

TOWN OF SEEKONK



Rules and Regulations Governing the Subdivision of Land in Seekonk, Massachusetts

Prepared under the provisions of Section 81-Q
Chapter 41, Massachusetts General Laws, by the

SEEKONK PLANNING BOARD

David Sullivan Jr., Chairman

Michael J. Bourque James Roach
Sandra M. Foulkes Lee B. Dunn
Ronald Bennett Bruce Hoch

John J. Aubin, III, Town Planner
Town Planner

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**RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND IN
SEEKONK, MASSACHUSETTS**

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SECTION I

GENERAL

- 1.1. These Rules and Regulations Governing the Subdivision of Land in Seekonk, Massachusetts, which may be referred to as "these Rules and Regulations", have been adopted on February 23, 1965, and transmitted July 16, 1965, and amendments transmitted as of January 25, 1973, December 16, 1977, April 27, 2004 for the purposes of promulgating and administering the Subdivision Control Law, Chapter 41 MGL, Sections 81-K through 81GG inclusive, for the purposes stated in Section 81M and 81K.
- 1.2. No person shall make a subdivision of land within the Town of Seekonk, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways or the installation of municipal services or the excavation of land, unless and until a Definitive Plan of such subdivision has been submitted to the Planning Board, approved and endorsed by it, and recorded.
- 1.3. Not more than one building used or available for use for dwelling purposes shall be erected, placed or converted to use as such on any lot in a subdivision or elsewhere in the Town of Seekonk without the consent of the Planning Board, and such consent may be conditional upon the provision of adequate ways furnishing access to such building.
- 1.4. If any provision in these Rules and Regulations is found to be invalid or unconstitutional by a court of competent jurisdiction, this shall not invalidate any other provision of these Rules and Regulations or the operation thereof.
- 1.5. The Planning Board presumes any information presented to it by an applicant to be true and correct unless evidence to the contrary is made to appear. The presentation of complete and true data is the responsibility of the applicant and failure to do so, whether intentional or not, may be a reason for the rescission of any Planning Board approval in addition to any other actions provided by law.
- 1.6. Under the authority of Section 81B of Chapter 41 of General Laws, members of the Planning Board and its officers and agents may for the purposes of municipal planning enter upon any lands and there make examinations and surveys and place and maintain monuments and markers.
- 1.7. Topsoil moved during the course of construction shall be regraded throughout the subdivision upon completion of construction or if construction is halted for more than one (1) year. No topsoil shall be removed from the subdivision site except as provided in the General By-laws.
- 1.8. Penalties for non-compliance – reference p. 43, Section 9.6.

SECTION II DEFINITIONS

- 2.1 Unless the context clearly indicates otherwise, the word "shall" means mandatory and not merely directional; the word "person" includes the words "or persons, corporation, trust or agency"; the word "building" shall be read as if followed by the words "or structure or part or parts thereof", interchangeably; the reference to Town, boards, agencies, officials and departments shall mean such entities of the Town of Seekonk, unless identified otherwise.
- 2.2 Unless clearly indicated otherwise by the context, the words and phrases used herein shall share the meaning indicated below or in Chapter 41 of the General Laws.

Abutters – owners of any land within 300' straight line distance from the boundary, meaning at least the parcel being subdivided and under consideration, as shown on the most recent assessor's tax records.

Applicant shall mean the owner of land, acting directly or through a duly authorized agent, attorney or representative, or the heirs, assigns and successors-in-title of such owner.

Arterial Street or Way shall mean a way so designated by a Master or Study Plan or a Way carrying or expected, in the opinion of the Planning Board, to carry primarily through traffic from and/or to other municipalities or to carry traffic in excess of 2,000 vehicles in both directions during the peak hour, and shall include numbered State highways.

AASHTO American Association of State Highway and Transportation Officials

Board, when used alone, shall mean the Planning Board of the Town of Seekonk, Massachusetts.

Board's Agent shall mean the person or persons authorized and designated by the Planning Board to carry out specific functions on behalf of the Board with respect to the review of plans, investigation of conditions and inspection or verification of the required improvements being designed, constructed or installed in a satisfactory manner. It shall be the responsibility of the developer and his agents and contractors to provide the required data to the Board's agents and to notify them when each phase of work is ready for inspection. The Superintendent of Public Works or his duly authorized agent, the Town Planner and other officials within their sphere of jurisdiction may be designated as Board's agents.

Building shall mean a structure having a roof and used as a shelter or place of occupancy for humans, animals or materials.

Collector Street or Way shall mean a way meeting or expected to meet, in the opinion of the Planning Board, any of the following conditions:

- (1) carry significant traffic from several other streets or neighborhoods;
- (2) carry a significant percentage of through or truck traffic;
- (3) carry peak hour traffic in excess of 400 cars in both directions.

Definitive Plan – final plan of a subdivision, together with all detail or special plans and supporting materials as required by these Rules and Regulations, the approval of which by the Seekonk Planning Board constitutes the approval of the subdivision and, when duly recorded, confers certain rights and obligations on the applicant.

Developer or Subdivider – same as applicant.

Easement – whereby an owner, developer or petitioner grants to the land, or other person or entity a conveyance or title for a specific use or purpose, with a proper, recordable description.

Groundwater – water in the subsurface zone beneath the water table in which most or all pore spaces are filled with water.

Local or Minor Street shall mean a way serving or expected to serve in the opinion of the Planning Board of the following conditions:

- (1) a street serving only traffic generated by abutting residences;
- (2) a street not expected to carry significant through or truck traffic;
- (3) a street not expected to have peak hour traffic in excess of 400 vehicles in both directions.

Locus Plan or Location Map – shall mean a map which shows the location of the proposed subdivision in the community and its relationship to existing community facilities which serve or influence it.

Lot – an area of land with definite boundaries, ascertainable by a recorded plan or deed, used or available for use as the site of one or more buildings. Several contiguous recorded lots or parcels may be considered one lot.

MassDOT – Massachusetts Department of Transportation previously MassHighway and Mass D.P.W. Any references to MassHighway or Mass D.P.W. shall be considered references to MassDOT.

Modification – a change to a previously submitted or approved preliminary, definitive, or Planning Board Approval Not Required plan, showing changes to said plan from any element or requirement of these Subdivision Rules and Regulations or Zoning By-laws.

Parcel – may be used to denote an area of land with ascertainable boundaries which does not qualify as a separate building lot or site due to insufficient size or failure to meet frontage or the zoning requirements for building lots.

Preliminary Plan is a general plan of the land as defined in Section 81-L of Chapter 41 of the General Laws and conforming to the contents as laid out in Section 4.2 of these Rules and Regulations.

Public, when used as an adjective, shall mean the Town of Seekonk, Bristol County, the Commonwealth of Massachusetts, or the United States.

Recharge Area – that area composed of permeable stratified sand and gravel, and certain wetlands that collect surface water and carry it to aquifers.

Primary recharge area lies directly over the designated aquifer, and adjacent areas of strata, from which groundwater flows directly into the aquifer.

Secondary recharge area lies adjacent to the primary area, and from which groundwater moves downgradient into the aquifer.

Tertiary recharge area is the upstream drainage area of streams that traverse the primary and secondary recharge areas.

Reserve Strip is a piece of land between the boundary of the subdivision and a subdivision street or way used to prohibit the extension of the street to an adjacent street or subdivision.

Resubdivision – a change or the alteration in the number or size of lots, or streets or ways, on a previously approved definitive plan.

Roadway or Travelled Way shall mean that portion of a street or way intended for vehicular use, usually the pavement.

Street or Way shall mean the entire right of way, not just the paved or travelled portion, of any way, street or road open and dedicated to public use, including a public way or a way certified by the Town Clerk to have been used and maintained by public authorities as a public way, a way approved and constructed under the provisions of the Subdivision Control Law, or a private way in existence prior to said Subdivision Control Law having become effective in Seekonk and having in the opinion of the Board adequate width, grades and construction for the needs of the vehicular traffic and the installation of municipal services to serve the land abutting thereon or served thereby and the buildings erected or to be erected on such land. It is the responsibility of the Applicant to review the “Existing Street Names” list on file in the Planning Office prior to the naming of any Street or Way in the Town of Seekonk. No proposed plan, subdivision, etc. shall have any similar or duplicate Street Names of proposed streets in the proposal. The existence of such is grounds for denial of the application. The Planning Board will NOT accept any waivers for this condition.

Subdivision shall mean the division of a tract of land into two or more lots and shall include resubdivision and, when appropriate to the context, shall relate to the process of subdivision or the land or territory being subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law if, at the time when it is made, every lot within the tract so divided has the frontage required by the Seekonk Zoning By-laws on a way, as defined therein. 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 or more buildings were standing when the Subdivision Control Law went into effect in Seekonk into separate lots, on each of which one of such buildings remains standing, shall not constitute a subdivision.

Tract shall mean an area of land with ascertainable recorded boundaries capable of being subdivided into two or more lots with or without the provision of new access ways.

Utilities means the same as municipal services and may include water supply piping, sanitary sewers, storm water drainage, fire alarm conduits, electric and telephone wiring, gas supply piping, shade trees, and any other services or installations provided by towns generally or by the Town of Seekonk for the benefit of the inhabitants.

Way – same as Street.

Yield Plan – A conceptual subdivision plan, as required by **Section 9.2.5 of the Seekonk Zoning By-law** depicting the maximum number of lots that could reasonably be expected to be constructed on a parcel in full conformance with all Subdivision, Zoning, Conservation, and Health regulations of the Town of Seekonk. The Planning Board, in determining the acceptance of a yield plan, shall take into consideration the extent to which the plan takes such regulations in consideration.

SECTION III **APPROVAL NOT REQUIRED**

- 3.1. All plans, whether "subdivisions" within the meaning of the law or not, must have either approval as a subdivision or endorsement that they do not require approval before they will be accepted for recording at either the Registry of Deeds or the Land Court.
- 3.2 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 application Form A 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 mail, a notice (Form A) with the Town Clerk stating the date of submission for such determination, accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if required, give written receipt therefor.
- 3.3 Any person submitting a plan believed not to require approval shall furnish the following to the Planning Board:
 - 3.3.1. A contact print of the plan or plans on file in the Registry of Deeds recording the of the land area to be considered.
 - 3.3.2. If no plan covering the whole of the tract is on file, a notarized certification shall accompany the application indicating that such plans are not on file with the Registry of Deeds.
 - 3.3.3. The original drawing of the plan suitable for recording in the Bristol County Registry of Deeds (stamped by a Massachusetts professional land surveyor) and six (6) contact prints thereof. The original drawing shall be returned if endorsement is not given.
 - 3.3.3.1 All submittals must include a digital copy, on CD or DVD, of said plan in a format compatible with the latest version of AutoCAD, the plan shall be in the Mass State Plane Coordinate System with units in feet.
 - 3.3.4. The plan shall show sufficient evidence necessary to enable the Board to determine that the plan does not require approval. Such information shall include, but need not necessarily be limited to the following:
 1. Boundaries, dimensions and frontage of any lots and the building on any lots which are being established, revised or recorded without change.
 2. Names of all owners of abutting land as established from the most recent tax list.
 3. Names of all ways which abut the applicant's land.
 4. A title block including:

1. applicant's name and address
2. name, signature and seal of a Massachusetts professional land surveyor
3. plan date
4. scale
5. space for the signatures of the members of the Planning Board and the date of endorsement
6. plat and lot number
7. current zoning district

5. Locus plan per 4.2.2.

3.4. If the Planning Board determines that the plan does require approval, it shall within twenty-one (21) days, without a public hearing, endorse on the plan the words "Approval under the Subdivision Control Law Not Required". The Planning Board may add to such endorsement a statement of the reason approval is not required. The Planning Board shall notify the Town Clerk of its action.

3.5. Where the Planning Board's determination of approval not required is based on qualifying conditions or where necessary for clarity, the Board may include as part of its endorsement a statement on the plan reflecting this condition. Such a statement may note (but need not be limited to) that the endorsement applies only to certain lots shown on the plan, or that a particular lot is not to be used as a separate lot but added to an adjacent lot, or that the lots shown are part of a subdivision and subject to the conditions and restrictions applicable to such subdivision.

3.6. If the plan is endorsed, it shall be the responsibility of the Planning Board to notify the Town Clerk that the Board has determined that approval under the Subdivision Control Law is not required. It is the Applicant's responsibility to record it with the Registrar of Deeds or the Recorder of Land Court.

3.7. Fee shall be in accordance with the currently adopted fee schedule set forth in Attachment B of the Seekonk General By-laws

SECTION IV PRELIMINARY PLAN

4.1 General – A Preliminary Plan for a residential subdivision, conforming to the Zoning By-laws, Planning Board regulations, and Board of Health regulations, of the Town of Seekonk, should be submitted by the subdivider for discussion and tentative approval by the Board.

In the case of a nonresidential subdivision, any person before submitting his definitive plan for approval shall submit to the Planning Board and the Board of Health, a Preliminary Plan, and shall give notice to the Town Clerk by delivery or by registered mail, postage prepaid, that he has submitted such plan.

The submission of such a Preliminary Plan will enable the subdivider, the Board, other municipal agencies and owners of Properties abutting the subdivision to discuss and clarify such subdivisions before a Definitive Plan is prepared.

When a Preliminary Plan is submitted, the applicant shall file by delivery or registered mail an application (Form B) with the Town Clerk stating the date of submission for such approval of a Preliminary Plan.

4.2 Contents – The Preliminary Plan shall be drawn at the required scale and eight (8) prints shall be filed at the office of the Planning Board and one (1) print at the office of the Board of Health. Said plan shall be identified as a Preliminary Plan and show all the information required under the definition of the Preliminary Plan so as to form a clear basis for discussion of its problems and for preparation of the Definitive Plan. In addition to those items included in the definition of a Preliminary Plan, the following shall be submitted:

1. Two (2) completed copies of application Form B.
2. A locus plan of the subdivision, showing its relation to the surrounding area, at a scale of 1 inch = 400 feet.
3. A layout drawing of the subdivision at 1" = 40' or such other scale as the Board may accept to show adequate detail. Said layout drawing shall include proposed roadways, lots, open space, drainage areas and connections to existing roadways for the development. All proposed street names shall conform to the provisions of Section II Definitions Streets and Ways. Per the roadway design standards of Section 7 of these regulations all proposed streets shall be designed so that they connect to each other and to other surrounding streets so as to promote circulation between streets. The construction of "Cul-de-Sacs" and dead end streets is to be avoided and are not the preferred method of construction of the Planning Board.
4. In the case of a subdivision covering less than all of the land owned by the subdivider in the area of the subdivision, the locus plan shall show in a general manner the proposed over-all development of all said land.

5. Percolation, maximum groundwater elevation and soil profile tests as required in 4.3 and 4.4, including the location of test holes.
6. A certified list and 2 sets of mailing labels of all abutters within a 300' radius of the property proposed to be subdivided.
7. The application fee shall be in accordance with the currently adopted fee schedule set forth in Attachment B of the Seekonk General By-laws

4.3. Percolation tests – The Planning Board or Board of Health may require percolation tests be taken on some or all the lots within the proposed subdivision. Two copies of a report showing the location and results of the tests shall be submitted with the plans. Tests shall be made in accordance with current Town of Seekonk regulations governing percolation tests and septic system installation and be performed by or under the supervision of a Professional Engineer or Registered Sanitarian. If percolation tests are required, the developer shall notify the Board of Health in accordance with its rules and regulations.

4.4. Groundwater and Soil Profile – Maximum groundwater-table elevation and soil profile procedure shall be in accordance with Board of Health regulations. All elevations shall be determined with reference to true mean sea level.

- 4.4.1. Soil profile must be illustrated per Appendix VI for all test holes as dug.
- 4.4.2. The lowest floor elevation of the proposed building(s) shall be at least two (2) feet above the maximum groundwater elevation.
- 4.4.3. If the groundwater elevation is higher than acceptable, the developer's engineer may submit with his preliminary plan a proposed under drain system that will lower the maximum water table elevation to an acceptable level as defined in 4.4.2. The Board will evaluate the proposed sub-drainage system in terms of its expected useful life, maintenance requirements, and the effect that lowering of the groundwater table on the site will have on adjacent lots.
- 4.4.4. The groundwater table determinations shall be made at a sufficient number of places to truly reflect the elevation of the water table. Except where the Board of Health requirements are more stringent, a minimum of two determinations shall be made. A minimum of one determination per three acres shall be made on tracts larger than five acres.
- 4.4.5. Unless the Board of Health requires otherwise, the developer shall notify the Board of Health at least forty-eight hours prior to when the groundwater tests are to be made and shall also provide safe and convenient access to the test sites.
- 4.4.6. The date of each test, the existing and proposed grade elevation, the elevation of water encountered or the bottom elevation of a dry hole and the results of soil profile analysis will be indicated on the report submitted.

- 4.4.7. In order to observe fluctuations of the water table, a representative number of test holes as required by the Board of Health and/or Planning Board shall remain open until construction of the subdivision is completed by means of the following: Perforated standpipes with a nominal diameter of four (4) inches shall be inserted in the designated holes, and they shall be capped and marked for protection and ease of location.
- 4.4.8. Location of all groundwater level tests will be shown on the topographical plan. These test locations must be located by at least two (2) coordinate from fixed reference points.
- 4.5. During discussion of the Preliminary Plan the complete information required for the Definitive Plan (5.3 – Contents) and the financial arrangement (Section VI – Performance Guarantees) will be developed. Also, at this time a determination will be made as to whether an evaluation of the potential for erosion and sedimentation (5.4), runoff (5.5), and/or the scope and focus of any Environmental Impact Statement that may be required as set forth in **Section 5.6** herein will be necessary. Statements of the above discussions and determinations shall be included in any motion to approve or decision otherwise rendered by the Planning Board on the Preliminary Plans.
- 4.6. Within forty-five (45) days after submission of a Preliminary Plan the Planning Board and the Board of Health shall approve such Preliminary Plan with or without modifications, or the Planning Board and the Board of Health shall disapprove such Preliminary Plan, and, in the case of disapproval, shall state the reasons therefor. The forty-five day period shall be adhered to unless an extension is agreed upon by the Planning Board and the Applicant. The Planning Board may not approve a Preliminary Plan except in compliance with recommendations by the Board of Health.
- 4.7. Approval of a Preliminary Plan does not constitute approval of a subdivision, and a Preliminary Plan shall not be recorded in the Registry of Deeds.
- 4.8. If a Definitive Plan is duly submitted with seven (7) months from the date of submission of the Preliminary Plan which was not disapproved, the subdivision Rules and Regulations in effect at the time of submission of the Preliminary Plan shall govern the Definitive Plan.
- 4.9. In accordance with Chapter 40A, Section 6, of the General Laws, land shown on the Preliminary Plan shall be governed by the zoning requirements in effect at the time of its first submission while the plan is being processed under the subdivision control law provided that the Definitive Plan of the subdivision is finally approved. Upon approval of the Definitive Plan, the zoning provisions in effect at the time of the first submission of the Preliminary Plan shall be applicable for eight years from the date of endorsement of such approval. In the case where a subdivision plan was submitted or submitted and approved before January 1, 1976, the zoning requirement in effect at the time of submission of the plan shall be applicable for seven years from the date of endorsement of approval of the subdivision.

SECTION V DEFINITIVE PLAN

5.1 General

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board all contents contained within the checklist for a Form C. The applicant shall be responsible for mailing costs. Notices mailed to abutters shall be in the form of certified mail return receipt requested and shall be in the form of the published advertisement.

When reviewing an application for approval, the Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project or because of a project's potential impacts. The Board may require that applicants pay a "review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of an application.

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

The Board may have several consultants used on a rotating basis, who are responsible for providing a quote for said review. The applicant shall provide funds equal to said quote so the review can begin. Funds received by the Board pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only in connection with the review of a specific project or projects for which a review fee has been or will be collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the application.

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

5.2 Submission

5.2.1 The applicant shall file, by delivery or registered mail, with the Town Clerk, written notice that such plan has been submitted to the Planning Board. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state

the date when such plan was submitted and the name and address of the owner of such land.

- 5.2.2 One print of the Definitive Plan shall also be filed with the Board of Health at that time. Normally, the Planning Board will deliver the plan to the Board of Health.
- 5.2.3 A plan shall be considered to have been submitted when delivered to the Board, or when sent by registered mail to the Planning Board, care of the Town Clerk. If so mailed, the date of mailing shall be the date of submission of the plan. Revised plans and amended applications submitted after the initial filing of an application are to be received by the Board at least five business days prior to the next regularly scheduled meeting at which they are to be discussed.
- 5.2.4 A signed agreement that all deeds based on this plan will include a covenant noting that such lot or lots shall be subject to applicable restrictions on this plan.
- 5.2.5 All Submittals must include a digital copy, on CD or DVD, of said plan in a format compatible with the latest version of AutoCAD. The plan shall comply with Level III of the current version of the MassGIS "Standard for Digital Plan Submission to Municipalities (hereafter "the standard") and shall be filed within 15 business days of the plan being approved by the Planning Board. The vertical datum shall be NAVD88. Upon written request, the Planning Board may waive the requirement for submitting the standard digital file or for complying with Level III of the standard. In place of the Level III requirement, the Planning Board may allow submission of a standard digital file that complies with Level I. Any request for a waiver must include a statement as to why submitting a digital file is not possible or why the requirement should be for Level I of the standard.

5.3 Contents

The Definitive Plan shall be an original drawing conforming to the rules and regulations of the Registry of Deeds. The plan shall be at a scale of (1) inch equals twenty (20) feet. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

1. Subdivision name, boundaries, north point, date and scale.
2. Name and address of the applicant, Massachusetts professional engineer and/or land surveyor with registration number and stamp.
3. Names of all owners or abutting land or the subdivision boundaries, as they appear in the most recent tax list.
4. Lines, bearing or angles of intersection, and radii of curves of existing and proposed streets, ways, lots, easements, and public or common areas within the subdivision. The proposed

names of proposed streets shall be shown in pencil until they have been approved by the Planning Board.

5. Existing and proposed land drainage system including existing natural waterways and proposed drainage channels or disposal sites (including sufficient drainage calculations).
6. Sufficient data to determine the location, direction, width and length of every street and way line, lot line, easement, zoning district and boundary line, and to establish these lines on the ground. All survey work shall be done in accordance with Land Court instructions and requirements.
7. Indication of the purpose of all easements.
8. All proposed lots numbered in sequence. Parcels not conforming to the Zoning By-laws shall have the notation: "Lot (or parcel) # shall not be used as a separate building lot".
9. Location of all permanent monuments properly identified as to whether exiting or proposed.
10. Location, names and widths of streets bounding, approaching or within 300 feet of the subdivision.
11. Suitable space to record the action of the Planning Board (see Appendix I).
12. Existing and proposed topography at one (1) foot contour intervals. The Board may require additional information on abutting land, whenever necessary.
13. Locations of groundwater tests and results.
14. The Planning Board may require percolation tests be taken on some or all the lots within the proposed subdivision (see items 4.3 and 4.4)
15. For each lot, the proposed elevation of the lowest floor of the building to be constructed on that lot.
16. All planned underground utilities, including sewer, drainage*, water, gas, electricity, telephone and cable TV. The size and location of all connections from the street to each lot shall be shown.

(*) Subdrains, downspout drains, storm drains, etc., from private property shall not to be tied into public drains unless otherwise authorized pursuant to the General By-laws of the Town of Seekonk.

17. Separate plans and profile of every street in the subdivision showing the following data:
 1. Exterior lines of the way with sufficient data to determine the location, direction and length.

2. Existing center line profile to be shown as a broken line.
3. Finished, designed profile to be a full line, with elevations shown every 50 feet except on vertical curves where the elevations shall be shown every 25 feet.
4. All drainage facilities to be shown on profiles, showing invert elevations, slope elevations, slopes and pipe size and material.
5. Water lines and sizes shall be shown at least five (5) feet below the center line and five (5) feet off the gutter. The location of all hydrants, valves, and other appurtenances shall be shown. Water lines shall be shown on the southerly and westerly sides of the road (see typical cross section in Appendix I).
6. Scales shall be horizontal 1" = 20', vertical 1" = 4'.
7. Elevations shall be based on the Massachusetts Coordinate System, North American Datum 1983 (NAD83), with units in U.S. Survey Feet. The vertical datum must be North American Datum 1988 (NAVD88). At least two permanent bench marks shall be referred to on the profiles.
8. All design work shall be done in accordance with acceptable engineering practice.
9. Proposed street names in conformance with the provisions of Section II Definitions Streets and Ways.
18. A locus plan of the subdivision showing relationship of the subdivision to the surrounding area, at one inch equals four hundred feet scale (1" = 400') unless otherwise shown on the Preliminary Plan.
19. Major site features, such as the location and outline of all existing buildings, stone walls, rock outcroppings, ridges and cliffs, isolated trees over ten inches (10") in diameter, wooded areas and orchards, swamps, wetlands and marshlands, streams and ponds, historic markers, milestones and bridges, any clearly defined trails, locations of known primary groundwater recharge areas, floodzones A & B, and general topography over 25% in slope gradient identified as such.
20. Proposed street trees and individual trees or wooded area to be retained within the sidelines of each street.
21. Where necessary due to proposed fill, tree wells shall be shown and provided for trees over ten inches (10") in diameter which are intended to be preserved.
22. Park or open areas within the proposed subdivision if any.

23. Application fee in accordance with the currently adopted fee schedule set forth in Attachment B of the Seekonk General By-laws.

5.4 Erosion and Sedimentation

Erosion and Sedimentation Control shall conform to Category 20B – Stormwater Management of the General By-laws.

5.5 Runoff Control

Runoff Control shall conform to Category 20C – Stormwater Management of the General By-laws.

5.6 Environmental Impact Statement

The developer shall be required to submit an environmental impact statement for proposed definitive subdivisions resulting in 4 or more lots for development. The purpose of this statement is intended to alert the developer to the possible adverse effects the subdivision may create on the environmental resources at the development site. The second purpose is to provide town officials with sufficient information on the impact the development will have on town services and resources in order that the town can plan to meet those needs. Per Section 4.5 the focus and scope of the Environmental Impact Statement shall be determined by the Planning Board at the Preliminary Plan stage. Where no preliminary plan has been filed the applicant shall be responsible for submitting an environmental statement in full conformance with the provisions and requirements of this section unless otherwise specifically waived by the Planning Board. In reviewing the statement, it is the intent of the Planning Board to use the information concerning the impact of the development on town resources for purposes of accepting or rejecting the Definitive Plan.

The Planning Board may waive the requirement for the submission of any section or sections of the statement which it seems inappropriate to the proposed development. IT IS THE INTENTION OF THE PLANNING BOARD TO GRANT WAIVERS AS A MATTER OF COURSE WHERE EXCESS IMPACTS ARE NOT ANTICIPATED. It is suggested, however, that the developer discuss the requirements with the Board prior to submission of a preliminary plan. The statement should be to the greatest extent possible a technical rather than a subjective document. References and calculations shall be submitted with the plan and the statement itself shall include the following elements unless waived by the Board.

5.6.1 If an Environmental Impact Statement is required, the original and six (6) copies shall be submitted.

5.6.2 Physical Environment

5.6.2.1 Soils

Provide a general description of soils on the site. Provide information on erodibility and the suitability of the soils for different uses. Provide information on the suitability of soils for flooding infiltration at such location(s) as the Planning Board, Board of Health, or Conservation Commission may require. The Planning Board may utilize the service(s) of the Soil Conservation Service to the Town Engineer to determine same, and may apply all or some of the costs of such services to the applicant.

5.6.2.2 Sub-surface Conditions

1. Indicate the range of the depth to bedrock and the location of bedrock outcroppings.
2. Indicate whether the site is located on an aquifer and note its approximate yield and/or saturated thickness. Also note the location of any recharge areas.
3. Describe any potential limitations to the proposed project that might be imposed by sub-surface soil and water conditions.
4. Evaluate the possible impact of sewage disposal methods on the quality of subsurface water. A determination of nutrient loading shall be required if a portion or all of the proposed development lies within the watershed or zone of contribution of a public water supply well(s), either existing or proposed. It shall be the responsibility of the Planning Board with written recommendations from the Water District, to determine whether the plan for subdivision falls, partially or totally, within the existing or proposed public water supply well's watershed or zone of contribution.
 - a. Determination of nutrient loading shall be done using available loading estimates from the local Board of Health, State or Federal performance standards (whichever is the more restrictive) and shall include, at a minimum:
 - i. The existing condition of the water body or water supply, including physical characteristics;
 - ii. The expected change in the condition of the water body or water supply as a result of the proposed development;
 - iii. The comparison, on a per acre basis, of the total nutrient loading from the proposed development with:
 - aa. The loading rate which would be expected or produce critical eutrophic levels in a water body, or in the case of water supply, the loading rate which

would produce nitrate-nitrogen levels in excess of five (5) parts per million, and/or:

- bb. The loading rate of those contaminants which the Planning Board and the Board of Health may necessarily require but which are only proved by the State of Massachusetts Listing of Primary Maximum Allowable Contaminant Levels in Water.
- iv. The proposal of measure to mitigate and reduce the nutrient loading if (3) above indicates that the per acre loading rate from the proposed development equals or exceeds the critical loading rate when combined with existing and potential development within the recharge area defined in 5.6.2.2.4 above. For these purposes, the following standards shall apply, unless the petitioner demonstrates to the Planning Board, with concurrence from the Board of Health, that other standards are appropriate for this project.

aa. Loading per person:

- 5 lbs. nitrogen/person/year;
- .25 lbs. phosphorus/person/year for those sewage disposal systems within 200 feet of any water body at the highest water mark;
- three persons per dwelling unit, and one dwelling unit per each 40,000 square feet of buildable lot area, unless and until public sewer is made available to each lot and connected.

bb. Loading from lawn fertilizers:

- 3 lbs. nitrogen per 1,000 square feet of lawn/year.

cc. Loading from street runoff:

- .19 lbs. nitrogen per lineal mile/one way/per day.
- .15 lbs. phosphorus per lineal mile/one way/per day.

cc. Critical eutrophic levels in fresh water concentration for total phosphorus = .02 mg/liter;

dd. Critical level for drinking water = 5 ppm, or 16.0 lbs./year, whichever is less,

The formula for estimating the average nitrate concentration appears below:

$$\begin{aligned} N \text{ (lbs./year)} &= N \text{ (lbs.0} \times 454,000 \text{ (mg/lb.)} \\ &R \text{ (gal./year} \times 3.8 \text{ (1/gal)} \end{aligned}$$

N = Total nitrogen load in pounds from septic tank effluent and lawn fertilizer sources.

454,000 = Conversion factor from milligrams to pounds.

R = Precipitation that recharges the groundwater (or 16" /year/acre).

3.8 = Conversion factor from liters to gallons.

5.6.2.3 Infrastructure

1. Water Supply

- a. Describe the source(s) of water supply that will be used to service the subdivision.
- b. Estimate what the daily average and the summer peak daily average demand will be for the proposed subdivision when completed.
- c. Fire Hydrant Placement in accordance with the National Fire Protection Association Water Supply Standards and the Seekonk Water District.

2. Solid Waste

- a. Estimate the amount and type of solid waste that will be generated by the subdivision per year.
- b. Indicate the most likely means of disposal and the probable disposal site (s).

3. Transportation

- a. List and indicate on a locus map of a scale 1" = 400' any regional and local highway arteries that will provide service to the subdivision. Where information is available, indicate the theoretical capacity (vehicles per hour) and the present usage (average vehicles per hour and average rush hour vehicles per hour) for these arteries.
- b. Describe and locate any mass transit facilities that will service the subdivision.

- c. Estimate the traffic generation rate from the subdivision (average vehicles per hour and average rush hour vehicles per hour).

4. Air Pollution

If the proposed development contains large air pollution generators such as incinerators, power plants, industrial or commercial heating units, industrial processing units, large parking areas or traffic generation, the developer may be required to submit the following:

- a. Where available, describe the daily average, eight hour average and maximum one hour concentration of air pollutants in the development site area. Include the following pollutants: sulphur dioxide, particulates, carbon monoxide, photochemical oxidants and hydrocarbons.
- b. Where information is available, note the standards which have been violated for the parameters listed above.
- c. Estimate the appropriate parameters the generation rates from those components of the development identified as large pollution generators.

5. Noise Pollution

For the developments judged to have the potential for large noise pollution impact the flowing information may be required.

- a. Provide information on the ambient noise level at the site.
- b. Estimate the potential increment caused by the development on the ambient noise level.

6. Social Environment

- a. Schools: Estimate the probable number of pupils by type of school that will be generated by the subdivision.
- b. Health Services: Comment on the overall age structure of the inhabitants of the subdivision and whether any particular services may be demanded.

- c. Recreational Facilities: Indicate whether the subdivision will include any recreational facilities. Note the type of facility and intended usage group.

7. Impacts and Conflicts

For the elements above which have been addressed, indicate where significant impacts may be imposed on the environment at the development site. Specify the source, severity and duration of each of the possible impacts. Discuss any action or alternatives that will be undertaken or investigated to ameliorate the damage.

Indicate further whether any significant conflicts or impacts with the Town's infrastructure, social structure or environment have been identified.

Indicate whether any modifications may be undertaken in the subdivision plan to lessen these potential town-wide conflicts. This town-wide information is requested for community planning purposes in order to better anticipate and provide for demands created on town services. This information may be used as a basis for accepting or rejecting the Definitive Plan.

8. Except as specifically considered and exempted by the Planning Board, the subdivision plan shall conform to the most recently adopted Master Plan of the town of Seekonk as to design and performance standard as set therein.

5.7 Review by Board of Health as to the Suitability of the Land

The Board of Health shall within forty-five (45) days after filing of the plan, report to the Planning Board in writing, approval or disapproval of said plan. If the Board of Health disapproved said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reason thereof in such report, and, where possible, shall make recommendations for the adjustment thereof. Every lot shall be provided with a suitable means of sewage disposal satisfactory to the Board of Health. The Planning Board may not approve a subdivision except in compliance with recommendations of the Board of Health.

5.8 Public Hearing

Before the approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board at the expense of the applicant at least fourteen (14) days prior thereto by advertisement in a newspaper of general circulation in the Town of Seekonk. A copy of said notice shall be mailed to the applicant and to all abutters as

defined in Section 2.2. Copies of said notice shall be sent to all appropriate town departments and boards.

5.9 Certificate of Approval

After the public hearing, but not later than ninety (90) days after submission of the Definitive Plan for a nonresidential subdivision, the Board shall vote to approve, modify and approve, or disapprove such plan.

After the public hearing, but not later than one hundred thirty-five (135) days after submission of the Definitive Plan for a residential subdivision, the Board shall vote to approve, modify and approve, or disapprove such plan. However, if an applicant has previously submitted a Preliminary Plan showing the proposed residential lots, then the Board must take final action upon the Definitive Plan within ninety (90) days of its submission. Actual approval shall be effective only after security is given in accordance with section VI.

- 5.9.1 The action of the Planning Board in respect to a Definitive Plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Planning Board (or by the signature of the person officially authorized by the Planning Board) but not until the statutory twenty day appeal period has elapsed following the filing of the certificate of action of the Planning Board with the Town Clerk and said Clerk has notified the Planning Board that no appeal has been filed, and surety, if required, is posted with the Town Clerk. The Planning Board shall specify as a condition of approval the period within which security must be given. Said period shall not exceed twelve (12) months (see Section 9.5.3).
- 5.9.2 Upon final approval, the Planning Board shall endorse the plan as approved and deliver the endorsed, approved Definitive Plan to the person who submitted such plan for recordation in the Land Court or the Registry of Deeds.
- 5.9.3 Final approval of the Definitive Plan does not constitute the laying out or acceptance by the town of streets within a subdivision. (Refer to Section 6.8.1, Street/Land – Initiation of Acceptance.)
- 5.9.4 If a Definitive Plan is disapproved and the developer resubmits a revised Definitive Plan within two (2) months of the date of disapproval, the Planning Board may not require a new public hearing. A new public hearing shall be required if a revised Definitive Plan is submitted more than two (2) months have passed since the date of disapproval.

5.10 Time Extension

If the need for additional time is indicated to resolve an application, the applicant may agree in writing to an extension of time to a given date.

SECTION VI

PERFORMANCE GUARANTEE

6.1 General

Upon Planning Board vote to approve a Definitive Plan but before the plan can be endorsed by the Planning Board and recorded, the applicant shall guarantee the construction of the subdivision in compliance with the approved plan and in accordance with the terms and conditions of such approval, by a bond or other security or with a covenant.

6.2 Bond or Security

The developer shall file a security in the amount deemed by the Planning Board to be sufficient to cover the estimated cost of all required work at the expiration of the time period specified by the applicant for the performance of said work. Said cost estimate shall include an estimate of the prevailing wage cost of labor to the Town should it undertake completion of the approved public improvements. The Planning Board's reviewing engineer shall review and confirm the appropriateness of the estimated prevailing wage cost adjustment included in the estimate. If at the elapse of the time period specified by the developer, the security shall be in automatic default. This period may be extended by vote of the Board of a specified time upon a written request of the developer, concurred in by surety, if any, and in writing.

Despite the aforementioned security, the Board does not warrant that roads with ancillary utilities and appurtenances depicted on the approved Definitive Plan will actually be constructed or that any of the lots shown will be usable as buildable lots.

The applicant may select from the following methods of security, and may from time to time vary the method or combination of methods:

1. Proper bond, sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision;
2. Deposit of money, or negotiable securities, such as certified check, savings certificates assigned to the Town and acceptable to the Town. All instruments shall comply with the requirements of G.L. c. 41, §81U. ;
3. Covenant, executed and duly recorded, running with the land, whereby ways and services shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgaged deed;
4. Agreement executed after the recording of a first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be made to the applicant and the lender and shall provide for the retention by the lender of funds sufficient to secure the construction.

The Board shall not accept a covenant not to build on an individual lot as surety to guarantee the installation of infrastructure that is required to serve other lots.

The Board shall not accept a letter of credit as surety, since a letter of credit is not negotiable security as required under G.L. c.41, §81U, ¶7(2).

6.3 Agreement

Whenever the bond does not clearly state the conditions, scope and time of performance secured thereby, a separate surety agreement shall be executed by the Planning Board on behalf of the Town, the developer and the surety company, if any, referring to the conditions under which the security referred to herein may be realized upon or the bond enforced. Such agreement, or a separate certificate given by the Board, shall enumerate the lots which may be built upon or sold and shall be in a form suitable for recording.

6.4 Extension of Time

When the time period for the performance of the required work is extended, such extension shall be subject to the conditions of the original bond or agreement, but the amount of security or the penal sum of the bond may be increased by the Planning Board to cover the estimated cost at the end of the extension period. Such continuation of conditions and any increase in the penal sum of the bond or the amount of security shall be accepted in writing as a condition of such extension by the developer and the surety company, if any.

6.5 Reduction of Security

Upon partial performance by the developer of the required work the Board shall, upon written request of the developer, reduce the penal sum of the bond or deposit held, to a sum bearing a direct and reasonable relationship to the expected cost including the effects of inflation, necessary to complete the work remaining. Such sum shall include an estimate of the prevailing wage cost of labor to the Town should it undertake completion of the approved public improvements. The Planning Board's reviewing engineer shall review and confirm the appropriateness of the estimated prevailing wage cost adjustment included in the estimate. Such reduction shall not affect the obligations of the developer and the surety with respect to the required work and the maintenance of streets and utilities until all such work is completed and the surety released, except as may be expressly voted by the Board.

6.6 Failure of Performance

Upon failure of the developer to satisfactorily complete all required work secured by a bond or other security within the time specified and in accordance with these Rules and Regulations, the Planning Board shall have the right to enforce the bond or realize upon the security to the extent of the reasonable cost to the Town of completing the required construction and installation

including any portion of such security necessary to cover the expenses incurred in conjunction therewith and return any amounts left after such completion to the developer.

6.7 Covenant

Instead of securing performance by a bond or other security, the applicant may elect to give the Board a covenant duly executed by the owner of record and consented to by other parties with property interests in the land, such as any mortgagee or tenant in common. Such covenant shall run with the land and shall provide that no lot secured by such covenant in the subdivision or any portion thereof shall be built upon or sold, other than by a mortgage deed, until the ways and the utilities or other required improvements to serve such lots have been constructed or installed to the satisfaction of the Planning Board, and the Board shall have voted to release such lots from the operation of said covenant. The covenant shall identify the lots restricted by its operation and the scope and, if appropriate, the geographic limits of construction and installation required for the release of such lots and may specify the time within which such construction and installation is to be completed. The Planning Board shall have the right to extend such time and continue the operation of the covenant at the developer's request, but the failure of the developer to complete the required work within the time specified or within the time so extended by the Board shall be a reason for the rescission of the approval of the subdivision, and any portion thereof subject to such covenant, in addition to other remedies provided by law. (See Form GG for a standard covenant agreement.)

When the Developer requests the early release of a covenant, before the total completion of the subdivision, the Board may, at its discretion, release the covenant upon receipt by the Board a satisfactory performance security as specified under Chap 41 M.G.L. Sect. 81 U sufficient, in the opinion of the Planning Board's consulting engineer, to cover the cost of completing the subdivision, including the prevailing wage cost of the project should the Town undertake the completion of the improvements, per the approved plans and conditions and to cover the cost of possible repairs, for the following two (2) years, or until the roads are accepted at the Town Meeting, whichever is earlier.

6.8 Release of Performance Guarantee

Upon the satisfactory completion of all required work, including the delivery of "as built" plans and certifications, the developer shall send a statement by registered mail to the Town Clerk and the Planning Board that the required construction and installation has been completed in accordance with these Rules and Regulations, enumerating the lots covered by the performance guarantee for such construction and installation and requesting the release of bond or other security or the release of lots from the operation of the covenant. Within forty-five days of such request, the Board shall either vote to release and return such bond or security, or vote to release the lots affected from the operation of the covenant, terminating the developer's obligations in connection therewith, or else the Board shall advise the developer by registered mail and the Town Clerk of the specific details of non-performance or failure to comply with these Rules and Regulations. If the Board fails to so notify the developer and the Town Clerk within said forty-five days, the Town Clerk shall issue a certificate that the covenant is void, with respect to any

lots, the release of which has been requested, or that all obligations under the bond or other security are terminated and it may be returned to the developer. Such certificate shall be in a form suitable for recording.

6.8.1 Street/Land – Initiation of Acceptance

Once the top course has been applied, the Planning Board shall retain a minimum of fifteen (15%) percent of the security amount. Upon seventy-five (75%) percent build out of the subdivision and any final corrective measures to the top course are completed by the applicant (see Section 8.5.5.2), the Planning Board shall retain a minimum of five (5%) percent of the security amount. At that time, the applicant may submit in writing to the Board of Selectmen, a formal request for Town acceptance of the bonded or otherwise secured streets or land to be dedicated. Once the Town accepts said streets or lands, the Planning Board shall release the resultant security amount. Approval of the definitive plan or release of security does not constitute the laying out or acceptance by the Town of streets within the subdivision.

6.8.2 Drainage System

Performance guarantees related to the drainage system shall not be released until one year following the approval of said drainage system by the Board or the Board's agents. Upon acceptance of the roadway as a public street, or as otherwise provided in the associated legal documents; maintenance of the drainage system shall be the responsibility of a homeowners association established for that purpose. All documents and easements related to the drainage system shall be recorded in the registry of deeds prior to the sale of the first lot in the development. The recorded documents shall include the provision of a deeded right to the Town of Seekonk to enter and make such repairs to the drainage system as necessary, in the event that a homeowners association fails to do so, and after appropriate notice to the association and opportunity to cure, and to seek reimbursement of any cost incurred from said association or the members thereof as appropriate under the law. A copy of the operations and maintenance plan and all pertinent easements and grants shall be provided to each homeowner no later than the final closing for each lot. Final transfer of the operation and maintenance of the drainage system from the developer to the homeowner's association shall be in accordance with the documents recorded in association with the establishment thereof.

6.9 Election of Performance Guarantee

As between a bond or other security and a covenant, the developer shall have the right to elect which performance guarantee type to use and the right to change from one type to the other from time to time, but the Planning Board shall have the right to specify the time of performance. Subject to the Town Treasurer's approval of the form and manner of execution, the Planning Board shall have the right to specify the penal sum of any bond or the type and amount of other negotiable security. The Board may, at its option and subject to the Town Treasurers approval,

accept as security any readily negotiable property of sufficient value, such as may comply to the requirements of Chapter 41 M.G.L. §81U. The Board may further in lieu of a bond or a deposit enter into an agreement with the holder of the first mortgage on the subdivision, which agreement shall provide for the retention of sufficient funds, otherwise due to the applicant, in the event of failure of timely performance of the required construction and installation and shall further provide that such undisbursed funds shall be available for the completion of the required work in the event of the developer's failure to perform such work.

The developer shall submit to the Planning Board a new plan of that part of the subdivision to be subject to the operation of the covenant. The board shall inscribe on such new plan a reference to the restriction of the covenant, and the plan shall be recorded, superseding the previously recorded plan which had no reference to the covenant. Copies of all covenants, agreements, releases and other actions by the Board shall be furnished to the Inspector of Buildings, who shall issue no building permit for any lot in a subdivision unless first satisfied that such a lot has been released for building and sale and is not restricted by the operation of a covenant.

- 6.10 When setting bond requirements or executing covenants, it shall be the policy of the Planning Board to consider the feasibility of developing the subdivision in a phased manner. If because of the number of planned lots the Board deems that the development could be done in phases, the Board shall consider this option in the setting, reduction and timing of bond requirements and/or the drawing up of covenants to cover the construction of ways, utilities and other required improvements.
- 6.11 A filing fee in accordance with the currently adopted fee schedule set forth in Attachment B of the Seekonk General By-laws, made payable to the Town of Seekonk, shall be submitted with every request for reduction of surety, partial release of covenant and final release of performance guarantee. For establishing or releasing covenants, the applicant shall record the covenant.

SECTION VII DESIGN STANDARDS

7.1 General

All subdivisions shall be designed and laid out so that in the opinion of the Board they meet the requirements of public safety including safe vehicular travel, adequate storm drainage, sewage disposal and water supply, utilities, as well as precautions against possible natural disasters. All streets in the subdivision shall be designed to provide for safe vehicular travel, livability and amenity of the subdivision. Dead-end streets and developments containing multiple cul-de-sacs shall be avoided. Subdivision design shall conform to the rules and accepted principles of correct land use, sound planning, and good engineering.

7.2 Streets

7.2.1 Location and Horizontal Alignment

- 7.2.1.1 All streets shall conform to topography, and where possible straight segments of over 300 feet which encourage speeding shall be avoided in minor streets. Collector and arterial streets shall facilitate safe movements of traffic by providing ample sight distances and by avoiding steep horizontal and vertical curves particularly at approaches to intersections.
- 7.2.1.2 Proposed streets shall conform as far as practical to master or study plans, if any, as adopted in whole or part by the Planning Board.
- 7.2.1.3 The Board may require a definitive subdivision plan to layout its ways so as to provide adequately for possible future connections to new ways and to allow for access to adjoining land, in order to promote through connections and eliminate dead-ends. Multiple cul-de-sacs within a subdivision is not acceptable. Streets shall be designed so that they connect with other streets and avoid the creation of cul-de-sacs. Cul-de-sacs are intended to provide temporary dead-ends and shall be designed and laid out to allow for future connections to either existing roadways or adjoining property. Cul-de-sacs shall not be utilized for the sole purpose of creating frontage to allow for additional lots for development.
- 7.2.1.4 Reserve strips prohibiting access to streets or adjoining property shall not ordinarily be permitted.
- 7.2.1.5 The minimum centerline radii of curved streets shall be not less than the following:
 - Arterial Streets.....800 feet
 - Collector Streets.....600 feet
 - Minor Street.....150 feet

7.2.1.6 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 (60) degrees, although in some cases the Planning Board may accept a lesser angle in the direction of travel.

7.2.1.7 Street intersection jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.

7.2.1.8 Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than twenty (20) feet at intersections of minor streets with other minor streets, and twenty-five (25) feet or greater at all other intersections. Said radii shall not extend onto, or into the public right of way directly in front of, abutting properties not part of the proposed subdivision.

7.2.1.9 A concerted effort shall be made to provide at least 500' of visibility in both directions on high-speed roads (i.e., 35 mph+) and at least 500' of visibility on lower speed roads for the establishment of bus stops when designing street intersections. New street within these distances from other streets, whether preexisting or new, will meet this standard for visibility from any intersection.

7.2.2 Width

7.2.2.1. The minimum width of street rights-of-way shall be not less than the following:

Arterial Streets.....	96 feet
Non-Residential Collector Streets.....	62 feet
Residential Collector Streets.....	60 feet
Local or Minor Streets.....	40 feet

The Planning Board may also accept other rights-of-way widths in the design of boulevards, parkways, or double roadways.

7.2.2.2. The minimum width for the roadway (pavement) shall not be less than the following:

	<u>Travel Lanes</u>	<u>Shoulder & Parking</u>	<u>Minimum Total Paved</u>
Arterial	12 ft. – four lane minimum	8 ft. – one on each side	64 feet
Non-Residential Collector	12 ft. – two lane minimum	8 ft. – one on each side	40 feet

Residential Collector	11 ft. – two lane minimum	8 ft. one on each side	38 feet
Local/Minor	12 ft. with sidewalks	-----	24 feet
	14 ft. without Sidewalks	-----	28 feet
Cul-de-sacs	See Detail	-----	See Detail

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

7.2.2.4 The minimum width of pavement for driveway entrances within the rights-of-way to residential lots shall be twelve (12) feet flaring to sixteen (16) feet at the curb line. Driveways shall not exceed 24' in width.

7.2.2.5 The minimum width of pavement for sidewalks, where required, shall be four (4) feet.

7.2.2.6 In all instances the design of streets and the location and construction of pavement, sidewalks, grass strips, curbs and utilities shall conform to the applicable cross-section (see Appendix I).

7.2.2.7 When necessary due to anticipated traffic load, the width of the right-of-way and pavement shall be increased in six (6) foot increments.

7.2.3 Grade

7.2.3.1 Grades of streets shall be not less than 1% nor greater than 8% for minor streets, not less than 0.6% nor greater than 9% for collector streets, and not less than 0.6% nor greater than 6% for arterial streets unless otherwise approved by the Planning Board.

7.2.3.2 On any street where the grade exceeds six (6%) percent on the approach to an intersection, a leveling area with a slope of less than one (1%) percent shall be provided for a distance of not less than fifty (50) feet measured from the nearest exterior line of the intersecting street. Where a subdivision roadway meets an existing public way, the entrance shall be graded so that runoff from the existing public way does not enter the subdivision drainage system.

7.2.3.3 Vertical curves are required whenever the algebraic difference in grade between centerline tangents is 0.5% or more. For minor and collector streets the minimum length of vertical curve shall be twenty-five (25') feet per 1% change of grade. Vertical curves

for arterial streets shall be in accordance with the most current design standards outlined by AASHTO in A Policy on Geometric Design of Highways and Streets.

7.2.3.4 All roadway pavements on minor or collector streets shall have a cross slope from the centerline of the roadway of no less than $\frac{1}{4}$ " inch per foot. Horizontal curves on collector streets may be superelevated in accordance with the most current design standards outlined by AASHTO in A Policy on Geometric Design of Highways and Streets. When a roadway changes directions on a hill, the pavement shall be sloped so that water will not drain from one side of the road to the other. Minor Streets shall not be superelevated.

7.2.3.5 All side slopes resulting from grading of streets and sidewalks shall not exceed one (1) foot vertical to three (3) feet horizontal in fill, one (1) foot to two (2) feet in cut, or one (1) foot to three quarters (3/4) foot in ledge. Retaining walls shall be employed where slopes cannot be contained within these limits.

7.2.3.6 On arterial streets, whenever the approved street grade and the grade of the adjacent land is such that side slopes of one (1) foot vertical to five (5) feet horizontal or steeper are created and/or if hazardous roadside features or appurtenances are present and cannot be removed or redesigned, the developer shall be required to install a protective guardrail. For collector and minor streets, the Planning Board may require guard rails where side slopes of one (1) foot vertical to three (3) feet horizontal or steeper are present and/or where hazardous roadside features or appurtenances are present and cannot be removed or redesigned.

7.2.4 Dead-end Streets

7.2.4.1 The length of permanent dead-end streets shall not exceed the frontage that would allow for a maximum number of six (6) lots having the minimum frontage permitted under zoning along each side of the street. This length can be exceeded if a permanent dead-end street traverses past lots that are not part of a proposed subdivision or serviced by said street. Where in the opinion of the Board safety and convenience will not be sacrificed or whenever the total length of a dead-end street exceeds one thousand (1,000) feet, or in non-residential subdivisions, the Board may require a special double roadway or parkway street.

7.2.4.2 Dead-end streets shall be provided at the closed end with a turnaround having a diameter of one hundred and five (105) feet and a property line diameter of at least one hundred twenty-five (125) feet, and with a forty (40) foot diameter landscaped island at the center point (see Appendix IV). Alternative designs may be permitted by the Planning board with the written recommendation of the Public Works Department and /or Fire Department. Such alternatives shall provide for sufficient area so that a vehicle with a turning radius of fifty (50) feet can execute a turnaround in one operation.

7.2.4.3 If a dead-end street is of a temporary nature, a temporary turnaround shall be provided if the street is greater than one hundred fifty (150) feet in length from the nearest intersection. Temporary turnaround easements shall be provided and they shall conform

to the dimension requirements of permanent turnarounds. Temporary turnarounds must meet specifications of permanent turnarounds, including bonding.

7.2.4.4 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 existing dead-end street.

7.3 Sidewalks

Sidewalks shall be designed in conformance with the currently applicable standards of the United States Access Board Public Ways Guidelines.

7.4 Easements

- 7.4.1 Easements for utilities and drainage facilities across lots, centered on rear or side lot lines, shall be provided where necessary, at least thirty (30) feet wide in all non-Conservation Subdivisions and at least twenty (20) feet wide in all Conservation Subdivisions, and located on land owned by the homeowner's association established for the proposed subdivision. Such easements will be submitted with and be part of the Definitive Plan and recorded as a separate document with the Registry of Deeds.
- 7.4.2 Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board shall require that there be provided a storm drainage easement of a minimum width of twenty (20) feet to conform substantially to the lines of such water course, drainage way, channel or stream, and to provide for construction or other necessary purposes.
- 7.4.3 Access easements to park and conservation land shall be secured for the benefit of the Town and shall be at least twenty (20) feet wide. Signage shall be erected by the applicant indicating such easements at appropriate locations, as determined by the Planning Board, prior to building permits being issued within the proposed subdivision.
- 7.4.4 An easement of at least twenty (20) feet wide shall be provided at the end of all dead end streets to the depth of the lots for future main tie-ins, except if no developable land exists on the adjacent property, as determined by the Planning Board.

7.5 Water Supply

- 7.5.1 No Definitive Plan shall be approved by the Planning Board unless provision is made for adequate supply of water to each of the lots in the subdivision and for purposes of fire protection.
- 7.5.2 Where feasible, water mains shall connect to the existing municipal system and extension to adjacent undeveloped land shall be required to be drawn on the Definitive Plan. Wherever possible, water mains shall be laid out to form a continuous loop with the existing or proposed system to avoid dead-ended pipes.

7.5.3 The minimum water main diameter shall be in accordance with Water District requirements.

7.5.4 Where development occurs outside the water service area of the Seekonk Water District or other public water supply the Planning Board shall require compliance with the applicable provisions of sub-section 8.3 Fire Protection of these regulations.

7.6 Storm Drainage Systems

The design of storm sewers, culverts, storage ponds and other drainage facilities shall be based on the calculations and requirements developed as per Section 5.5 of these rules and regulations or, if the Planning Board waives that section, shall be based upon the “rational method” or “Soil-Cover-Complex Method” as follows: 100 year design storm for culverts, bridges and storage/retention facilities, and 25 year design storm for storm sewers, catchbasins, manholes and other related drainage facilities.

7.7 Open Spaces

7.7.1 Before approval of a Definitive Plan the Board may require the plan to show a park or parks suitably located for playground or recreation purposes or providing light and air. In calculating the amount of land that shall be set aside as park land or open space, the following rates shall be applied: in R-1 or R-2 districts - .06 acre per dwelling unit; in R-3 or R-4 districts - .1 acre per dwelling unit. In no case shall the amount of land be more than ten (10) percent of the total area of the subdivision. The Planning Board may by appropriate endorsements on the plan require that no building be erected upon such land for a period of up to three (3) years without its approval. Within this time period the Town may if it desires purchase said land.

7.7.2 If the Board requires the developer to set aside land for parks or open space, it shall determine that such land is suitable for the intended purpose with respect to soils, topography, drainage or other characteristics which could restrict the use of the site. The Board may also require, where appropriate, that any land designated for open space be continuous with parks or open areas on adjacent sites, and have access provided which is acceptable to the Planning Board.

7.7.3 The provision, design, and location of open space and park areas shall reflect and protect any major site features, and any threatened or critical resources identified on site in the Environmental Impact Statement for a subdivision or through the course of the Planning Board review of an application.

7.8 Protection of Natural Features

In order to enhance and maintain property values and to protect existing natural characteristics within the subdivision, major site features as identified in the contents of the Definitive Plan and required in Section 5.3.19 Major site features, above, and any threatened or critical natural resource as may be identified in the environmental impact statement for the development or during the course of the Planning Board's consideration of an application, shall be preserved to the maximum possible extent, and not be removed or damaged except with the express approval of the Planning Board and/or the Conservation Commission. If it shall be the natural order of things to remove or damage said features in order to provide for the elements of the subdivision, the applicant shall take every means possible to replace and restore the land to its original definition based on reasonable Planning Board and/or Conservation Commission stipulations. Where feasible, the layout of lots and the location of buildings shall be accomplished with due regard driven to preserving the major site features so identified and located in the Definitive Plan.

SECTION VIII

CONSTRUCTION OF WAYS AND INSTALLATION OF UTILITIES

8.1 General

- 8.1.1 No drain, catch basin, utility, road subgrade or surface or any other improvement shall be backfilled, paved over or otherwise permanently covered until inspected by the Board or the Board's Agent, who shall confer with the Public Works Department in the field at the site, and found to be in conformance with these Rules and Regulations and applicable Town specifications. Water main installation shall be coordinated with and inspected by the Seekonk Water District.
- 8.1.2 The Planning Board shall provide the subdivider with a checklist of those improvements which are to be inspected and designate the appropriate Inspector. Refer to checklist, "Inspection of Construction", Form K.
- 8.1.3 The subdivider shall notify, in writing, the designated inspector or if he is not available, the Planning Board, at least two full working days prior to the time of each required inspection. The subdivider shall provide safe and convenient access to all parts of work to be inspected.
- 8.1.4 No work will be approved unless it has been inspected, and any work covered before being inspected shall be uncovered and inspected at the owner's expense, unless the applicant has requested such an inspection and the Planning Board or its agents did not inspect the work within one week through no fault of the applicant.
- 8.1.5 Standards of construction not otherwise specified hereunder shall be according to the latest standards of Mass Highway.
- 8.1.6 No clearing or cutting shall commence for any phase of the project until the Pre-Construction Checklist has been submitted, which is found in the rear of this publication.
- 8.1.7 Any violations of an approved Conservation Subdivision Definitive Plan shall be subject to a fine as described in the Penalty for Violations section of the Zoning By-laws. Violations of all other Definitive Plans shall be subject to the enforcement provisions of MGL Chapter 41, Section 81Y.

8.2 Utilities

8.2.1 Water Facilities

The Board shall require that water mains and appurtenances, such as hydrants, valves and all service connections, be installed to conform to specifications of the Seekonk Water District.

8.2.2 Other Utilities

1. All lots within the subdivision shall be provided with other necessary utilities such as gas, electricity, telephone and cable TV. Service connections shall be installed from the main utility to the exterior street line of each individual lot as shown in the approved Definitive Plan.
2. Electrical and telephone conduits in streets shall be placed underground unless the Board determines that such placement is not feasible or in the best interest of the Town.
3. Each utility system shall be laid out in conformance with the requirements of the respective utilities and the Seekonk Superintendent of Public Works.
4. Backfilling of utilities shall be as described in 8.4.4.
5. All utility poles, traffic signs, street signs, etc., shall be located not less than eighteen (18") inches from the gutter line or face of curb.
6. Where feasible, all gas main service connections will be located adjacent to water service connections. Where feasible, electric and telephone service will be located at side lot lines alternating with water and gas service.

8.3 Fire Protection

Adequate fire protection shall be provided for in accordance with the following requirements:

8.3.1 Fire Alarm Box

At least one (1) fire alarm box shall be required in a subdivision of 4 lots or more. The location of the fire box(es) shall be specified by the Fire Department. The fire alarm system shall be installed in accordance with the specification of the Fire Department and prior to the first residence within the subdivision receiving a certificate of occupancy from the Building Department.

One fire alarm box shall be placed every one thousand and six hundred (1,600') feet of roadway, or fraction thereof, within the subdivision. Distance shall be measured along the centerline of the proposed roadway.

In areas outside of the Seekonk Water District the Planning Board based on the recommendation of the Fire Department shall require one of the following methods to ensure an adequate supply of water for fire protection:

8.3.2 Individual Sprinkler System:

Individual residential unit sprinkler system in accordance with the specifications of the Seekonk Fire Department may be installed within individual residences within a subdivision when in the opinion of the Planning Board and the Fire Department such individual sprinklers are the best method of providing adequate fire protection.

8.3.3 Fire Safety Fee:

In lieu of providing said individual sprinkler system (8.3.2) an applicant may satisfy the fire protection requirement by providing a fee of (five thousand) \$5,000 per residential unit for the purchase, equipping, and maintenance of a Fire Department Tank Truck or other related fire suppression equipment. Said fee shall be submitted prior to the issuance of any building permit for construction of a residential dwelling on any such lot subject to this section.

8.4 Drainage

Adequate disposal of surface water shall be provided for in accordance with the following requirements:

- 8.4.1 Surface water shall be disposed of at intervals of three hundred (300') feet or less where deemed necessary by the Planning Board (see Appendix I for pipe bedding and backfill details). Where groundwater conditions require, such as trench excavation in areas with a high water table or highly permeable surface soils over impervious layers, open joint underdrains of not less than 6" diameter shall be installed and connected to a subsurface or surface storm drain, culvert or outlet.
- 8.4.2 Pipe, pipe size, grades, manhole and catch basin locations shall be in accordance with the latest MassDOT Project Development and Design Guide.
- 8.4.3 Catch basins, manholes, headwalls and pipe shall be in accordance with the latest MassDOT Construction and Traffic Standard Details.
- 8.4.4 Backfilling shall consist of suitable materials uniformly distributed and compacted. When suitable backfilling cannot be obtained from the excavation, the filling shall consist of ordinary borrow (MassDOT Material Specification M1.01.0). Both sides should be compacted to a 95% compaction level. No backfilling shall be placed on masonry or other structure without the specific prior approval by the Superintendent of Public Works or the Board's Agent. It shall be formed of successive layers not more than six (6") inches in depth, each layer being thoroughly compacted before the successive layer is placed.
- 8.4.5 Open culverts with a diameter of twelve (12") inches or greater shall be enclosed with a bar rack. The rack shall consist of vertical iron rods spaced five (5") inches on center and shall be removable for cleaning purposes.

- 8.4.6 All street drain grates shall be of a type as specified or approved by the Department of Public Works, they shall be placed perpendicular to the curb.
- 8.4.7 Inlet or throat stones shall be included at all catch basin locations with transition stones.
- 8.4.8 At least one (1) catch basin shall be installed in all cul-de-sacs.

8.5 Street and Roadway

- 8.5.1 The entire layout of each street or way shall be cleared of all stumps, brush, roots, rocks, boulders and like material and of all trees not intended for preservation.
- 8.5.2 All loam and other yielding material shall be removed from the roadway area of each street and beyond to where a one (1') foot vertical to two (2') feet horizontal slope from the gutter intersects hard material. The removed material shall then be replaced with suitable material. (See typical cross section in Appendix I)
- 8.5.3 All roadways shall be brought to a grade of fifteen and a half (15.5") inches below finished roadway and inspected before road construction continues. The foundation shall consist of ten (10") inches of gravel, free from foreign materials, well compacted and approved before paving. This gravel should not have any stones greater than six (6") inches in size. The finished fine grade course will consist of a two (2") inch gravel layer and this gravel shall not have any stones greater than two (2") inches in size. Completion of this work shall be done within one year from filing of the performance guarantee. The developer shall notify the Superintendent of Public Works before each phase of work is started.
 - 8.5.3.1 The completed gravel surface shall be compacted until a firm, even surface true to lines and grades is obtained.* Any gravel, which after being rolled does not form a satisfactory solid stable foundation, shall be removed by the subdivider and replaced with a suitable gravel surface.

(*) In accordance with the latest MassDOT standards, with the exception of reprocessed asphalt used in processed gravel, which will not be allowed.
- 8.5.4 The completed gravel surface shall be compacted until a firm, even surface true to lines and grades is obtained.* Any gravel, which after being rolled does not form a satisfactory solid stable foundation, shall be removed by the subdivider and replaced with a suitable gravel surface.

(*) In accordance with the Mass MassDOT, "Standard Specifications for Highways and Bridges".
- 8.5.5 After the completed gravel surface has been approved by the Superintendent of Public Works the final treatment shall be applied. This treatment shall consist of two (2) courses

of hot mix asphalt; the first being three (3") inches of a binder course (course graded) and the second being 1 1/2 inches of top course (fine graded). Before the top course is applied, the surface of the binder course shall be swept clean, dry and leveled where needed, and tack coated with emulsion designated RS-1 by machine spraying at a rate of 1/20 gallon per square yard. Paving shall be authorized from April 15 to November 15 of any given year, however; paving may not take place unless specific field conditions are met. Air temperature must remain above 35 degrees Fahrenheit and ground temperature must be a minimum of 40 degrees Fahrenheit and rising.¹¹ (See Appendix I for typical roadway sections.)

- 8.5.5.1 No building permits shall be issued on any lots shown on an approved definitive subdivision plan until the binder course and associated drainage structures are applied by the applicant and inspected and approved by the Planning Board or its agent. The Town Planner will then issue a letter to the Building Inspector stating that safe passage along the ways within an approved subdivision may occur. The certificate of safe passage shall, at a minimum, be conditioned upon the posting of the 911 address of all lots upon which construction activity is initiated, whether pursuant to a permit or not, and upon the maintenance of the roadway in a clean and safe condition free of obstructions or the accumulation of gravel, silt, soil, or other materials in the roadway. Such other conditions as deemed necessary by the Town Planner in accordance with the Planning Board's definitive subdivision approval or in coordination with other Town Departments may also be placed on the certificate.
- 8.5.5.2 The top course shall not be applied until at least one year following the application of the binder course. The applicant must maintain all aspects of the subdivision until the road has been accepted by the Town. Once the Building Inspector issues certificates of occupancy for seventy-five (75%) percent of the lots shown on a Definitive Plan, the top course of asphalt will then be inspected by the Planning Board or its agent. Any deficiencies found must be corrected to the satisfaction of the Planning Board before an applicant can request acceptance of the road.
- 8.5.6 Grades and Stakes – the subdivider will provide an original survey showing the base line or center line of construction as well as the location of stakes at fifty (50') foot intervals for the line and grade of the streets, utilities and culverts and for other major structures. The subdivider shall furnish, set, and maintain all stakes for the construction and grade of roadways, utilities, culverts and other structures at a minimum until the binder course is installed.
- 8.5.7 In all industrial developments, the paved width shall not be less than forty (40') feet and road surface shall consist of hot mix asphalt laid in two courses: three (3") inch binder and 1 1/2 (1.5") inch surface course. Before the top course is applied, the surface of the

¹¹Unless otherwise approved by the Superintendent of Public Works.

binder shall be swept clean, dry, and leveled where needed and tack coated with emulsion designated RS-1 by machine spraying at a rate of 1/20 gallon per square yard.

8.6 Curbing

1. Curbing shall be installed along each edge of all streets. Bituminous concrete curbing shall be M.D.P.W. Type I-1 (machine installed; see Appendix I). Curbing shall be set at a profile grade and be set on a foundation of not less than twelve (12") inches of gravel free from foreign material.
2. Standard granite curbing, M.D.P.W. V.A-4 shall be installed at all intersections (see Appendix I).
3. Granite or reinforced concrete inlets shall be installed at all catch basins.
4. Granite or precast concrete curbs shall be installed on all non-residential collector streets.
5. The Planning Board may approve poured on site concrete curb where conditions warrant a waiver.

8.7 Sidewalks

- 8.7.1. Sidewalks of not less than four (4') feet in width shall be constructed on one side of the street in conformity with specifications of the Town. Said sidewalks shall be required when they will connect to existing sidewalks.
- 8.7.2 Sidewalk construction – Sidewalks shall be constructed of either concrete or natural or precast pavers at the option of the developer.
- 8.7.3 Concrete Sidewalk Foundation – After subgrade has been prepared, a foundation of gravel shall be placed upon it. After being wetted and thoroughly rolled and tamped, the foundation shall be at least eight (8") inches in thickness and four (4") inches below and parallel to the proposed surface of the walk, except that at driveways it shall be six (6") inches below the proposed surface of the sidewalk unless otherwise directed. The walk shall have a pitch of 3/8 of an inch per foot of width to provide for proper drainage. There shall be expansion joints on concrete sidewalks at intervals of ten (10') feet; concrete mix to be 1:2:4 mix, four (4") inches thick.

8.8 Bikeways

Where the subdivision location is such that it may become part of a Town bikeway system or where the size of the subdivision, expected traffic flow, or expected bicycle use within the subdivision, makes bikeway provisions necessary, the Board may require the developer to make provisions in the design, layout, construction of the subdivision to provide for the safe and convenient use of bicycles. These provisions may include, but may not be limited to, the following: warning or information signs along the bike route, bikeway pavement stencils, a

special lane on a roadway marked off by a painted line. In certain cases, the Board may permit sidewalks to be used as bikeways. Under these circumstances, one of the two required sidewalks may be used as a bikeway. The sidewalk may be designed as a bikeway if additional pavement is provided as required by the Board. Where sidewalks are used as bikeways, curb cuts and ramps shall be required.

8.9 Monuments

8.9.1.1 Monuments shall be required at all street intersections, at all points of change in direction of curvature of streets or at other points where, in the opinion of the Planning Board, permanent monuments are necessary. Such monuments shall be made of granite and have minimum dimensions of 6"x 6" x 4', with a minimum reveal of 63" following installation. Where the monument is proposed to be located in a paved area or at the edge of a sidewalk it shall be installed flush with the surrounding grade to prevent a tripping hazard. No permanent monuments shall be installed until all construction which would destroy or disturb the monuments is completed.

8.9.2 A letter certifying that permanent monuments have been set and a plan showing the exact location of the monuments shall be submitted by a Massachusetts professional land surveyor. Distances of the monuments (offsets) to at least two fixed items shall also be provided in case said monuments cannot be located in the future (i.e. removal, buried, etc). In addition, an iron rod shall also be placed alongside all monuments to aid in finding said monument with a metal detector in the future.

8.10 Street Signs

Street signs of a design, material and number approved by the Planning Board shall be furnished and installed by the subdivider, in coordination with the Department of Public Works for each street intersection within the development. All street names shall be posted upon the commencement of the roadway's construction. A temporary street sign may be utilized during construction of the roadway, however a permanent street sign shall be installed prior to the issuance of a certificate of safe passage as required in Section 8.5.5.1.

8.11 Loam and Seed

Topsoil moved during construction shall be regarded and additional loam added where necessary in order to provide a permanent cover of not less than six (6) inches on all grass or planting strips, embankments and all other areas cleared or otherwise disturbed by construction. The loam cover shall be shaped, and a permanent grass cover established on all disturbed areas. Washouts and sunken areas shall be redone. No topsoil shall be removed from the subdivision site without prior approval of the Planning Board.

8.12 Shade Trees

8.12.1. Existing trees shall be preserved or new shade trees shall be planted on the lots, a minimum of five (5) feet and a maximum of ten (10) feet, from the street line, so that a

colonnade effect is achieved. Spacing between adjacent trees shall not exceed forty (40) feet. Planting of trees shall follow the U.S. Forest Service Planting Trees in Designed and Built Community Landscapes Checklists for Success:
http://www.na.fs.fed.us/spfo/pubs/uf/plant_trees/planting_trees.htm

8.12.2. Existing trees shall be preserved or new shade trees shall be planted on the lots, a minimum of five (5) feet and a maximum of ten (10) feet, from the street line, so that a colonnade effect is achieved. Spacing between adjacent trees shall not exceed forty (40) feet. New trees shall be planted in at least one-half (1/2) cubic yard of loam, guyed and wrapped as necessary to ensure their survival.

8.12.3. New trees shall be of the type that are resistant to breakage, long-lived and clean. They shall be a minimum of 2 ½ inch caliper width measured four (4) feet from finished grade. The following species are acceptable. Others may be acceptable on the basis of the recommendation of the Tree Warden of the Town of Seekonk.

Blackgum	Japanese Zelkona	Moraine Locust
Linden	Ginkgo (male only)	American Ash
Hickory	Thornless Honey Locust	London Planetree

8.13 As Built Plan

There shall be no unauthorized departure from an approved Definitive Plan or unauthorized waivers from these rules and regulations without prior approval of the Planning Board. Unauthorized changes may be subject to reconstruction. After final grading of the roadway and the graveled surface has been inspected and approved by the Department of Public Works and prior to the initial course of bituminous concrete, an as-built of the roadway showing location, line and grade of the proposed ways and drainage structures shall be submitted by a Professional Engineer or Registered Land Surveyor to the Public Works Superintendent and/or the Town Planner for their review and approval.

SECTION IX ADMINISTRATION

9.1 Waivers

Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control law. Waiver of compliance with zoning will not, however, be made without a previously approved variance granted by the Zoning Board of Appeals. All post approvals waivers shall be treated as a modifications of the approved plan and shall only be considered at a properly advertised and notice public hearing conducted for that purpose.

9.2 Appeals

The Zoning Board of Appeals shall act as the Board of Appeals for the appeals under the Subdivision Control Law, in accordance with Chapter 41, General Laws, Sections 81Z to 81AA; or appeals may be taken to the Superior Court, in accordance with Chapter 41, General Laws, Section 81BB.

9.3 Reference

For matters not covered by these Rules and Regulations, reference is made to Sections 81K to 81GG, inclusive, of Chapter 41 of the General Law.

9.4 Revision

These Rules and Regulations may from time to time be amended by majority vote of the Planning Board following a public hearing, in accordance with Chapter 41, General Laws, Section 81Q.

9.5 Rescission

- 9.5.1 The Planning Board may modify, amend or rescind its approval of an approved subdivision plan in accordance with Section 81W of the Subdivision Control Law. No action by the Board under this section shall affect lots which have been sold or mortgaged in good faith and for valuable consideration, nor shall such action affect any rights appurtenant thereto without the consent of the owners and mortgagees of such lots.
- 9.5.2 If within five (5) years of the approval of a Definitive Plan the developer has failed to begin work in a subdivision or portion thereof, this inaction shall constitute reason for the rescission of such approval.
- 9.5.3 Unless a time extension is granted by the Board, the vote to approve the subdivision is voided if surety is not posted according to section 5.9.1.

9.6 Enforcement

These Rules and Regulations become effective upon recording thereof or of any amendment, duly adopted by the Planning Board, in the Bristol County Registry of Deeds and may be enforced by the Planning Board through realizing upon security, enforcement of bonds, denial of permits, court injunction or mandamus and other measures as provided for in Chapter 41, MGL.

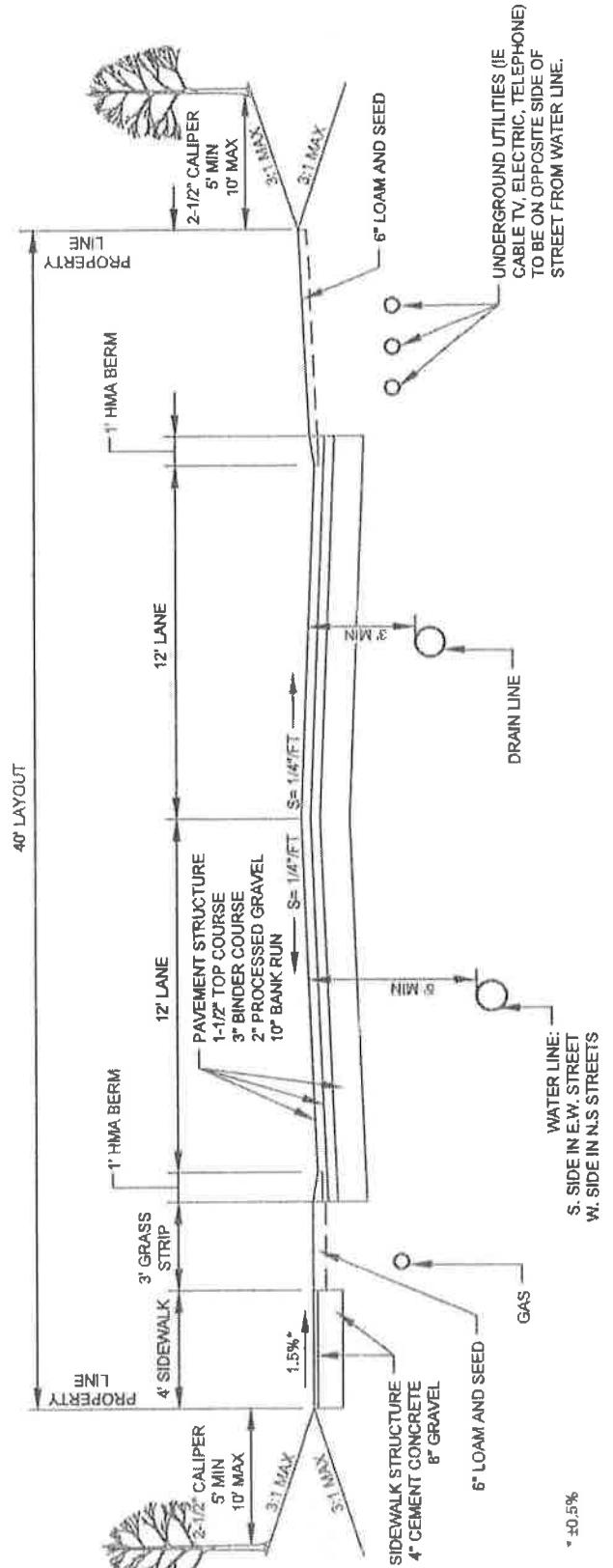
9.7 Effective Date

These Rules and Regulations or any revisions to them shall become effective following their adoption by the Planning Board, and upon transmittal of certified copies of them to the Register of Deeds and to the Recorder of the Land Court.



**Rules and Regulations
Governing the Subdivision of Land in
Seekonk, Massachusetts**

**Appendix I
CONSTRUCTION DETAILS**



TYPICAL CROSS SECTION - MINOR STREET w/ GRASS STRIP

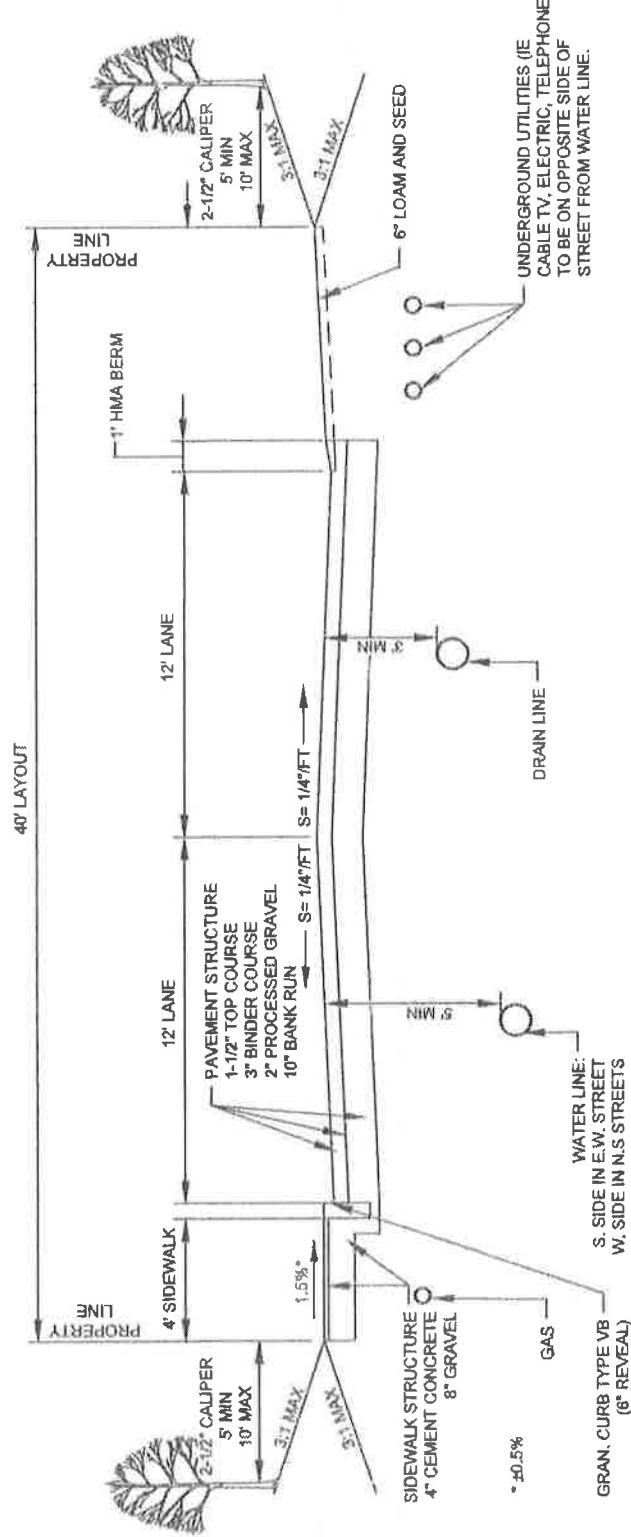
NOT TO SCALE

NOT TO SCALE

TOWN OF SEEKONK, MA STANDARD DETAILS



DETAIL NO. 1
JULY 18, 2018 **REV. 0**



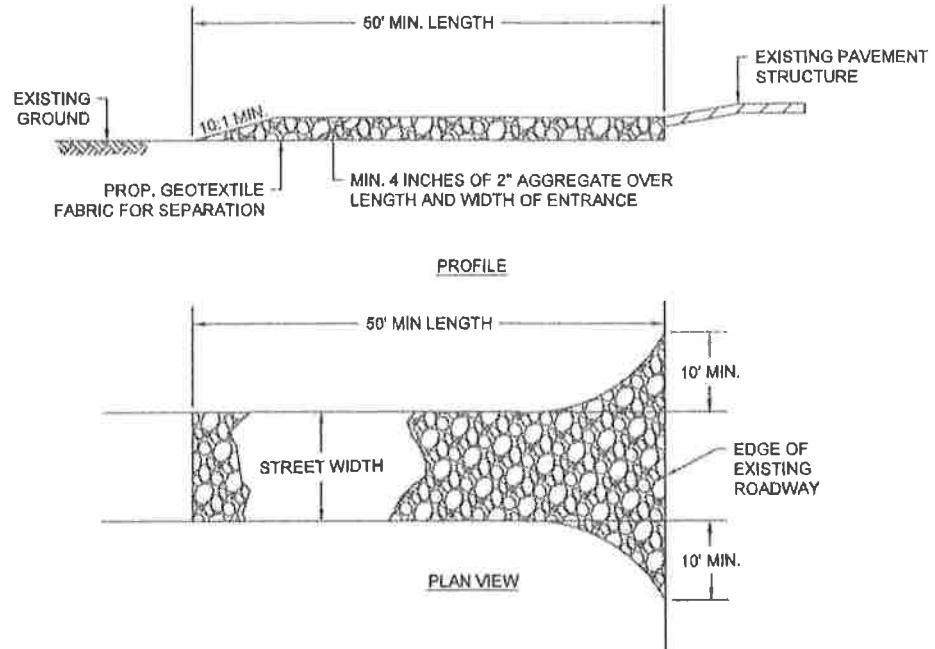
TYPICAL CROSS SECTION - MINOR STREET w/o GRASS STRIP

NOT TO SCALE

TOWN OF SEEKONK, MA STANDARD DETAILS



JULY 18, 2018 **REV. 0** **DETAIL NO. 2**



STABILIZED CONSTRUCTION ENTRANCE

NOT TO SCALE

CONSTRUCTION SPECIFICATIONS

1. PLACE STABILIZED CONSTRUCTION ENTRANCE IN ACCORDANCE WITH THE APPROVED PLAN. VEHICLES MUST TRAVEL OVER THE ENTIRE LENGTH OF THE SCE. USE MINIMUM LENGTH OF 50 FEET ACROSS ENTIRE WIDTH OF APPROVED ROAD. FLARE SCE 10 FEET MINIMUM AT THE EXISTING ROAD TO PROVIDE A TURNING RADIUS.
2. PREPARE SUBGRADE AND PLACE GEOTEXTILE FABRIC FOR SEPARATION.
3. PLACE CRUSHED AGGREGATE (2 TO 3 INCHES IN SIZE) AT LEAST 6 INCHES DEEP OVER THE LENGTH AND WIDTH OF THE SCE.
4. MAINTAIN ENTRANCE IN A CONDITION THAT MINIMIZES TRACKING OF SEDIMENT. ADD STONE OR MAKE OTHER REPAIRS AS CONDITIONS DEMAND TO MAINTAIN CLEAN SURFACE, MOUNTABLE BERM, AND SPECIFIED DIMENSIONS. IMMEDIATELY REMOVE STONE AND/OR SEDIMENT SPILLED, DROPPED, OR TRACKED ONTO ADJACENT ROADWAY BY VACUUMING, SCRAPING, AND/OR SWEEPING. WASHING ROADWAY TO REMOVE MUD TRACKED ONTO PAVEMENT IS NOT ACCEPTABLE UNLESS WASH WATER IS DIRECTED TO AN APPROVED SEDIMENT CONTROL PRACTICE.

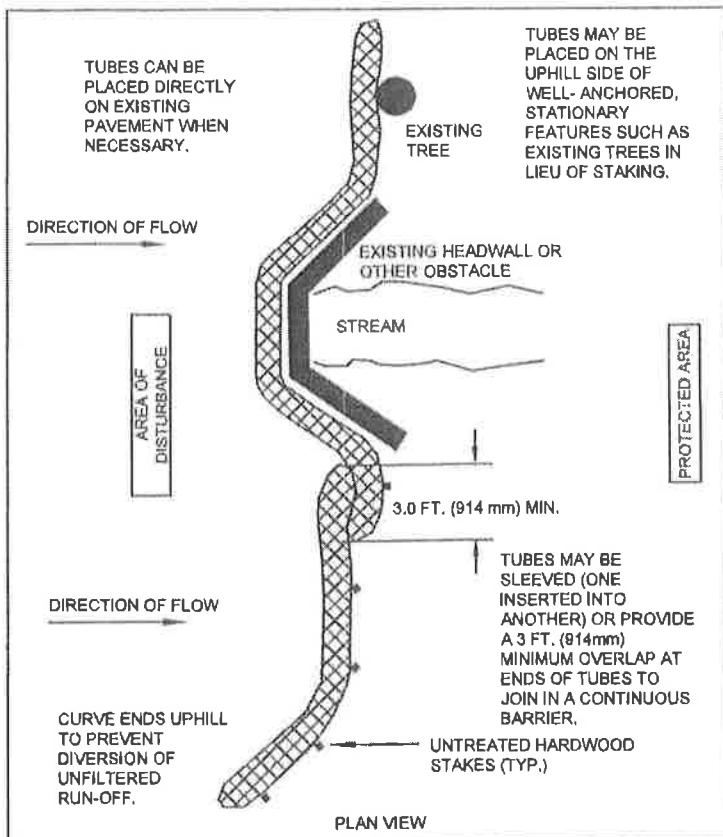


**TOWN OF SEEKONK, MA
STANDARD DETAILS**

JULY 18, 2018

REV. 0

DETAIL NO. 3



GENERAL NOTES:

1. PROVIDE A MINIMUM TUBE DIAMETER OF 12 INCHES (300mm) FOR SLOPES UP TO 50 FEET (15.24m) IN LENGTH WITH A SLOPE RATIO OF 3H:1V OR STEEPER. LONGER SLOPES OF 3H:1V MAY REQUIRE LARGER TUBE DIAMETER OR ADDITIONAL COURSING OF FILTER TUBES TO CREATE A FILTER BERM. REFER TO MANUFACTURER'S RECOMMENDATIONS FOR SITUATIONS WITH LONGER OR STEEPER SLOPES.
2. INSTALL TUBES ALONG CONTOURS AND PERPENDICULAR TO SHEET OR CONCENTRATED FLOW.
3. TUBE LOCATION MAY BE SHIFTED TO ADJUST TO LANDSCAPE FEATURES, BUT SHALL PROTECT UNDISTURBED AREA AND VEGETATION TO MAXIMUM EXTENT POSSIBLE.
4. DO NOT INSTALL IN PERENNIAL, EPHEMERAL OR INTERMITTENT STREAMS.
5. ADDITIONAL TUBES SHALL BE USED AT THE DIRECTION OF THE ENGINEER.
6. ADDITIONAL STAKING SHALL BE USED AT THE DIRECTION OF THE ENGINEER.

COMPOST FILTER TUBE
MINIMUM 12 INCHES (300mm) IN DIAMETER WITH AN
EFFECTIVE HEIGHT OF 9.5 INCHES (240mm).

TUBES FOR COMPOST FILTERS SHALL BE JUTE MESH OR
APPROVED BIODEGRADABLE MATERIAL, HOWEVER
PHOTO-BIODEGRADABLE FABRIC SHALL BE REMOVED AT END
OF CONTRACT.

TAMP TUBES IN PLACE TO ENSURE GOOD CONTACT WITH
SOIL SURFACE. IT IS NOT NECESSARY TO TRENCH TUBES
INTO EXISTING GRADE.

COMPOST TUBES SHALL BE STAKED OR LEANED AGAINST
SUPPORTS (TREES, CINDER BLOCKS) ON SLOPES 2:1 OR
GREATER.

WHERE NECESSARY, STAKING SHALL BE MIN. 1 INCH X 1 INCH
X 3 FEET UNTREATED HARDWOOD STAKES, UP TO 5 FT. (1.5m)
APART OR AS REQUIRED TO SECURE TUBES IN PLACE. TUBES
SHALL BE STAKED ACCORDING TO MANUFACTURER'S
SPECIFICATIONS.

UNDISTURBED SOIL & VEGETATION.
TUBES SHALL BE PLACED AS CLOSE TO LIMITS OF SOIL
DISTURBANCE AS POSSIBLE.

LIMIT OF WORK

SINGLE COMPOST FILTER TUBE DETAIL

NOT TO SCALE

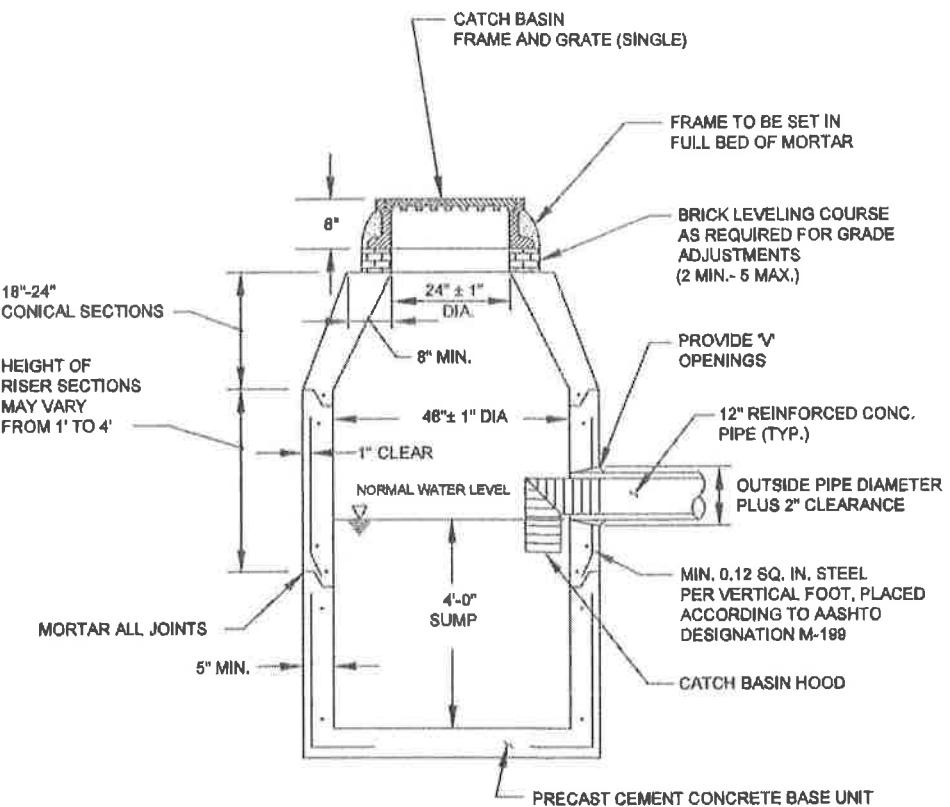


TOWN OF SEEKONK, MA STANDARD DETAILS

JULY 18, 2018

REV. 0

DETAIL NO. 4



CONCRETE CATCH BASIN (PRECAST)

WITH 4-FOOT SUMP

NOT TO SCALE

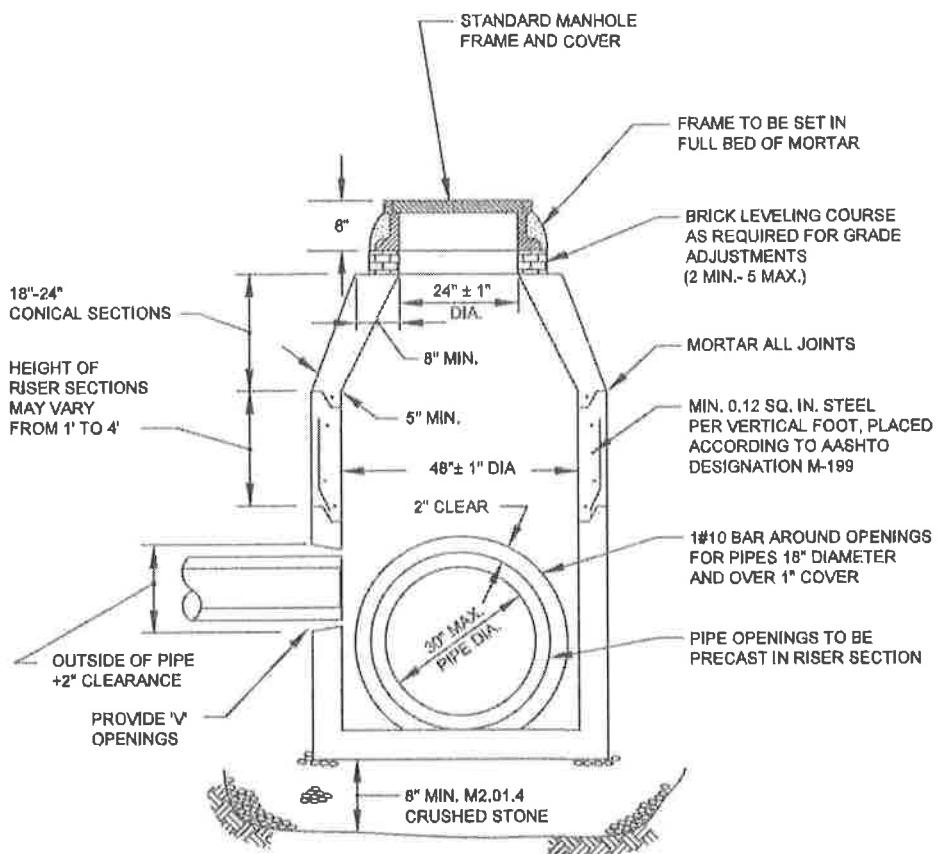


**TOWN OF SEEKONK, MA
STANDARD DETAILS**

JULY 18, 2018

REV. 0

DETAIL NO. 5



CONCRETE DRAIN MANHOLE (PRECAST)

8 FEET OR LESS IN DEPTH
NOT TO SCALE

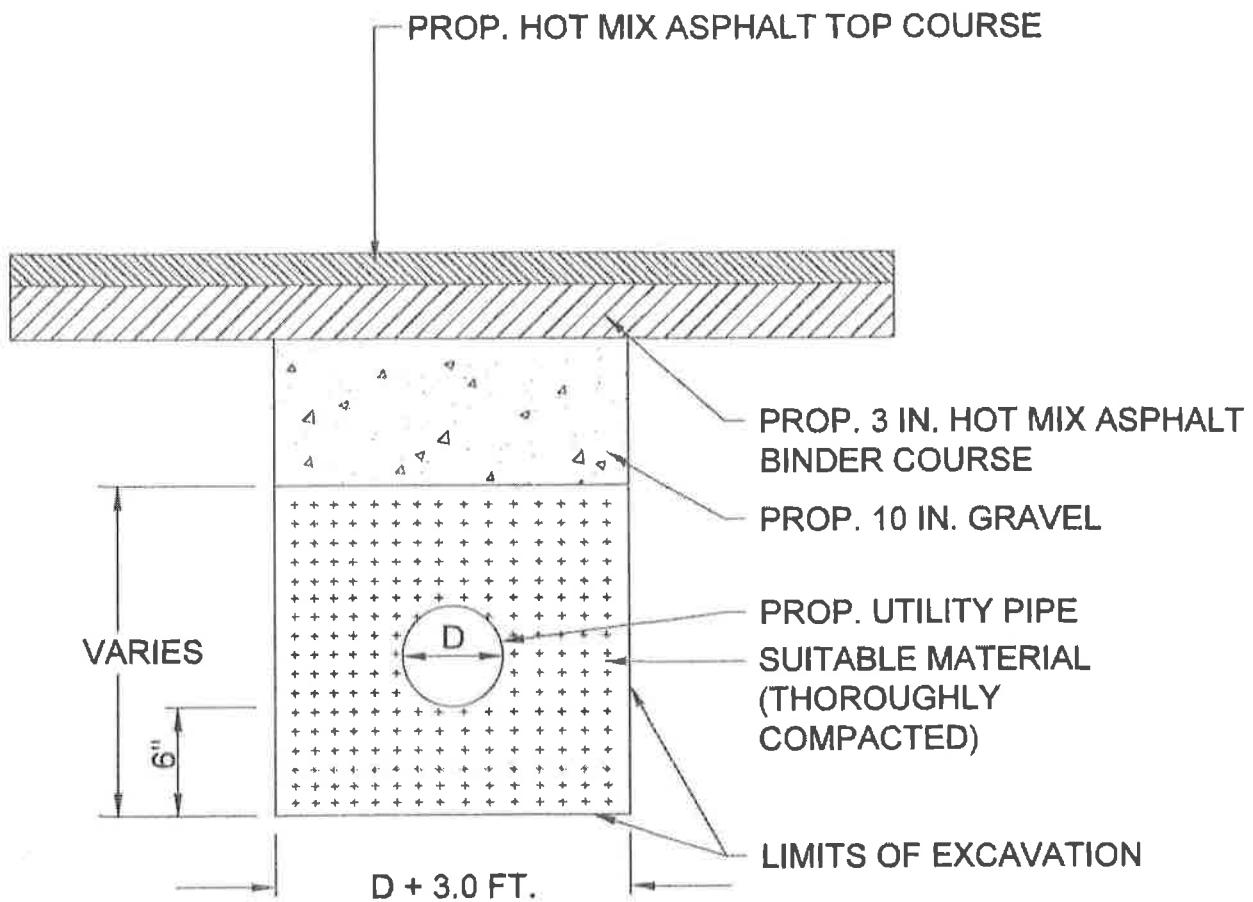


TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018

REV. 0

DETAIL NO. 6



UTILITY TRENCH DETAIL IN ROAD

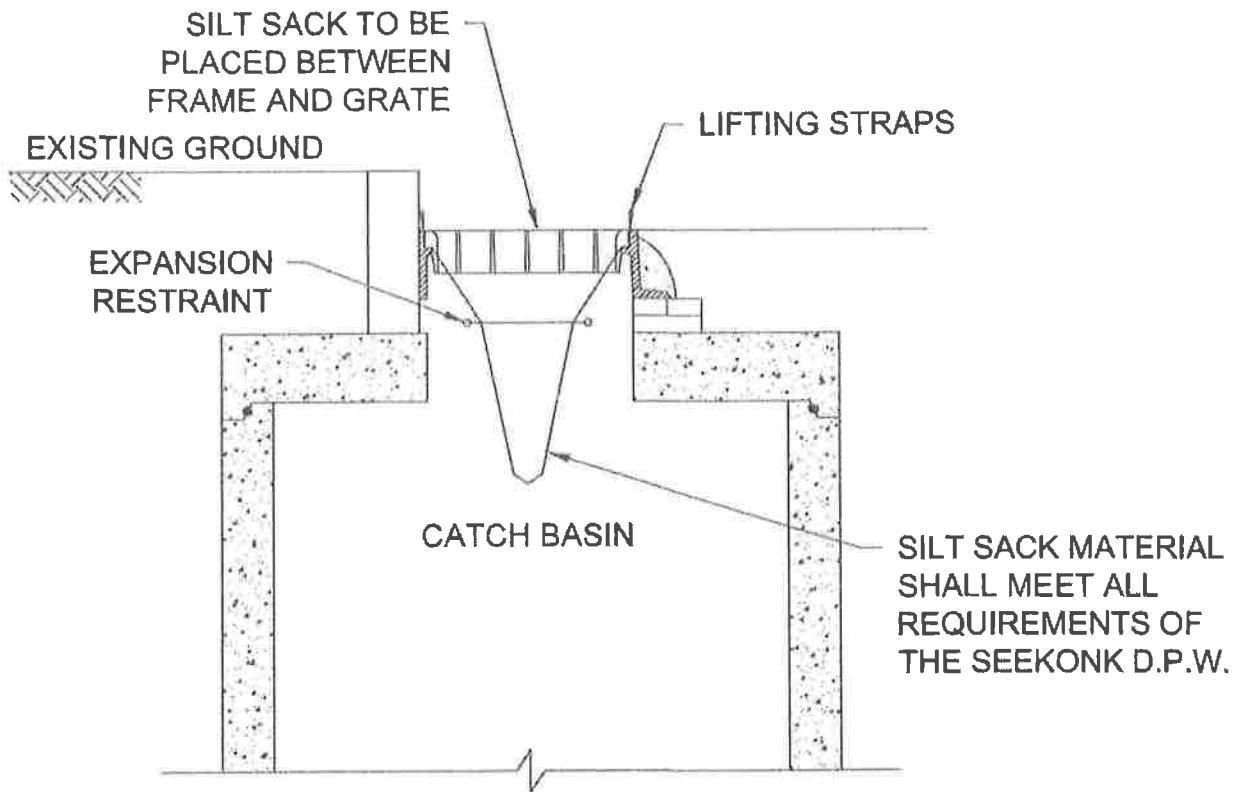
NOT TO SCALE



TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018
REV. 0

DETAIL NO. 7



NOTE: SILT SACKS SHALL BE PLACED IN ALL EXISTING AND INSTALLED CATCH BASINS WITHIN THE VICINITY OF NEW CONSTRUCTION UNTIL THE SITE HAS BEEN FULLY STABILIZED. SILT SACKS SHALL BE CHECKED WEEKLY AND CLEANED AND/OR REPLACED AS NEEDED.

SILT SACK INSTALLATION

NOT TO SCALE

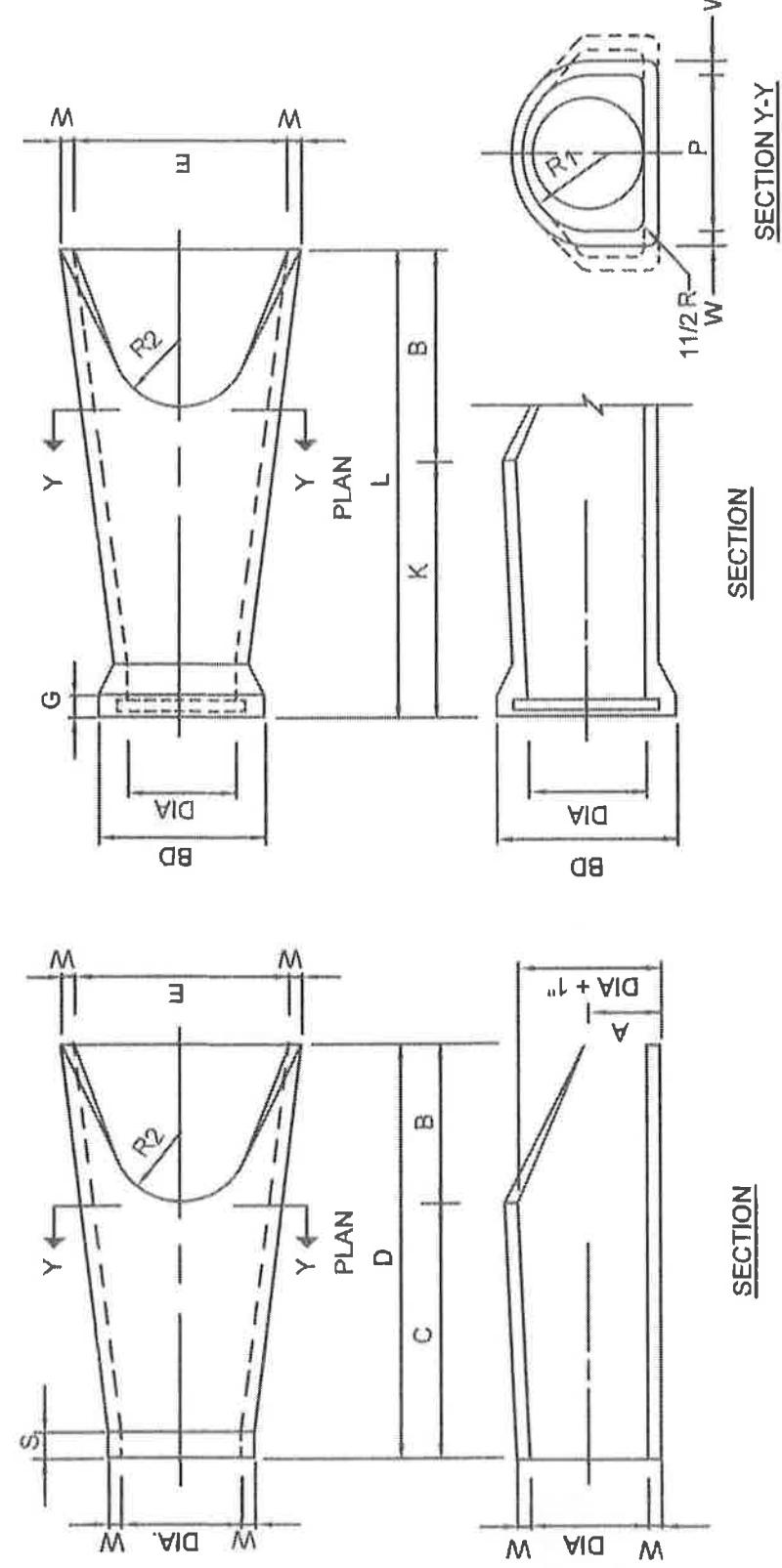


TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018

REV. 0

DETAIL NO. 8



DIA.	W	A	B	C	D	E	BD	K	L	P	DIA +1"	R1	R2	S	G	SLOPE
12"	2"	4"	2'-0"	4'-0 $\frac{7}{8}$ "	6'-1 $\frac{3}{8}$ "	2'-0"	4'-6 $\frac{1}{16}$ "	6'-6 $\frac{1}{16}$ "	19 $\frac{15}{16}$ "	13"	10 $\frac{1}{16}$ "	9"	4"	2 $\frac{1}{2}$ "	3:1	
15"	2 $\frac{1}{4}$ "	6"	2'-3"	3'-10"	6'-1 $\frac{1}{2}$ "	2'-6"	4'-3 $\frac{11}{16}$ "	6'-6 $\frac{1}{16}$ "	24 $\frac{5}{16}$ "	16"	12 $\frac{1}{2}$ "	11"	4"	2 $\frac{1}{2}$ "	3:1	
18"	2 $\frac{1}{2}$ "	9"	2'-3 $\frac{1}{2}$ "	3'-10"	6'-1 $\frac{1}{2}$ "	3'-0"	4'-3 $\frac{7}{8}$ "	6'-6 $\frac{7}{8}$ "	29"	19"	15 $\frac{1}{2}$ "	12"	4"	2 $\frac{3}{4}$ "	3:1	
24"	3"	9 $\frac{1}{2}$ "	3'-7 $\frac{1}{2}$ "	2'-6"	6'-1"	4'-0"	36"	3'-0 $\frac{1}{2}$ "	6'-8"	33 $\frac{3}{16}$ "	25"	16 $\frac{3}{16}$ "	14"	4"	3"	3:1

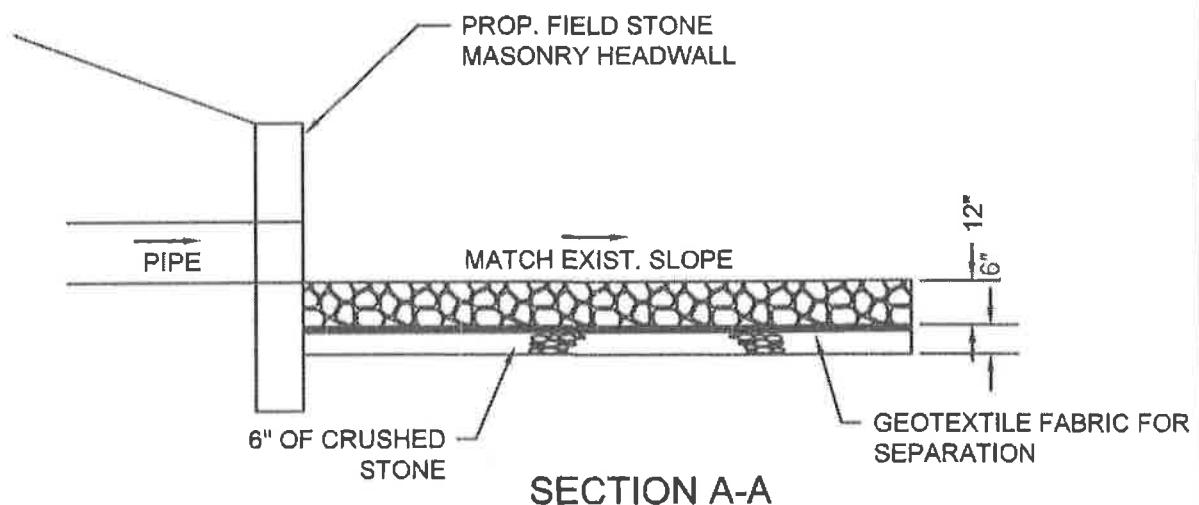
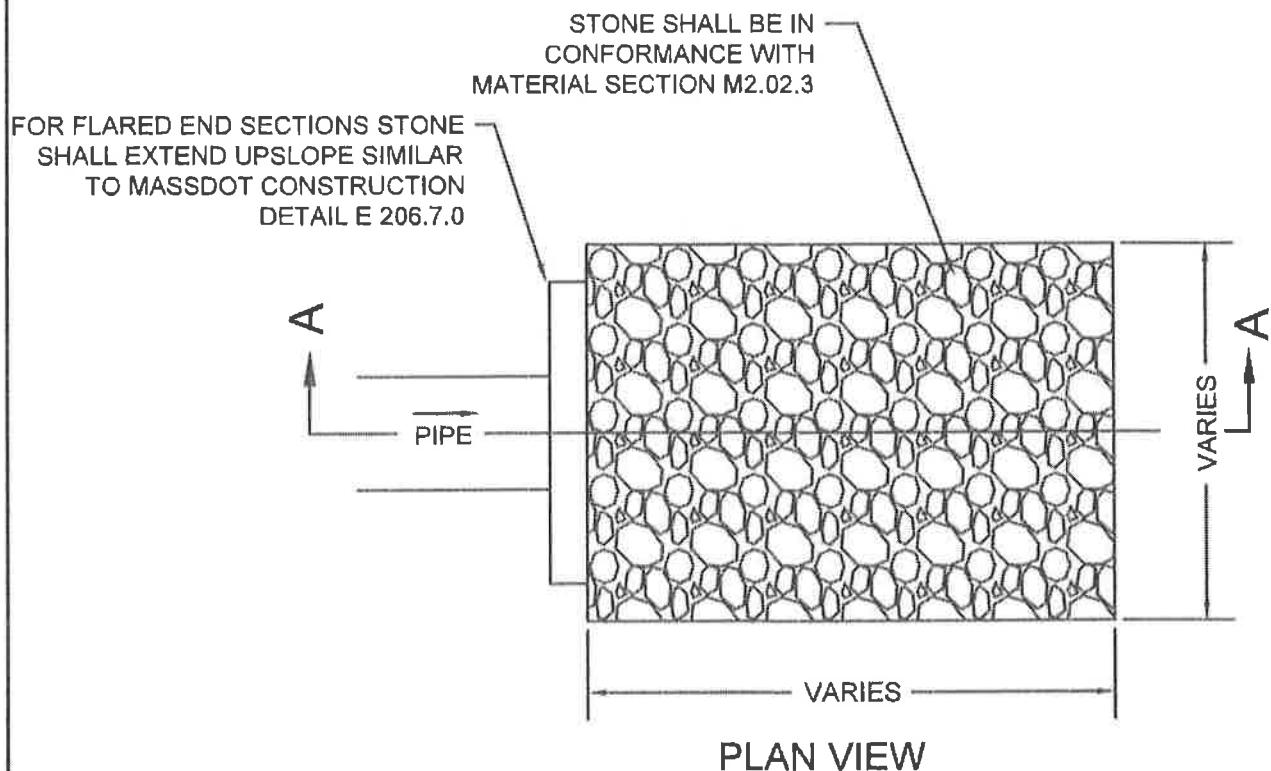
FLARED END SECTION

NOT TO SCALE

TOWN OF SEEKONK, MA
STANDARD DETAILS



JULY 18, 2018	REV. 0
DETAIL NO. 9	



STONE FOR PIPE ENDINGS W/BEDDING

NOT TO SCALE

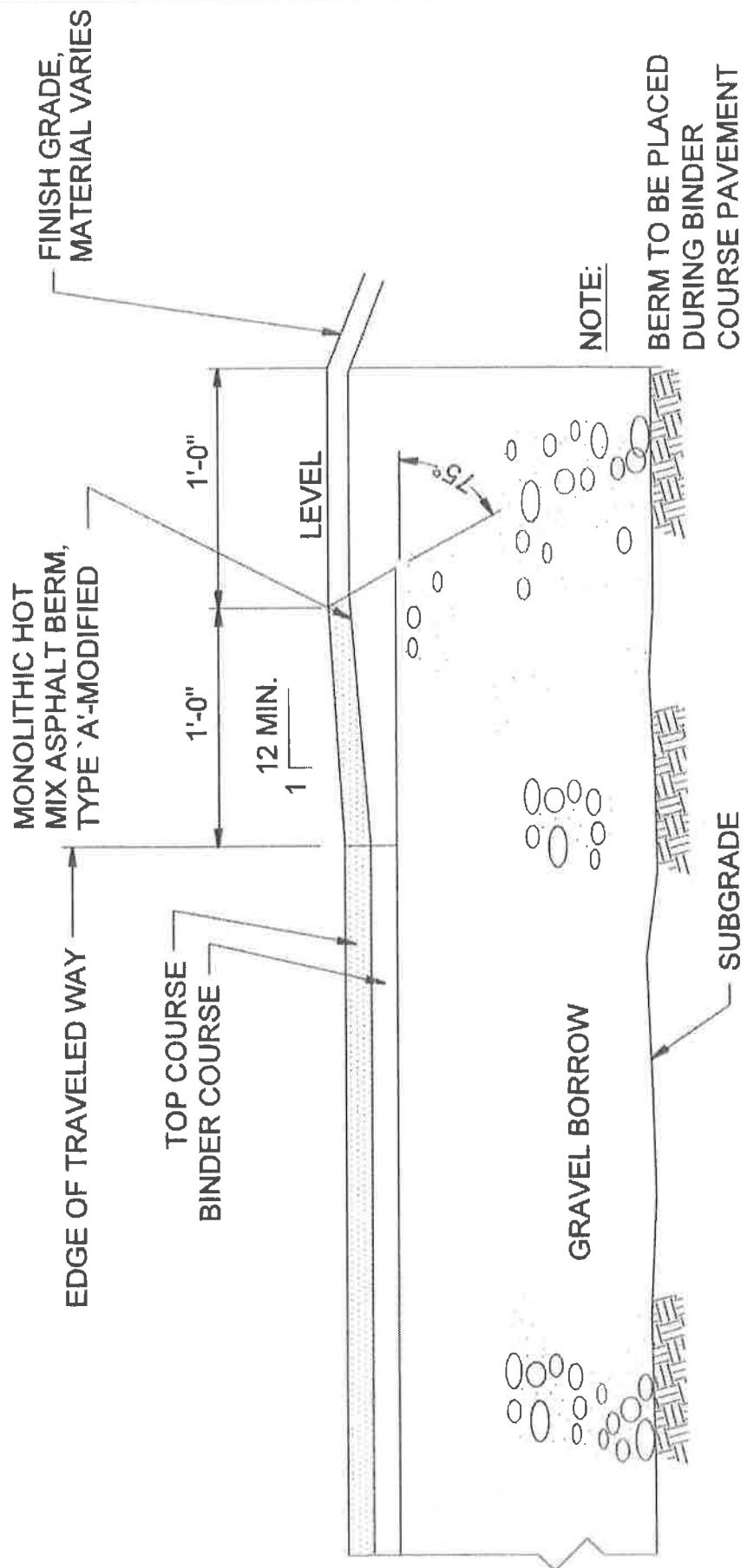


TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018

REV. 0

DETAIL NO. 10



BERM TO BE PLACED DURING BINDER COURSE PAVEMENT OPERATIONS. TOP COURSE ON BERM TO BE PLACED AT THE SAME TIME AS TOP COURSE OF ADJACENT PAVEMENT.

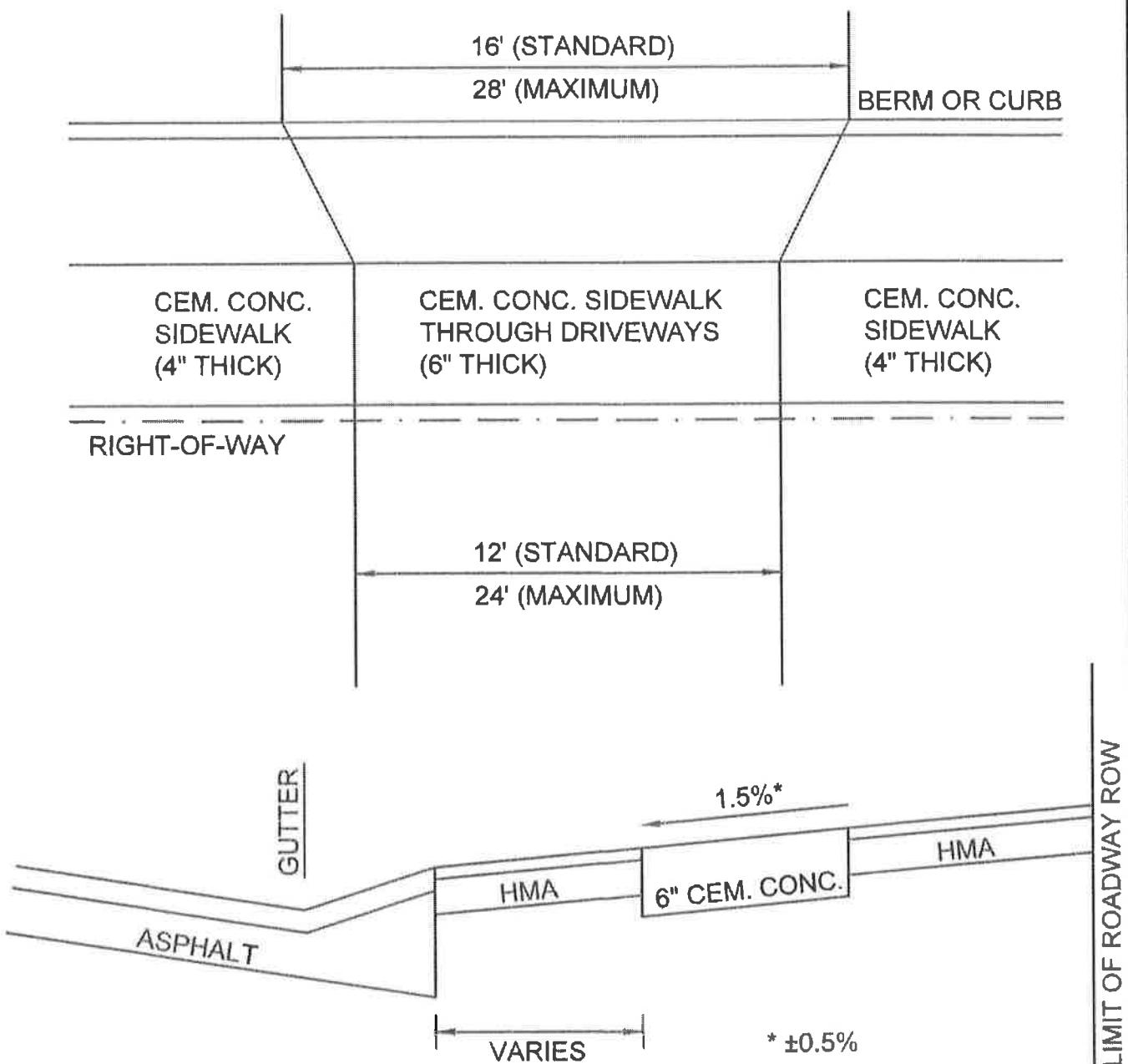
HOT MIX ASPHALT BERM, TYPE "A"-MODIFIED

NOT TO SCALE

TOWN OF SEEKONK, MA
STANDARD DETAILS



JULY 18, 2018	DETAIL NO. 11
REV. 0	



DRIVEWAY SECTION

NOT TO SCALE



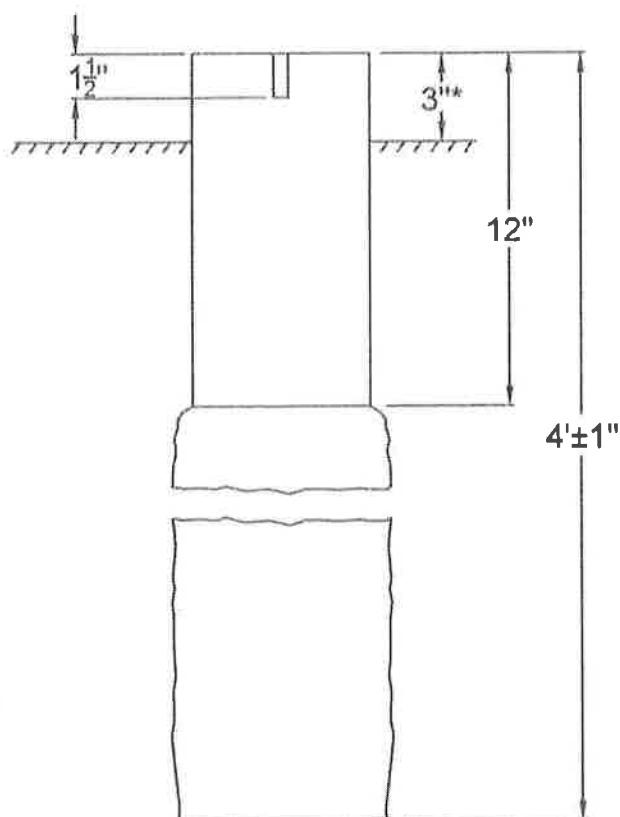
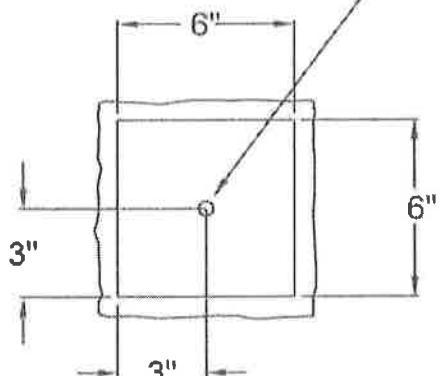
TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018

REV. 0

DETAIL NO. 12

1/2" DIA. HOLE IN CENTER OF TOP 1-1/2" DEEP;
FLARED AT BOTTOM; RAMMED WITH LEAD ROPE
TOP AND TOP 12 INCHES TO BE POINTED.



PLAIN

GRANITE BOUND
NOT TO SCALE



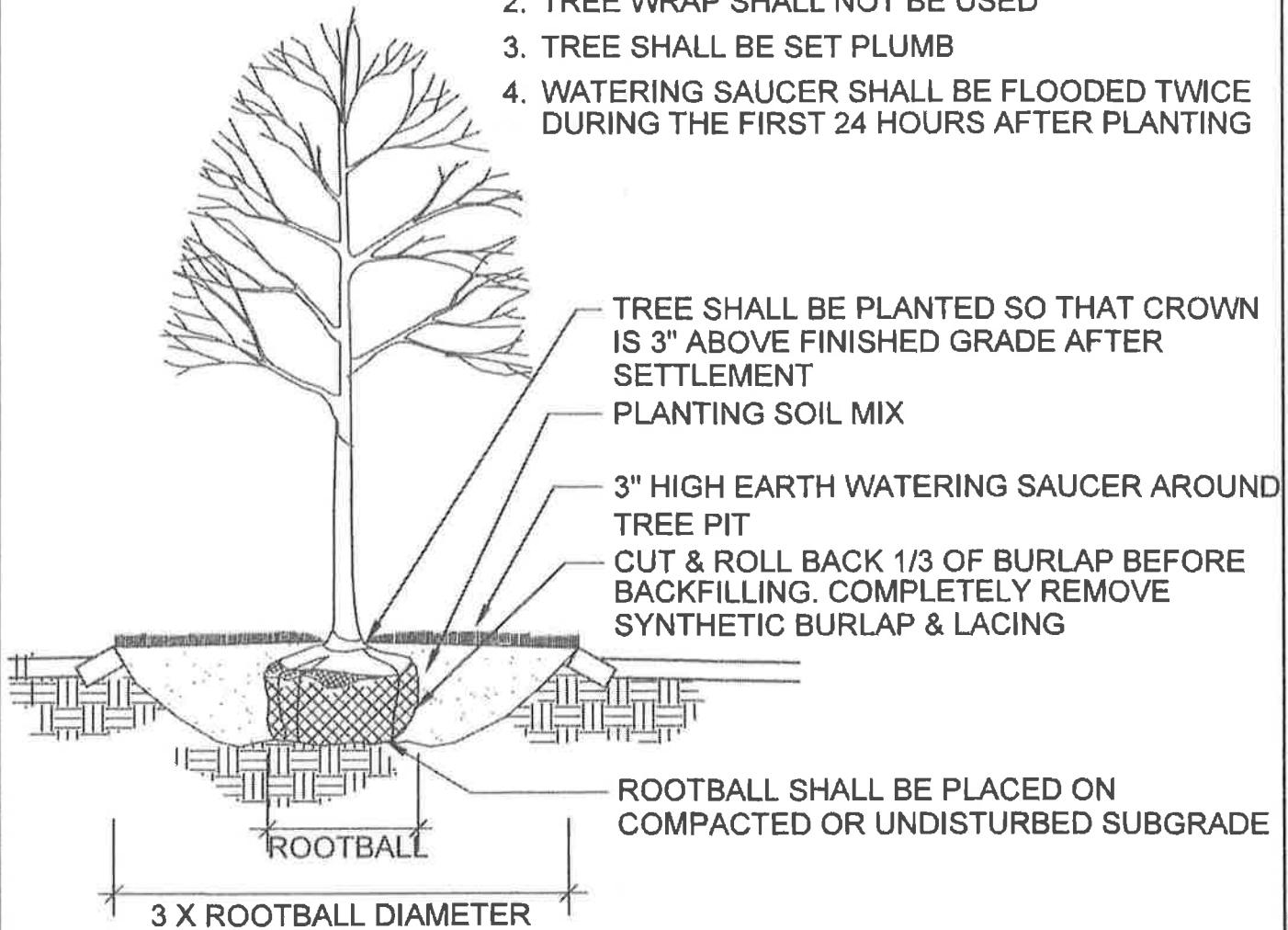
TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018
REV. 0

DETAIL NO. 13

NOTES:

1. DO NOT CUT LEADER
2. TREE WRAP SHALL NOT BE USED
3. TREE SHALL BE SET PLUMB
4. WATERING SAUCER SHALL BE FLOODED TWICE DURING THE FIRST 24 HOURS AFTER PLANTING



DECIDUOUS TREE PLANTING

NOT TO SCALE



TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018

REV. 0

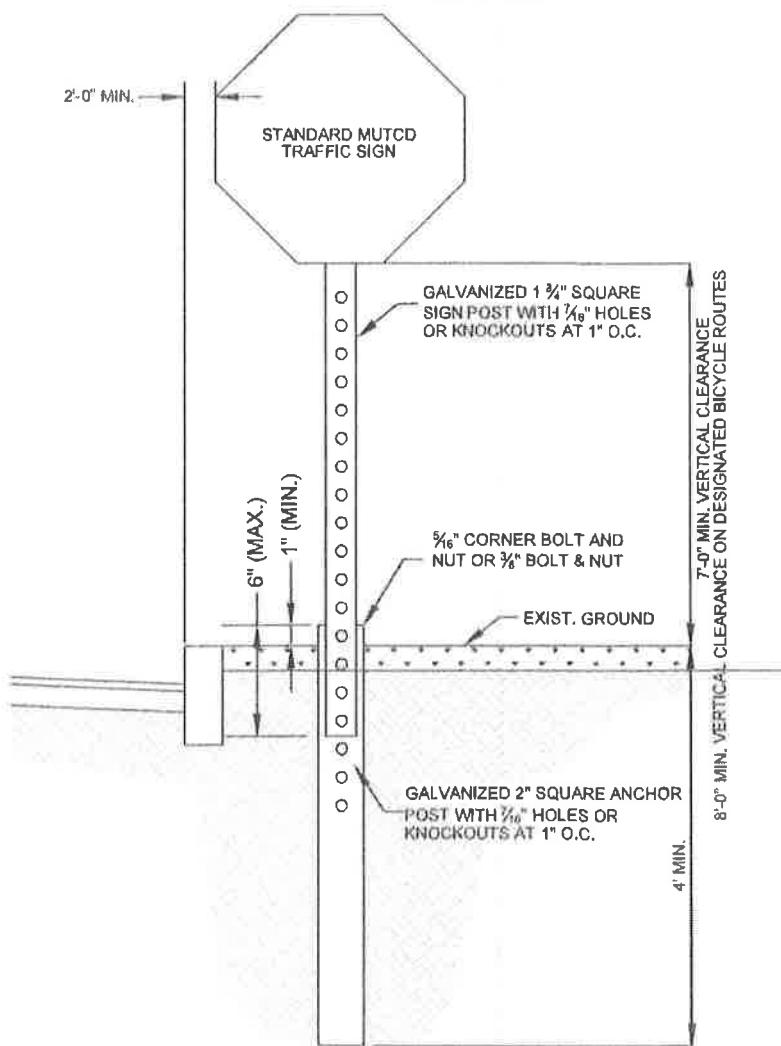
DETAIL NO.14

NOTES:

1. TYPICALLY, SIGNS SHOULD BE ERECTED INDIVIDUALLY ON SEPARATE POSTS EXCEPT WHERE ONE SIGN SUPPLEMENTS ANOTHER OR WHERE DIRECTIONAL SIGNS MUST BE GROUPED. WHEN USING SUPPLEMENTAL SIGNS, DO NOT OVERLAP WITH THE PRIMARY SIGN. WARNING AND REGULATORY SIGNS SHALL NOT BE COMBINED. IF IN DOUBT ABOUT COMBINING SIGNS, CHECK WITH THE TOWN ENGINEER.
2. SIGNS SHALL BE LOCATED SO THAT THEY DO NOT BLOCK OR OBSCURE OTHER SIGNS.
3. THE OUTER EDGE OF A SIGN SHALL BE OFFSET A MINIMUM OF TWO FEET HORIZONTALLY FROM THE FACE OF CURB, WHERE SIDEWALK IS LESS THAN FIVE FEET WIDE, ONE FOOT FROM FACE OF CURB IS PERMISSIBLE.
4. SIGNS SHALL BE INSTALLED TO PROVIDE 7 FEET OF VERTICAL CLEARANCE ABOVE SIDEWALKS OR ANY LOCATION WHERE PEDESTRIANS MAY BE PRESENT (8 FEET OF VERTICAL CLEARANCE SHALL BE PROVIDED ON DESIGNATED BICYCLE ROUTES).

TRAFFIC SIGN INSTALLATION NOTES

NOT TO SCALE



TRAFFIC SIGN INSTALLATION

NOT TO SCALE



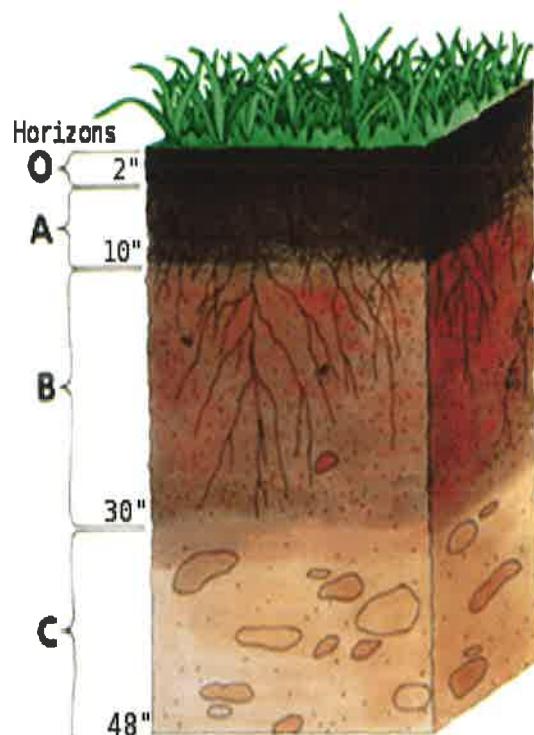
**TOWN OF SEEKONK, MA
STANDARD DETAILS**

JULY 18, 2018

REV. 0

DETAIL NO. 15

Soil Profile



Most soils have three major horizons --
the surface horizon (A)
the subsoil (B),
and the substratum (C)

Some soils have an organic horizon (O)
on the surface, but this horizon can also be buried.

The master horizon, E, is used for horizons that
have a significant loss of minerals (eluviation).

Hard bedrock, which is not soil, uses the letter R.



TOWN OF SEEKONK, MA
STANDARD DETAILS

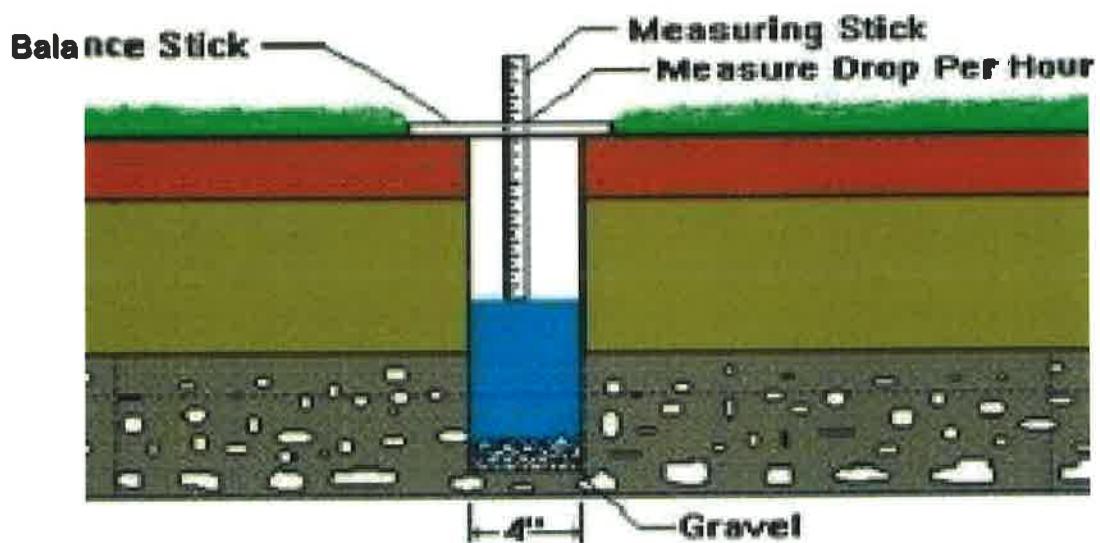
JULY 18, 2018

DETAIL NO. 16

Rev. 0

Seekonk Board of Health

FIELD MEASUREMENT OF PERCOLATION RATE



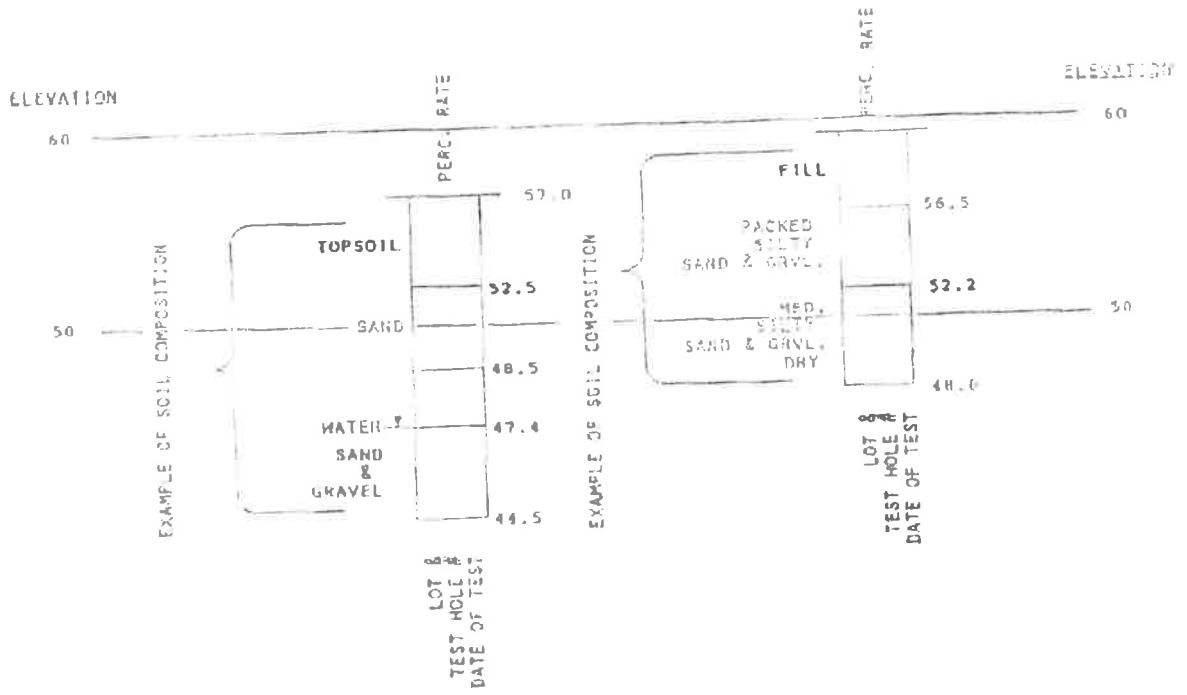
TOWN OF SEEKONK, MA
STANDARD DETAILS

JULY 18, 2018

DETAIL NO. 17

Rev. 0

Seekonk Board of Health



**TOWN OF SEEKONK, MA
STANDARD DETAILS**

JULY 18, 2018

Rev. 0

DETAIL NO. 18

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TOWN OF SEEKONK

FORM **A**

PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771

1-508-336-2961

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: _____

Applicant Name _____ Phone No. _____

Applicant Address _____

Address of Subject Property _____

Subject Property Plat No. _____ Subject Property Lot No. _____ Present Zoning _____

1. Deed of property recorded in Bristol County Registry, Book No. _____ Page No. _____

2. Name of Engineer or Surveyor _____ Mass Lic. No. _____

Address _____

Brief Description of lot lines being changed and why:

Checklist Form A:

- Application Form (2 x)
Please note: both copies must be originals, 1 copy for Planning, 1 copy for Town Clerk
- Application fee, ck# _____
Please note: \$100 per lot, \$200 minimum, (made payable to the Town of Seekonk)
- Certificate of Good Standing, completed and signed by Tax Collector
- Plans received in CD or DVD format
- Plans received (1) Mylar, (4) prints, (1) 11" X 17", (see sec. 3.3.4 of Rules & Regs.)

To the Planning Board:

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

Received by Planning Board or Town Clerk:

Date _____

Applicant:

*Signature of Applicant _____

Time _____

Print Name _____

*Signature _____

Address of Applicant _____

Owner:

*Signature of Owner or Notarized letter (if applicable) _____

Print Name _____

Address of Owner _____

***Please use blue pen to sign**



TOWN OF SEEKONK

FORM **B**

PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771

1-508-336-2961

APPLICATION FOR APPROVAL OF PRELIMINARY PLAN

Date: _____

Applicant Name: _____ Phone No.: _____

Applicant Address: _____

Address of Subject Property: _____

Subject Property Plat No.: _____ Subject Property Lot No.: _____ Present Zoning: _____

1. Deed of property recorded in Bristol County Registry, Book: _____ Page: _____

2. Name of Engineer or Surveyor: _____ Mass Lic. No.: _____

Address: _____

3. Location and Legal Description of Property (Include Public and Private Ways Bounding Property)

Checklist Form B:

- Application Form (2x)
Please note both copies must be originals, 1 copy for Planning, 1 copy for Town Clerk in accordance with the requirements of §4.1 and §4.2.1 of the Planning Board Regulations
- Application fee \$300 per plan, ck# _____ (made payable to the Town of Seekonk)
- Certificate of Good Standing, completed and signed by Tax Collector
- One copy of "Certified List of Abutters" Form G and the original drawing of the Definitive Plan
- Plans received (9) prints, (1) 11" X 17", (see sec 4.1 and 4.2 of Rules & Regulations) and (3) upon approval

To the Planning Board:

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

Received by Planning Board or Town Clerk:

Date

Applicant:

*Signature of Applicant

Time

Print Name

*Signature

Address of Applicant

Owner:

*Signature of Owner or Notarized letter (if applicable)

Print Name

Address of Owner

*Please use blue pen to sign

Protect Name: _____

Date: _____

FORM B-3/81W

Fee: \$300

DEFINITIVE SUBDIVISION PLAN MODIFICATIONS

TO THE PLANNING BOARD:

The undersigned herewith submits the accompanying MODIFICATIONS FOR THE

SUBDIVISION ENTITLED _____ PREVIOUSLY

approved by the PLANNING BOARD ON _____ FOR REVIEW.

1. Name of Applicant: _____

Applicant Address: _____

Applicant Phone: _____

Applicant Email: _____

2. Location of Project: _____

Plat _____ Lot _____

3. Original date on plan _____ Revision Date(s) on plan _____

Description of modifications made: _____

I have completed the enclosed signature page for the revision of this subdivision plan to the applicable departments for further review.

Through this application, the applicant gives the Planning Board and its agents the right to access the property above referenced for review of this application.

(All signatures must be in blue ink)

Owner's Signature: _____

Owner's Name (please print) _____

Owner's address: _____

Form B-3/81W (Modification to Previously Approved Definitive Subdivision Plan):

- \$125 plus \$50/ affected lot— Check shall be made payable to the Town of Seekonk ***NEEDS TO BE ADOPTED BY BOS***
- A certified check for the Planning Board's consultant's review of the definitive subdivision plan in the estimated initial amount of the actual cost of such review(s) Check shall be made payable to the Town of Seekonk
- 2 Original Application forms
- 3 full-size copies of the plan Three (3) copies of all other accompanying materials, as specified in the Planning Board's current Rules and Regulations Governing Subdivision of Land and/or the current Zoning By-Laws. • Three (3) copies of all other accompanying materials, as specified in the Planning Board's current Rules and Regulations Governing Subdivision of Land and/or the current Zoning By Laws.
- Seven (7) 11" X 17" copies of the plan
- Certified abutters list (all direct abutters to the subject property, all abutters to the abutters within 300' of the exterior boundaries of the subject property, and those separated by a street).
- Drainage report
- Check to cover the actual cost for mailings associated with the application (due at the time of application submission, payable to United States Postal Service).
- Check to cover the actual cost of the publication of the legal notice for the public hearing on the application (due on or before the date of the public hearing, payable to The Free Press).
- Prior to the Planning Board's endorsement of the mylar(s), six (6) copies of the final approved plans must be submitted to the Planning Board office. Final plan shall also be submitted on a Windows compatible CD in DXF (drawing exchange file) format.

NO PLANS/APPLICATIONS SHALL BE ACCEPTED UNLESS THE APPLICANT PROVIDES ALL THESE MATERIALS AT THE TIME OF SUBMISSION. Any incomplete submissions shall be cause for disapproval by the Planning Board. The applicant shall log in all applications with the Town Clerk by receiving the stamp of the Town Clerk on the application forms. The stamped application forms and all application materials shall then be submitted to the Planning Board (office) by the applicant.



TOWN OF SEEKONK

FORM **C**

PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771

1-508-336-2961

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

Date: _____

Applicant Name: _____ Phone No.: _____

Address: _____

Plat No.: _____ Lot No.: _____ Present Zoning: _____

1. Deed of property recorded in Bristol County Registry, Book: _____ Page: _____

2. Name of Engineer or Surveyor: _____ Mass Lic. No.: _____

Address: _____

3. Location and Legal Description of Property (Include Public and Private Ways Bounding Property)

Checklist Form C:

- Application Form (2x)
Please note: both copies must be originals, 1 copy for Planning, 1 copy for Town Clerk
- Application fee with current Preliminary plan \$500 per subdivision and \$250 per proposed lot. Current preliminary plan approval date: _____
Ck# _____ (payable to the Town of Seekonk)
- Application fee without Preliminary plan \$800 per subdivision and \$250 per proposed lot,
Ck# _____ (payable to the Town of Seekonk)
- Certificate of Good Standing, completed and signed by Tax Collector.
- One copy of "Certified List of Abutters" Form G and the original drawing of the Definitive Plan
- Plans received in CD or DVD format after approval

- Consultant Review Fees – check made payable to the Town of Seekonk – fee to be determined after submission of application. Payment must be received prior to review (submission complete once received)
- Inspection Fees – check made payable to the Town of Seekonk – fee to be determined after submission of application. Payment must be received prior to endorsement of Subdivision Plan
- Plans received (11) prints, (1) 11" X 17" (see 5.3 of Rules & Regulations)
Six (6) upon approval and (1) Mylar.
- Stormwater Management Plan and Erosion & Sedimentation Control Plan – per Massachusetts Stormwater Standards as stated in DEP Stormwater Management Handbook Volumes 1 & 2; and Categories 20B and 20C of the Seekonk Town By-laws. Applicant responsible for forwarding (1) copy of Plans and Drainage Report to Consulting and Inspecting Engineers. Planning Office will advise who the Consulting & Inspecting Engineers are once application is received.
- List of all requested waiver from the Rules and/Regulations Governing the Subdivision of Land in the Town of Seekonk

To the Planning Board:

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

Received by Planning Board or Town Clerk:

Date

Applicant:

Time

*Signature of Applicant

*Signature

Print Name

Address of Applicant

Owner:

*Signature of Owner or Notarized letter (if applicable)

Print Name

Address of Owner

*Please use blue pen to sign



TOWN OF SEEKONK

FORM **D**

PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961

APPLICATION FORM FOR APPROVAL OF SITE PLAN REVIEW

Date: _____

Applicant Name: _____ Phone No.: _____

Applicant Address: _____

Address of Subject Property: _____

Subject Property Plat No.: _____ Subject Property Lot No.: _____ Present Zoning: _____

Checklist Form D:

- Application Form (2x) Please note both copies must be originals, 1 copy for Planning and 1 copy for Town Clerk
- A) Application fee for change of use with NO construction is \$2.00 dollars per parking & loading space with a \$25 dollar minimum fee, CK # _____
 - B) Application fee for change of use WITH change to development standards or new construction is as follows:
 - New Construction with less than 5,000 sq ft is \$250. CK# _____
 - New Construction with 5,000 sf to 20,000 sf is \$500. CK# _____
 - New Construction with 20,000 sf to 50,000 sf is \$1,000. CK# _____
 - New Construction with 50,000 sf or more is \$1,500. CK# _____
 - Uses not requiring an enclosed building or parking (including but not limited to Cellular Communications Facilities and Large Scale Solar Photovoltaic Facilities is \$1,000. CK# _____

CHECKS MUST BE MADE PAYABLE TO "TOWN OF SEEKONK"

The cost for an outside consultant review shall be borne by Applicant

- Certificate of Good Standing, completed and signed by Tax Collector
- The Applicant is responsible for forwarding (1) copy of Plans and Drainage Report to Consulting Engineers (Planning office will advise who the Engineers are for the project)
- Site Plan received (8) copies and (1) 11" x 17" conforming to the applicable contents

of Sec. 5.3 in the Rules & Regs. Governing subdivision of land in Seekonk.

(5) Plans after approval

- Site Plan Received (1) copy CD or DVD
- Erosion & Sedimentation Control Plan conforming with Categories 20B & 20C of General By-laws.
- Drainage Plan/Calculations conforming with Categories 20B & 20C of General By-laws
- Landscaping Plan
- Lighting Plan
- Traffic study or documentation that sec. 10.6.1.20 does not apply
- Architectural Plan

Received by Planning Board or Town Clerk:

Applicant:

Date

*Signature of Applicant

Time

Print Name

*Signature

Address of Applicant

Owner:

*Signature of Owner or Notarized letter (if applicable)

Print Name

Address of Owner

***Please use blue pen to sign**



TOWN OF SEEKONK FORM E

PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961

APPLICATION FOR ZONING CHANGE Submitted to the Board of Selectmen

Date: _____

Applicant Name: _____ Phone No.: _____

Address: _____

To the Planning Board of the Town of Seekonk, Massachusetts:

The undersigned being the applicant as defined by the Laws of the Commonwealth of Massachusetts, request the Seekonk Planning Board to present the following proposed zoning change at the next Town Meeting.

1. Land involved: Plat No.: _____ and Lot No.: _____
2. Present Zone of property: _____ Requested Zone: _____
3. Location and Legal Description of Property (Include Public and Private Ways Bounding Property)

Please attach to this Form:

- Drawing (scale 1" = 40')
- List of abutters herewith (Form G) and mailing labels
- Certificate of Good Standing - Completed
- \$ 75.00 minimum filing fee (Applicant is to reimburse the Town of Seekonk for any additional costs)

Applicant's Comments: _____

Received by Planning Board or Town Clerk:

Applicant:

Date

*Signature of Applicant

Time

Print Name

*Signature

Address of Applicant

Owner:

*Signature of Owner or Notarized letter (if applicable)

Print Name

Address of Owner

***Please use blue pen to sign**

REQUEST FOR REZONE - APPLICATION PROCEDURES

The steps listed below outline the process and time elements for amending a zoning classification as dictated by State Law.

1. Petitioner submits completed application packet to the **Board of Selectmen.**

The completed application includes the following:

- Completed Application “Form E”
- “Form G” with the certified list of abutters
- Completed Certificate of Good Standing
- Drawing and legal description of property
- \$75.00 filing fee, payable to the Town of Seekonk

2. **Board of Selectmen reviews the submittal at a meeting**

3. **Selectmen must submit the petition to the **Planning Board** within fourteen days.**

4. **Planning Board must hold a **Public Hearing** within sixty-five days of receiving the application from the **Selectmen**.**

5. Planning Board advertises notice of Public Hearing and notifies abutters and others who require notification. (The Applicant is responsible for the cost of the legal ad)

6. Following Public Hearing, Planning Board prepares a recommendation to Town Meeting.

7. **Board of Selectmen put this zoning By-law amendment proposal on a **Town Meeting Warrant**.**

8. Town Meeting vote must take place within six months of Public Hearing.

9. Affirmative Town Meeting action is forwarded to MA Attorney General for approval.



TOWN OF SEEKONK

100 PECK STREET, SEEKONK, MA 02771
508-336-2900

FORM G

CERTIFIED LIST OF ABUTTERS

(Please allow 7-10 Business days to complete)

- PLANNING BOARD
- ZONING BOARD OF APPEALS
- CONSERVATION
- OTHER

Date: _____

Applicant Name: _____ Phone No.: _____

Applicant Address: _____

*Signature of Applicant/Contact Person: _____

Subject Property Address: _____

Present Zoning: _____ Plat No: _____ Lot No.: _____

Property Owner Name: _____

Property Owner Address: _____

Deed of property recorded in Bristol County Registry, *Please note this is mandatory information

Book No.: _____ Page No.: _____

To the Planning Board, Zoning Board and Conservation Commission of the Town of Seekonk, Massachusetts:

The undersigned, being an applicant submits the following drawing of land to be considered, listing the names of adjoining owners in their relative positions and indicating the address of each abutter on the drawing or in a separate list, including owners of land separated from the said land only by a street. Said drawing is at a scale of 1" = 40' and lists all abutters within 300' including across the streets and bodies of water. For the acceptance of streets, please notify all abutting properties of the proposed roadway(s) only.

***Please use blue pen to sign**

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

Assessor: _____ Date: _____

Assistant Assessor: _____ Date: _____



Town of Seekonk
Office of the Treasurer/Collector
"Certificate of Good Standing"

Planning / Zoning Board of Appeals

Petitioner Name _____

Property Owner _____

Petitioner Address _____

Property Address _____

City, State Zip _____

City, State Zip _____

Petitioner Phone Number _____

Plat Number _____ Lot Number(s) _____

The Applicant must submit this form to the Tax Collector's Office. This completed and signed "Certificate of Good Standing" must also be submitted with your application . Delinquent bills must be paid in full before any application will be accepted. If applicable, a tax statement is attached itemizing all past due amounts. This certificate is valid for 30 days from date signed below.

- Applicant is in Good Standing with the Town of Seekonk.
- Applicant is not in Good Standing with the Town of Seekonk.

Collector comments (if necessary): _____

Christine N. DeFontes
Collector of Taxes

Date

Collector's Office: (508) 336-2930

Office Hours: Monday, Tuesday, Thursday 8:30 AM to 4:30 PM Wednesday 8:30 AM to 5:30 PM,
Friday 8:30 AM to Noon



TOWN OF SEEKONK PLANNING BOARD

**100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961**

FORM EE

PERFORMANCE BOND SECURED BY DEPOSIT

Date: _____

Applicant Name _____ Phone _____

Address _____

Plat No. _____ Lot No. _____ Present Zoning _____

Know all persons by these presence that _____ of _____ hereby binds and obligates himself/herself and his/her executors, administrators, devisee, heirs, successors and assigns to the Town of Seekonk, a Massachusetts municipal corporation, in the sum of _____ dollars, and has secured this obligation by the deposit with the Treasurer of said Town of Seekonk the said sum in money or negotiable securities. The condition of this obligation is that the undersigned or his/her executors, administrators, devisee, 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 undersigned and dated _____, under which approval of a Definitive Plan has been or is hereafter granted by the Seekonk Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid security for said sum shall become and be the sole property of the Town of Seekonk as liquidated damage.

IN WITNESS WHEREOF the undersigned has hereunto set our hands and seal this _____ day of _____.

Principal

By: _____

Surety

By: _____

Title

Attorney-in-Fact

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

_____, 20_____,

Then personally appeared _____ and acknowledge the foregoing instrument to be his/her free act and deed before me.

Notary Public

My Commission Expires: _____



**TOWN OF SEEKONK
PLANNING BOARD**

100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961

FORM FF

PERFORMANCE BOND –SURETY COMPANY

Date: _____

Applicant Name _____ Phone No. _____

Address _____

Plat No. _____ Lot No. _____ Present Zoning _____

Know all by these presence that _____ as Principal, and _____ a corporation duly organized and existing under the laws of the State of Massachusetts, and having a usual place of business in _____, as Surety, hereby bind and obligate themselves and their respective heirs, executors, administrators, successors and assigns, jointly and severally, to the Town of Seekonk, a Massachusetts municipal corporation, in the sum of \$ _____.

The condition of this obligation is that if the Principal 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, entitled _____ and dated _____, has been or is hereafter granted by the Seekonk Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the Town of Seekonk as liquidated damage.

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

IN WITNESS WHEREOF the undersigned has hereunto set our hands and seal this _____ day of _____, _____.

Principal

Surety

By: _____

By: _____

Title _____

Attorney-in-Fact _____

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

_____, 20____

Then personally appeared _____ and acknowledge the foregoing instrument to be his/her free act and deed before me.

Notary Public

My Commission Expires: _____



TOWN OF SEEKONK PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961

STATUTORY COVENANT APPLICATION

Date: _____ Subdivision

Name: _____

Applicant Name _____ Phone No. _____

Address _____

Plat No. _____ Lot No. _____

Original Covenant Form – attached below

Please note: Only Planning Board signature must be notarized.

Application fee ck# _____

Construction Cost Estimate- For establishing covenant agreements and covenant releases; completed by the applicant, reviewed by inspecting engineer, and approved by the Planning Board

Inspection Fees check ck# _____

For establishing covenant agreements only; Amount determined by inspecting engineer (payable to Town of Seekonk); To be deposited in special 53G account, as authorized by MGL Ch. 44, sec 53G



STATUTORY COVENANT

(name of Subdivision)

TOWN OF SEEKONK, MASSACHUSETTS PLANNING BOARD

KNOW ALL MEN BY THESE PRESENTS that whereas (name of applicant) _____ having its usual place of business at (address) _____, is the owner of land for which a petition was filed with the Town of Seekonk Planning Board ("Board") for approval of a certain Definitive Subdivision Plan entitled _____. Plan dated _____ as revised through (date) _____ and prepared by _____, and has requested the Board to approve such plan without requiring a performance bond, (see Plan No. _____ of (year) _____ Bristol County Registry of Deeds, recorded herewith).

NOW, THEREFORE, WITNESSETH that in consideration of the Board's 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 Seekonk as follows:

1. This agreement shall run with the land and 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 agree that this Covenant shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.
2. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and the installation of municipal series necessary to adequately serve such lot have been completed in the manner specified in the aforesaid application, and in accordance with the covenants, agreements, terms, conditions, and provisions thereof. It is understood and agreed that lots with the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of the Board and enumerating the specific lots so released.
3. The undersigned represents and covenants that it is the owner in fee simple of all of the land included in the aforesaid subdivision and that there are not mortgages of record or otherwise on said land, except for the mortgages described below and subordinated to this Covenant and the present holders of said mortgages have assented to this Covenant. A Mortgagee who acquires title to the mortgages premises of part thereof may sell any lot subject to the terms and conditions of this Covenant. The undersigned further represents that to the best of its knowledge and belief there are no liens or attachments or encumbrances of any nature save the hereinafter subordinated mortgages, any encumbrances appearing on a certificate of municipal liens issued by the Town of Seekonk, and such easements as are related to the development of the subject property.
4. All drainage facilities and associated structures, including pipe, loaming, and seeding, shall be completed to the satisfaction of the Planning Board prior to the release of any lot or the issuance of a Certificate of Occupancy by the Building Inspector.
5. The construction of all the ways and the installation of all municipal services shall be completed in accordance with the applicable Rules and Regulations of the Board before (date) _____ unless an extension of time is granted by the Board. Failure to so complete without an extension of time shall automatically rescind approval of the plan.
6. No lot shall be released from the Statutory Covenant pursuant to G.L. c. 41, s.81U and no Certificate of Occupancy shall be granted by the Building Inspector without first obtaining Board of Health approval for a septic system on the lot. Copies of all approved septic design shall be submitted to the Planning Board for grading approval. If, in order to obtain a permit for an approved disposal system from the Board of Health, fill or grading is required to the extent that, in the opinion of the Planning Board, the drainage pattern would be adversely affected then the Planning Board may require an amended plan and revised drainage calculations.

7. Approval by the Planning Board of this Plan shall not be treated as, nor deemed to be, approval by the Board of Health for a permit for the construction and use on any lot of an individual sewage system. No building or structure shall be placed on any lot without the consent of the Board of Health.
8. This subdivision will be subject to a Conservation Commission Notice of Intent. Prior to release of any lots, the developer's engineer shall certify that the subdivision plan is consistent with the drainage design and plans as may be finally approved by the Town of Seekonk Conservation Commission or the Massachusetts Department of Environmental Quality Engineering as part of an Order of Conditions. Drainage, erosion, and sedimentation and any other plans that may be finally approved by the Conservation Commission shall be made a part of this subdivision with a sequential identifying sheet number. If there is any inconsistency between the submitted Subdivision Plan and the plans as may be approved by the Conservation Commission, the applicant shall submit an amended plan to the Planning Board for approval. Said amended plan shall be accompanied by a letter setting forth any and all changes from the submitted Subdivision Plan and shall include three (3) sets of revised drainage calculations, if applicable.
9. Lots _____ shall not be released from this agreement until each of the following have occurred:
 - a. Approved septic system designs have been submitted to the board for grading approval; and
 - b. A detention and drainage easement affecting these lots has been submitted to and accepted by the Board; and
 - c. The undersigned has submitted to the Board proof that the instrument creating said detention and drainage easement has been recorded with the Bristol County Registry of Deeds; and
 - d. The undersigned has submitted to the Board proof that and easement plan under G.L.c.41, s.81x, as revised, if applicable, has been recorded with the Bristol County Registry of Deeds.

Said lots shall be considered as a group and shall not be separately release, but shall only be released as a group.

10. Lots _____ {etc., by shared infrastructure requirements}.
11. This Covenant shall take effect upon the endorsement of said subdivision plan and shall be recorded with the Bristol County Registry of Deeds; appropriate marginal reference shall be placed on the plan making reference to this Statutory Covenant.

For corporate authority, see Clerk's Certificate at Bristol County Registry of Deeds (book) _____ (page) _____.

EXECUTED as a sealed instrument this _____ day of _____ 20____.

Covenantor

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

20

Then personally appeared _____ and acknowledged the
foregoing instrument to be _____ free act and deed, before me.

Notary Public

My commission expires: _____

Subordination and Consent

For consideration paid, the (title) _____ of (name of bank or lender) _____, the present holder of a mortgage of real estate dated _____ and recorded in the Bristol County Registry of Deeds in (book) _____ (page) _____, and holder of _____ [construction mortgage, security agreement, assignment of rents and leases, etc.], hereby consents to the grant of said Statutory Covenant and subordinates said security instruments to the Statutory Covenant set forth above, and agrees that such Statutory Covenant shall have the same status, force, and effect as though executed and recorded before the execution and recording of said security instruments.

IN WITNESS WHEREOF, THE SAID (title) has caused its corporate seal to be hereto affixed and these presents signed, acknowledged, and delivered in its name and behalf by (name of bank or lender) _____ its (title) _____ hereto duly authorized this _____ day of _____.

Bank or Lender Name

By

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss. _____

20 _____

Then personally appeared _____ and acknowledged the foregoing instrument to be _____ free act and deed, before me.

Notary Public

My commission expires: _____



TOWN OF SEEKONK

PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961

COVENANT RELEASE CERTIFICATE OF PERFORMANCE

Date: _____

Applicant Name: _____ Phone No.: _____

Address: _____

Plat No.: _____ Lot No.: _____ Subdivision Name: _____

Original Covenant Form – attached below

Please note: Only Planning Board signature must be notarized.

Application fee ck# _____

Please note: \$125 application fee payable to the Town of Seekonk

Construction Cost Estimate - For establishing covenant agreements and covenant releases; completed by the applicant, reviewed by inspecting engineer, and approved by the Planning Board



TOWN OF SEEKONK PLANNING BOARD

COVENANT RELEASE

THE UNDERSIGNED, being duly authorized by a majority of the Planning Board of the Town of Seekonk, Massachusetts, hereby certifies that the requirements for construction improvements called for by a Covenant given by _____ (record owner) and recorded in the Bristol County Northern District Registry of Deeds, Book No. _____ Page No. _____, have been completed to the satisfaction of the Seekonk Planning Board as to the lots enumerated or designated as follows:

Lot(s): _____ shown on the definitive subdivision plan of _____ dated _____ and recorded in the Deeds Plan Book No.: _____ Page No.: _____ et seq. and said lots are hereby released from the restrictions as to sale and building specified in said covenant.

Executed as a sealed instrument this _____ day of _____.

Planning Board Clerk

Covenantor

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

_____, 20____

Then personally appeared the above-named, _____ and acknowledged the foregoing instrument to be his/her free act and deed of the Planning Board of the Town of Seekonk, before me.

Notary Public

My Commission Expires: _____



TOWN OF SEEKONK PLANNING BOARD

FORM K

INSPECTION OF CONSTRUCTION

Date: _____

Applicant Name: _____ Phone No.: _____

Address _____

Plat No.: _____ Lot No.: _____ Subdivision: _____

<u>CONSTRUCTION STAGES</u>	<u>Date approved</u>	<u>Print Name & Company</u>	<u>Signature</u>
1. Clearing and Grubbing	_____	_____	_____
2. Drainage	_____	_____	_____
3. Rough Grading	_____	_____	_____
4. Water Mains	_____	_____	_____
5. Underground Utilities in accordance with §8.2.2	_____	_____	_____
A. Electricity	_____	_____	_____
B. Telephone	_____	_____	_____
C. Gas	_____	_____	_____
D. Cable TV	_____	_____	_____
6. Sub Base Grading	_____	_____	_____
7. Base Grading	_____	_____	_____
8. Street Signs	_____	_____	_____
9. Bituminous Concrete Binder Course	_____	_____	_____
10. Casting and Curb Inlets	_____	_____	_____

CONSTRUCTION STAGES**Date approved****Print Name & Company****Signature**

11. Bituminous Concrete Surface Course	_____	_____	_____
12. Curbing	_____	_____	_____
13. Sidewalks	_____	_____	_____
14. Shoulders (loamed and seeded)	_____	_____	_____
15. Bounds	_____	_____	_____
16. Final Clean-up	_____	_____	_____
17. As Built Plan	_____	_____	_____

Items 1 through 4, and 6 through 17, shall be inspected and approved by the Planning Board or its designated agent. The sub-divider shall request inspection at least two full working days prior to the time of each required inspection.

A representative of each specific utility company must approve the items under (5) as completed. A letter authorizing said representative to inspect and approve shall be filed with the Board.

The approval of any stage is for the purpose of proceeding to the next stage and does not relieve the developer from repairing, correcting, renewing or replacing any defects or imperfections in the construction method or the quality of materials discovered before final inspection. Upon completion of the Inspection of Construction, the Planning Board or its designated agent shall make a final inspection of the street and notify the developer in writing of any defects that must be corrected.