inches (12") in caliper measured four feet (4') above the ground, wooded areas and outcroppings. Ditches, swamps, water bodies and natural waterways shall be shown, including those located within two hundred feet (200') feet of the proposed subdivision.

3.2.2.14. Elevations and limits of the 100-year flood discharge as taken from the Bristol County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, dated July 16, 2015 and as may be amended.

3.2.3. **Approval**

The Planning Board may give such Preliminary Plan approval, with or without modification or suggestion, after the Board's review with the Board of Health, Department of Public Works, Police Department, Fire Department, Board of Assessors and the Planning Board Agent. Such approval does not constitute

approval of the subdivision, but facilitates the preparation of the Definitive Plan and the securance of final approval thereof. One (1) copy of the Preliminary Plan will be returned to the applicant. In the event of disapproval, the Planning Board shall state the reasons for its disapproval in accord with Section 81-S of Chapter 41.

3.3. **Definitive Plan**

3.3.1. **General**

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Town Clerk the following: (All items required in paragraph 3.3.1.1. and 3.3.1.2. and 3.3.2. of this section and the minimum filing fee (see Section 2.5) shall be submitted for a Definitive Plan to be "duly submitted" in accord with the General Laws of Massachusetts).

3.3.1.1. An original drawing of the Definitive Plan and eleven (11) contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.

3.3.1.2. A properly executed application Form C, Application for Approval of a Definitive Plan (Appendix A.6) including the time within which the applicant agrees to complete the ways and install the public utilities in the subdivision; Form D, Designer's Certificate (Appendix A.7); and a Certified List of Abutters (Form E) (Appendix A.8). In addition, the applicant is responsible for preparing all notices to abutters certified mail, return receipt requested. The prepared notices, pre-addressed envelopes, and completed certified mail receipts shall be submitted to the Board or its agent for verification by way of comparison to the Certified List of Abutters (Form E). Return receipts shall be addressed to the Planning Board. The prepared notices/certified mailings shall be delivered not less than twenty-one (21) days prior to the public hearing. The applicant shall file by delivery or registered or certified mail a notice with the Town Clerk stating the date of submission for such approval and accompanied by a copy of the completed Form C Application for Approval of a Definitive Plan (Appendix A.6).

3.3.2. **Contents**

The Definitive Plan shall be prepared by a professional engineer and land surveyor registered in Massachusetts and shall be clearly and legibly drawn in ink on mylar. The plan shall be at a scale of one inch (1") equals forty feet (40'), or such other scale as the Planning Board may accept to show details clearly and adequately, and shall include plans and profiles of each individual street at a scale of one inch (1") equals forty feet (40') horizontal and one inch (1") equals four feet (4') vertical. All elevations shall refer to the North American Vertical Datum of 1988 (NAVD 88) and be noted on the plan. Sheet sizes shall be twenty-four by thirty-six inches ways bounding, approaching or within

reasonable proximity of the subdivision, showing both roadway widths and rights-of-way widths.

3.3.2.9. Indication of all easements, covenants or restrictions applying to the land and their purposes, whether or not within the subdivision including any decision of appeal or any variances or exceptions made by the Zoning Board of Appeals applicable to the subdivision of land or any buildings thereon.

3.3.2.10. 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 plat with case numbers and other pertinent references to Land Court Procedure, and the same requirement shall apply to any adjoining parcels of land of the applicant.

3.3.2.11. Suitable space to record the action of the Planning Board and the signatures of the seven (7) members of the Planning Board (with signature lines on the same side on every sheet of plan submitted including the profile sheet) and the five (5) members of the Board of Health.

(Items 3.3.2.12. through 3.3.2.19. may be submitted on the same sheet as the Definitive Plan or on separate sheets.)

3.3.2.12 Existing profiles on the exterior lines drawn in fine black line, dotted for left and dashed for right side, and proposed profile on the finished center-line drawn in fine black solid line of proposed streets at a horizontal scale of one inch (1") equals forty feet (40') and vertical scale of one inch (1") equals four feet (4') or such other scales acceptable to the Planning Board. At least two (2) bench marks are to be shown on plans and profiles, and grade elevations at every fifty foot (50') station except in vertical curves which shall be at every twenty-five foot (25') station. All existing and proposed intersections, and sidewalks, shall be shown with all proposed grade elevations calculated. Elevations are to be referred to as either mean sea level or zero equals mean low water as established by the Coast and Geodetic Survey or the Mansfield Vertical Control System. Gradient shall be shown by figures expressed in percent.

3.3.2.13 Existing and proposed topography at two foot (2') contour intervals and by symbols the highest known high water mark of the last five (5) years. There shall be indicated by differentiating symbols the contour line four feet (4') above said high water mark.

3.3.2.14 Size and location of existing and proposed water supply mains and their appurtenances, hydrants, sewer pipes and their appurtenances, storm drains and their appurtenances, and easements pertinent thereto, and dimensions of gutters, including data on borings and percolation tests made, and method of carrying water to the nearest watercourse or easements for drainage as needed, whether or not within the subdivision. If surface water drains will discharge onto adjacent existing streets or onto adjacent properties not owned by the applicant, he shall clearly indicate what course the discharge will take, and shall present to the

Board evidence from the Department of Public Works, the Engineer to the Board or the owner of adjacent property that such discharge is satisfactory and permitted by public or private ownership of adjacent street or property.

3.3.2.15 Calculations prepared by a Registered Engineer to substantiate the design of the drainage system. For the purposes of street drainage, a rainfall of 2.00 inches per hour on a 25-year storm event shall be utilized and said calculations may be performed by the Rational Formula as described in Seely's Design Data Book for Civil Engineers, Revised 3rd Ed, p 18-20. For the purpose of the design of the detention and/or retention basins, leaching systems or any other distribution system, the calculations shall be based on a 10 and 100-year storm event and shall utilize the methodology described in Urban Hydrology for Small Watersheds, Technical Release 55, 2nd edition published by the U.S. Department of Agriculture Soil Conservation Services, June 1986. The applicable worksheets (2-6b) shall be part of the submission to the Planning Board. In addition, a drainage area plan shall be submitted for both the pre and post construction drainage areas. Sheet size shall be twenty-four by thirty-six (24"X36") inches and shall be included with the definitive plan submission. Said drainage area plan shall include the following: delineated drainage area boundaries, topography at two (2') foot contours; drainage subareas; flow pattern, time of concentration; wetlands; streams; control surface structures and utilities.

3.3.2.16. Cross sections typical of each street, roadway and sidewalk to be constructed.

3.3.2.17. Location of proposed street lights and sidewalks.

3.3.2.18. A tabular summary of all quantities of each construction item to be broken down in a manner sufficient for the Planning Board to estimate the cost of construction for bonding purposes. The breakdown shall include the work for roadway, water, drainage, sewer (if applicable), electric light, fire alarm, drainage trenching and other construction proposed on the plan relating to the Planning Board's authority under subdivision control.

Elevations and limits of the 100-year flood discharge as taken from the Bristol County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, dated July 16, 2015 and as may be amended.

3.3.2.20 The applicant shall, at the time of submission of the plan, stake the edges of the proposed way(s), the center line of said proposed way(s) and station 0+0 at the intersection(s) of existing ways in order to facilitate accurate measurement of sight distances.

3.3.3. **Environmental Impact Statement**
The applicant shall also submit an Environmental Impact Statement, the purpose of which is to enable the officials of the Town to determine what methods are

used by the applicant to promote the environmental health of the community and to minimize adverse effects on the natural resources of the Town. Eleven (11) copies of said EIS shall be filed with the Town Clerk along with the definitive plan. Of the eleven (11) copies, four (4) will consist of the full EIS, the remaining seven (7) copies can exclude the drainage calculations.

In reviewing the Statement, the Town boards will consider the degree to which water is recycled back into the ground, the maintenance and improvement of the flow and quality of surface waters; the preservation or promotion of wildlife refuges, historic sites, unique geological, botanical and archaeological features, existing or potential trails and accesses to open space areas; and the health and safety of the inhabitants of the area.

The Planning Board may waive any section, or sections, of the Statement which it deems inapplicable to the proposed project. The developer should discuss the requirements with the Board prior to preparation of the Statement, preferably during the review of a preliminary plan.

The EIS shall include the following:

3.3.3.1. **Physical Environment**

3.3.3.1.1. Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, scenic and historical features, trails and open space links and indigenous wildlife.

3.3.3.1.2. Describe how the project will affect these features.

3.3.3.1.3. Provide a complete physical description of the project, and the relationship to surrounding area.

3.3.3.2. **Surface Water and Soils**

3.3.3.2.1. Describe location, extent and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the project.

3.3.3.2.2. Describe the method to be sued during the construction to control erosion and sedimentation; i.e. use of sediment basins and type of mulching, matting or temporary vegetation; describe approximate size and location of land to be cleared at any given time and length or time or exposure; covering of solid stock piles, and other control methods used. Evaluate effectiveness of proposed methods on the site and on the surrounding areas.

3.3.3.2.3. Describe the permanent methods to be used to control erosion and sedimentation. Include description of:

3.3.3.2.3.1. any areas subject to flooding or ponding;

3.3.3.2.3.2. proposed surface drainage system;

3.3.3.2.3.3. proposed land grading and permanent vegetative cover;

3.3.3.2.3.4. methods to be used to protect existing vegetation;

3.3.3.2.3.5. the relationship of the development to the topography;

3.3.3.2.3.6. any proposed alterations of shore lines, marshes or seasonal wet areas;

3.3.3.2.3.7. any existing or proposed flood control or wetland easements;

3.3.3.2.3.8. estimated increase of peak run-off caused by altered surface conditions, and methods to be used to return water to the soils.

3.3.3.2.4. Completely describe sewage disposal methods. Evaluate impact of disposal methods to be used to return water to the soils.

3.3.3.3. **Sub-surface Conditions**

3.3.3.3.1. Describe any limitations on proposed project caused by sub- surface soil and water conditions, and methods to be used to overcome them.

3.3.3.3.2. Describe procedures and findings of percolation tests conducted on the site.

3.3.3.3.3. Evaluate impact of sewage disposal methods on quality of sub-surface water.

3.3.3.4. **Town Services**

3.3.3.4.1. Describe estimated traffic flow at peak periods and proposed circulations pattern.

3.3.3.4.2. Describe effect of project on police and fire protection services.

3.3.3.4.3. Describe effect of project on public works department services.

3.3.3.4.4. Describe effect of project on education services.

3.3.3.4.5. Describe the effect of the project on the Town water supply.

3.3.3.5. **General Impact**

3.3.3.5.1. Summarize briefly environmental impact on entire Town with supporting reasons.

3.3.4. **Additional Professional Services**

The Board may require the applicant to obtain at his expense such additional professional engineering advice as it deems necessary or desirable in order for it to determine to approve, to modify and approve, or to disapprove the Definitive Plan.

3.3.4.1 Request for Waivers

At the time of filing of the Definitive Plan, the applicant must declare their intention, in writing, to seek waivers, if any, from the Subdivision Regulations.

Included shall be a narrative/tabular format identifying each petitioned waiver, the reason for the waiver request, the subdivision bond dollar value of relief, if granted. Also included shall be a narrative explaining how a grant of the requested waiver is not inconsistent with Subdivision Control Law and how the grant of the waiver is in the public's and the Town's best interest.

3.3.5. **Provision of On-Site Information**
At the time of filing the Definitive Plan, the applicant shall be required to have all of the rights-of-way properly marked at fifty foot (50') intervals along the centerline of each right-of-way within the subdivision, as well as all drainage, sewer and water easements and any other pertinent features within the subdivision. This will enable the Planning Board and other appropriate Town officials to review the site characteristics.

3.3.6. **Review by Board of Health as to Suitability of the Land**
At the time of filing of the Definitive Plan, the applicant shall also file with the Board of Health two (2) contact prints of the Definitive Plan, dark line on white background, together with such information in the nature of percolation tests and deep test holes as the Board of Health may require.

The Board of Health shall report to the Planning Board, in writing, approval or disapproval of said plan, and in the event of disapproval shall make specific findings as to which, if any, of the lots shown on the plan cannot be used for building sites without injury to the public health, and include such specific findings and the reason therefore in such report, and, where possible, shall make recommendations for the adjustment thereof, provided, however, if a municipal sewerage system will service the proposed subdivision. Then failure of the Board to make such a report within forty-five (45) days after the plan is filed with their office shall be deemed approved by such Board. The Board of Health shall send a copy of such report, if any, to the person who submitted said plan.

3.3.7. **Review by Other Town Officials**
The Clerk of the Planning Board will transmit copies of the Definitive Plan to Town Officials, other than the Board of Health, as follows:

One (1) copy each to Town Counsel for review of easements and agreements, the Fire Department, the Light Department, the Police Department, Town Manager and the Planning Board Agent; three (3) copies to the Department of Public Works.

Before the Definitive Plan is approved, the Planning Board will request written statements from the above Officials with regard to the proposed improvements in the following respect:

3.3.7.1. Town Counsel as to the form of easements, covenants and performance guarantees.

3.3.7.2. The Department of Public Works, the Water and Sewer Department and/or the Planning Board Agent as to the design of the street system, location of easements, monuments, drainage system, water system and, if applicable, the sewage system.

3.3.7.3. The Fire Department as to location of hydrants.

3.3.7.4. The Light Department as to location and type of street lights.

3.3.7.5. The Police Department as to street safety.

3.3.8. **Soil Survey and Percolation Tests**

Where appropriate, the Planning Board may require, at the expense of the applicant, soil surveys and/or test borings to establish the suitability of the land for the proposed storm drainage system and proposed street construction. Such soil surveys and tests must be filed with all plans for non-residential subdivisions or multi-family residences.

Test holes done by/for the applicant's engineer must be witnessed by the Department of Public Works. Test holes must be conducted by a licensed soil evaluator to be considered valid.

3.3.9. **Public Hearing**

Before taking any action to approve, modify and approve or disapprove a definitive plan, the Planning Board shall hold a hearing at which parties of interest shall have an opportunity to be heard, in person or by agent or attorney. Notice of the time and place of such hearing and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the Town once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the date of the hearing and by mailing a copy of such advertisement to the applicant and to all owners of land abutting the land shown on the plan and shown on the most recent tax list.

The procedure that the Planning Board will follow with regards to approval, disapproval or modification of the final plan submitted by the applicant will be that as set forth in Chapter 41, Section 81-U of the General Laws, as amended. In summary, the Board, after receiving the final plan and profiles, will review the same to determine whether they are in compliance with its adopted Rules and Regulations and the Zoning By-Laws.

Before final approval of the plan, the applicant shall comply with all reasonable regulations and rules of the Department of Public Works and the Board of Health not otherwise covered by these Rules and Regulations. Specific reference is made to the specifications for septic systems which shall conform with the rules and regulations of the Board of Health.

Before final approval of the plan, the applicant shall establish that the lots in the definitive plan are in conformity with the Mansfield Zoning By-Laws, and failure of the lots to so comply will be adequate grounds for disapproval of the definitive plan. See Chapter 41, Section 81-Q of the General Laws, and amendments thereto. The Board may, as a condition of granting a permit under Section 81-Y, impose reasonable requirements designed to promote the health, convenience, safety and general welfare of the community and to benefit the Town. In such event, the Board shall endorse such conditions on the plan to which they relate, or set forth a separate instrument attached thereto, to which reference is made on such plan and which shall, for the purpose of the Subdivision Control Law, be deemed to be part of the plan. Before final approval, all necessary permits under Chapter 131 of the General Laws and from the Massachusetts Department of Public Works shall be obtained.

3.3.10. **Certificate of Approval**

The action of the Planning Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered, return receipt requested, mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the reasons for its action and shall rescind such disapproval when the plan has been amended to conform to the rules, regulations and recommendations of the Planning Board. Final approval, if granted, shall be subject to the construction specifications contained herein and shall be endorsed on the original drawings of the Definitive Plan by the signatures of a majority of the Planning Board with the Town Clerk and said Clerk has notified the Planning Board that no notice of appeal has been filed with his/her office. Endorsement by the Planning Board of the definitive plan drawings shall not occur prior to the expiration of the statutory appeal period following recording of the Board's certificate of action with the Town Clerk. In addition, endorsement of the definitive plan shall occur not more than forty-five (45) days after expiration of the appeal period. Failure of the applicant to provide the Planning Board with the requisite covenants or surety within the forty-five (45) days shall result in rescission or modification of the plan, unless the Board grants an extension of this timeframe in writing. After the Definitive Plan has been approved and endorsed, the Planning Board shall return the original to the applicant.

The Planning Board may extend the period of time permitted by statute between submission of the Definitive Plan and action thereon upon written request of the applicant.

In addition, upon approval by the Planning Board signing the mylars, the applicant shall submit a plan of the subdivision at a scale of one inch (1") to every eight hundred feet (800'). The plan shall show the boundaries of the individual lots within the subdivision, subdivision streets and streets shown adjacent to the subdivision.

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

Approval of all plans shall be upon the condition that all ways shown thereon and public utilities required to be completed and installed within two (2) years from the date of approval. The Board may decline to approve any plan unless the applicant agrees to complete the ways shown thereon and install the public utilities aforesaid within two (2) years from the date of approval. (Refer to Section 3.3.11.)

Within ten (10) days of the recording of the approved Definitive Plan and covenant, if any, at the Registry of Deeds, the applicant shall notify the board, in writing, presenting evidence of the recording of the plan and the covenant; eight (8) copies of the approved and recorded Definitive Plan and a Certificate of Title duly searched and executed by an attorney or title company stating that the title to the premises shown on said plan and appurtenances thereto is in the applicant's name and free of all encumbrances. In addition, one digital file of the recorded definitive plan shall be submitted in AutoCad DWG on a CD or flash drive. The plan Vertical Datum shall reference the North American Vertical Datum of 1988 (NAVD 88), and the plan shall contain a minimum of two benchmarks. The horizontal orientation shall be tied and referenced to the Mansfield GIS horizontal control monuments (North American Datum of 1983, NAD 83). Upon receipt of such notification, the Planning Board shall file one (1) copy of the approved and recorded definitive plan each with the Building Inspector, the Board of Health, the Department of Public Works, the Town Manager and the Engineering Department. The digital copy shall be filed with the Department of Public Works.

3.3.11. **Performance Guarantee**

Before the endorsement of the Board's approval of the definitive subdivision, the applicant shall agree that the construction of required improvements shall be secured by one, or in part by the other of the following methods, which may, from time to time, be varied by the applicant with written consent of the Planning Board.

3.3.11.1. By covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services shall be provided to serve any lots before such lots may be built upon or conveyed other than by mortgage deed.

Said covenant shall include a period of time for the applicant to start the construction and complete the ways and other improvements proposed in the subdivision plan (See Section 3.3.10.). The covenant shall state: "Failure to comply within the above mentioned time period will result in the automatic rescission of the subdivision plan at the discretion of the Planning Board."

The construction of all ways and installation of municipal services shall be completed in accordance with the applicable rules and regulations of the Board

within a period of two (2) years from the date of approval. Failure to so complete shall automatically rescind approval of the plan. If the ways are not constructed in their entirety and/or the installation of municipal services is not complete within two (2) years from the date of approval, the subdivision shall be completed in accordance with the then in force construction standards of the Planning Board.

3.3.11.2. Approval with Bonds or Surety The applicant shall either file a performance bond, or a deposit of money in an amount determined by the Planning Board to be sufficient to cover the cost of all or any part of the improvements specified in Section 5 not covered by a covenant under "5.2" thereof. The estimate of required securities shall be based upon the present construction cost value of the work to be completed, as well as a 20% contingency factor based on the value of the work that remains to be completed at the time of the posting of securities, which will cover any increase in construction cost during the time that the Planning Board is holding securities. Such bond security or deposit of money, if filed or deposited, shall be accompanied by an appropriate book and properly executed agreement prepared in the manner or form as they Board may require, and approved as to form and manner of execution by the Town Counsel and as to sureties by the Town Treasurer and shall be contingent on the completion of such improvements within two (2) years of the date of the receipt of securities by the Town Treasurer.

Extension of time for completion of required improvements may be granted by the Mansfield Planning Board upon petition of the owner. The Planning Board shall require that the total surety or remaining balance of the surety shall be reviewed annually by the Board or its agent, and the applicant shall be required to increase the surety amount if necessary, to cover increased construction costs.

3.3.12. **Adjustments of Bond Surety**
The penal sum of any such bond, or the amount of any deposit held under clause "3.3.11.1." above, may, from time to time, be reduced or increased by the Planning Board and the obligations of the parties thereto released by said Board in whole or in part. If release is by reason of covenant, a new plan of the portion to remain be subject to the covenant may be required by the Board.

3.3.13. **Release of Performance Guarantee**
Upon the completion of improvements required under Section 5., security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant may send by registered mail to the Town Clerk and the Planning Board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been completed in accordance with the requirements contained under Section 5., such statement to contain the address of the applicant. If the Planning Board determines that said construction of installation has been completed, it shall notify the Town Treasurer on a properly executed Release Form J (Appendix A.13) that it releases the interest of the Town in such

a bond or deposit and that it shall be returned to the person or persons who furnished same, or, in the case of a covenant, it shall issue a written release of the covenant on the properly executed Release Form, Form J (Appendix A.13). However, twenty percent (20%) of the value of the bond shall be held by the Town for a period of twelve (12) months after the completion of construction and installation of the improvements or until the acceptance of the way(s) and easement(s) by Town Meeting. Prior to the final release, the "as-built" plan and legal description of way(s) and easements shall be submitted.

The Planning Board shall request, approximately sixty (60) days before the expiration of the twelve (12) months, an inspection of said street or way or portion thereof to determine whether or not defects have developed therein, and determine whether or not it should recommend same to the Board of Selectmen the laying out of said street or way or portion thereof as a public way. If the recommendation is in the affirmative, the Board shall so advise the Board of Selectmen forthwith, including in such recommendation, notification that the twelve (12) months from which the developer is responsible for maintenance of said way or portion thereof will expire on a certain date and said way may be laid out as a public way.

Prior to releasing the Town's interest in a performance bond or deposit or releasing the covenant, the Planning Board shall receive from the developer an Acceptance Plan (see Paragraph 3.3.14.) and from the following Town Officials written statements of approval. If fifteen (15) days shall elapse after the request for said approval without action by the below officials, approval by them shall be deemed granted.

3.3.13.1. From the Planning Board Agent as to construction of all ways and sidewalks, installation of monuments, street signs, traffic signs, lane pavement, lights, gutters and curbs, required grading and drainage, and planting and seeding.

3.3.13.2. From the Planning Board Agent as to the installation of adequate lot drainage.

3.3.13.3. From the Water Department as to construction and installation of water facilities as applicable.

If the Planning Board determines that said construction or installation has not been completed, it shall specify to the developer, in writing, by registered mail, the details wherein said construction and installation shall have failed to comply with requirements contained under Section 5. Upon failure of the Planning Board to act on such application within forty-five (45) days after the receipt of the application by the Town Clerk and the Planning Board, 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) days period expires without such specification, or without the release and return of the deposit or release of the covenant as aforesaid, the Town Clerk shall issue a certificate to such effect, duly acknowledged which may be recorded.

3.3.14. **Acceptance by the Town**

The subdivider shall file with the Planning Board a final as-built plan and street acceptance plan on mylar and in digital format. The digital formal shall be in AutoCad DWG. The mylar shall be minimum three (3) mil. thick of completed street or streets together with proper legal descriptions and shall be submitted no later than November 1 for initiating an article in the Annual Town Warrant pursuant to the acceptance of the ways by Town Meeting (See Sections 5.1.8, 5.1.9 and 5.1.10), and upon acceptance by the Town, the subdivider shall grant a deed to the Town of the streets as contained in the plan, said deed to be recorded by the Town Clerk upon acceptance of the streets by the Town Meeting. The acceptance plan shall clearly note on the mylar: "Owner: Town of Mansfield, MA."

3.3.15 Legal descriptions of streets, ways and easements shall be submitted to the Town by the developer in the following manner:

3.3.15.1 Three (3) copies of the legal description prepared and certified by a Registered Land Surveyor on white bond paper.

One (1) CD with files maintained with the Microsoft Word word processing software program containing the legal description of all streets, ways, and easements.

3.3.15.2 All CDs shall be clearly labeled as to content with all file names typed. A separate typewritten list showing file names and official street names shall also be provided.

SECTION 4. DESIGN STANDARDS

4.1. **Streets**

4.1.1. **Location**

All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel and an attractive street layout in order to obtain the maximum safety and amenity for future residents of the subdivision, and they be in accordance with the rules and regulations of the Planning Board.

4.1.1.2 The proposed streets shall conform in location, so far as practicable, to any existing plans of the Planning Board, to the Master Plan or parts thereof adopted by the Planning Board, and where required by the Planning Board, to the existing street system.

4.1.1.3 Provisions satisfactory to the Planning Board shall be made for the proper projection of streets, or for access to adjoining property, whether or not subdivided.

4.1.1.4 Reserve strips prohibiting access to streets or adjoining property shall not be

permitted, except where, in the opinion of the Planning Board, such strips shall be in the public interest.

4.1.1.5 The proposed streets shall be designed so as to minimize filling or altering of the wetlands and/or established 100-year flood boundaries, as indicated on the Bristol County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Bristol County FIRM that are wholly or partially within the Town of Mansfield are panel numbers 25005C0018F, 25005C0019F, 25005C0036F, 25005C0037F, 25005C0038F, 25005C0039F, 25005C0041F, 25005C0043F, 25005C0107F, 25005C0126F and 25005C0127F, dated July 16, 2015 and as may be amended. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Bristol County Flood Insurance Study (FIS) report dated July 16, 2015 and as may be amended.

4.1.1.6 Developments generating more than 300 vehicle trips per day (see Section 2 – definition of vehicle trips per day) or developments which would increase the number of vehicle trips per day within existing developments to more than 300 shall be required to have at least two (2) means of access. Said access shall be provided from major streets. Access points along a major street shall be minimized unless one of the following conditions exist:

4.1.1.6.1 The design, condition or use of other major streets potentially providing alternative access would be deemed undesirable by the Planning Board.

4.1.1.6.2 The potential volume of through traffic resulting from unavoidable direct connections between major streets would be deemed undesirable by the Planning Board.

4.1.1.6.3 Physical access to other major streets could not ever be deemed feasible due to surrounding development or the design of the external street system.

If so determined that any one of the above conditions exist, the Board shall consider the distance between access points which is necessary to ensure the proper distribution of trips throughout the external street system. In no case shall the distance between access ways serving the same development be less than 300 feet measured from their center lines.

4.1.1.7 Whenever a proposed street intersects an existing street of the same design capacity or a proposed or existing street of a greater design capacity, the proposed street (in question) shall be made a stop street. Whenever a proposed street intersects another proposed street of the same design capacity, either one of the proposed streets may be designated as a stop street by the Planning Board in consideration of alignment, profile and projected traffic volume. Stop signs

shall be erected subject to the approval of the Board of Selectmen and the Massachusetts Department of Public Works under Section 2 of Chapter 85, G.L.

4.1.2 **Alignment**

4.1.2.1. Street jogs with centerline offsets shall be a minimum of one hundred and fifty (150') feet.

4.1.2.1. Minimum centerline radii of curved streets shall be as follows:

Minor Streets	one hundred and fifty feet	(150')
Secondary Streets	two hundred and fifty feet	(250')
Major Streets	four hundred feet	(400')

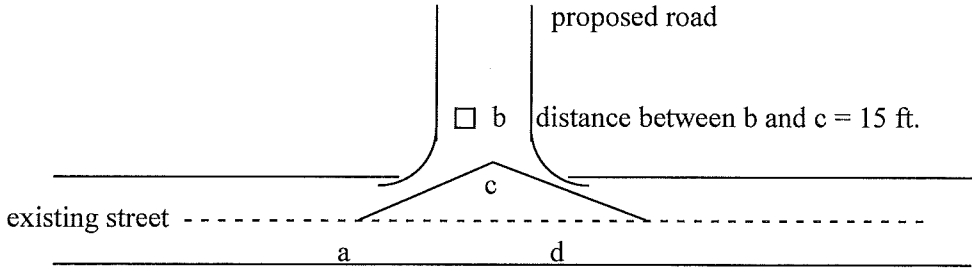
4.1.2.3 A tangent of at lest one hundred and fifty feet (150') in length shall separate all reverse curves on major and secondary streets except where at least one (1) radius is five hundred feet (500') or more.

4.1.2.4 Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty degrees (60).

4.1.2.5 Property lines at street intersections shall be rounded or cut back to provide for a radius of not less than thirty feet (30'). However, when the intersection of two (2) streets varies more than ten degrees (10^{o}) from a right angle, the radius of the curve at the obtuse angle may be less and of the acute angle may be greater than thirty (30) feet to the extent approved or required by the Planning Board.

4.1.2.6. Streets shall be laid out so as to intersect at intervals in a range of six hundred feet (600') to twelve hundred feet (1200') in length, unless otherwise specified by the Planning Board. In special instances, the Planning Board may approve an easement for a future street in lieu of actual construction of a cross street.

4.1.2.7 A proposed road shall also be designed to provide a minimum corner sight distance as specified in the following chart:
Corner sight distance is measured from Point a to Point c and from c to d.
a and d = a point 4.5 ft. above the centerline of the existing street
b = eye level (3.75 ft. above the proposed road) from a stopped car at the intersection on the proposed road
c = center of proposed road intersecting with existing street



Regulated speed, according to the Transportation and Traffic Engineering Handbook, with sight distance in each direction of:

550' in each direction @ 55 mph
500' in each direction @ 50 mph
450' in each direction @ 45 mph
400' in each direction @ 40 mph
350' in each direction @ 35 mph
300' in each direction @ 30 mph

In no case shall sight distance be less than 250 feet in each direction. Setback distance between Point "b" and "Existing Street" is 15 ft.

The entire area of the clear sight triangle, described by points "a", "b" and "c" above, shall be designed to provide an unobstructed view across it from point "b" to all points 4.5 feet above the roadway along the center line from point "a" to point "d." The sight distance must be shown on the definitive plan.

4.1.3. **Width**

4.1.3.1. The minimum width of right-of-way shall be as follows:

4.1.3.1.1. Minor and secondary streets: fifty feet (50') and in area which, in the opinion of the Planning Board, is high density or an area of high intensity use sixty feet (60') for a secondary street may be permitted.

4.1.3.1.2. Major streets and such secondary streets, which in the judgment of the Planning Board may in the future be changed in character to become a major street shall be a maximum of sixty feet (60').

4.1.3.1.3 In no case shall the right-of-way width of any road, street, or way vary from the above standards without a waiver being granted by the Planning Board.

4.1.3.2. When a minor street will provide the only access for lots fronting on a length in excess of five hundred feet (500') or where, on a major street, potential volume warrants, the Planning Board may require a greater right-of-way than that specified above and may require construction of a divided roadway.

4.1.4. **Grade**

4.1.4.1. The centerline grade of any street shall not be less than five tenths of one percent (0.5%).

4.1.4.2. The maximum centerline grade of streets shall be as follows:

	Low Density Area*	High Density Area*
Minor Streets	nine percent (9%)	five percent (5%)
Secondary Streets	six percent (6%)	five percent (5%)
Major Streets	five percent (5%)	five percent (5%)

*As determined by the Planning Board.

4.1.4.3. Where changes in grade exceed one percent (1%), vertical curves, as required by the Board, will be provided. There shall be provided in residential subdivisions a leveling area of at least seventy-five feet (75'), with a maximum grade of three percent (3%), and in all other subdivisions, a leveling area of at least one hundred feet (100'), with a maximum grade of two percent (2%).

4.1.4.4 Residential Compound Private Roadway Design Standards
Width: Variable width depending on length, number of units and topography:
18-20' wide roadway shall include the following:
1 ½" topcoat asphalt;
2" binder over 6" processed gravel;
compacted gravel base (depth varies based on underlying conditions).
All roadways shall have unpaved shoulders and be wide enough to provide sufficient turnaround area for emergency vehicles.

Drainage: Drainage structures are not required. Grass swales, rain gardens and other low-impact best management practices shall be utilized.

Utilities: Shall be installed to Town of Mansfield standards. See the Electric Department and the Department of Public Works for individual department construction details and permit requirements.

Street Lighting: May be required depending upon length of private way.

Sidewalks are not required.

The applicant or its agent shall supply the Planning Board with written certification from a Massachusetts Registered Professional Civil or Structural Engineer that the roadway has been built in accordance with the approved plans and that the paving mix and the soil compaction meet the MassDOT technical standards.

4.1.5. **Dead-end Streets**

4.1.5.1. Any street having only one point of access to a through way shall be considered to be a dead-end street. For the purposes of this section, any proposed street which intersects solely with a dead-end street shall be deemed to be an extension of the dead-end street. Dead-end streets and their extensions, if any, shall not be longer than six hundred fifty (650') feet in combined total length measured between the sideline intersecting street and to the center of the turn-around unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. In no case shall an existing permanent dead-end street having a maximum length of six hundred and fifty (650') feet be extended beyond the six hundred and fifty (650') foot maximum. In addition, the number of dwelling units served by a dead-end street shall not exceed ten (10).

4.1.5.2. Dead-end streets shall be provided at the closed end with a turnaround having a minimum outside roadway diameter of one hundred forty feet (140'), a property line diameter of one hundred sixty feet (160') and the placement of a circular landscaped island with minimum radius of twenty feet (20') at the center of the turnaround. If the dead-end street is intended to connect with another street at some future point in time, the Board may require a temporary cul-de-sac. The Board may also require a roadway easement from the end of the cul-de-sac to adjacent property.

4.2. **Curb Cuts**

4.2.1. Driveways shall be at least ten feet (10') wide and have a curb return at the roadway of two feet (2') in radius, and shall have an opening of at least sixteen feet (16') at the gutter line. Driveway aprons shall be paved with Portland cement concrete from the roadway gutter line through the back edge of the sidewalk. See 5.4.3 for construction specifications.

4.2.2. Driveway cuts shall not be within sixty-five feet (65') of the intersection of the centerline of intersecting streets.

4.2.2. If driveways slope from the edge of the street right-of-way to the edge of the pavement, there shall be a grade of not less than one percent (1%) but not more than eight percent (8%), but the grade between the sidewalk and the right-of-way shall be only as shown on the cross-sections, Schedules A-1, A-2, and B.

4.3. **Easements**

4.3.1. Where utilities cross lots or are centered on rear or side lot lines, easements shall be provided with a width of at least twenty feet (20'). If multiple utilities are proposed at various depths, wider easements may be required.

4.3.2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Planning Board shall require a storm water easement or drainage right-of-way of adequate width and proper side slope to conform substantially to the lines of such water course, drainage way, channel or stream and to provide for construction or other necessary purposes.

4.3.3. Access easements to park and conservation land shall be provided, if required by the Planning Board, and shall be at least twenty feet (20') wide.

4.4. **Open Space**

Before approval of a plan, the Planning Board shall require the plan to show a park or parks suitably located for playground and 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 use of such land and shall be at least equal to one (1) acre of land for each twenty (20) dwelling units or fraction thereof shown on the plan. The Planning Board may, by appropriate endorsement of the plan, require that no building be erected upon such park or

parks without its approval for a period of three (3) years. After such time the developer must place an article on Town Meeting warrant to sell the open space lots to the Town at no greater than the appraised value. If the Town Meeting votes not to purchase the open space land, then the developer may make application for a building permit. Pedestrian ways, bikeways, or bridle path of not less than fifteen (15) feet in width may be requested where deemed desirable to provide circulation or access to schools, playground, parks, shops, transportation, open spaces and/or community facilities. Each area reserved for such purposes shall be of suitable area, dimensions, topography and natural character for the purposes of a park and/or playground. The area or areas shall be so located as to serve adequately all parts of the subdivision as approved by the Planning Board. The Planning Board may require that the area or areas reserved shall be located and laid out so as to be used in conjunction with similar areas of adjoining subdivisions or of probable subdivisions. Any land so reserved shall be improved and made useful for conservation/recreation purposes and shall be compensated as provided in Section 81-Q of Chapter 41 of the General Laws.

4.5. **Protection of Natural Features**
Due regard shall be shown for all natural features, such as trees, wooded areas, water courses, scenic points, historic spots, and similar community assets which, if preserved, will add attractiveness and value to the subdivision.

4.6. **Lot Drainage**
Lots shall be prepared and graded in such a manner that development of one shall not cause detrimental drainage on another; if provision is necessary to carry drainage to or across a lot, an easement or drainage right-of-way of minimum width of twenty feet (20') and proper side slope shall be provided. Storm drainage shall be designed in accord with the specifications of the Planning Board. Where required by the Planning Board or the Board of Health, the Applicant shall furnish evidence as to any lot or lots to either Board that adequate provision has been made for the proper drainage of surface and underground waters for such lot or lots.

4.7. **Fire Hydrants** – per Department of Public Works Regulations

4.8. **Sidewalks, Grass Plots, Trees**
See Appendix Cross Section in Schedules A-1, A-2, B.

4.9. **Utilities**
All utilities shall be placed underground at the time of initial construction or may be fed from a rear easement in industrial subdivisions.

4.10 Low-Impact Subdivision Design

Purpose

The purpose of this optional, alternative subdivision design regulation is to establish an alternative to hard infrastructure drainage requirements and controls to protect and safeguard the environment, natural resources, general health, safety and welfare of the public residing in watershed areas within the Town's jurisdiction from the adverse impacts of soil erosion, sedimentation, and stormwater runoff. This section seeks to meet that purpose through the following objectives:

A. To eliminate or reduce the adverse effects of soil erosion and sedimentation;
B. To minimize stormwater runoff from any development, subject to Subdivision Regulation approval;
C. To minimize nonpoint source pollution caused by stormwater runoff from development;
D. To provide for groundwater recharge where appropriate; and
E. To ensure controls are in place to respond to the above objectives and that these controls are properly operated and maintained with minimum public long-term cost and maximum long-term environmental benefit.
F. By utilizing non-traditional subdivision design methods to construct a more natural, environmentally-friendly development.

Responsibility

The Planning Board shall administer, implement and enforce this subdivision regulation. With the exception of permitting, any powers granted to or duties imposed upon the Planning Board may be delegated to its agent. The Planning Board may distribute plans to other boards, commissions, departments and outside technical and legal consultants and agencies for their review and recommendations.

Design Standards

The applicant shall submit a plan demonstrating: (1) conformance with items A through D, below; (2) illustrating how the low-impact subdivision design standards detailed in items 1 through 12, below, were utilized to such a degree as was feasible.

The Planning Board may consider low-impact subdivision design applications under Section 4.10 provided the plan includes the following:

A. A maximum of six (6) lots;
B. A maximum of 650 feet of roadway;
C. Road width should be between 20 feet and 24 feet (20'-24') depending on site conditions.
D. Applicants are encouraged to design a superelevated roadway without sidewalks, curbing or hard drainage infrastructure where practicable;
E. All other information required for a definitive subdivision plan filing in the Mansfield Subdivision Regulations.

1. Preservation of the site's natural features and environmentally sensitive areas such as wetlands, existing vegetation, slopes, drainageways, permeable soils,

flood plains, woodlands and soils to the greatest extent possible;
2. Minimization of grading and clearing;
3. Consideration of clustering of buildings;
4. Use of stormwater management components that provide filtration, treatment and infiltration such as vegetated areas that slow down runoff; maximizing infiltration and reducing contact with paved surfaces;
5. Creation of subwatersheds to treat and micromanage runoff in smaller, decentralized, innovative stormwater management techniques to treat and recharge stormwater close to the source through post-development stormwater management;
6. Lengthen flow paths and maximize sheet flow;
7. Emphasis on simple, nonstructural, innovative, low-cost methods including open drainage systems, recharging of roof runoff, parking areas and/or roadways, to recharge on site as close to the source as possible.
8. A maintenance program including information on suggested regular street sweeping shall be provided to the Planning Board for approval;
9. Reduction of impervious surfaces wherever possible through alternative street design, such as omission of curbs and use of narrower streets, the use of porous pavement or permeable pavers, shared driveways and through the use of shared parking areas;
10. Reduction of the heat island effect by reducing paved cul-de-sac surface area;
11. Use of vegetation in buffer strips and in rain gardens (small planted depressions that can trap and filter runoff);
12. Techniques integrated into every part of site design to create a hydrologically functional lot or development site, including but not limited to the following:
    a. Grass swales along roads;
    b. Rain gardens;
    c. Vegetated buffer areas;
    d. Use of amended soils that will store, filter and infiltrate runoff;
    e. Bioretention areas;
    f. Use of rain barrels and other cisterns to provide additional stormwater storage;
    g. Use of permeable materials such as porous pavers, paving stones, pervious asphalt or concrete and/or pavers on roadway shoulders and driveways.

Inspections: Submission of Final Plans

1. The Planning Board or its agent shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the owner or person responsible for the implementation of the plan wherein the work fails to comply with the soil erosion and sediment control plan, or stormwater management plan as described in Planning Board's Rules and Regulations. Plans for grading, removal, stripping, excavating, and filling work approved by the Planning Board and shall be stored on site during the progress of the work.

2. The person responsible for the implementation of the plan shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved soil erosion and sediment control plan(s). The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures. All inspections shall be documented in written form and submitted to the Planning Board Agent at the time interval specified in the approved permit.
3. The applicant shall submit an "as-built" plan for the stormwater controls after the final construction is completed. The plan must show the final design and specifications of all stormwater management systems and must be prepared by a professional engineer.

Project Change

The permittee, or his or her agent, shall notify the Planning Board in writing of any proposed or requested change or alteration of a land-disturbing activity authorized in either the soil erosion and sediment control plan or the stormwater management plan before any change or alteration occurs. If the Planning Board determines that the change or alteration is significant, based on the design requirements listed in this regulation and accepted construction practices, the Planning Board may require that an amended soil erosion and sediment control plan and/or stormwater management plan application be filed. If any change or deviation from these plans occurs during a project, the Planning Board may require the installation of interim measures before approving the change.

SECTION 5.
REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION

5.1. **General**

5.1.1. No street or way through private property shall be accepted by the Town unless the same be previously constructed and completed in accordance with the Standard Cross Section (See Schedules A-1, A-2, B), Street Layout Plan, Profile and the following specifications.

5.1.2. Unless otherwise specified, all work and the materials used in the work to be done shall conform to the requirements of the "Commonwealth of Massachusetts, Department of Public Works, Standard Specifications for Highways and Bridges, 1988 Edition," and as supplemented on March 21, 2014, hereinafter referred to as the "Standard Specifications," as supplemented, and the Special Provisions included hereinafter.

Appropriate illustrations are found in "1977 Massachusetts Department of Public Works Construction Standards," revised 1996 (2003 supplement).

5.1.3. Supplementing the aforesaid Standard Specifications, certain specifications or special provisions shall apply particularly to the work to be done hereunder. References in the following specifications, unless otherwise stated, are to the

aforesaid Standard Specifications, amendments or addenda, these specifications and special provisions shall take precedence and shall govern when they are stricter.

5.1.4. To facilitate reference, each paragraph in these specifications is noted with the paragraph number of the particular section as contained in the Standard Specifications.

5.1.5. Wherever, in the Standard Specifications or other contractual documents, the following terms or pronouns in place of them are used, the intent and meaning shall be interpreted by substitution as follows:

"Commonwealth"	Commonwealth of Massachusetts
"Department"	Department of Public Works, Town of Mansfield
"Engineer"	The Planning Board of the Town of Mansfield acting directly or through an authorized representative; such representative acting within the scope of the particular duties entrusted to him.

5.1.6. The extent of the work required is as shown upon approved plans, and is in compliance with the Standard Cross Section Plans. Stakes shall be set which will indicate the exact amount of cut or fill.

5.1.7. As each construction operation is completed, it shall be approved by the proper Town Authority prior to starting work on the succeeding operation.

5.1.8 As-built plans must be submitted to the Department of Public Works and the Planning Board Agent when the stormwater management system has been installed, including all drainage structures, areas, basins and/or swales, and when then roadway has been constructed to a binder course of asphalt.

5.1.9 At the time the street or way or portion thereof is ready for acceptance and to facilitate acceptance by the Town of Mansfield, the developer shall have prepared and certified by a Registered Land Surveyor an "As-Built" plan drawn in ink on mylar (size 18" x 24" or 24" x 36") showing widths, lengths, bearings of all boundary lines of streets and easements and radii, tangents and central angles of all curves in street lines and shall show all utilities. It shall show that all stone bounds have been set. The "As-Built" plan shall show the spindle elevations of all hydrants installed within the subdivision in relationship to the Mansfield Vertical Control System.

A blank space (4" x 8") shall be provided on the lower right hand corner of the plan for a title block to be filled in by the developer. The Surveyor shall place a certification on the plan stating "The street (or way or portion thereof) is laid out and the bounds have been set as shown on this plan" and shall be dated, signed

and the surveyor's stamp affixed thereon. The Plan shall be submitted to the Board of Selectmen.

5.1.10. The developer shall have the original plans and profiles that were submitted to the Planning Board and that are on file in the Planning Board office, corrected and certified by his Engineer to show the actual as-built location and grades of all utilities and roadway profile and any changes authorized by the Planning Board.

5.1.11 Three copies of a legal description of the way(s) and easements, if any, prepared by a Registered Land Surveyor. Also see Paragraphs 3.3.15 through 3.3.15.3 inclusive.

5.2. **Street and Roadway**

5.2.1.1. 101 Clearing and grubbing of the entire area of such street or way shall be performed to remove all stumps, brush, roots and like material which may exist upon the surface.

5.2.1.2. 120 Roadway earth excavation shall remove all materials encountered down to the true surface of the subgrade, or to suitable material in areas where unsuitable material exists, in preparation for foundation of roadway, sidewalks, driveways, and berms.

Approved materials obtained from the excavation may be used in fills as required if, in the opinion of the Planning Board, they are suitable.

5.2.1.3. 150 When, in the opinion of the Planning Board, suitable material is not available within the limits of the highway location to form the subgrade of sub-base, the contractor shall obtain such additional material as may be approved by the Planning Board from other sources in accordance with this section.

5.2.1.4. 170 The subgrade surface (15 ½" below the finished surface grade) shall be prepared true to the lines, grades and cross sections given, then properly rolled and compacted. All soft or spongy material below the subgrade surface shall be removed and the space thus made shall be filled with special gravel borrow M1.03.0 type A (no stone over six inches [6"]). Certification shall be required upon request by the Planning Board Agent.

5.2.1.5. 401 Gravel sub-base or foundation materials meeting the requirements of M1.03.0 type B (no stone over three inches [3"]) shall be spread on the surface of the subgrade to a minimum depth of eight inches (8"). Concrete sidewalks shall be installed with a sandy gravel base. Material shall be placed in accordance with Section 401.60 of the State Specifications. Certification shall be required upon request by the Planning Board Agent.

5.2.1.6. 402 Dense graded crushed stone or crushed bank gravel meeting the requirements of M2.01.7 shall be spread on the surface of the gravel sub-base to a minimum depth of four inches (4"). Material shall be placed in accordance with

Section 405.60 of the State Specifications. Certification shall be required upon request by the Planning Board Agent. At the conclusion of this step, the roadway shall be staked in all locations where permanent monuments are to be installed as provided in Section 5.8 Monuments, of these Rules and Regulations.

5.2.2. Roadways shall be constructed for the full length of all streets within the subdivision and shall have the same curb radius required in Section 4.1.2 above. The required widths of roadway pavements shall be as follows:

Minor Streets	Twenty two (22) feet
Secondary Streets	Twenty four (24) feet

No recycled materials shall be used within the roadway and right-of-way layouts or in construction unless specifically approved by the Planning Board Agent.

5.2.3 460 The wearing of roadways shall be of Class I Bituminous Concrete Pavement, Type I-1. This type of pavement shall be composed of mineral aggregate, mineral filler and bituminous material, plant mixed and laid hot. The pavement shall be constructed upon the prepared surface and in conformity with lines, grades and Typical Cross Section shown on plans. Material and construction methods shall conform to all other requirements of Section 460 of the State Specifications. No mixture shall be placed when the air temperature in the shade and away from the artificial heat is 50 ^{O}F or less nor when material on which the mixture is to be placed contains frost. No paving shall occur between November 15 and April 15, unless allowed by the Planning Board's agent.

The base course of asphalt shall have satisfactorily withstood one entire winter (December 15 through May 1) before the top coat of asphalt can be placed on the roadway.

Asphalt thickness shall be a minimum of five inches (5"), including at least three inches (3") of binder and at least two inches (2") of topcoat. All paving shall conform to the standards set forth for super paving. All inspection fees shall be paid by the contractor to the Town of Mansfield.

5.2.4 As-built plans must be submitted to the Department of Public Works and the Planning Board Agent when the stormwater management system has been installed, including all drainage structures, areas, basins and/or swales, and when then roadway has been constructed to a binder course of asphalt.

5.2.5 685 Embankments outside the right-of-way shall be evenly graded and pitched at a slope of not greater than three (3) horizontal to one (1) vertical. Where terrain necessitates greater slopes, terracing, fencing or rip rap may be used either alone or in combination to provide safety and freedom from maintenance, but must be done in accordance with plans filed with and approved by the Planning Board. Whenever embankments are built in such a way as to require approval by the

Planning Board, the developer must furnish to the Town duly recorded access easements free of encumbrances for maintenance of the slopes, terraces or retaining wall. All such slopes shall be grassed in accordance with the specifications for the area between the roadway and sidewalk or roadway and boundary of the right-of-way.

5.3 Utilities[1]

5.3.1. 140 Excavation for structures, including foundations for drains, sewers and water pipes, walls and other structures shall be made to the depth as indicated on the Definitive Plan or established by the Planning Board Agent or Department of Public Works as appropriate. Rock excavation as designated as Class B, encountered in trench excavation shall be removed as directed by the said Planning Board Agent.

5.3.2. 200 All drain, sewer, gas and water pipes, underground conduit for all utilities, and other structures shall be installed upon the completion of roadway subgrade and before the placing of the sub-base, gravel base course, sidewalks or pavement. When multiple utilities/suppliers are available, all conduits must be installed representing all utilities.

All utility trenches and other excavations shall be done in accordance with the requirements of the Massachusetts Department of Public Works Specifications, 1988, as amended, for sheeting, shoring, and bracing, for the prevention of accidents.

5.3.2.1. **Sewer** – See current Sewer Regulations, as adopted March 2, 2005 and amended July 6, 2011.

Public sewers shall be designed according to professional engineering practices and in accordance with the Town of Mansfield specifications known as "Drainlayers Design and Construction Standards" dated March 2, 2005 as amended.

All catch basins, manholes, and other utilities with casted frames and covers shall be installed with the frame flush with the base course pavement unless the top course of pavement is to be installed within fourteen (14) days.

5.3.2.3. **Gas**
Gas mains may be installed if gas connection is available.

5.3.2.4. **Telephone/Cable Television/Other Utilities**
Telephone lines shall be installed in underground conduits in conformity with specifications. All systems licensed by the Town of Mansfield.

5.3.2.5. **Electric**

All Electric lines shall be installed underground (except in industrial subdivision where they may be overhead if placed in easements on rear and side property lines) and shall be subject to the following requirements:

5.3.2.5.1. All electrical installation shall be in conformance with the specifications of the "Construction Requirements for New Developments for Residential and Commercial/Industrial," effective October 13, 2004, revised February 9, 2011.

5.3.2.5.2. All underground electric work will be done by a licensed electrician of the Commonwealth of Massachusetts in accordance with N.E.C.

5.3.2.5.3. Prior to the construction, notification shall be given to the Mansfield Municipal Light Department.

5.3.2.5.4. Installation of all trenching and conduit shall be approved by the Subdivision Inspector of the Town of Mansfield.

5.3.2.6. Cable

Cable Television lines shall be installed in the subdivision at the same time as all other utilities. It is also the developer's responsibility to notify the Cable Television company(ies) of this proposed subdivision and a certified copy of this notification is to be sent to the Planning Board. All systems licensed by the Town of Mansfield shall have conduits installed.

5.3.2.7. **Drainage**

5.3.2.7.1. The storm water drainage system shall be designed to cause a net zero increase in peak flow rate and a net zero increase in total run-off from the subdivision, and water quality meeting the standards of Massachusetts Department of Environmental Protection (DEP) stormwater guidelines, as may be amended, for Best Management Practices. Devices may include wet retention basins and infiltration basins and, as a last resort, detention facilities may be permitted at the discretion of the Planning Board. Detention basins will only be allowed by the Board when no other alternatives will work, with written and/or graphic proof being presented to assist in the Board's evaluation. Every effort shall be made to grade the site to reduce run-off to the storm drainage system.

5.3.2.7.2. Retention basins shall only be allowed in the Water Supply Protection areas and shall be sized in accordance with the constraints of percolation or permeability tests for the site with adequate size to accommodate both the 25-year and the 100-year storm. Basins shall be constructed in accordance with Massachusetts DEP's stormwater management guidelines for Best Management Practices. When the drainage system becomes operable, the infiltration basin shall be fenced approximately two feet (2') beyond the top of the slope with a chain link fence no less than four feet (4') high and screened with vegetation,

which shall be approved by the Planning Board. A gate shall be required, a key of which will be furnished to the Town.

5.3.2.7.3. If infiltration trenches are to be used instead of open infiltration basins, the system shall be installed outside the pavement, either in the esplanade or within a drainage easement. The trenches incorporate "beehive" type leaching pits with appropriate cast-in-place modifications for large pipes in place of manholes. The pipe within the trenches shall be laid near flat to produce progressive use of the trench and have "wyes" (Y's) every ten feet (10') alternately at four o'clock, eight o'clock and six o'clock. Trenches shall contain washed stone (3/4" to 1 1/2") and be covered with at least four inches (4") of washed peastone (1/8" to 1/2").

5.3.2.7.4. Detention facilities shall be properly sized to reduce post-development peak flows for both the 25-year and 100-year storm. Outlet control devices shall be designed and located to minimize and facilitate maintenance.

5.3.2.7.5. Detention facilities, retention basins, infiltration systems, or any combination thereof shall be located on site no less than one hundred feet (100') from the nearest subdivision boundary line.

5.3.2.7.6. All surface detention facilities and retention basins, infiltration systems or any combination thereof shall have curvilinear sides, so as to appear, as much as possible, a part of the natural landscape.

5.3.2.7.7. In all cases, areas disturbed by construction of the stormwater management system shall be properly graded, loamed, revegetated and all slopes fully stabilized.

5.3.2.7.8. Where a wet or vegetated basin is to be utilized, vegetated cover shall experience at least a two (2) year or longer growing season at the discretion of the Planning Board prior to the release or reduction of posted surety.

5.3.2.7.9. The Department of Public Works or the Planning Board's Agent shall witness the excavation of a test pit(s) and percolation test in accordance with Title V in the location of the proposed retention basin or infiltration system. The applicant shall install a PVC pipe or groundwater monitoring well, a minimum of four inches (4") inches in diameter, SCH40, six (6") inches above ground-water and to a depth of four feet (4') below the bottom of the proposed retention basin or infiltration system.

5.3.2.7.10. Pipes, manholes and catch basins shall be provided according to the sizes and depths as indicated on the plans and in conformity with the requirements of Sections 200, 220 and 230 of the Standard Specifications. Catch basins shall be located on both sides of cul-de-sacs, on both sides of streets and at street intersections. Manholes shall be at intervals not to exceed three hundred feet

(300'), at all changes of direction and all junction points. Drain lines shall have a minimum cover of three feet (3') at manholes and 2 1/2 feet at catch basins. Driveway cuts shall be shown on the plan. Said driveway cuts may be changed after endorsement of a plan if reviewed and approved by the Planning Board agent. Catch basins shall be located to achieve a maximum gutter flow length of three hundred sixty feet (360') unless street slope requires a shorter flow length. In no instance shall catch basins be located along a driveway cut. Catch basins shall have a minimum sump depth of four (4') feet.

5.3.2.7.10. Cement concrete and reinforced concrete pipe shall be used under roadway pavement. All pipe shall be installed in accordance with Section 230 of the Standard Specifications. In the Water Supply Protection District, watertight pipe joints and watertight manholes and catch basins shall be used upgrade of the oil/water separator.

5.3.2.7.12. As-built plans must be submitted to the Department of Public Works and the Planning Board Agent when the stormwater management system has been installed, including all drainage structures, areas, basins and/or swales, and when then roadway has been constructed to a binder course of asphalt.

5.3.2.7.13 No backfilling of any pipe or structure shall occur until the installation is inspected by the Planning Board Agent or its designee. The Contractor, developer or project engineer shall have a level and rod set up at the time of the Agent's inspection to demonstrate proper slope and elevation.

5.3.2.7.14 All drain manholes constructed within groundwater shall be manufactured of Precast reinforced concrete with rubber (0-ring) gaskets. These manholes shall be pressure tested prior to acceptance. The manholes shall have either a mounting pad or a tiedown to prevent lifting.

5.3.3. The subdivision plan shall show details for catch basin and manhole construction. Each manhole connecting four (4) or more pipes shall be detailed to show pipe grades, angles and special construction requirements.

5.3.4. Where subdrains are required by the Planning Board, they shall conform to Section 260 of the Standard Specifications.

5.3.5. On-site sewage disposal facilities shall be installed and constructed in conformity with the rules, regulations and requirements of the Board of Health. On-site septic tanks and leaching fields shall be located in the front yard of the building (s) served, unless surface and subsurface soil conditions, drainage and topography in the location of such on-site facilities require their placement in the rear yard.

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

5.3.7. In residential subdivisions, all storm drainage which originates within the boundaries of the development shall be piped within said boundaries and open ditches shall not be permitted.

5.3.8. In instances where existing brooks and streams flow through the property, the Planning Board may permit open ditches with appropriate slopes that are loamed and seeded.

5.4. **Sidewalks**

5.4.1. Sidewalks shall be constructed within the subdivision, separated from the pavement area by a seeded strip, as provided in subsection 5.6.

5.4.2. The sidewalk shall extend the full length of both sides of the street and return fully around a cul-de-sac, except where the Planning Board deems two sidewalks to be unnecessary and waives one. The sidewalk shall be constructed according to the Standard Cross Section. Wheel chair ramps shall be provided at street intersections and at the end of the sidewalk at the cul-de-sac (see Standard Plans). Sidewalks shall be minimum width of five feet (5'). In areas without grass strips, sidewalk width shall be seven feet (7') to accommodate mailbox posts and the standards of the Americans with Disabilities Act.

5.4.3. All sidewalks shall be constructed of Type V portland cement concrete conforming to ASTM Standard C150 with a maximum aggregate size of ¾" and a minimum of 5% entrained air to increase the resistance to freezing and salt damage. All sidewalks shall be constructed as generally specified by the Massachusetts Highway Department on a minimum 4" gravel base at a minimum thickness of 4" completed with a steel trowel to a non-slip finish even when wet. Sidewalks that cross driveways shall be 6" thick and further reinforced as needed. No calcium chloride or admixtures shall be added to the concrete without written approval from the Town. Only one brand of cement having the same color shall be used. Nicon fiber mesh additive (or equivalent) shall be embedded in the concrete for reinforcement. Expansion joints shall be installed every 30 feet. The sidewalks shall be tooled and divided into squares. Each divide shall be scored to allow controlled relief.

When monolithic asphalt curbing is used, there shall be a grass strip. Portland concrete sidewalks shall not be allowed against monolithic asphalt curbing.

5.4.4. 700 If Granolithic sidewalks are desired, they shall be constructed as directed by the Planning Board Agent in conformity with this section of the "Standard Specifications."

5.5. **Curbs and Berms**

5.5.1. Vertical granite curbing shall be provided along each side of the roadway throughout the subdivision. Granite curbing shall be Type VA4 (Subsection M9.04).
After vertical granite curbing is installed, concrete shall be used on both sides to lock said curbing into place. Front street side curb concrete shall be left 3" low and existing binder course shall be saw cut and patched with 3" binder course to the contour of the roadway.

5.5.2. In instances where, in the opinion of the Planning Board, vertical granite curbing will not blend in properly with the existing roadway system, it may require monolithic asphalt berm curbs as specified in Mass Highway Specifications, Subsection M4.02.14, and vertical granite curbing at the intersection along the roadway the distance of the arcs of the curbs plus a straight section at each end of eight feet (8') and on the inner sides of all curves with a radius less than one hundred and fifty feet (150'). Granite curb shall be Type VA4 (Subsection M9.04). No sloped edging shall be allowed. A six foot (6') granite catch basin block shall be installed at each catch basin.

5.6. **Grass Plots**

5.6.1. Grass plots shall be provided in conformance with the Standard Cross Section for the applicable roadway design. Grass plots shall be a minimum of four (4') feet in width as measured from back edge of curb to front edge of sidewalk.

5.6.2. The slope of the grass plot shall be as shown on the profiles and Standard Cross Sections, Schedules A-1, A-2, B.

5.6.3. Street light stanchions and street lights shall be located in the rear grass plot, but shall not be nearer than twenty-five feet (25') from the intersection of two (2) streets, measured from the intersection of the tangents of the intersecting street curb lines.

5.6.4. All areas that are proposed to be seeded shall contain a mixture of primarily perennial grasses and shall be capable of establishing themselves in the specific area of use. For example: grass plots, slopes 4 to 1 or greater, or erosion control.

5.7. **Trees**

5.7.1. Street trees of a species approved by the Planning Board shall be planted on each side of each street in a subdivision at intervals of approximately fifty (50') feet. Such trees shall be at least twelve feet (12') in height, two inches (2") in caliper,

measured four feet (4') above the approved grade, and shall be planted each in at least one-half (1/2) cubic yard of topsoil.

5.7.2. All deciduous street trees shall be clear of any branches from the approved grade level to a point seven feet (7') above ground level.

5.7.3. All cut bankings must be planted with a low growing shrub and wood chipped to a minimum depth of six inches (6") or seeded with a deep rooted perennial grass to prevent erosion.

5.7.4 The following is a list of recommended street trees:

Fraxinus Ornus	Flowering Ash
Tilia tomentosum	Silver Linden
Gleditsia triancanthos inermis "Shademaster"	Thornless Honeylocust
Plantanus acerifolia	London Planetree
Acer saccharum	Sugar Maple
Zelkova serrata "Village Green"	Village Green Zolkova
Quercus palustuis	Pin Oak
Acer rubrum	Red Maple
Quercus rubra	Northern Red Oak
Ulmus Americana	American Elm
Celtis Occidentalis	Common Blackberry

5.8. Monuments

5.8.1. Permanent monuments shall be installed on street lines on all points of curvature and on all points of change in direction along the streets. Permanent monuments shall also be installed at no fewer than three lot corners of each lot within approved subdivisions.

5.8.2. Monuments shall be installed at all other points where, in the opinion of the Planning Board, permanent monuments are necessary.

5.8.3. Monuments shall be a standard permanent granite or reinforced concrete marker of not less than four feet (4') in length and not less than six inches (6") in width and breadth and shall have a three-eighth (3/8") inch drill hole in the center of the top surface. Said monuments shall be installed at the time of final grading with the top flush with he top, final graded surface.

5.8.4. The placement and accurate location of these markers shall be certified by a registered land surveyor and properly located on the street acceptance plans.

5.9. **Street Signs and Names**

5.9.1. Street signs shall be installed at each intersection and where required to conform to the standard established by the Department of Public Works and MUTCD, as amended.

5.9.2. Street names shall be approved by the Planning Board to prevent duplication and to provide names in keeping with the character of the Town.

5.10. **Street Lights**

5.10.1. Street lights shall be installed to conform to the type and style in general use in the Town of Mansfield unless otherwise specified by the Planning Board and approved by the Mansfield Municipal Electric Department.

5.10.2. Street light stanchions shall be located at such intervals as required by the Planning Board in the rear grass plot, as provided in Section 5.6, and shall be installed in accordance with the procedure required by the Mansfield Light Department.

5.10.3. Street lights shall be fully operational in areas within the subdivision where adjacent homes become occupied. In all cases the developer shall be responsible for payment of electric utility bills for the operation of street lights until the streets are accepted at Town Meeting. Such deposits shall be in accordance with Mansfield Municipal Electric Department standards.

5.12. **Maintenance of Improvements**

For the purpose of protecting the safety, convenience and welfare of the Town's inhabitants; for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for reducing the danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; under the authority of Chapter 41, Section 81M as amended, the applicant or his successor shall provide for the proper maintenance and repair of improvements under this Section of the Rules and Regulations including the cleaning of drainage basins, oil/water separators, manholes and pipe lines from siltation or other accumulated material during the construction and before the release of the performance guarantee.

SECTION 7. ADMINISTRATION

7.1. **Variation**

Strict compliance with the requirements of these rules and regulations may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with the Subdivision Law.

7.2. **Reference**

For the matters not covered by these rules and regulations, reference is made to Section 81-K to 81-GG, inclusive, of Chapter 41 of the General Laws.

7.3. **Building Permit**

7.3.1. No building shall be erected within a subdivision without written permission from the Planning Board by Release Form, "Form J" (A.13), and no building permit shall be issued for any building within a subdivision until the subdivision

roadway from which the proposed building derives its frontage has been bonded, constructed and inspected up to and including the binder course of pavement.

7.3.2. The Building Inspector shall not issue any permit for the erection of a building until he is first satisfied that the lot on which the building is to be erected is not within a subdivision, or that a way furnishing the access to such a lot as required by the Subdivision Control Law, is shown on a plan recorded, or entitled to be recorded, under Chapter 41, Section 81-X, as amended, and that any condition endorsed thereon limiting the right to erect or maintain buildings on such lot have been satisfied or waived by the Board, and in the event that more than one building for dwelling purposes be erected or placed or converted to use as such on any lot, that the Building Inspector is satisfied that consent has been obtained from the Planning Board in accord with Section 2.4 of these Rules and Regulations, Chapter 41, Section 81-Y and amendments thereto.

7.4. **Inspections**

7.4.1. Inspections shall be arranged by the developer with the Planning Board Agent for that purpose prior to the construction of streets and the installation of utilities and during construction as specified herein at each significant construction stage.

7.4.2. Inspection shall be requested, in writing, at least forty-eight (48) hours in advance of each inspection, to the Planning Board Agent.

7.4.3. Inspection shall be for the following, but shall not be not limited to:

7.4.3.1. Satisfactory excavating by the Planning Board Agent.

7.4.3.2. Satisfactory laying of water and sewer mains, hydrants and related equipment by the Department of Public Works.

7.4.3.3. Satisfactory location of gas mains and related equipment by the Planning Board Agent.

7.4.3.4. Satisfactory installation of surface and subsurface drainage system and related equipment by the Planning Board Agent.

7.4.3.5. Satisfactory filling by the Planning Board Agent.

7.4.3.6. Satisfactory compacting by the Planning Board Agent.

7.4.3.7. Satisfactory installation of electric lines and related equipment by the Mansfield Municipal Light Department.

7.4.3.8. Satisfactory location of telephone lines and related equipment by the Planning Board Agent.

7.4.3.9. Satisfactory completion of the pavement by the Planning Board Agent.

7.4.3.10. Satisfactory placing of curbs and gutters by the Planning Board Agent.

7.4.3.11. Satisfactory construction of sidewalks by the Planning Board Agent.

7.4.3.12. Satisfactory finish grading of grass plots by the Planning Board Agent.

7.4.3.13. Satisfactory installation of monuments by the Planning Board Agent.

7.4.3.14. Satisfactory grading of lots by the Planning Board Agent.

7.4.3.15. Satisfactory planting of street trees by the Planning Board Agent.

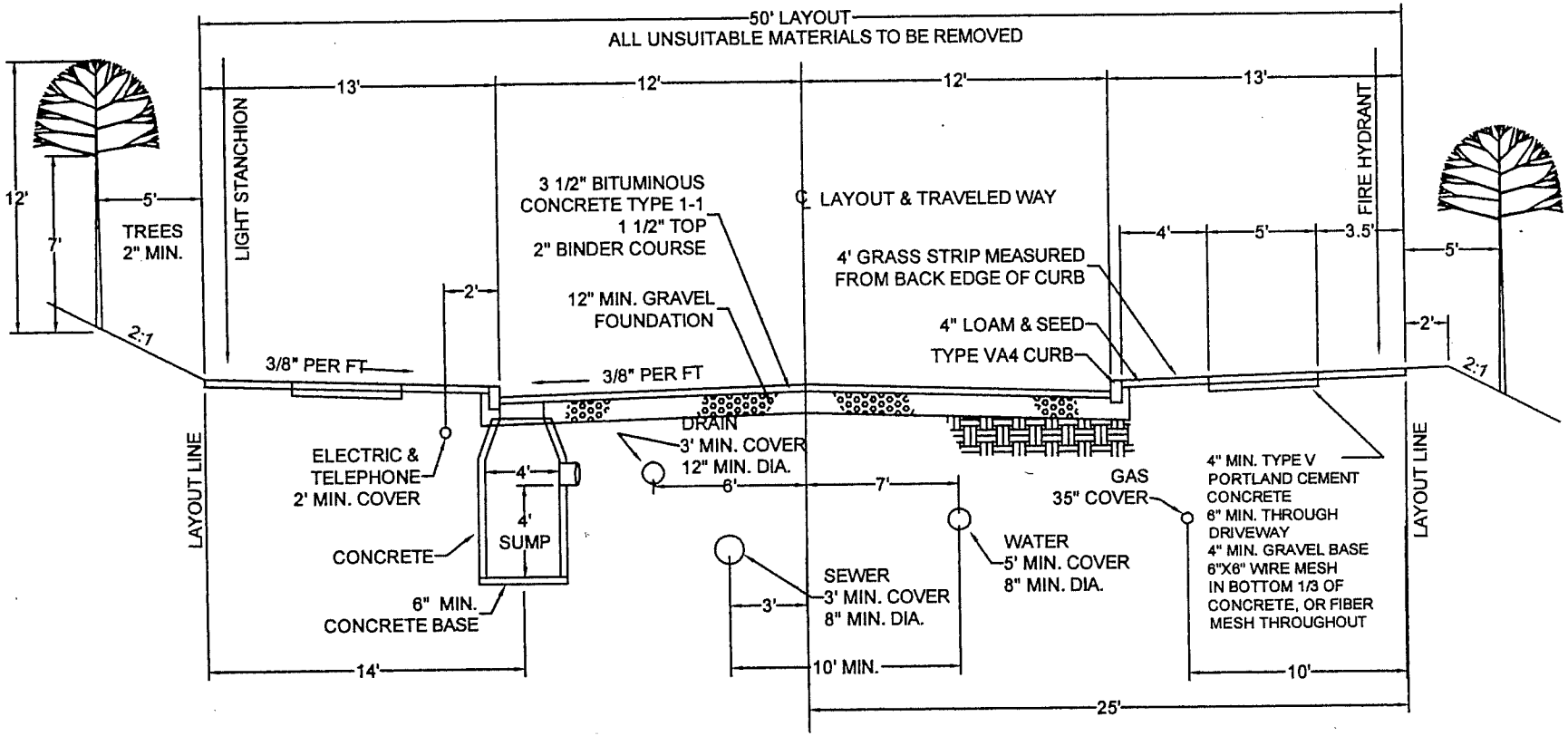
7.4.3.16. Satisfactory final clean-up by the Planning Board Agent.

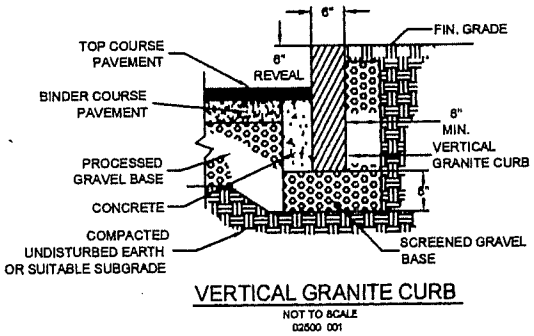
7.4.4. The Planning Board may establish the order of the required inspections and may require satisfactory completion of one step before the subdivider proceeds to the next. It may require tests to be done by the subdivider as a condition for approval when, in the opinion of the Planning Board, it is advisable.

7.4.5. Failure to comply with the inspection procedures may necessitate the removal of improvements and the assignment by the Planning Board of a full time inspector for the project, at the expense of the applicant, or a full rescission of the plan in accordance with Chapter 41, Section 81-W.

7.5. **Validity**

If, in any respect, any provision of these Rules and Regulations in whole or in part, shall prove to be invalid for any reason, such invalidity shall only affect the part of such provision which shall be invalid and in all other respects, these Rules and Regulations shall stand as if such invalid provision had not been made, and they shall fail to the extent, and only to the extent, of such invalid provision, and no other provision of these Rules and Regulations shall be invalidated, impaired or affected thereby.





VERTICAL GRANITE CURB

NOT TO SCALE

02500 001

ALL TRENCH BACKFILL FOR UTILITIES TO BE APPROVED BEFORE USED. DRAINAGE TRENCHES TO BE BACKFILLED WITH SELECTED APPROVED GRAVEL.

WATER MAINS TO BE GATED ALWAYS AND GATES NOT OVER 800 FEET APART. MAINS TO BE C.I.C.L CLASS 150. HYDRANTS TO HAVE 6 INCH GATE LOCATED 3 FEET FROM HYDRANTS. BRANCHES TO BE 6 INCH C.I.C.L. CLASS 150.

GRANITE BOUNDS (6" SQ. BY 4' MIN.) TO BE SET AT ALL P.C., BENDS AND ON STRAIGHT WAYS NOT OVER 500 FEET APART, SET BOUNDS FLUSH WITH SIDEWALK.

SEWER MAINS SHALL BE P.V.C. SEWER PIPE, PLACED ON A BED OF 6" CRUSHED STONE TO THE REQUIRED DEPTH.

GRADE AND ALIGNMENT STAKES SHALL BE SET ACCURATELY FOR EACH UTILITY AND FOR THE ROAD CONSTRUCTION.

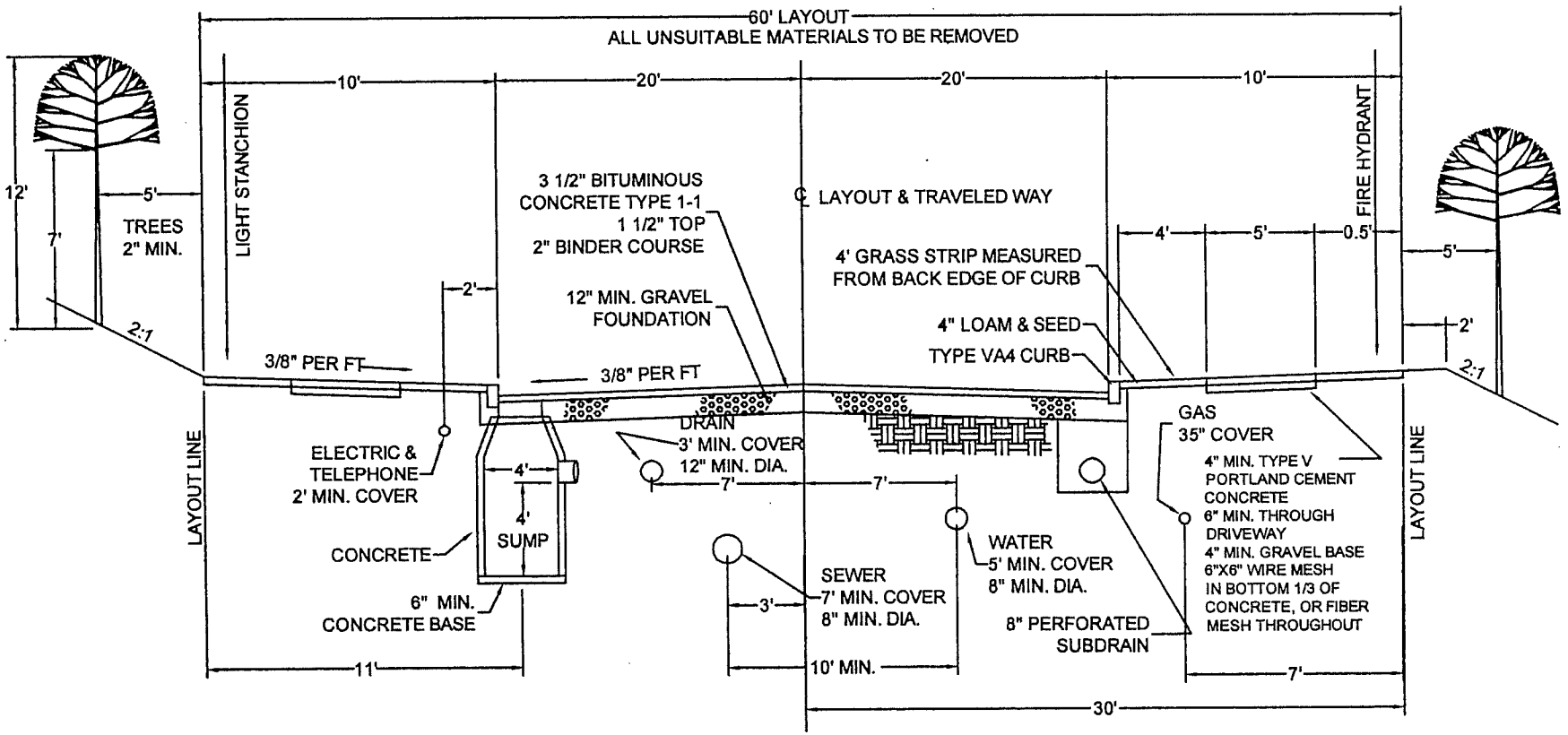
SUBDRAINS SHALL BE INSTALLED IN CUT SECTIONS AS SHOWN ON THE DRAWINGS, OR AS REQUIRED BY THE PLANNING BOARD AGENT PER MASS. D.P.W. STANDARDS.

STANDARD ROADWAY CROSS SECTION, 50' LAYOUT

NOT TO SCALE

02500 011

NOTE: CONTACT ENGINEERING FOR UPDATED CROSS SECTIONS



ALL TRENCH BACKFILL FOR UTILITIES TO BE APPROVED BEFORE USED. DRAINAGE TRENCHES TO BE BACKFILLED WITH SELECTED APPROVED GRAVEL.
WATER MAINS TO BE GATED ALWAYS AND GATES NOT OVER 800 FEET APART. MAINS TO BE C.I.C.L CLASS 150.
HYDRANTS TO HAVE 6 INCH GATE LOCATED 3 FEET FROM HYDRANTS. BRANCHES TO BE 6 INCH C.I.C.L. CLASS 150.
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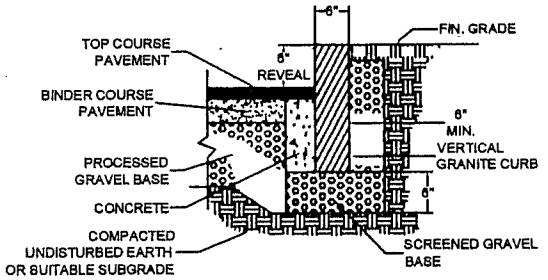


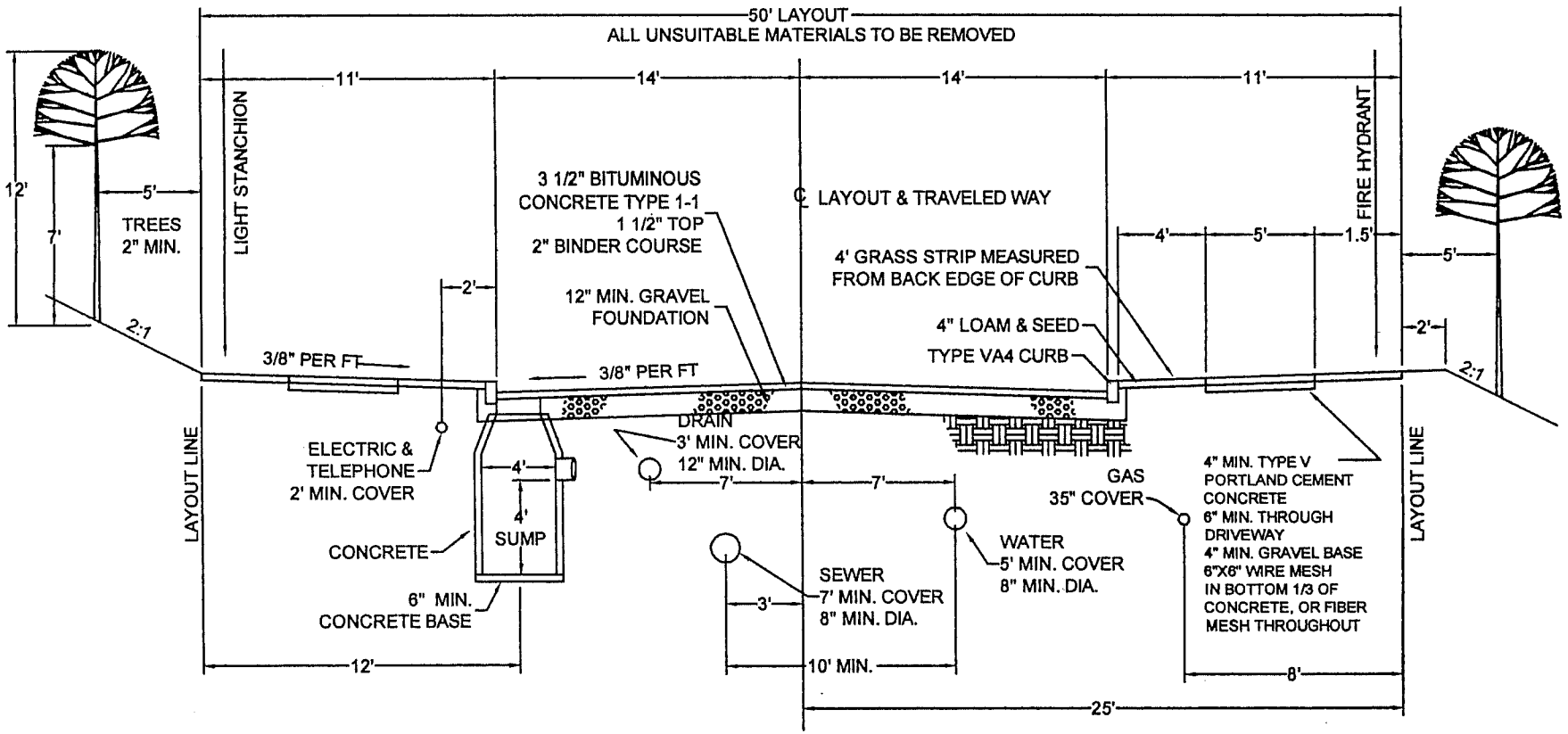
VERTICAL GRANITE CURB

NOT TO SCALE
02500 001

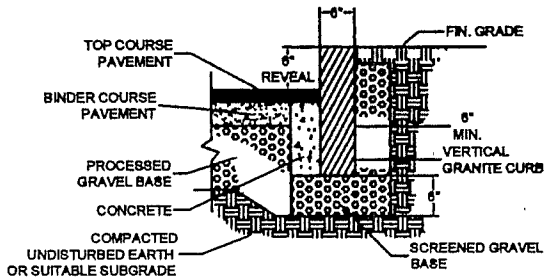
STANDARD ROADWAY CROSS-SECTION, 60' LAYOUT

NOT TO SCALE

02500 013



ALL TRENCH BACKFILL FOR UTILITIES TO BE APPROVED BEFORE USED. DRAINAGE TRENCHES TO BE BACKFILLED WITH SELECTED APPROVED GRAVEL.
WATER MAINS TO BE GATED ALWAYS AND GATES NOT OVER 800 FEET APART. MAINS TO BE C.I.C.L CLASS 150.
HYDRANTS TO HAVE 6 INCH GATE LOCATED 3 FEET FROM HYDRANTS. BRANCHES TO BE 6 INCH C.I.C.L. CLASS 150.
GRANITE BOUNDS (6" SQ. BY 4' MIN.) TO BE SET AT ALL P.C., BENDS AND ON STRAIGHT WAYS NOT OVER 500 FEET APART, SET BOUNDS FLUSH WITH SIDEWALK.
SEWER MAINS SHALL BE P.V.C. SEWER PIPE, PLACED ON A BED OF 6" CRUSHED STONE TO THE REQUIRED DEPTH.
GRADE AND ALIGNMENT STAKES SHALL BE SET ACCURATELY FOR EACH UTILITY AND FOR THE ROAD CONSTRUCTION.
SUBDRAINS SHALL BE INSTALLED IN CUT SECTIONS AS SHOWN ON THE DRAWINGS, OR AS REQUIRED BY THE PLANNING BOARD AGENT PER MASS. D.P.W. STANDARDS.



VERTICAL GRANITE CURB

NOT TO SCALE
02500 001

SECONDARY STREET CROSS-SECTION, 50' LAYOUT

NOT TO SCALE

02500 012

[A-4]

PLAN # _____
STREET _____

FORM A
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS

(Three copies of this form, the original and three copies of the plan shall be filed with the Town Clerk)

Received By: _____ _____
Town Clerk **Date of Filing**

To the Planning Board and the Town of Mansfield:

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

Name of Owner _____ **Name of Applicant**_____
Address _____ **Address**_____
Name of Surveyor _____**Registration Number** _____
Address_____

Deed of property recorded in _____
Book Number _____ **Page Number** _____

Mansfield Assessor's Atlas: Plat _____ **Parcel** _____

Location and Description of Property:

_____
_____
_____
_____

Reason plan does not constitute a Subdivision:

_____
_____

Signature of Applicant **Signature of Owner if not the Applicant**

_____ _____

PLANNING BOARD APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

Signed _____ _____
Clerk, Mansfield Planning Board **Date**

[A-5]

FORM B
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

(Three copies of this form, filled out and signed, should be included with the original and eight copies of the plan in question, and shall be filed with the Town Clerk)

Received By: _____ _____
Town Clerk **Date of Filing**

To the Planning Board and the Town of Mansfield:

The undersigned, being the present record owner of all land included within a proposed subdivision should on the accompanying plan titled:

_____

by _____ dated _____

Being land bounded as follows:

_____
_____
_____
_____

Hereby submits said plan as a PRELIMINARY subdivision plan in accordance with the Rules and Regulations of the Mansfield Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from _____
_____

By deed dated _____ and recorded in the Bristol County Registry of Deeds Book _____, Page _____, registered in the Bristol County District of the Land Court, Certification of Title No. _____, and shown on plat number _____, parcel _____ of the Mansfield Assessor's Atlas.

Signature of Applicant

_____

Address_____

_____

Signature of Owner if not the Applicant

_____

Address_____

_____

Signed _____
Clerk, Mansfield Planning Board

Action Taken_____
Date _____

[A-6]

FORM C
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN

(Three original signed copies of this completed form, eleven (11) copies of the preliminary plan and the fee shall be filed with the Town Clerk)

Received By: _____ _____
Town Clerk **Date of Filing**

To the Planning Board of the Town of Mansfield:

The undersigned, being the present record owner of all land included within a proposed subdivision shown on the accompanying plan titled:

_____

prepared by _____ and dated _____

Being land bounded as follows:

_____

_____

_____

_____

Hereby submits said plan as a DEFINITIVE subdivision plan in accordance with the Rules and Regulations of the Mansfield Planning Board and makes application to the Board for approval of said plan.

The undersigned title to said land is derived from

_____

_____

by deed dated _____ and recorded in the Bristol County Registry of Deeds Book _____, Page _____, registered in the Bristol County District of the Land Court, Certificate of Title No. _____, and shown on Plat Number _____, Parcel _____ of the Mansfield Assessor's Atlas, and said land is free of encumbrances except for the following:

_____

_____

_____

_____

Said plan has __ / has not __ evolved from a preliminary plan submitted to the Board on _____ and approved __ / disapproved __ on _____.

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 Rules and Regulations. The undersigned hereby further covenants and agrees with the Town of Mansfield, upon the approval of said DEFINITIVE plan by the Board:

1. To install utilities in accordance with the Rules and Regulations of the Planning Board, the

Department of Public Works, Police Department, Fire Department and Mansfield Municipal Electric Department, and all general as well as zoning by-laws of said Town, as are applicable to the installation of utilities within the limits of ways and streets.

2. To complete and construct the streets or way shown thereon in accordance with Section V of the Rules and Regulations of the Planning Board and the approved DEFINITIVE plan, profiles and cross sections of the same. Said plan, profiles, cross sections and construction specifications are specifically, by reference, incorporated herein and made a part of this application. This application and the covenants and agreements herein shall be binding upon all heirs, executors, administrators, successors, grantees of the whole or part of said land, and assigns of the undersigned; and

3. To complete the aforesaid installations and construction with two (2) years from the date of approval.

Signature of Applicant **Signature of Owner if not the Applicant**

_____ _____

Address_____ Address _____

_____ _____

Signed _____ _____

Clerk, Mansfield Planning Board **Date**

[A-7]

FORM D
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
DESIGNER'S CERTIFICATE

Received By: _____ _____
Town Clerk **Date of Filing**

To the Planning Board of the Town of Mansfield:

In preparing the plan titled

_____

my source of information about the location of boundaries shown on said plan was one or more of the following:

1. Deed from _____ to _____ dated _____ and recorded in the Bristol County Registry of Deeds Book _____, Page _____.

2. Assessor's Plan _____ Parcel _____ of the Mansfield Assessor's Atlas.

3. Oral information furnished by

   _____

   _____

4. Actual measurement on the ground from a starting point established by

   _____

   _____

   _____

Signature of Professional Engineer or Registered Land Surveyor **Seal of Engineer or Surveyor**

_____

Number _____

Address _____

_____

[A-8]

FORM E
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
CERTIFIED LIST OF ABUTTERS

Two copies of this form are to be completed and filed with the Planning Board.

Received By: _____ _____
Town Clerk **Date of Filing**

To the Planning Board of the Town of Mansfield:

The undersigned, being an applicant for approval of a definitive plan of a proposed subdivision titled

_____
_____

submits the following sketch of the land in the subdivision listing the names of the adjoining owners in their relative positions and indicating the address of each abutter on the sketch or in a separate list, including owners of land separated from the subdivision only by a street.

Signature of Applicant

_____
Address _____
_____

To the Planning Board of the Town of Mansfield:

This is to certify that at the time of the last assessment for taxation made by the Town of Mansfield, 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 _____ Date_____

[A-9]

FORM F
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
PERFORMANCE BOND – SURETY COMPANY

Received By: _____ _____
Town Clerk **Date of Filing**

Know all men by these present that I,
_____, as Principal of
_____, and
_____, as
Surety, a corporation under the laws of the State of _____,
and licensed as a Surety in the Commonwealth of Massachusetts, are held and firmly bound unto the Town of Mansfield, as Obligee, in the sum of
_____
_____,
lawful money in the United States, for which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

This bond is given pursuant to Massachusetts General Laws Chapter 41, Section 81U (the "Statute") to secure performance of the construction of ways and installation of municipal services required for the lots in the _____
subdivision, Mansfield, Massachusetts, in full compliance with the conditions of such approval, the rules and regulations of the Mansfield Planning Board and all applicable law.

NOW, THEREFORE, the condition of this obligation is such, that if the above Principal shall construct the ways and install municipal services required for the lots in the
_____ subdivision, Mansfield, Massachusetts, to the full satisfaction of the Planning Board or its agent and this bond is released in accordance with the Statute, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

No cause of action shall lie against the Surety unless commenced within two (2) years from the date the cause of action accrues against the Principal. Any such action shall be brought in the courts of the Commonwealth of Massachusetts and shall be subject to the law of thereof.

Regardless of the number of years this bond shall continue in force, and the number of premiums which shall be payable or paid, the Surety's total limit of liability shall not be cumulative from year to year or period to period.

SIGNED, SEALED AND DATED THIS _____ day of _____.

Principal

_____
by _____
Title

Surety

_____
by _____
Attorney-in-fact

[A-10]

FORM G
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
PERFORMANCE BOND – SECURED BY DEPOSIT

Received By: _____ _____
Town Clerk **Date of Filing**

Know all men by these present that _____ of _____ hereby binds and obligates himself/itself/its heirs, executors, administrators, successors and assigns, to the Town of Mansfield, a Massachusetts municipal corporation, in the sum of _____ _____, and has secured this obligation by the deposit with the treasurer of said Town of Mansfield of said sum in money or negotiable securities.

The condition of this obligation is that if the undersigned or his/its executors, administrators, devisees, heirs, successors and assigns shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____ under which approval of a definitive plan of a certain subdivision titled _____, prepared by _____ and dated _____, has been or is hereafter granted by the Mansfield Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid security for said sum shall become and be the sole property of said Town of Mansfield as liquidated damage.

IN WITNESS WHEREOF the undersigned has set his hand and seal this ___ day of _____.

Signed

_____

[A-11]

FORM I
MANSFIELD PLANNING BOARD
MANSFIELD, MASSACHUSETTS
COVENANT

One completed form and two copies thereof shall be filed with the Planning Board.

Known all men by these present that whereas the undersigned has submitted an application dated _____ to the Mansfield Planning Board for approval of a definitive plan of a certain subdivision titled

_____

and dated _____, and has requested the Board to approved such plan without requiring a performance bond,

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Mansfield Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Mansfield as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on such lot until the construction of ways and the installation of municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.

2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land. This covenant shall take effect upon approval of said plan. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

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

3. The undersigned represents and covenants that undersigned is the owner* in fee simple of all the land included in the aforesaid subdivision and that there are not mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgage have assented to this contract prior to its execution by the undersigned.

*If there is more than one owner, all must sign.

4. Nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board.

A mortgagee who acquires title to 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 serve such lot.

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

Applicant: _____

Address: _____
_____
_____

Description of Mortgages: _____
_____
_____
_____
_____
_____
_____
(Give complete names and Registry of Deeds references)

Assents of Mortgagees:
_____
_____
_____

COMMONWEALTH OF MASSACHUSETTS

_____, 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: _____

[A-12]

Form J

MANSFIELD PLANNING BOARD
MANSFIELD, MASSACHUSETTS
RELEASE FORM

The undersigned, being a majority of the Planning Board of the Town of Mansfield, Massachusetts, hereby certify that:

1. The requirements for the construction of ways and municipal services called for by the Performance Bond or Surety and dated _____ (and/or) by the Covenant dated _____ and recorded in Districts Deeds, Book____, Page____, (or registered in _____ County Land Registry District as Document No. _____, and noted on Certificate of Title No. _____ in Registration Book _____ Page _____,) has been completed/partially completed, to the satisfaction of the Planning Board to adequately serve the enumerated lots shown on Plan titled _____ recorded by the _____County Registry of Deeds, Plan Book____, Page ___ and said lots are hereby released from the restrictions as to sale and building specified thereon.

   Lots designated on said Plan as follows:

   _____

2. Town of Mansfield, a municipal corporation situated in the County of Bristol, Commonwealth of Massachusetts, acting by its duly organized Planning Board, holder of a Performance bond or Surety dated _____ (and\or) a Covenant dated _____ from _____ of the (City\Town) of _____, _____County, Massachusetts recorded with the _____County District Deeds, Book____, Page ____ (or registered in Land Registry District and Document No._____ and noted on Certificate of Title No. _____ in Registration Book _____, Page _____.), acknowledges satisfaction of the terms thereof and hereby released its right, title and interest in the lots designated on said plan as follows:

   _____

Executed as a sealed instrument this _____ day of _____, _____.

Majority of the Planning Board of the Town of Mansfield.

_____ _____

_____ _____

_____ _____

_____

COMMONWEALTH OF MASSACHUSETTS

_____, SS _____, _____

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

_____
Notary Public

My Commission Expires _____

[A-13]

FORM K
MANSFIELD PLANNING BOARD
MANSIFELD, MASSACHUSETTS
CONVEYANCE OF EASEMENTS AND UTILITIES

Received By: _____ _____
Town Clerk **Date of Filing**

(One completed form and five copies thereof shall be filed with the Planning Board.)

_____, of _____,
_____ County, Massachusetts, for good and adequate consideration grant to the Town of Mansfield, a municipal corporation in Bristol County, Massachusetts, the perpetual rights and easements to construct, inspect, repair, renew, replace and operate and forever maintain, water mains with any manholes, pipes, conduits, drainage easements and other appurtenances thereto, and to do all acts incidental thereto, in, through and under the following described land:

_____
_____
_____
_____
appearing on a plan titled _____

And, for the consideration aforesaid, the said grantor does hereby give, grant, transfer and deliver unto the Town of Mansfield all water mains, manholes, pipes, conduits, drainage easements and all appurtenances thereto that are now or hereafter constructor 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 _____ and recorded in the Bristol County Registry of Deeds, Book _____, Page _____ or under Certificate of Title No. _____, registered in Bristol County District of the Land Court, 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 _____ and recorded in said Deeds Book _____, Page _____ for consideration paid, hereby releases unto the Town of Mansfield forever from the operation of said mortgage, the rights and easements herein above granted and assents thereto.

_____ Authorized Signature of Mortgager

IN WITNESS WHEREOF we have hereunto set our hands and seals this ____ day of _____.

COMMONWEALTH OF MASSACHUSETTS

_____, SS _____
Date

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

_____ _____
Notary Public My Commission Expires