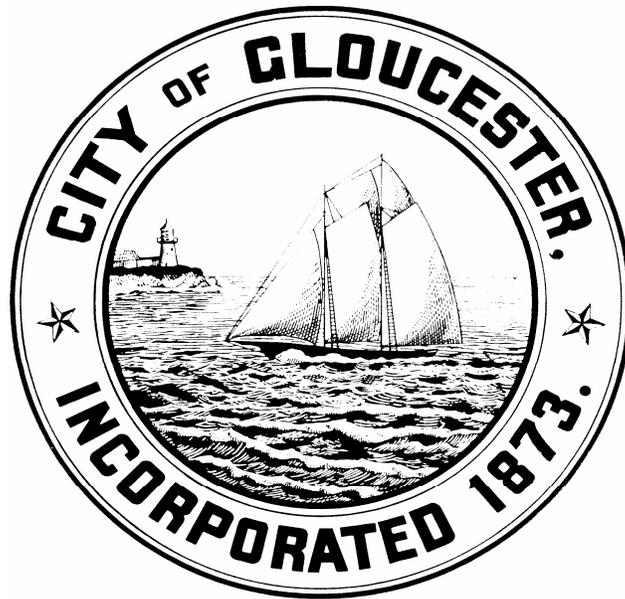


CITY OF GLOUCESTER



Rules and Regulations Governing the Subdivision of Land Gloucester, MA

July 2008

**GLOUCESTER PLANNING BOARD
 RULES and REGULATIONS
 GOVERNING the SUBDIVISION OF LAND
 GLOUCESTER, MA**

PURPOSE	1
SECTION I. AUTHORITY	1
SECTION II. GENERAL	3
2.1 Definitions	3
2.2 Plan Believed Not To Require Approval	5
2.2.1 Applicability.....	5
2.2.2 Submission of Plan	5
2.2.3 Submission Requirements	5
2.2.4 Plan Form and Contents	6
2.2.5 Determination Criteria.....	7
2.2.6 Procedure for Review and Determination	8
2.2.7 Providing Adequacy of Access to Existing Lots	9
2.3 Right to Make a Subdivision in Gloucester	14
2.4 One Dwelling Per Lot.....	15
2.5 Adequate Access from Public Way.....	15
2.5.1 Improvements to Way of Access.....	15
2.5.2 Dedication of Land for Purpose of Improving Access.....	15
2.5.3 Common Driveways.....	15
2.6 Subdivisions of Three or Fewer Lots.....	17
2.6.1 Preliminary Plans.....	17
2.6.2 Definitive Plans.....	17
2.7 Fees.....	17
2.7.1 Modification, Extension, and Automatic Rescission.....	17
2.8 Special Account for Subdivision Review.....	18
2.9 Pre-application.....	19
SECTION III. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PRELIMINARY AND DEFINITIVE PLANS	
3.1 Preliminary Plan	21
3.1.1 General.....	21
3.1.2 Filing Procedure.....	21
3.1.3 Contents.....	22
3.1.4 Approval or Disapproval.....	23
3.2 Definitive Plan.....	23
3.2.1 General.....	23
3.2.2 Filing Procedure.....	26
3.2.3 Designer.....	26
3.2.4 Contents.....	27
3.2.5 Staking.....	30
3.3 Review by Board of Health as to Suitability of Land.....	30
3.4 Review by Other City Officials.....	30
3.4.1 DPW Review.....	30
3.4.2 Fire Department Review.....	30
3.4.3 Building Inspector Review.....	30
3.4.4 Conservation Commission Review.....	30
3.5 Public Hearing.....	31
3.6 Approval of a Definitive Plan.....	31
3.7 Inspection Fees.....	31

3.8	Performance Bond Guarantee.....	32
3.8.1	Election by Applicant.....	32
3.8.2	Performance Bond.....	32
3.8.3	Covenant.....	32
3.8.4	Lender’s Guarantee of Performance.....	33
3.8.5	Change in Security, Reductions and Extensions.....	33
3.9	Conveyance of Utilities and Easements and Dedication of Streets.....	34
3.9.1	Conveyance of Travel Easements.....	34
3.9.2	Conveyance of Drains.....	34
3.9.3	Conveyance of Water System.....	34
3.10	Evidence of Satisfactory Performance.....	35
3.10.1	Payment of Fees.....	35
3.10.2	Written Approvals.....	35
3.10.3	Engineer Inspection.....	35
3.10.4	Submission of As-Built Plan.....	35
3.11	Release of Performance Guarantee.....	35
3.12	Retainage to Insure Adequate Work.....	36
3.13	Time for Completion.....	36
3.14	Endorsement.....	36

SECTION IV. DESIGN AND IMPROVEMENT REQUIREMENTS FOR AN APPROVED SUBDIVISION

4.1	General.....	37
4.1.1	Design Standards.....	37
4.1.2	Conformance with Plan and Regulations.....	37
4.1.3	Monuments.....	37
4.1.4	Tests of Materials.....	37
4.1.5	As-Built Plans.....	37
4.1.6	Installation of Services.....	38
4.2	Lot Improvements.....	38
4.2.1	Lot Configuration.....	38
4.2.2	Lot Dimensions.....	38
4.2.3	Lot Access.....	38
4.3	Streets.....	38
4.3.1	Location and Alignment.....	38
4.3.2	Width.....	40
4.3.3	Grades.....	40
4.3.4	Dead-End Streets.....	41
4.3.5	Construction.....	41
4.3.6	Signage.....	42
4.3.7	Lighting.....	43
4.3.8	Damage.....	43
4.4	Sewerage.....	43
4.4.1	Public Sewers.....	43
4.4.2	Private On-Site Sewage Disposal.....	44
4.5	Water.....	44
4.5.1	Water Mains.....	44
4.5.2	Fire Hydrants.....	45
4.6	Surface Drainage.....	46
4.6.1	General.....	46
4.6.2	Specifications.....	46
4.7	Sidewalks.....	47
4.7.1	General.....	47
4.7.2	Specifications.....	47

4.8	Utilities.....	47
4.8.1	Easements.....	47
4.8.2	Installation.....	48
4.9	Public Uses.....	48
4.9.1	Easements.....	48
4.9.2	Open Space.....	48
4.9.3	Bikeways and Walkways.....	48
4.10	Natural Features and Amenities.....	48
4.10.1	Preservation.....	48
4.10.2	Grass Plots.....	49
4.10.3	Trees.....	49
4.10.4	Bank Plantings.....	49
4.11	Fire Protection.....	50
4.11.1	Fire Protection Device Barriers.....	50
4.11.2	Overhead Obstructions.....	50
4.11.3	Sprinkler Systems.....	50
4.11.4	Fire Alarms.....	50
4.12	Cleaning Up.....	50

SECTION V. ADMINISTRATION

5.1	Inspection.....	51
5.2	Variation.....	51
5.3	Rescission.....	51
5.4	Reference.....	51
5.5	Building Permit.....	51
5.5.1	Release of Lots.....	51
5.5.2	Enforcement by Denial of Building Permit.....	52
5.6	Separability.....	52

SECTION VI. RULES AND REGULATIONS PERTAINING TO THE CITY OF GLOUCESTER OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD) ZONING ORDINANCE

6.1	Purpose	53
6.2	Detailed Design Standards	53
	A. Disturbed Areas	53
	B. Traffic and Circulation	53
	C. Landscaping & Screening	54
	D. Drainage	55
	E. Building Orientation and Building Massing	55
6.3	Submission of Plans & Documents for OSRD	55
	A. Pre-application	55
	B. Site Plan	55
	C. Review Procedure and Policies Pertaining to OSRD Site Plans	57
	Appendix 6.A Yield Plan Map Checklist	57
	Appendix 6.A2 Yield Plan Narrative Checklist	58
	Appendix 6.B Sketch Plan Map Checklist	59
	Appendix 6.B2 Sketch Plan Narrative Checklist	60

APPENDICES:

Appendix A	Environmental Impact Evaluation.....	63
Appendix A-1	Stormwater Management.....	66
Appendix B	Methodology and Standards for Determination of Nutrient Loading... 71	
Appendix C	Design Standards for Street and Related Construction.....	72
Appendix D	Planning Board Forms (Form A through Form N).....	75
Appendix E	Index of Amendments to Subdivision Rules and Regulations.....	77

**RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
GLOUCESTER, MASSACHUSETTS**

Adopted under the “Subdivision Control Law”, Massachusetts General Laws Chapter 41, Sections 81-K through 81-GG, which was enacted in 1953.

PURPOSE

The Subdivision Control Law has been enacted for the purpose of protecting the safety, convenience, and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas.

The powers of a planning board and of a board of appeal under the Subdivision Control Law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic, and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, and other requirements where necessary in a subdivision and for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivision.

It is the intent of the Subdivision Control Law that any subdivision plan filed with the Planning Board shall receive the approval of such Board if said plan conforms to the recommendations of the Board of Health and to the reasonable Rules and Regulations of the Planning Board pertaining to subdivisions of land; provided, however, that such board may, when appropriate, waive, as provided for in section 81-R, such portions of the Rules and Regulations as is deemed advisable.

(MGL Chapter 41, Section 81-M)

SECTION I. AUTHORITY

Under the authority vested in the Planning Board of the City of Gloucester, Massachusetts, by MGL Chapter 41, Section 81-Q, said Board hereby adopts these “Rules and Regulations Governing the Subdivision of Land in the City of Gloucester, Massachusetts” (hereinafter “Rules and Regulations”). Such Rules and Regulations shall be effective on and after the 1st day of April 1970.

As Amended by the Gloucester Planning Board – July 2008

SECTION II. GENERAL

2.1 DEFINITIONS

For the purpose of these Rules and Regulations, the following words and terms used herein are hereby defined or the meaning there of is explained or limited as follows:

APPLICANT. The person who applies for approval of a subdivision or construction of a way. An applicant must be an owner or owners of equitable or legal interest of all the land included in the proposed subdivision. If the applicant is represented by an agent, written evidence shall be submitted with the application accompanying the subdivision plan that the agent has authority to submit said application for each owner involved.

BOARD. The Planning Board of the City of Gloucester.

COLLECTOR STREET. A street which collects, or may reasonably be expected to collect, traffic from several minor streets, or which handles traffic equivalent to that generated by 50 homes or more, or which serves non-residential abutting property.

COURT. A street which, by its location and design, serves as a means of access for no more than three single-family dwellings, is not more than two hundred (200) feet in length, and has no potential to serve additional lots.

DEFINITIVE PLAN. A plan of a proposed subdivision or resubdivision of land drawn in accordance with Section III of these Rules and Regulations.

DEVELOPER OR SUBDIVIDER. The person undertaking the subdivision of land.

ELEVATION. Height relative to mean sea level.

LANE. A street which, by its location and design, may not service non-residential property, or serve as a means of access to more than ten homes, and is not more than five hundred (500) feet in length.

LOT. An area of land in one ownership with definite boundaries, used, or available for use, as the site for one or more buildings. A lot within a subdivision shall mean any area of land with boundaries recorded or to be recorded without any interior division.

MINOR STREET. A street which cannot qualify as a "Lane" but which can be expected to handle less traffic than a "Collector" street, and is not more than five hundred (500) feet in length.

NON-RESIDENTIAL SUBDIVISION. A subdivision in which any of the lots are used for business, industrial or any other non-residential purposes.

As Amended by the Gloucester Planning Board – July 2008

PRELIMINARY PLAN. A plan of a proposed subdivision or re-subdivision of land drawn in accordance with Section 3.1 of these Rules and Regulations.

REGISTERED ENGINEER. A person registered or legally permitted to practice professional civil engineering in the Commonwealth of Massachusetts.

REGISTERED LANDSCAPE ARCHITECT. A person registered or legally permitted to practice landscape architecture in the Commonwealth of Massachusetts.

REGISTERED SURVEYOR. A person registered or legally permitted to practice land surveying in the Commonwealth of Massachusetts.

RESIDENTIAL SUBDIVISION. A subdivision in which the lots are used solely for residential purposes.

STEEP SLOPE. A slope greater than 25%; slope is defined as the ratio elevation change to horizontal distance. Slope is computed by dividing the vertical distance (“rise”) by the horizontal distance (“run”). Slopes of 25% or greater shall be determined based on two (2) foot contours analyzed over a twenty (20) foot horizontal interval. Greater resolution may be required after initial plan review.

SUBDIVISION. The division of a tract of land into two or more lots, including re-subdivision; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the City Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective in the City of Gloucester, having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

Such frontage shall be of at least such distance as is required by zoning or other ordinance for erection of a building on such lot. Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage set forth above, or the division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect in the City of Gloucester into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision. (After MGL Ch. 41, Section 81-L.)

SUBDIVISION CONTROL LAW. Massachusetts General Laws Chapter 41, Section 81K - 81GG, inclusive, as amended.

2.2 PLANS BELIEVED NOT TO REQUIRE SUBDIVISION APPROVAL

2.2.1 Applicability

Pursuant to the Subdivision Control Law, MGL Chapter 41, Section 81L, a division of a tract of land into two or more lots shall not constitute a "subdivision" if, at the time when it is made, every lot within the tract so divided has the following: (a) Frontage on a way, as described in Section 2.2.5 below, with the distance required by the Zoning Ordinance, and each lot has adequate access to the buildable portion of the lot from the way upon which the lot derives its frontage; (b) Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as to not leave any lot without frontage as required above; and (c) A plan that shows the division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect in the City of Gloucester (December 8, 1960), into two or more lots on each of which one of the buildings remains standing. Any other plan which divides a tract of land into two or more lots shall constitute a subdivision.

2.2.2 Submission of Plan

Any person who wishes to record a plan of land and who believes that the plan does not require approval under the Subdivision Control Law, may submit a plan accompanied by a Form A application to the Planning Board at a regularly scheduled meeting for a determination that the subject plan does not require subdivision approval. The day of the meeting shall be considered the date of submission for plans believed not to require such approval.

After submitting the plan with the Planning Board, the applicant shall give written notice to the City Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted to the Planning Board. Proper notice to the City Clerk shall include a stamped copy of the completed Form A application as prescribed by the Planning Board.

Prior to submitting a plan of land and application to the Planning Board, the Applicant may deliver the plan and application to the Planning Division of the Community Development Department for review by staff who shall determine whether the submission requirements of Sections 2.2.3 and 2.2.4 are met.

2.2.3 Submission Requirements.

Any applicant who submits a plan of land for a determination that subdivision approval is not required under the Subdivision Control Law shall submit to the Planning Board the following:

1. A properly executed Plan of Land and Form A Application with 11 copies of each.
2. The required filing fee of one hundred dollars (\$100) per lot or lot line change.
3. The Mylar or linen reproducible.
4. Statement as to why the plan is entitled to endorsement by the Planning Board.
5. If the applicant is different from the owner, written proof of authority to act or ownership interest or both shall be provided.

As Amended by the Gloucester Planning Board – July 2008

2.2.4 Plan and Contents

The plan submitted for a determination that approval is not required shall show the following:

1. The name, signature and stamp of the registered land surveyor who prepared the plan.
2. A locus plan at one thousand (1,000) feet to the inch shall be included on the plan.
3. North point arrow and scale.
4. A title block, including the name of the owner of record, the street address of the land in question, assessors map and parcel number, the surveyor, and the plan date.
5. A block for Planning Board member's signatures bearing the notation "Planning Board Approval Under the Subdivision Control Law Not Required" and a space for the date of endorsement.
6. The following statement: "Endorsement by the Planning Board is not a determination as to conformance with zoning regulations".
7. Zoning classification and the delineation of any zoning district boundaries that may lie within the plan or locus of the plan.
8. Location of nearest fire hydrant.
9. All lots affected by the plan must be shown in their entirety, and when a new lot is created, the remaining land areas and frontage of the land shall be shown.
10. Boundaries, dimensions, and areas of any lots which are being revised, corrected or to be recorded without change. Proposed lots shall be numbered for identification.
11. The names of all abutters, as determined from the most recent assessor's list, including abutters across the street, and any adjacent properties owned by the applicant shall be labeled on the plan.
12. The names, width, and status (i.e. "public" or "private") of all ways which abut the applicant's land, and the extent of the paved improvements within the ways.
13. Sufficient data to determine location, width, direction and length of every street and way, lot line and boundary line, including the radius, tangent and delta angle for all curvatures.
14. Location of rights-of-way, easements, and all existing buildings or structures, including front, side and rear yard setbacks. Documentation of easements should show proof of recording.
15. Location of existing and proposed permanent bounds and distance to the road or other permanent monument, clearly differentiated, including detail of all monumentation with offsets North-South and East-West.

As Amended by the Gloucester Planning Board – July 2008

16. On vacant lots, topography with contour lines at intervals of five (5) feet or less from the proposed point of access and street frontage to the buildable portion of the lot as appropriate. Greater resolution may be required after initial plan review or site visit.
17. All existing slopes of 25% grade or greater, on all affected or proposed lots.
18. The location of significant natural features such as mapped wetland areas and ledge outcroppings.
19. Except for plans to be registered with the Land Court, a certification clause signed by the surveyor stating that the plan conforms to the rules and regulations of the registry of deeds.
20. Except for plans to be registered with the Land Court, a three and one half inch (3 1/2") square labeled "For Registry Use".
21. Notation which identifies whether the plan was developed by an "on the ground survey" or "compiled plan", including partial ground survey or partially compiled plan.
22. Notation of any variance issued as to the land or buildings within the parcel giving description of the variance and date granted by the City of Gloucester Zoning Board of Appeals.

2.2.5 Determination Criteria

The Planning Board shall determine that the plan does not require subdivision approval under the Subdivision Control Law if each of the lots shown on the plan, or altered by the plan, meets one or all of the following criteria:

1. The lot has frontage on a public way or a way which, at the time of application, the City Clerk certifies in writing to the Planning Board is maintained and used as a public way; or
2. The lot has frontage on a way shown on a subdivision plan previously approved and endorsed in accordance with Subdivision Control Law; or
3. The lot has frontage on a way in existence when the Subdivision Control Law became effective in Gloucester, December 8, 1960, which frontage the Planning Board finds has sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be at least the minimum frontage distance of the zoning district as required by the Gloucester Zoning Ordinance.

A "way in existence" must have physically existed on the ground and provided meaningful access prior to the adoption of the Subdivision Control Law in Gloucester. The Planning Board shall consider the present condition of any way in relationship to the design standards found in Section IV of these Rules and Regulations. The Planning Board may request an opinion from the Director of the Department of Public Works or

As Amended by the Gloucester Planning Board – July 2008

his/her designee as to the construction and condition of any such road from which frontage is proposed to be derived. The Planning Board may also request an opinion from the Fire Chief as to whether any way in question can accommodate and provide access for fire-fighting equipment and other emergency vehicles.

Where direct access to a lot from the way providing the frontage is not possible due to physical, legal or regulatory impediments or easements, or due to steep slopes of greater than 25% or the presence of resource areas as defined in the Gloucester Wetlands Ordinance (Section 12 of the Code of Ordinances), the Planning Board may consider the lot as not having adequate frontage to allow a division of land without approval under the Subdivision Control Law.

4. The lot has been clearly marked on the plan that is to be joined with an adjacent lot, also shown on the plan, and is not intended to be a separate lot.
5. The lot is part of a division of a parcel of land which division creates separate lots, each of which contains existing building(s) that was standing on the parcel when the Subdivision Control Law went into effect in Gloucester. Compliance with this section does not alleviate the applicant of Special Exception approval from the Zoning Board of Appeals pursuant to 3.1.8 of the Zoning Ordinance.
6. In accordance with MGL Ch. 41, Section 81X, any plan bearing a certificate by a registered land surveyor that no new lines for division of existing ownerships or for new ways are shown, shall not require an endorsement by the Planning Board. The recording of any such plan shall not relieve any owner from compliance with the provisions of the Subdivision Control Law or of any other applicable provision of law.

2.2.6 Procedure for Review and Determination

1. The Planning Board, in considering an application for a determination that the plan does not require subdivision approval under the Subdivision Control Law, shall first determine whether the application is a complete.

If the Planning Board determines that the plan does not require subdivision approval under the Subdivision Control Law, it shall, without a public hearing and within twenty-one (21) days of submission of the plan, endorse the plan accordingly. The plan shall be returned to the Applicant and the Board shall notify the City Clerk in writing of its action as to the reason why the plan is not subject to the Subdivision Control Law. Such endorsement shall not be withheld unless such plan shows a subdivision.

One print of the endorsed plan shall be retained in the files of the Planning Board with a notation of the Board's action, and copies of the plan shall be sent to the City Engineer and Assessor.

2. If the Planning Board determines that the plan does require subdivision approval under the Subdivision Control Law, it shall, within twenty-one (21) days of such submittal, give written notice of the determination to the City Clerk and shall send such notice to the applicant by certified mail and return the plan.

As Amended by the Gloucester Planning Board – July 2008

3. If the Planning Board fails to act upon such a plan or fails to notify the City Clerk and the person submitting the plan of the Board's action within twenty-one (21) days after the plan's submission, the Planning Board shall be deemed to have determined that approval under the Subdivision Control Law is not required, and the Board shall make such an endorsement on the plan. Should the Planning Board fail to do so, the City Clerk shall issue a certificate stating that the plan is approved because of the Planning Board's failure either to act on the plan or to file with the City Clerk notice of its action within the specified time period, and shall send such certificate by certified mail to the person submitting such plan.

(Amendments Adopted 8/27/07)

2.2.7 PROVIDING ADEQUATE ACCESS TO EXISTING LOTS

A. Introduction

Prior to issuing a Building Permit for new construction on existing lots, the Building Inspector/Zoning Administrator may obtain a determination from the Planning Board that the existing lot upon which the building is being erected has frontage upon a street. Section VI of the Gloucester Zoning Ordinance defines a street as "any public or private way which, by lawful procedure, has been recognized by the City and which has, as determined by the Planning Board, sufficient width, suitable grades and site distances, adequate clearances and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land deriving frontage therefrom, and for the installation of municipal services to serve such land and the buildings erected or to be erected on such land" and which complies with one of the following criteria under MGL, Chapter 41, Section 81-L:

1. a public way, or way which the City Clerk certifies as used and maintained as a public way;
2. a way shown on a subdivision plan previously approved and endorsed by the Planning Board and recorded at the Registry of Deeds; or
3. a private way existing prior to the date (December 8, 1960) on which subdivision control was adopted by the City that has adequate width, grade and construction to provide adequate access and in order to install municipal services. A "way in existence" must have physically existed on the ground and provided meaningful access prior to the adoption of the Subdivision Control Law in Gloucester. The Planning Board shall consider the present condition of any way in relationship to the design standards found in Section IV of these Rules and Regulations. The Planning Board may request an opinion from the Director of the Department of Public Works as to the construction and condition of any such road from which frontage is proposed to be derived. The Planning Board may also request an opinion from the Fire Chief as to whether any way in question can accommodate and provide access for fire-fighting equipment and other emergency vehicles.

As Amended by the Gloucester Planning Board – July 2008

B. Purpose

1. For an existing lot which has frontage on one of the aforementioned ways, which lot existed prior to the date on which subdivision control was adopted by the City on December 8, 1960, but does not meet the construction standards described above (i.e., "sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic existing...on such land"), the Planning Board hereby adopts rules and regulations by which an applicant may improve said way under the Board's "Rules and Regulations Governing Subdivision of Land in Gloucester, MA."

2. These rules and regulations are as follows:

C. Applicability

Prior to implementing these rules, the Board must find that the lot in question falls under the criteria described in the above paragraphs. To make this determination, the Board requires applicants to submit, as part of their application, the following information:

1. Existence of Lot Prior to Subdivision Control

To demonstrate that the lot in question existed prior to the date on which subdivision control was adopted by the City, the applicant shall provide a copy of the recorded deed and plan (if any) as recorded in the Essex County Registry of Deeds, which shows that the lot existed in its current form prior to December 8, 1960.

2. Existence of Public Way

a) If the applicant is attempting to demonstrate that the existing lot in question has "frontage on a way which the City Clerk certifies is used as and maintained as a public way by the City," then the applicant shall provide a letter from the City Clerk in which the above-described certification is made. Any such certification must contain current information from the Department of Public Works Director that the way has been or is being used and maintained as a public way based on DPW records.

b) If the applicant is attempting to demonstrate that the existing lot in question has "frontage on a way shown on a subdivision plan previously approved and endorsed by the Planning Board and recorded at the Registry of Deeds", then the applicant shall provide a copy of the approved definitive subdivision plan as recorded in the Essex County Registry of Deeds, including the book and page number of said recording.

c) If the applicant is attempting to demonstrate that the existing lot in question has "frontage on a way existing prior to the date (December 8, 1960) on which subdivision control was adopted by the City," then the applicant shall provide deeds, maps (including, but not limited to, United States Geological Survey maps), dated aerial photos, plans from the Registry of Deeds and other documentation which shows that the road in question existed prior to December 8, 1960; and

As Amended by the Gloucester Planning Board – July 2008

D. Submittal Requirements

The applicant shall submit the following to the Planning Board:

1. Eleven contact prints of a plan certified by a Registered Land Surveyor per CMR 250, drawn at a scale of at least 1" to 40' (or in lesser detail if approved by the Planning Director), signed and stamped by a registered land surveyor and civil engineer, and showing the following information:

(a) Street name, boundaries, north point, benchmarks, date, scale legend, and title "Road Improvement Plan";

(b) Names of the applicant, surveyor, and engineer;

(c) Existing and proposed boundary lines of Right-of-Way;

(d) Existing and proposed traveled way within the Right-of-Way;

(e) Existing and proposed topography of street;

(f) A locus plan of the subdivision at 1" = 1000', showing proposed street and its relation to the surrounding area;

(g) Typical cross section at one inch equals five feet horizontal, one inch equals one foot vertical. Typical cross section of road shall show the width of layout; width and pitch of pavement including berms and shoulders; and the depth of base course and road pavements;

(h) Signature block and a space for the date of endorsement. For an existing road that is adequate in all respects except that it lacks a proper surface, the Planning Board may determine that the plan does not need to be signed and stamped by a professional civil engineer, and need not contain the information described the paragraphs (e), (f) and (g) of section B above.

(i) A fee of two-hundred seventy five dollars (\$275.00). This fee shall be used to defray the cost of the review and administration of the Road Improvement Plan by city staff persons.

E. Design Standards

The design standards for road construction in the City of Gloucester are described in Section 4.3 of the Planning Board's Rules and Regulations Governing the Subdivision of Land in Gloucester. As a general rule, however, roads constructed under these rules and Regulations need to conform only to the following minimum standards:

- 1) The width of the street right-of-way shall be no less than twenty (20) feet.
- 2) The minimum width of the traveled way shall be no less than sixteen (16) feet.
- 3) The maximum centerline grade shall be twelve (12) percent.

As Amended by the Gloucester Planning Board – July 2008

- 4) When the grade exceeds six (6) percent on the approach to an intersection, a leveling area with a slope of not more than four (4) percent shall be provided for a distance not less than fifty (50) feet from the intersecting street.
- 5) The road construction standards described in 4.3.5, paragraphs (a) and (c) of the Board's Subdivision Rules and Regulations.
- 6) For a dead end street, a "T", "Y" or "hammerhead" shaped turnaround, of a design satisfactory to the Planning Board.

In some instances, conditions may warrant either stricter or less restrictive standards than those listed in "Section C Design Standards"; such standards may be imposed by the Planning Board in any particular case in which such standards are in the public interest and which are not inconsistent with the intent and purpose of these regulations.

F. Road Surface Requirements

For a way to be of "adequate construction" it must be paved with bituminous concrete (asphalt) or macadam, and be in good condition. However, in certain situations, the Board may allow a road surface other than the aforementioned, provided that:

- 1) The way in question will be serving no more than one additional lot;
- 2) The grade of the way in question is not more than 5%; and;
- 3) any one of the following three criteria are met:
 - (a) the Conservation Commission has requested that the way in question not be paved to minimize the impact of the road on the surrounding wetlands; or
 - (b) the way in question is an extension of, or located off of, a public or recognized private way that is not paved with concrete, bituminous concrete, or macadam and which serves other house lots; or
 - (c) the way in question serves as frontage for at least one other existing residential lot.

If the Board does allow a road surface other than pavement, the road surface may be lynn-pak, man-pak, processed gravel, porous bituminous concrete or other similar treatment, but in all cases it must be an all-weather surface.

G. Length of Road Improvement Required

At a minimum, the applicant shall improve the roadway to the design and road surface standards for a length equal to the required frontage for the lot in question unless the Planning Board determines that developing the roadway would require less paving. Based on the condition of the remainder of the subject road, as well as the condition of ways that provide access and egress to and from the subject road, the applicant may be required

As Amended by the Gloucester Planning Board – July 2008

to make additional street improvements to the subject road to insure adequate access. The nature of said improvements shall be determined by the Planning Board.

H. Plan Review and Approval and Appeals of Decision

Plans submitted in accordance with the above requirements shall be reviewed and acted upon by the Planning Board within sixty (60) days of the submittal. Prior to taking action the Board will hold a public hearing to obtain public comment on the plan. The hearing shall be advertised in a newspaper of local circulation at least seven days prior to the hearing. The cost of advertising the public hearing shall be borne by the applicant.

The Planning Board shall make a final determination on the application no later than sixty (60) days after submittal, and said decision shall be filed with the City Clerk within said time.

If a plan is approved, it shall be signed by the Chairman of the Planning Board or his/her designee. If a plan is found to be unsatisfactory, the Planning Board shall deny the application, and the reasons for denial shall be included in the Board's decision. Once the applicant has addressed the reasons for disapproval and submitted the revised plan to the Planning Board, it may be approved by the Board without a public hearing.

Any approval or denial of a plan by the Planning Board may be appealed under MGL Chapter 41, Section 81 BB within 20 days of the Planning Board's decision having been registered with the City Clerk, or under MGL C. 249 Section 4, as allowed by law within 60 days after such registration.

I. Recording of a Plan

The Planning Board's approval under these rules and regulations shall not take effect until an endorsed copy of the plan and decision, certified by the City Clerk and executed by the Developer, has been recorded with the Essex County South District Registry of Deeds. A certified copy of the recorded document shall be submitted to the Board prior to the issuance of a Building Permit.

J. Performance Guarantee

The Planning Board may require the posting of a performance guarantee to ensure adequate and timely access improvements. If required by the Planning Board, an applicant may elect to complete a Road Improvement Plan under either a Performance Bond or a Covenant.

If he/she so elects, the applicant may file a Performance Bond secured by a deposit of money or negotiable securities conditioned on the completion of all required improvements within the time period specified at the time of approval of the Road Improvement Plan; said bond to be in sufficient sum, in the opinion of the

Planning Board, to cover the cost of construction of such improvements and so drawn as to ensure their satisfactory completion.

As Amended by the Gloucester Planning Board – July 2008

As an alternative, the applicant may file a covenant to be entered into between the owner or developer and the City in a form acceptable to the Planning Board prohibiting the sale of lots served by the Road Improvement Plan and Buildings erected thereon until such time as the way has been constructed within the time agreed upon and in accordance with the approved plan.

Upon requirement by the Board, execution of either the Performance Bond or Covenant by the Applicant must be completed before endorsement of the Road improvement Plan by the Board.

To ensure compliance with these regulations, the Planning Board also requires a copy of all Occupancy Permits issued for structures erected on the lots addressed on the Road Improvement Plan.

K. Completion of Improvements

Upon the Chairman's signing of the "Road Improvement Plan", barring any appeal as noted in Section F, the applicant may proceed with the improvements.

The applicant shall notify the Planning Board or its designee when the improvements are completed. Within fourteen (14) days of such notice, the Planning Board or its designee, upon consultation with the Director of Public Works, shall notify the applicant in writing as to whether the road improvements have been satisfactorily completed, it shall, within 30 days of the Applicant's notice, release the Bond or Covenant.

If they are found to be unsatisfactory, the Planning Board or its designee shall state the reasons in the letter to the applicant.

Once the applicant has adequately addressed the reasons for previous disapproval to the satisfaction of the Planning Board or its designee shall advise the Building Inspector that the roadway provides adequate access to the applicant's lot and release the Bond or Covenant.

L. Endorsement

The Road Improvement Plan shall remain valid for a period of three years from the date of its endorsement by the Planning Board. Prior to the expiration of the three year approval period, the applicant may request in writing to the Planning Board an extension of time of up to one year and the reasons for the extension. Extensions may be granted one time only. An extension fee of \$150.00 shall be paid when the extension request is filed

2.3 RIGHT TO MAKE A SUBDIVISION WITHIN THE CITY OF GLOUCESTER

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

As Amended by the Gloucester Planning Board – July 2008

2.4 ONE DWELLING PER LOT

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

2.5 ADEQUATE ACCESS FROM PUBLIC WAY

2.5.1 Improvements to Way of Access

Where the street system within a subdivision does not connect with or have, in the opinion of the Planning Board, adequate access from a City, County or State (public) way, the Planning Board may require, as a condition of approval of a plan, that the developer provide adequate access by creating a new access road, or by making physical improvements to any existing way deemed inadequate by the Board. Such improvements shall be made in accordance with the provisions of Section IV of these regulations.

2.5.2 Dedication of Land for Purpose of Improving Access

Where the physical condition or width of a public way from which a subdivision has its access is considered by the Planning Board to be inadequate to carry the traffic expected to be generated by such subdivision, the Planning Board may require the developer to dedicate a strip of land for the purpose of widening the abutting public way to a width at least commensurate with that required within the subdivision, and to make physical improvements to and within such public way to the same standards required within the subdivision. Any such dedication of land for the purpose of widening the way and any such work performed within such public way shall be made only with permission of the governmental agency having jurisdiction over such way, and all costs of any such widening or construction shall be borne by the developer.

2.5.3 Common Driveways

a) When appropriate, the applicant will be encouraged by the Planning Board and/or City Planner to use common driveways as a beneficial means of traffic and storm water drainage management for up to four abutting lots established through either the Approval Not Required or Subdivision process. The Gloucester Zoning Ordinance makes it clear under Section 3.5.1(a) and (b) that common driveways may not be used to satisfy frontage requirements and that common driveways are required to access over approved frontage. A common driveway will not be accepted as either a public or private road.

b) Every person submitting an application to the Planning Board for issuance of a special permit authorizing the use of a common driveway in accordance with Section 3.5 of the Zoning Ordinance of the City of Gloucester shall submit a plan prepared by a registered land surveyor. The plan shall be drawn in permanent ink on permanent transparency material and shall be sealed by the surveyor preparing the plan. The plan shall be labeled "Plan of a Common Driveway" and shall provide an approval block for the signatures of a legal majority of the Planning Board, the date of approval, and the words, "Common Driveway, Approved by the City of Gloucester Planning Board". The Plan shall show

As Amended by the Gloucester Planning Board – July 2008

information sufficient to establish on the ground the exact location, direction, width and length of the common driveway, as well as separate renderings of a profile and cross section. The plan shall also contain a note which shall read, "The City of Gloucester shall not be responsible for the maintenance, repairs, plowing, or similar services for the common driveway shown on this plan." The original plan(s) shall be recorded in the Southern Essex District Registry of Deeds within 30 days of approval by the Planning Board.

c) That common driveways shall have a minimum right of way width of 20 feet and a paved apron 20 feet in length commencing at the existing edge of pavement where it intersects with the common driveway. Said paved apron shall be constructed to the following standards:

- 12" of base gravel
- A minimum of 2" of paved surface or greater as specified by the City Engineer.
- A negative 2.0% grade from the existing edge of pavement to an appropriate drainage way or structure, but in no cases less than 5 feet from the travel surface of the public way it intersects;
- Approach radius as specified by the City Engineer.

d) Construction of common driveways shall meet the following minimum standards:

	<u>NUMBER OF LOTS SERVED</u>		
	<u>1</u>	<u>2-3 (Court)</u>	<u>4 (Lane)</u>
Minimum Driveway Width	12'	25'	40'
Minimum Sub-base (Heavy road gravel)	12"		
Wearing surface (Fine gravel)	2"		
Maximum Length	500'		
Maximum Grade	10%		
Minimum Grade	0.5%		
Turn around at dead end	Hammer Head, "Y" or "T"		
Storm Water Drainage to a Public Way	Approval of City Engineer		

e) Prior to the issuance of occupancy permits for lots served by a common driveway, a registered professional engineer shall inspect the common driveway and shall certify to the Building Inspector that said driveway has been constructed in accordance with this section;

f) That notwithstanding other provisions of these Rules and Regulations to the contrary, no common driveway shall provide access to or serve in any way to provide compliance with the requirements of the zoning ordinance for more than four individual lots unless construction of the driveway complies with the local residential street standards, and subdivision control law, MGL Chapter 41.

2.6 SUBDIVISIONS OF THREE OR FEWER LOTS

For preliminary and definitive plans creating three or fewer single-family residential lots, the following regulations shall apply, unless the Board determines that in order to satisfy the intent of the Subdivision Rules and Regulations the subdivision needs to comply with the requirements set forth for subdivisions creating more than three lots.

2.6.1 Preliminary Plans

The plan shall comply with section 3.1 of these regulations, with the following exceptions:

(a) The filing fee described in 3.1.2 shall be reduced to the following: an amount equal to seventy-five cents (\$.75/foot) times the centerline length of proposed ways in the subdivision, or one hundred dollars (\$100.00), whichever amount is greater. A fee shall be charged in a like manner for off-site road and utility improvements required by the Board.

(b) Paragraphs (j) - (u) under section 3.1.3 shall not apply.

2.6.2 Definitive Plans

The plan shall comply with section 3.2 of these regulations, with the following exceptions:

(a) The filing fee described in 3.2.1(d) shall be reduced to the following: an amount equal in feet to one dollar and fifty cents (\$1.50/foot) times the center line length of proposed ways in the subdivision. A fee shall be charged in a like manner for off-site road and utility improvements required by the Board.

(b) Paragraph (i), (l), and (n) of section 3.2.1 shall not apply.

(c) Paragraph (o) of section 3.2.4 shall not apply.

2.7 FEES

The submittal of Approval Not Required, three or fewer lots Preliminary and Definitive Plans, and four or more lots Preliminary and Definitive Plans shall be accompanied by a fee, as specified in sections 2.2.3, 2.6.1, 2.6.2, 3.1.2, and 3.2.1, respectively, of these Rules and Regulations. Upon the approval of the Definitive Plan, the applicant shall pay an inspection fee as specified in section 3.7 of these Rules and Regulations. In addition, the following fees shall be required of applicants to partially defray the costs incurred by the City of Gloucester for plan review and administration:

2.7.1 Modification, Extension, and Automatic Rescission

a. The petition of an applicant to have the Planning Board modify a previously approved Definitive Plan pursuant to MGL Chapter 41, Section 81-W, shall be accompanied by a fee in an amount equal to two dollars (\$2.00) per foot times the first five thousand (5000)

As Amended by the Gloucester Planning Board – July 2008

linear feet and one dollar (\$1.00) per foot times the remaining centerline length of proposed ways in the subdivision. A fee shall be charged in a like manner for off-site road and utility improvements required by the Board. These fees may be waived by the Planning Board, in whole or in part, in accordance with the requirements of MGL Ch. 41, Section 81-R and if in the opinion of the Planning Board it is documented, by the applicant for an extension, that the City will not incur such additional expenses.

b. The fee for an extension of time beyond six months or any subsequent extension of time beyond an initial extension, shall be five hundred dollars (\$500).

c. The fee for a Definitive Plan submitted after an automatic rescission shall be the same as required for a Definitive Plan pursuant to section 3.2.1 of these Rules and Regulations.

2.8 SPECIAL ACCOUNT FOR SUBDIVISION REVIEW

When reviewing a Preliminary or Definitive Subdivision Plan, the Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of the proposed subdivision or because of its potential impacts. The Board may require that the 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. The Board may determine that the fees established in sections 2.6.1, 2.6.2, 3.1.2, and 3.2.1 of these Rules and Regulations are adequate to pay for these costs, or it may determine that additional fees are necessary to pay for the requisite services.

In hiring outside consultants, the Board may engage engineers, land use planners, lawyers, landscape architects, hydrologists, or other appropriate professionals who can assist the Board in analyzing a proposed subdivision to ensure compliance with these Rules and Regulations.

Funds received by the Board pursuant to this section shall be deposited with the city treasurer, who shall establish a special account for this purpose. Expenditures from this special account shall be made only in connection with the review of a specific subdivision 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 subdivision.

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

Any applicant may take an administrative appeal from the selection of the outside consultant to the City Council. 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

As Amended by the Gloucester Planning Board – July 2008

required qualifications. The minimum qualifications shall consist of an educational degree in, or related to, the field at issue plus 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 City Council within one month following the filing of the appeal, the selection made by the Board shall stand.

2.9 PRE-APPLICATION

Prior to submitting any subdivision plan or special permit application to the Planning Board, the applicant may prepare a rough existing conditions site plan with a conceptual overlay of the proposed subdivision or special permit for an informal presentation to and discussion with the Planning Board. Following this pre-application procedure in 2.9 does not bind or obligate the applicant to further submittal. It is not considered an application until submittal of a subdivision plan or special permit application.

As Amended by the Gloucester Planning Board – July 2008

SECTION III PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PRELIMINARY AND DEFINITIVE PLANS

3.1 PRELIMINARY PLAN

3.1.1 General

A preliminary plan of a subdivision may be submitted by the developer to the Planning Board and to the Board of Health for discussion and approval by each Board. The submission of such a Preliminary Plan will enable the developer, the Planning Board, the Board of Health, the Department of Public Works, the Fire Department, and other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in each case. A properly executed Form B (see appendix) shall be filed with the Preliminary Plan and submitted to the Planning Board.

To further assist the developer it is suggested that prior to submitting the Preliminary Plan to the Planning Board that the developer discuss the plan with the City Planner, the Director of Public Works, the Agent of the Board of Health, the City Engineer, and the Fire Inspector to obtain the requirements of these Agencies.

3.1.2 Filing Procedure

(a) A completed Form B application (see appendix D) together with the original drawing and five (5) copies of the Preliminary Plan shall be submitted to the Planning Board. The applicant shall also file one copy of the Preliminary Plan with the Board of Health, obtain a receipt thereof, and provide such receipt to the Planning Board as part of the Preliminary plan submission.

(b) The Preliminary Plan shall be accompanied by a filing fee of \$100.00 plus \$100.00 per lot. A Cluster Development Preliminary Plan shall be accompanied by \$100.00 plus \$50.00 per unit. A fee shall be charged in a like manner for off-site road and utility improvements required by the Board. The fee shall be used to defray the cost of the review and administration of the subdivision plan by the Planning Division, Fire Dept., and the Board of Health Agent; design review by the Board's engineer; or review by other professional persons required to assist the Planning Board in its determination as to the adequacy of the Preliminary Plan with regard to these Rules and Regulations. The services of the aforementioned engineer or other professional persons shall be paid for as specified in section 2.8 of these Rules and Regulations.

(c) The day of the Planning Board meeting shall be considered the date of submission for a preliminary subdivision plan, which has been completed in accordance with the Rules and Regulations, and accompanied by a completed Form B application.

(d) The Applicant shall file by delivery or registered mail a notice with the City Clerk stating the date of submission for such approval of a Preliminary Plan to the Planning Board, and accompanied by a copy of the completed Form B application.

As Amended by the Gloucester Planning Board – July 2008

3.1.3 Contents

The Preliminary Plan may be drawn on tracing paper with pencil at a horizontal scale of one inch equals forty feet, and shall show the following information:

- (a) Subdivision name, boundaries, north point, benchmarks, date, scale, legend and title "Preliminary Plan";
- (b) Names of the Applicant and owner of record, and the name of the designer, engineer or surveyor;
- (c) Names of all abutters, as determined from the most recent tax list;
- (d) Existing and proposed lines of streets, ways, easements and any public areas within the subdivision;
- (e) Proposed system of drainage, including adjacent existing natural waterways;
- (f) Approximate boundary lines of proposed lots, with approximate areas and dimensions;
- (g) Names, approximate location and widths of adjacent streets;
- (h) Topography of the land as shown by contour lines and all slopes greater than 25%;
- (i) A locus plan of the subdivision at 1" = 400', showing proposed roads and their relation to the surrounding area.

It is also recommended that the following additional information be shown on the Preliminary Plan or submitted with the plan to permit better evaluation of the proposed subdivision and avoid costly changes and delays in the processing of the Definitive Plan later on:

- (j) Areas of the plan designated as wetlands;
- (k) Profiles of existing grades and approximate finish grades of the roadway and drains and other utilities;
- (l) The top and toe of proposed slopes adjacent to the roadways.
- (m) Location of soil test site(s) and a description of the soil depths, percolation rate, and composition and type of soil for each of the lots in the proposed subdivision.
- (n) When, in the opinion of the Board, existing soil conditions are unsuitable for the construction of roadways or building thereon, punchings or other means suitable to the Board to determine the depth of the unsuitable material shall be taken and the location of hard bottom shall be shown on the profiles.
- (o) Zoning classification of land shown on the plan and the location of any zoning district boundaries that lie within the locus of the plan.

As Amended by the Gloucester Planning Board – July 2008

- (p) Plan showing in a general manner, the proposed development of any contiguous land owned by the Applicant that is not presently being subdivided.
- (q) Size and location of existing storm drains, sewers and water mains and their appurtenances;
- (r) Location of existing buildings within and adjacent to the subdivision.
- (s) Six copies of an Environmental Impact Evaluation, in accordance with section 3.2.1(i) of these Rules & Regulations.
- (t) For any Preliminary Plan involving the creation of twenty (20) or more lots, a statement describing the proposed content of the Traffic Impact Report, which shall be submitted to the Planning Board with the Definitive Plan. The statement shall also indicate the professional traffic engineering consultant(s) who will prepare the report.
- (u) If the Applicant seeks a waiver of strict compliance with these Rules and Regulations, a description of such waiver request(s), as specified in section 5.2.
- (v) Eleven copies of a Stormwater Management Plan, in accordance with Appendix A-1 of these Rules and Regulations.

3.1.4 Approval or Disapproval

The Board may approve the Preliminary Plan, with or without modification, or it may disapprove said plan, stating the reason for its disapproval in accordance with MGL Chapter 41, Section 81-U. One copy of the plan shall be returned to the Applicant. Approval, if given, does not constitute approval of a subdivision, but does facilitate the procedure in securing final approval of the Definitive Plan.

The Planning Board shall act on the Preliminary Plan within forty-five (45) days of the date of submission. Any plan submitted to the Board in advance of a Definitive Plan which does not conform to the minimum requirements pertaining to a Preliminary Plan specified in Chapter 41, Section 81-L shall not be so designated, nor shall such plan be given approval by the Board.

3.2 DEFINITIVE PLAN

3.2.1 General

An Applicant seeking approval of a Definitive Plan of a subdivision shall file with the Planning Board the following:

- (a) An original drawing of the Definitive Plan and eleven (11) contact prints thereof.
- (b) A properly executed application Form C (see appendix D). The application shall be signed by the Applicant, shall state all easements and restrictions and mortgages to which the land is subject and all easements and restrictions appurtenant to such land over the land of others, and shall include reference to any recorded plan of the land in question.

As Amended by the Gloucester Planning Board – July 2008

(c) A list of all abutters to the subdivision as shown on the Definitive Plan, together with the address of each as determined from the most recent tax list.

(d) The Definite Plan shall be accompanied by a fee of \$1,000.00 plus \$250.00 per lot with a previously approved Preliminary Plan; or \$1,000.00 plus \$500.00 per lot without a previously approved Preliminary Plan. A Cluster Development Definitive Plan shall be accompanied by the requisite special permit filing fee of \$350.00 plus \$100.00 per unit with a previously approved Preliminary Plan; or the requisite special permit filing fee of \$350.00 plus \$200 per unit without a previously approved Preliminary Plan. A fee shall be charged in a like manner for off-site road and utility improvements required by the Board. These fees shall be used to defray the cost of the reviews and administration of the subdivision plan by the Planning Division, Fire Dept., the Board of Health Agent, the Treasurer, and the Auditor and to pay, in whole or in part, for all reasonable design review by the Board's engineer, or by other professional persons required to assist the Planning Board in its determinations as to the adequacy of the Definitive Plan with regard to these Rules and Regulations.

The Planning Board shall direct the City Auditor to establish an account to expend such funds to pay for the services of the aforementioned engineer or other professional persons as specified in section 2.8 of these Rules and Regulations.

(e) A sketch plan showing a possible or prospective street layout for any adjacent unsubdivided land owned or controlled by the Applicant or Developer of the subdivision, when such a plan has not already been submitted with a Preliminary Plan.

(f) Traverse notes, and drainage calculations for the determination of all waterway openings to justify culvert and drain sizes. Such calculations shall be prepared by a Registered Professional Engineer, and be accompanied by a watershed area plan justifying said calculations.

(g) A locus plan of the subdivision at a scale of one inch equals 1000 feet, showing the exterior lines of all proposed streets and their relation to the surrounding streets.

(h) If not previously submitted with the Preliminary Plan, the location of soil test site(s) and a description of the soil depths, percolation rate, and composition and type of soil for each lot in the subdivision.

(i) Twelve copies of an Environmental Impact Evaluation, unless previously submitted with the Preliminary Plan, shall be submitted in a narrative form, in accordance with Appendix A, accompanied by such plan, calculations and exhibits as may be appropriate. The document shall be filed with sufficient information to provide a basis for general conclusions about the effect of the proposed plan on the environment and the community. If several alternative methods of subdividing are possible, as regards street patterns, grading and drainage, the Evaluation shall compare their anticipated impact on the environment in order to show that the design selected minimizes the adverse and maximizes the beneficial environmental impacts.

(j) A copy of any variance or exception made by the Zoning Board of Appeals applicable to the subdivision of the land or any buildings thereon.

As Amended by the Gloucester Planning Board – July 2008

(k) A statement signed by a registered land surveyor or civil engineer stating that the relative error of closure is not greater than 1 to 12,000.

(l) Twelve (12) copies of a Determination of Nutrient Loading, for any subdivision which lies wholly or in part within the watershed or zone of contribution of a freshwater or coastal pond or embankment, or within the watershed or zone of contribution of the public water supply (existing or proposed).

The Determination of Nutrient Loading shall measure the nutrient loading of the proposed subdivision in comparison to: (1) carrying capacity of receiving waters; (2) existing and potential loading from all other developments and acreage within the recharge area of the water supply or water body; (3) in a water body, the loading rate which would produce critical eutrophic levels, or for water supply, the loading rate which would produce nitrate-nitrogen levels in excess of five parts per million in the groundwater.

The applicant shall propose measures to reduce nutrient loading if the loading rate from the proposed development equals or exceeds the critical loading rate when combined with existing and potential development within the water's recharge area. The methodology and standards to be used in determining nutrient loading are outlined in Appendix B.

(m) For any Definitive Plan involving the creation of twenty (20) or more lots, twelve (12) copies of a Traffic Impact Report, prepared by a traffic engineering consultant approved by the Planning Board. Such Traffic Impact Report shall include, at minimum, the following information:

- 1) The average daily traffic (ADT) to be generated by the subdivision.
- 2) The ADT counts of all streets designated by the Planning Board. If there are significant seasonal variations in traffic flow, ADT counts taken during the peak season shall be included.
- 3) Morning, mid-day, and afternoon peak traffic counts of all streets designated by the Planning Board.
- 4) An analysis of the adequacy of the existing street system to provide safe and convenient access to the proposed subdivision. If system deficiencies are detected, recommendations for their improvement, along with cost estimates, should be included.

(n) Documented evidence of provision for ownership and maintenance of open space shown on the Definitive Plan.

(o) Estimates of the cost of performing the various items of required work shall be furnished on a separate sheet for consideration in determining the amount of bond to be furnished if a performance bond is to be filed (see section 3.8.2). The estimates shall include unit costs and quantity takeoff.

As Amended by the Gloucester Planning Board – July 2008

(p) If the Applicant seeks a waiver of strict compliance with these Rules and Regulations, a description of such waiver request(s) as specified in section 5.2.

(q) Eleven copies of a Stormwater Management Plan, unless previously submitted with the Preliminary Plan, shall be submitted in accordance with Appendix A-1, accompanied by such plan, calculations and exhibits as may be appropriate.

(r) All plans shall be developed in conformance with the design standards of Section IV of these Rules and Regulations.

3.2.2 Filing Procedure

(a) The Applicant shall file by delivery or registered mail a notice with the City Clerk stating the date of submission of such Definitive Plan and accompanied by a copy of the completed Form C application.

(b) The Definitive Plan shall not be deemed to have been submitted to the Board until the application, filing fee, and other information required under 3.2.1, together with the Definitive Plan and prints, have been delivered to the Planning Board and are fully completed in accordance with these Rules and Regulations.

3.2.3 Designer

(a) The Definitive Plan shall be prepared by a Registered Professional Civil Engineer who shall sign and place his professional stamp on each sheet and submit with the Definitive Plan an engineer's certificate (see Form D in Appendix D) which shall include the following statement:

"This Plan has been designed by me or under my direct supervision, reflects accepted engineering practice, conforms to the Subdivision Regulations, City of Gloucester except as noted herein, and represents my best professional efforts."

(b) The Definitive Plan shall also be signed by a Registered Land Surveyor. The Surveyor shall sign and place his professional stamp on each sheet and submit a land surveyor's certificate (see Form D1 in Appendix D) which shall include the following statement:

"The surveying of the land for this plan, including the platting and laying out of lots and the alignment of streets, and the drafting of the plan, has been done by me or my firm, reflects accepted land surveying practices and standards, and represents my best professional efforts. The survey and plan were prepared in accordance with the Procedural and Technical Standards for the Practice of Land Surveying in the Commonwealth of Massachusetts."

(c) The Definitive Plan for any subdivision of five (5) or more lots shall be designed in collaboration with a Registered Landscape Architect. The Landscape Architect shall sign and place his professional stamp on each sheet and submit a landscape architect's certificate (see Form D2 in Appendix D) which shall include the following statement:

"This plan has been designed in collaboration with me or my firm, reflects accepted landscape design practice, and represents my best professional efforts."

As Amended by the Gloucester Planning Board – July 2008

3.2.4 Contents

The Definitive Plan shall contain the following information:

(a) A title, appearing in the lower right-hand corner of the plan, showing the name of the subdivision, the date, scale, the name and address of the Applicant, and the names and seals of the Engineer and Surveyor (and if applicable, the Landscape Architect) who made the plan;

(b) North point, benchmark, and boundaries of the subdivision;

(c) Location and ownership of abutting property as it appears on the most recent tax list, including all land within five hundred (500) feet of the boundaries of the land shown in the subdivision;

(d) Lines of existing and proposed streets, sidewalks, bikeways, walkways, lots, easements, and public or common areas within the subdivision (The proposed names of the streets shall be shown in pencil until they have been approved by the Planning Board).

(e) Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground. This shall include the lengths and bearings of the plan and boundary lines of all streets and easements, and the length, radii, tangents, and central angles of all curves in lot lines and street lines. All angle points or intersections of tangents along the street lines shall be shown. For any Definitive Plan involving the creation of five (5) or more lots, all major boundary points in the subdivision shall be tied into the State Plane Coordinate System. Adjoining lands of the applicant not included in the subdivision will be shown.

(f) Location of all permanent monuments which shall be shown by a small black square, properly identified as to whether existing or proposed. These are to be tied into existing boundaries wherever possible.

(g) The computed area of each proposed lot in the subdivision, lot number, and proposed street number.

(h) Locations, names, and present widths of streets, ways, and easements bounding, approaching, or within reasonable proximity of the subdivision.

(i) Indication of purpose, width and location of all easements outside of street lines.

(j) The top and toe of proposed slopes adjacent to the roadways.

(k) Major features of the land including all areas designated as wetlands; existing waterways; swamps and water bodies; wells; natural drainage courses; walls; fences; buildings or other structures; wooded areas; rock ridges and outcroppings; all existing slopes greater than 25%, and ditches which exist on or near the site at the time of survey.

As Amended by the Gloucester Planning Board – July 2008

(l) If less than all of the Applicant's land is being subdivided, the size and shape of the remaining land shall be shown as an insert on the plan, at a scale of one inch equals two hundred feet.

(m) Unless the subdivision is to be connected to the municipal sewer system, the following statement shall be included on the Definitive Plan: "No building or dwelling shall be built on any lot without first securing from the Board of Health the Disposal Works Construction Permit required by the State Environmental Code."

(n) Suitable space to record the following:

1. Approval Endorsement
2. Performance Guarantee
3. City Clerk's Certificate of No Appeal

(o) There shall be a table prepared and displayed in a convenient place on the plan showing the following:

1. Zoning district(s) in which the land is located.
2. The total area of the entire subdivision.
3. The number of building lots within the subdivision and the total area of all such lots.
4. The total area of all ways within the subdivision.
5. The total area of any wetlands within the subdivision.
6. The total area of open space within the subdivision (all land not included in ways or building lots)
7. The total number of linear feet, measured along the centerline, for each street proposed on the plan.
8. The total area of each street and drainage, sewer or utility easement in the subdivision.
9. The total number of bounds to be set.
10. The total area of any floodway or flood plain within the subdivision.

Items (p) - (v) may be submitted on separate sheets of the same size and material as the plan sheet. Each sheet shall bear the title and signature blocks as required in paragraphs (a) and (n) above.

(p) Existing and proposed topography at a two (2) foot contour interval.

(q) Existing center, left and right sidelines, and proposed centerline profiles of proposed streets and of intersecting streets for at least 100 feet each side of the intersection of the street centerlines at a horizontal scale of one inch equals forty feet and vertical scale of one inch equals four feet. Existing centerline grades shall be shown in fine solid lines, existing exterior line grades in fine dash lines, and proposed finished center line grades in heavy solid lines. Proposed grade elevations shall be indicated every 50 feet on straight grades, every 25 feet on vertical curves, and at PVC and PVT. Rates of gradient in percentage shall also be shown. Lines and figures indicating proposed grades shall be in red; all other data shall be in black. All elevations shall refer to Mean Sea Level. Profile stationing shall be referenced to a plan drawing.

As Amended by the Gloucester Planning Board – July 2008

(r) Proposed layout, profiles, and existing and proposed grades of storm drains, including pipe invert elevations and gradients, sub-surface drains, connecting swales or drainage, and proposed boundaries of drainage basins or pond catchment areas.

If surface water drains will discharge onto existing streets or onto adjacent properties not owned by the applicant, the course of discharge should be clearly indicated, and evidence shall be presented to the Board demonstrating that the discharge is acceptable, permitted by public or private ownership of adjacent streets or property, and does not cause any detrimental effects to public or private property.

(s) Proposed profiles of on-site and off-site sanitary sewer line. If sewage pumping stations are necessary, detailed plans of the proposed stations.

(t) When, in the opinion of the Board, existing soil conditions are unsuitable for the construction of roadways or building thereon, punchings or other

means suitable to the Board to determine the depth of the unsuitable material shall be taken and the location of hard bottom shall be shown on the profiles.

(u) Typical cross section at one inch equals five feet horizontal, one inch equals one foot vertical for each type of street in the subdivision and for any open waterways. Typical cross sections of road ways shall show the width of layout, width and pitch of pavement, including berms, shoulders, grass strips, sidewalks and side slopes; the location of street light standards, hydrants, gas and water mains, sewer line, storm drains, and catch basins; the depth of road pavement, base courses and sidewalks. A typical cross section of a leaching catch basin and a drainage manhole shall be shown. Sections shall also be drawn for all proposed drainage leaching trenches or leaching areas.

(v) Location and species of all proposed street trees and location of all existing trees with trunks over ten (10) inches in diameter, measured four (4) feet above the finished ground level, both those which are to be retained and those which are to be removed, within twenty (20) feet of the exterior right of way lines of each street.

(w) A plan for the control of erosion and siltation both during and after construction phases. Such plan shall include the proposed construction sequencing, temporary and permanent erosion control plantings, special constructions, and swale and stream scour protection.

(x) Such other information as may be required by the Planning Board to evaluate the proposed subdivision.

(y) A revision table that contains the following information:

1. revision number
2. date of revision
3. explanation of revision
4. initials of reviser

As Amended by the Gloucester Planning Board – July 2008

3.2.5 Staking

To facilitate review of the Definitive Plan by the Planning Board, the Applicant shall stake all corners of the property and all changes of bearing. The Applicant shall also stake the center line of all proposed streets at fifty (50) foot intervals. The centerline station shall be marked on each stake.

3.3 REVIEW BY BOARD OF HEALTH AS TO SUITABILITY OF LAND

(a) At the time of filing of the Definitive Plan, the Applicant shall also file with the Board of Health two prints of the Definitive Plan, and in unsewered areas, shall submit a topographic plan with two foot contour intervals and comply with other Board of Health requirements, including percolation tests and test excavations.

(b) The Board of Health shall, within 45 days after filing of the Plan, report to the Planning Board, in writing, its approval or disapproval of the Plan. If the Board of Health disapproves the plan, it shall make a specific report of its findings as to which, if any, of the lots shown on the plan cannot be used for building sites without injury to the public health and include such specific findings and the reasons therefore in such report, and, where possible, shall make recommendations for the adjustment thereof. The Board of Health shall provide a copy of such report, if any, to the applicant.

(c) Every building lot that cannot be served by a connection to the municipal sewer system shall be provided with a sewage disposal system approved by the Board of Health.

3.4 REVIEW BY OTHER CITY OFFICIALS

The Planning Board will transmit copies of the Definitive Plan to other City officials for review and comment. Before the Definitive Plan is approved, the Board will request written statements from the following agencies or commissions:

3.4.1 Department of Public Works Review

Department of Public Works as to the design of the street and water system, location of easements, monuments, drainage system, the sewer system, if applicable, and any other relevant matters.

3.4.2 Fire Department Review

Fire Department as to the location of hydrants, emergency access, adequacy of fire flow, installation of alarm system, if applicable, and any other relevant matters.

3.4.3 Building Inspector Review

Building Inspector as to compliance with the Gloucester Zoning Ordinance.

3.4.4 Conservation Commission Review

Conservation Commission as to potential involvement with MGL Chapter 131, Section 40, and the effects of the subdivision on streams, wildlife and similar considerations within the scope of the Commission.

As Amended by the Gloucester Planning Board – July 2008

3.5 PUBLIC HEARING

Before approval, modification and approval, or disapproval of a Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of time and place of such hearing shall be given by the Planning Board at the expense of the applicant in each of two successive weeks, the first publication to be at least fourteen (14) days prior thereto, by advertisement in a newspaper of general circulation in the City of Gloucester. A copy of said notice shall be mailed to the Applicant and to all owners of land abutting upon the subdivision or separated therefrom by a street, as appearing in the most recent tax list.

3.6 APPROVAL OF A DEFINITIVE PLAN

After the public hearing, the Definitive Plan will be studied by the Board to determine its conformity with any approved Preliminary Plan, and its compliance with the design standards and other requirements of these Rules and Regulations. Within ninety (90) days after the submission of such plan, or within one hundred and thirty-five (135) days if such plan did not properly evolve from a Preliminary Plan, the Board will take final action thereon by approving, modifying and approving, or disapproving such plan, unless an extension of this time period has been requested in writing by the Applicant and granted by the Board.

If the Board modifies or disapproves a Definitive Plan, it shall state in its vote the reasons for its action. A Definitive Plan disapproved by the Board of Health shall not be approved by the Planning Board until the deficiencies noted by the Board of Health have been corrected. Approval, if granted, shall be endorsed on the original drawing(s) of the Definitive Plan by the signatures of a majority of 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 City Clerk and said Clerk has notified the Board that no appeal has been filed. After the Definitive Plan has been endorsed, the applicant shall furnish the Board with one complete set of Mylar drawings and eleven (11) prints thereof, which shall include all modifications, if any.

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

3.7 INSPECTION FEES

Prior to the endorsement of a definitive subdivision or cluster development plan as approved, and prior to the return of such plan to the Applicant, the Applicant shall be required to submit to the Planning Board an amount equal to six dollars (\$6.00/foot) times the centerline length in feet of proposed ways in the subdivision. A fee shall be charged in a like manner for off-site road and utility improvements required by the Board. The Planning Board shall direct the Auditor to establish an account to expend such funds to pay for all reasonable construction

inspection services and subdivision modification design reviews by its engineer or other professional persons required to assist the Planning Board in its determination as to the adequacy of the subdivision construction and as to the adequacy of such design

As Amended by the Gloucester Planning Board – July 2008

modification. If the cost of providing such services exceeds the amount submitted, the Planning Board may require the applicant to submit an additional amount equal to such cost. If the cost of providing such services is less than the amount submitted, the Planning Board shall return the balance to the applicant upon the release of the retainage as specified in section 3.12.

3.8 PERFORMANCE BOND GUARANTEE

3.8.1 Election by Applicant

An Applicant may elect to complete a subdivision under either a Performance Bond or a Covenant and shall notify the Board of his choice at the time of submission of the Definitive Plan. Execution of the Performance Bond or the Covenant must be completed before endorsement of the Definitive Plan by the Board.

3.8.2 Performance Bond

If he so elects, the Applicant shall file with the Board a Surety Company Performance Bond (see Appendix D, Form G), issued by a Surety Company acceptable to the Planning Board, or a Performance Bond secured by a deposit of money or negotiable securities (see Appendix D, Form F) conditioned on the completion of all required improvements within the time period specified at the time of approval of the Definitive Plan; said bond to be in sufficient sum, in the opinion of the Board, to cover the cost of construction of such improvements based on laws affecting how a municipality completes the project and so drawn as to insure their satisfactory completion. If the Applicant elects to provide a performance bond secured by a deposit of money or negotiable securities, he shall, prior to the approval of the Definitive Plan, prepare a schedule covering the cost of construction of improvements to complete the subdivision, which schedule shall be submitted to the Board and its engineer for review. The engineer shall determine the cost to complete the project based on all applicable statutes, ordinances, rules and regulations which govern the manner by which the municipality completes the project and advise the Board as to the adequacy of the proposed Performance Bond. The bond shall be written to remain in full force and effect for the time period of the Board's endorsement of a definitive plan as specified in section 3.11 plus ninety (90) days.

Securing the performance of the required improvements by a bond will allow the Applicant to construct structures prior to the release of the performance guarantee. Prior to the issuance of a building permit, however, the street providing access to the proposed structure shall be paved with, at minimum, a binder course of Class I bituminous concrete satisfactory to the City Engineer, and a hydrant shall be in working condition satisfactory to the Fire Inspector within five hundred (500) feet of the proposed structure.

After completion of the subdivision and certification that the work has been completed to the satisfaction of the Board in accordance with the Definitive Plan as approved, the Applicant may request discharge of the bond.

3.8.3 Covenant

Under this procedure the Board may approve a Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the improvements necessary to adequately serve such lot, in accordance with these Rules and Regulations, have been satisfactorily constructed and installed.

As Amended by the Gloucester Planning Board – July 2008

If the applicant elects to accept this procedure, he shall execute and deliver to the Board before approval of the Definitive Plan a covenant (see Appendix D, Form H) to construct and install the required improvements.

Such covenant shall be recorded, at the expense of the Applicant, at the Registry of Deeds, or registered in the Land Court, and shall be binding upon the land within the subdivision. The Applicant shall notify the Board in writing of the date of such recording, submitting evidence thereof satisfactory to the Board.

Upon receipt of notification of recording the Board shall file one print of the Definitive Plan with the Building Inspector. In accordance with the statute, where approval with covenant is noted thereon, the Building Inspector shall not issue any permit for the construction of a building on any lot within the subdivision without receipt from the Board of a copy of the Release of Covenant.

Upon completion, to the satisfaction of the Board, of all the improvements necessary to adequately serve all lots within the subdivision or, if so requested by the Applicant, any particular lots, the Board will issue a certificate of such performance (Form M), and upon the approval by the Board and due recording or registering of such certificate, the conditions applicable to the lots described therein shall terminate.

3.8.4 Lender's Guarantee of Performance

In cases where land in a subdivision has been mortgaged to secure construction funding, and the mortgage recorded, the Planning Board may, at its option and upon written request of the Applicant, release lots from the operation of a Covenant upon delivery to the Board of an agreement (see Appendix D, Form I) executed by the Applicant and the mortgagee by a lender acceptable to the Board, in which the lender agrees to retain sufficient funds otherwise due the Applicant to cover the cost of construction of improvements needed to complete the subdivision based on the laws affecting how a municipality completes the project, and make such funds available to the City to complete the required construction in the event of a Applicant's failure to perform the required work according to the schedule incorporated in such an agreement. Should the Applicant request the release of lots from the operation of the covenant, he shall prepare a schedule covering the cost of construction of improvements to complete the subdivision, which schedule shall be submitted to the Board and its engineer for review. The engineer shall determine the cost to complete the project based on all applicable statutes, ordinances, rules and regulations which govern the manner by which the municipality completes the project and advise the Board of the adequacy of the requested retainage of funds. The form and manner of execution of said agreement shall be subject to approval by the City General Counsel if the Planning Board makes a written request.

3.8.5 Change in Security, Reductions and Extensions

The Applicant may change the method of securing the required construction for all or part of a subdivision from a covenant to a bond or other security. The Applicant may request in writing to the Planning Board and copy to the Homeowners Association or owners of record in the subdivision, with the written concurrence of the surety company, if any, reduction in the penal sum of the bond or other security or an extension of time within which the work specified in a covenant or required to be performed under a bond or other security may be completed, and the Board may, at its option, grant such

As Amended by the Gloucester Planning Board – July 2008

reduction or extension and notify the City Clerk, the Applicant and the surety, if any, of such reduction or extension. Should the Applicant make such a request, he shall prepare a schedule covering the cost of construction of improvements to complete the subdivision, which schedule shall be submitted to the Board and its engineer for review, And copy to the Homeowners Association or owners of record in the subdivision. The engineer shall determine the cost to complete the project based on all applicable statutes, ordinances, rules and regulations which govern the manner by which the municipality completes the project and advise the Board of the adequacy of such reduction or extension. Board actions with respect to the approval or disapproval of a subdivision plan, acceptance of a covenant, release of lots or extension of time shall be by a certificate of action executed by the majority of the Board for recording with the Registry of Deeds or filing with the recorder of the Land Court.

3.9 CONVEYANCE OF UTILITIES AND EASEMENTS AND DEDICATION OF STREETS

Prior to the release of a bond or other security, or to the issuance of a certificate of performance releasing the developer from the conditions of a covenant, or any other instrument intended to secure the performance of required work, the developer shall, without cost to the City, convey or transfer title or rights as follows:

3.9.1 Conveyance of Travel Easements

Convey to the City of Gloucester the right to use streets and any travel easements in the subdivision for the purposes of public travel, installation of utilities and all other purposes for which streets are or may be used in Gloucester. This shall include the right to enter said streets and to sweep, remove snow, maintain, reconstruct, and repair them, including all acts necessarily or customarily incidental thereto; but shall not be construed to relieve the Developer and his successors in title to any portion of a street in a subdivision from the responsibility of maintaining said street in good repair until it is accepted by vote of the City Council of the City of Gloucester.

3.9.2 Conveyance of Drains

Convey to the City of Gloucester the right and easement to construct, extend, operate, remove, replace, repair and forever maintain all surface and subsurface drains and their appurtenances, such as inlets, catch basins, manholes, wingwalls, ditches, and paved sluiceways, in and under streets and easements, and where necessary indicate such easements on the subdivision plans at least five feet from the centerline of drain on one side and fifteen feet on the other. This shall not be construed to relieve the Developer and his successors in title from the responsibility of maintaining all drains in good repair until the streets and appurtenant drainage easements are accepted by vote of the City Council of the City of Gloucester.

3.9.3 Conveyance of Water System

Convey to the City of Gloucester the right and easement to construct, extend, operate, remove, replace, repair and forever maintain all water mains, valves, pipes, hydrants and other appurtenances in and under streets and easements, indicating where necessary such easements on the definitive subdivision plan as extending at least five feet from the centerline of the water pipe on one side and fifteen feet on the other. This shall not be construed to relieve the Developer and his successors in title from the responsibility of maintaining all water supply piping and appurtenances in good repair until the streets and

As Amended by the Gloucester Planning Board – July 2008

appurtenant easements are accepted by vote of the City Council of the City of Gloucester. Instruments conveying the title or rights under this section will substantially follow Form J in Appendix D.

3.10 EVIDENCE OF SATISFACTORY PERFORMANCE

Before the Board will release the interest of the City in a surety bond or deposit, or, in the case of a covenant, issue a release of covenant, the following must occur:

3.10.1 Payment of Fees

The Applicant shall pay all fees, as specified in section 3.7, to cover the cost of construction inspection.

3.10.2 Written Approvals

The Applicant shall obtain and submit to the Planning Board statements from the following:

(a) Department of Public Works Director, indicating he has approved: the streets; the installation of the drainage system, including appurtenances; the installation of the sewer system, where applicable; the location, size, and species of street trees.

(b) Fire Chief, indicating that he has approved: the installation of the hydrant system; the fire flow; if applicable, the installation of fire alarm cable and boxes.

3.10.3 Engineer Inspection

The Board shall obtain from its engineer a completed inspection form (See Form K in Appendix E), a statement to the effect that all work required by these Rules and Regulations has been completed for each way in the subdivision, and that he has approved the methods of construction and the materials used in the performance of such work.

3.10.4 Submission of As-Built Plan

The Applicant shall submit an As Built Plan in accordance with section 4.1.5 of these Rules and Regulations and in conformance with the existing record system of the DPW Water, Sewer, and Highway Divisions.

3.11 RELEASE OF PERFORMANCE GUARANTEE

Upon completion of required improvements set forth under Section IV of these Rules and Regulations, security for the performance of which was given by bond, deposit or covenant, or upon performance of any covenant with respect to any lot or group of lots, the applicant shall send by registered mail to the City Clerk and the Planning Board a written statement in duplicate that the construction of ways and the installation of municipal services, in connection with which bond, deposit or covenant has been given, has been completed in accordance with the requirements set forth under Section IV. If the Board determines that said improvements have been completed, it shall, within forty-five (45) days of the receipt of the Applicant's statement, release the City's interest in such bond, and return the bond or the deposit to the person who furnished the same, or release the covenant by appropriate instrument (Form M) duly acknowledged, with a copy to the

As Amended by the Gloucester Planning Board – July 2008

Building Inspector. If the Board determines that said improvements have not been completed, it shall, within forty-five (45) days of the receipt of the Applicant's statement by the City Clerk, specify to the Applicant in writing the details wherein said improvements fail to comply with its Rules & Regulations.

3.12 RETAINAGE TO INSURE ADEQUATE WORK

(a) At the time of the Board's release of the bond or the deposit to the person who furnished the same, the Board shall retain twenty percent (20%) to insure adequate construction and installation of the streets and municipal services for eighteen (18) months after completion of construction and installation or until the streets are accepted by the City, whichever comes first.

(b) If the required improvements were secured by a covenant, at the time of the Board's release of the covenant the applicant shall post a bond equal to twenty percent (20%) of the cost of improvements to insure adequate construction and installation of the streets and municipal services for the time period specified above.

(c) Approximately sixty (60) days before the expiration of the eighteen months, the Planning Board shall inspect said streets and municipal services to determine whether or not it should recommend the release of the final 20%.

(d) Upon expiration of the period for which the applicant is responsible for maintenance of said streets and municipal services, and if said developer has complied with all the requirements of the Subdivision Control Law and the Planning Board Rules and Regulations as set forth in an inspection report of said streets and municipal services, any monies held by said Board for their maintenance shall be returned forthwith to the applicant (using Form N in Appendix D).

3.13 TIME FOR COMPLETION

If the ways in any subdivision are not completed and the utilities are not installed within the time agreed to by the Applicant, or so required by the Board, the Board may rescind its approval and require the reapplication and filing of a new Definitive Plan, or it may enforce such bond and apply any such deposit for the benefit of the City. Ways or portions thereof not completed within the time required shall thereafter be completed in accordance with the design and construction standards of the Board in effect upon the expiration of such time.

3.14 ENDORSEMENT

The endorsement of the plan approval by the Board shall be valid for a period of three (3) years from the date of said endorsement. Prior to the expiration of the three (3) year approval period, the applicant shall request in writing to the Board an extension of time, if necessary. Failure to request an extension of time prior to the expiration of the three (3) year approval period shall result in the Board's notifying the Building Inspector that no additional building permits shall be issued in said development. The request for an extension shall state the reasons for the requested extension and also the length of time requested.

SECTION IV DESIGN AND IMPROVEMENT REQUIREMENTS FOR AN APPROVED SUBDIVISION

4.1 GENERAL

4.1.1 Design Standards

All subdivisions shall be designed and laid out to meet the requirement of public safety, including, but not limited to, precautions against possible natural disasters of vehicle and pedestrian traffic safety and convenience of adequate storm water drainage and sewage disposal, and with due regard for the rights, health and welfare of the inhabitants of the City of Gloucester, including the future residents of the proposed subdivision, and of future employees or visitors to a non-residential subdivision. .

4.1.2 Conformance with Plan and Regulations

All improvements specified herein or shown on the approved definitive plan shall be installed by the Applicant or Developer at no cost to the City and in strict conformance with these Rules and Regulations and the improved plan. Unless otherwise specified, all materials and the manner and workmanship of their installation shall conform to the current requirements of the Standard Specifications for Highways, Bridges, and Waterways, established by the Commonwealth of Massachusetts, Department of Public Works.

4.1.3 Monuments

(a) Granite or precast concrete monuments not less than three (3) feet long and five (5) inches square shall be installed at all street intersections, at all points of change in direction of curvature of streets, and at other points where, in the opinion of the Board, permanent monuments are necessary.

(b) The tops shall be set flush with the finished street-line grade and the monuments shall be set in well-tamped binding gravel. The point at each monument shall be marked by a three-eighths (3/8) inch drill hole in the top.

(c) No permanent monument shall be installed until all construction which would disturb or destroy the monument is completed.

(d) The placement and accurate location of all monuments shall be certified by a Registered Land Surveyor and properly located on the As Built Plan submitted by the Developer in accordance with 4.1.5 of these regulations.

4.1.4 Tests of Materials

When requested to do so by the City agencies concerned, the Developer shall bear the cost of tests of materials. Such tests shall be conducted by independent laboratories from a list maintained by the Planning Board.

4.1.5 As Built Plans

Upon completion of the subdivision and prior to the release of sureties or covenant, the Developer shall submit to the Planning Board a plan, drawn on Mylar and certified by a Registered Land Surveyor, or registered professional engineer, showing the actual size,

As Amended by the Gloucester Planning Board – July 2008

locations of all utilities (including electric, telephone, and gas underground installations) and roadway profiles and any changes authorized by the Board. The plan shall be drawn using the same technical standards and containing all of the details of the definitive plan, and shall show the actual measurements of all service ties. Four (4) copies of each Mylar plan required above shall also be submitted to the Planning Board.

4.1.6 Installation of Services

All storm drains, sewers, water mains, related installations, and service connections to be placed within the limits of a right of way shall be installed, and approved as herein required, and all gas pipes and other underground utilities shall be installed prior to completion of the roadway foundation.

4.2 LOT IMPROVEMENTS

4.2.1 Lot Configuration

Lot side lines shall be as nearly perpendicular or radial to street side lines as feasible. Intersections of lot lines at an angle of less than forty-five (45) degrees should be avoided. Double frontage and reversed frontage lots should also be avoided.

4.2.2 Lot Dimensions

No subdivision shall be approved by the Planning Board unless the size, shape, width, and frontage of all lots within the subdivision comply with the applicable provisions of the Zoning Ordinance.

4.2.3 Lot Access

Access to a lot shall be along the street used to meet the frontage requirement established by the Zoning Ordinance for such lot.

4.3 STREETS

4.3.1 Location and Alignment

(a) All streets in the subdivision shall be designed so that, in the opinion of the Board, they will allow safe vehicular and pedestrian travel. Due consideration shall also be given by the Developer to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision. To the greatest extent possible, streets shall be laid out to reduce the volume of cut and fill and to avoid existing slopes of 25% or greater. Guardhouses, decorative structures, and other similar structures are prohibited in the street rights-of-way.

(b) The proposed streets shall conform to all existing plans of the Planning Board; to the General Plan or parts thereof adopted by the Board; and, where required by the Board, to the existing street system.

(c) If adjoining property is not subdivided but is, in the opinion of the Board, suitable for ultimate development, provision shall be required for proper projection of streets into such property by continuing appropriate streets within the subdivision to the exterior boundary thereof.

As Amended by the Gloucester Planning Board – July 2008

(d) As far as practicable, all proposed residential streets shall be continuous and in alignment with existing streets, and shall comprise a convenient system with connections adequate to insure free circulation of vehicles.

(e) Reserve strips prohibiting access to streets or adjoining property shall not be permitted.

(f) Centerlines of street jogs shall be off set a minimum of one hundred twenty-five (125) feet.

(g) Streets shall intersect at as nearly right angles as is practicable and in no case at less than sixty (60) degrees.

(h) The minimum centerline radii of curved streets shall be the following:

- Lanes - 100 feet
- Minor Streets - 150 feet
- Collector Streets - 300 feet

(i) Property lines of street intersections located within residential subdivisions shall be rounded or cut back to provide for a curb radius of not less than thirty (30) feet at intersections with a Collector street, and twenty-five (25) feet at intersections involving only Minor streets or Lanes. However, when the intersection of two streets varies more than ten (10) degrees from a right angle, the radius of the curve at the acute angle may be less and at the obtuse angle may be greater than twenty-five (25) feet for a Minor street or Lane and thirty (30) feet for a Collector street, to the extent approved or required by the Planning Board. Property lines of street intersections located within non-residential subdivisions shall be rounded or cut back to provide for a curb radius of not less than thirty-five (35) feet.

(j) Streets in the subdivision shall connect to and be accessible from a public way or an existing private way open to the public and in which the Applicant has rights for purposes for which ways are intended and commonly used.

(k) There shall be provided at least two (2) recognized means of access, as noted in paragraph above, for each subdivision, except one comprising only one dead-end street. In the case of an approved definitive subdivision plan under development, the Board will not release a surety bond or deposit, or in the case of a covenant, issue a release of covenant for a portion or section of the subdivision under development unless there is provided and constructed first, except for a dead-end street, two means of access to said portion or section.

(l) No street or portion of street providing access to a lot shall be less than ten (10) feet in elevation.

(m) A tangent at least one hundred and fifty (150) feet in length shall separate all reverse curves on Collector streets.

As Amended by the Gloucester Planning Board – July 2008

(n) Temporary dead-end streets, laid out to permit future projection, shall conform to the provisions of alignment, width, and grade that would be applicable to such streets if extended.

(o) When access to a subdivision crosses land in another municipality, the Planning Board may require certification, from appropriate authorities, that such access is in accordance with the subdivision requirements of such municipality, and that such access, if necessary, will be adequately improved to handle prospective traffic.

4.3.2 Width

(a) The width of street rights-of-way shall not be less than the following:

- Courts - Twenty-five (25) feet, except for streets having a grade in excess of
- six percent, in which instance the minimum right-of-way shall be thirty (30) feet.
- Lanes - Forty (40) feet
- Minor Streets - Fifty (50) feet
- Collector Street - Sixty (60) feet

(b) The minimum width of pavement between curb lines shall not be less than the following:

- Courts - Sixteen (16) feet, except for streets having a grade in excess of six percent, in which instance the minimum width of pavement shall be twenty (20) feet.
- Lanes - Twenty (20) feet
- Minor Streets - Twenty-six (26) feet
- Collector Streets - Thirty-two (32) feet

4.3.3 Grades

(a) Grades of streets shall be the reasonable minimum but not less than 0.5%.

(b) The maximum centerline grades shall be as follows:

- Courts: Twelve (12) percent
- Lanes: ten (10) percent
- Minor streets: eight (8) percent
- Collector streets: six (6) percent

(c) For Lanes, Minor Streets and Collector Streets in a residential subdivision where the grade is five (5) percent or greater on the approach to an intersection, a leveling area with a slope of not more than three (3) percent shall be provided for a distance of not less than seventy-five (75) feet measured from the nearest exterior line of the intersecting street.

For Courts in a residential subdivision where the grade is six (6) percent or greater on the approach to an intersection, a leveling area with a slope of not more than four (4) percent shall be provided for a distance of not less than seventy-five (75) feet measured from the nearest intersecting line of the intersecting street. On any street in a non-residential subdivision where the grade is three (3) percent or greater on the approach to an intersection, a leveling area with a slope of not more than two (2) percent shall be provided for a distance of not less than two hundred (200) feet measured from the nearest exterior line of the intersecting street.

As Amended by the Gloucester Planning Board – July 2008

(d) Vertical curves are required where changes in grade exceed one (1) percent. Such vertical curves shall provide a forward sight distance of one hundred and fifty (150) feet on Courts, two hundred (200) feet on Lanes and Minor streets, and three hundred (300) feet on Collector streets.

4.3.4 Dead-End Streets

(a) Where in the opinion of the Planning Board through streets are not needed for adequate fire protection and traffic circulation, dead-end streets may be used. Said streets shall not exceed five hundred (500) feet in length unless greater length is deemed desirable by the Planning Board, and that the centerline is measured from the centerline of the intersecting street.

(b) Dead-end streets shall be provided at the closed end with a turn-around having a diameter at the curb-line of at least one hundred (100) feet and a property-line diameter of at least one hundred and twenty (120) feet, except for Courts, which shall provide a turnaround having a diameter at the curb-line of at least eighty (80) feet and a property-line diameter of at least ninety (90) feet. Where appropriate, the Planning Board may also require the placement of a circular landscaped island, with a minimum radius of twenty (20) feet, at the center of the turn-around. As an alternative to a circular turn-around, under certain conditions, the Board may allow "T" or "Y" shaped turn-arounds of a design that would permit a vehicle with a 47 foot outside turning radius and a width of eight (8) feet to reverse its direction without backing more than once.

4.3.5 Construction

(a) The width of the pavement plus two (2) feet on each side shall be cleared of all stumps, brush, roots, boulders, trees and like materials, and the remainder of the right-of-way shall be cleared of such materials not intended for preservation or interfering with utility installation. All materials not suitable for foundation material shall be removed from an area two feet wider than the paved width and to a depth of at least fifteen (15) inches below grade. Peat, silt, loam or similar yielding materials shall be removed to a firm foundation.

(b) The roadway shall be graded and prepared for pavement as follows:

Traveled ways shall be provided with a foundation consisting of at least twelve (12) inches compacted thickness of gravel borrow, as specified in Section M1.03.0 type B of the Standard Specifications for Highways and Bridges. The gravel base shall be rolled and compacted to a center line grade three and one-half (3 1/2) inches below the proposed finished grade as shown on the profile, and having a transverse grade conforming to that shown on the Typical Street Half-Section.

The gravel shall be spread in two equal layers, each of which shall be thoroughly watered and rolled true to line and grade with a roller of not less than twelve tons. All soft and spongy material below the sub-grade surface shall be removed to a depth determined by the Director of Public Works and the City Engineer, and the space shall be filled with gravel borrow. Any depressions that appear during and after rolling shall be filled with additional gravel borrow and rerolled until the surface is true and even.

As Amended by the Gloucester Planning Board – July 2008

(c) After the treated roadway base has been subjected to the action of traffic for a time period specified by the Director of Public Works and the City Engineer, but not in excess of thirty (30) days, a binder course of Class I bituminous concrete shall be applied, compacted and rolled to a thickness of two (2) inches with a true surface conforming to the half-section of the road. A second course consisting of one and one-half (1 1/2) inches of Class I bituminous concrete top shall be applied, compacted and rolled to grade with a true surface conforming to the half-section of the road.

(d) Roadways shall be constructed for the full length of all streets in the subdivision. The center line of such roadways shall coincide with the centerline of the street right-of-way unless a waiver is specifically authorized by the Planning Board.

(e) Where roadway slopes extend outside of the street right-of-way lines the developer shall be required to provide temporary construction easements to a line five (5) feet beyond the top or toe of the proposed slope.

(f) Straight face granite curbs with six (6) inches of reveal shall be installed for the full radius at all street intersections and behind all catch basins.

Granite or Type I-1 bituminous concrete (machine installed) curbs shall be installed along:

1. both sides of all Collector and Minor streets.
2. all Lanes and Courts having curves with a radius of sixty (60) feet or less at the curbline and a central angle of forty-five (45) degrees or more.
3. all Lanes and Courts having grades in excess of three (3) percent.

4.3.6 Signage

(a) Signs shall be required as follows:

1. Reflective street signs, conforming to the standards established by the Department of Public Works, shall be installed at each intersection.
2. Proposed street names shall be sent to the Engineering Division for review to avoid duplication and sound alike. The Engineering Division will develop a numbering plan consistent with City standards. The street name and numbering plan will be routed to the appropriate approving agency in accordance with the City Ordinance on street naming and numbering. The Planning Board will be notified of the approved street name and numbering plan.
3. At all points at which a private street within the subdivision intersects with an existing public way, there shall also be erected on the same standard and immediately below the street sign, a sign of such size as the Director of Public Works may deem necessary, reading "Private Way."

(b) The Developer shall be required to provide any and all traffic signage deemed necessary by the Planning Board to serve public safety. Such signage shall include, but not be limited to, traffic signs, cross walks, and street center and boundary lines, and shall comply with uniform traffic standards.

As Amended by the Gloucester Planning Board – July 2008

4.3.7 Lighting

(a) Street lights shall be of cut-off design and installed to conform to the type and style required by the Planning Board.

(b) Street light stanchions shall be located at such intervals as required by the Planning Board.

(c) The developer shall be responsible for all trenching, backfilling, and paving for the installation of the necessary appurtenance for Street Lighting.

4.3.8 Damage

In the event that the surface of any existing way is cut or opened for installation of, or connection to, required improvements for a subdivision or damaged during construction of a subdivision, the Developer, at no cost to the City, shall perform the following work:

(a) All trenches or opened areas shall be backfilled with suitable material and compacted as set forth in Section 4.3.5(b) herein;

(b) All trenches or opened areas shall have a binder course of Class I bituminous concrete applied, compacted and rolled to a thickness of two (2) inches with a true surface conforming to the half section of the road;

(c) The entire width of the cut or opened or damaged way shall receive a one (1) inch top course of Class I bituminous concrete applied, compacted and rolled to a grade with a true surface conforming to the half section of the road.

4.4 SEWERAGE

4.4.1 Public Sewers

(a) Connection to public sewers is required:

1. if any portion of the subdivision is within 1000 feet of the public sewerage system, measured along a street or way; although this standard shall not apply in specific portions of Ward Five (5) Precinct Two (2) unless the area is defined by City Council as eligible for a sewer service extension according to City Ordinance, Section 23-42, entitled “Sewer Extensions in Part of Ward Five (5) Precinct Two (2)”, and as shown on the incorporated wastewater district map; or
2. when required by the Board of Health; although this standard shall not apply in specific portions of Ward Five (5) Precinct Two (2) when the subject site is outside an eligible sewer service area unless an amendment to the wastewater district map is approved by City Council pursuant to City Ordinance Section 23-42, entitled “Sewer Extensions in Part of Ward Five (5) Precinct Two (2)”, and as shown on the incorporated wastewater district map. The sewer system shall be installed in accordance with the Definitive Plan and under the direction of the Director of Public Works and the City Engineer. Connection to the public sewer system shall be made at no cost to the City.

As Amended by the Gloucester Planning Board – July 2008

(b) . If a public sewerage system is included in the City's five year Capital Improvement Program but not yet constructed, the applicant shall be required to design and install at his cost in the street and to every lot, sewerage laterals which can be connected later to the public sewerage system. In order for the applicant to design and install properly such laterals, the City shall be responsible for establishing and providing the applicant, at the applicant's expense, with the necessary plan, specifications and design standards of the proposed public sewerage system.

(c) Where a public sewer connection is required, the following design standards shall apply:

1. Main sewer lines shall be minimum size of eight inch (8") inside diameter (ID). Laterals shall be a minimum of six inch (6") ID. Flow velocities shall be between 2 and 10 feet per second.
2. Maximum distance between man-holes shall be three hundred (300) feet.
3. Minimum cover over top of pipe shall be:
 - o 48" under paving
 - o 36" under area of zero live load
4. Minimum horizontal distance between a sanitary sewer and a parallel water main within subdivision streets shall be ten (10) feet.
5. Man-hole covers in flood prone areas shall be of water tight design.
6. A capped watertight lateral shall be installed at an appropriate location to serve each lot of the subdivision.
7. Connection of footing drains, roof drain or storm drains to a sanitary sewer is prohibited.
8. At all sewer and water main crossings the water main must pass over the sewer main with a minimum of eighteen (18) inches vertical separation.

4.4.2 Private On-Site Sewage Disposal

(a) Where a public sewerage system is located at a greater distance from any portion of the subdivision than 1000 feet and connection to it is not required by the Board of Health, the Developer may install private on-site sewage disposal systems.

(b) Private on-site sewage disposal systems shall be designed in accordance with the Board of Health's Rules and Regulations, and the Environmental Code ("Title 5 Minimum Requirements for the Subsurface Disposal of Sanitary Sewage"), and shall be subject to the approval of the Board of Health.

(c) Where private on-site sewage disposal systems are permitted, the Planning Board may require installation of so-called "dry sewers," in any street where, in its estimation, sanitary sewers may become accessible within a period of five (5) years.

4.5 WATER

4.5.1 Water Mains

(a) No subdivision shall be approved by the Planning Board unless all lots therein are provided with adequate water supply for domestic and fire protection purposes. Connection to the public water supply shall be made by the Developer at no cost to the City. Water supply shall be deemed adequate if:

As Amended by the Gloucester Planning Board – July 2008

1. The water mains in the subdivision conform to the requirements of paragraphs (b)-(f) of this subsection, and are connected to an existing city water main not less than eight (8) inches in diameter.
2. The minimum water pressure under normal (non-fire flow) operating conditions is not less than forty (40) pounds per square inch residual pressure.
3. The fire flow conforms to the requirements of section 4.5.2(d) of these Rules and Regulations.

(b) Water mains shall be class 52 cement-line ductile iron pipe, of such size as approved by the Director of Public Works and the City Engineer, and shall not be less than eight (8) inches in diameter in residential subdivisions and less than twelve (12) inches in diameter in non-residential subdivisions.

(c) Minimum cover over the top of pipe mains and laterals to buildings shall be five (5) feet.

(d) Mains shall be no closer than three (3) feet to the face of catch basins or man-holes.

(e) Main line Gate Valves shall be located no more than one thousand (1000) feet apart. These valves shall also be located at intersecting lines of the system to isolate branch lines for maintenance purposes.

(f) Before any portion of the water system in a subdivision is charged, all pipes and all appurtenances shall be flushed, chlorinated and pressure tested to the satisfaction of the Director of Public Works and the City Engineer.

4.5.2 Fire Hydrants

(a) Fire hydrants shall be located as close as possible to street intersections and not more than five hundred (500) feet apart in residential subdivisions and three hundred (300) feet apart in non-residential subdivisions.

(b) Each hydrant shall be served directly from the water main through a six (6) inch lateral connection. It shall be gated with a six (6) inch gate valve and box, and shall have two and one-half (2 1/2) inch hose outlets and one four and one-half (4 1/2) inch outlet. Hydrant valve openings shall be no less than five and one-quarter (5 1/4) inches in diameter. The type, specifications and location of each hydrant must be approved by the Department of Public Works and the City Fire Department prior to installation.

(c) Each hydrant shall be flushed after installation.

(d) Fire flow at the hydrants, as verified by the City Fire Department, shall be no less than seven hundred and fifty (750) gallons per minute at twenty (20) pounds per square inch residual pressure for residential subdivisions, and no less than two thousand (2000) gallons per minute at twenty (20) pounds per square inch residual pressure for non-residential subdivisions. Flow tests shall be conducted by the Developer under the supervision of the City Fire and Public Works Department, and the results shall be submitted to the City Fire Department and the Planning Board.

4.6 SURFACE DRAINAGE

4.6.1 General

(a) The storm drainage system shall be designed to accommodate the run-off from the entire watershed area, whether inside or outside the subdivision, under conditions of total potential development permitted under the zoning ordinance, as determined by the Community Development Department. The responsibility for adequate drainage shall rest with the Developer.

(b) Where property adjacent to the subdivision but within the same watershed is not subdivided, provision shall be made for proper projection of the drainage systems by continuing appropriate drains and easements to the exterior boundaries of the subdivision at such size and grade as will allow for such projection. When the subdivision creates a need for drainage improvements outside the subdivision, the Applicant shall be required to secure the necessary easements and to provide such improvements.

(c) As construction progresses, unforeseen ground water conditions may be encountered which require additional subdrains or curtain drains. These conditions include potential problems if construction is in progress at a time of low water table or other dry conditions. The Planning Board reserves the right to require appropriate systems to accommodate the problem.

(d) Where a subdivision is traversed by a water course, drainage way, channel, or stream, the Planning Board may require that there be provided a storm water easement or drainage right-of-way of twenty (20) feet or greater width to conform substantially to the lines of such water course, drainage way, channel, or stream, and to provide for construction or other necessary purposes.

(e) Where a subdivision is located within one thousand (1000) feet of an existing storm water drainage system, the Developer, at no cost to the City, shall connect the subdivision's storm water drainage system to the existing system, and shall repair, improve or enlarge the existing system to accommodate the anticipated increase in runoff from the subdivision.

4.6.2 Specifications

The storm drainage system shall be installed according to the following specifications:

(a) Minimum size of pipe for surface runoff shall be twelve (12) inches ID. Footing drain and subdrain connection pipe size shall be a minimum of six (6) inches ID.

(b) Connection of footing drain, roof drains or storm drains to a sanitary sewer is prohibited.

(c) A minimum of four (4) feet of cover shall be placed over the top of drain pipes.

(d) Drain pipes within street rights-of-way shall be reinforced concrete, of Class III specification or of such higher class as required by the Planning Board.

As Amended by the Gloucester Planning Board – July 2008

(e) Catch basins shall be built on both sides of the roadway at intervals not to exceed three hundred (300) feet. They shall be built at all street intersections and low points in the roadway.

(f) The drainage system shall be capable of keeping streets and abutting property free of surface water based on a twenty-five year frequency storm. Culverts shall be designed to handle a 50 year frequency storm.

(g) Maximum distance between man-holes shall be three hundred (300) feet. Maximum distance for street runoff to travel along a berm or gutter to a catch basin shall be three hundred (300) feet. Maximum distance between a catch basin and man-hole shall be 300 feet.

(h) Storm sewer water velocities shall be between two (2) and ten (10) feet per second.

4.7 SIDEWALKS

4.7.1 General

(a) Sidewalks shall be installed on both sides of Collector and Minor streets.

(b) Sidewalks shall be installed on one or both sides of Lanes and Courts if in the opinion of the Planning Board pedestrian safety would be substantially served by their construction. Where sidewalks are not required, the Board may require that the grading of the right-of-way be so executed as to make possible later additions of sidewalks without major regrading.

(c) Sidewalks shall be separated from the pavement area by a seeded strip, and shall be located as close as possible to the outside line of the right-of-way.

(d) Sidewalks shall extend the full length of each side of the street.

4.7.2 Specifications

(a) Sidewalks shall be a minimum width of five (5) feet.

(b) Sidewalks shall have transverse slopes or crowns of three-eighths (3/8) of an inch per foot.

(c) Bituminous concrete sidewalks having a minimum thickness of two and one-half (2 1/2) inches after compaction shall be constructed on a eight inch (8") gravel foundation to the required lines and grades.

(d) Sidewalks constructed of all-weather materials other than bituminous concrete may be approved if they are deemed appropriate by the Planning Board.

4.8 UTILITIES

4.8.1 Easements

Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least twenty (20) feet wide.

As Amended by the Gloucester Planning Board – July 2008

4.8.2 Installation

(a) All electrical, telephone and other utility wiring shall be placed underground in all residential subdivisions, unless the Planning Board determines that such placement is not feasible or is not in the best interests of the City of Gloucester.

(b) All installations shall be to the specifications of the utility company concerned and of the City of Gloucester.

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

4.9 PUBLIC USES

4.9.1 Easements

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

4.9.2 Open Space

Before approval of a plan the Board may also in proper cases require the plan to show a park or parks suitably located and sized for playground or recreation purposes or for providing light and air. The Board may by appropriate endorsement on the plan require that no building be erected upon such park or parks without its written approval for a period of not more than three (3) years.

4.9.3 Bikeways and Walkways

Bikeways, pedestrian walkways or bridle paths may be required when deemed appropriate by the Planning Board.

4.10 NATURAL FEATURES AND AMENITIES

4.10.1 Preservation

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

Site design and grading on slopes greater than 15% shall provide the minimum disruption of view corridors and scenic vistas and shall preserve significant natural topographic features, to the greatest extent possible, including ridgelines. Roads and driveways shall follow the natural topography to the greatest extent possible to minimize the cutting and grading of steep slope areas. Existing vegetation on slopes greater than 25% shall be retained to the maximum extent possible. The Planning Board may also require no cut zones to protect other natural resources of concern.

As Amended by the Gloucester Planning Board – July 2008

4.10.2 Grass Plots

(a) All areas between the exterior street lines and the curb lines of the roadways thereon which are not occupied by sidewalks shall be surfaced with not less than four (4) inches of quality loam, seeded with lawn grass seed, and rolled to the satisfaction of the Planning Board. Seeding shall be done at appropriate times of the year in a manner to insure growth of grass.

(b) The slope of the grass plot shall not exceed one (1) foot vertical to three (3) feet horizontal in fill; one (1) foot to two (2) feet in cut; and one (1) foot to three-quarters (3/4) of a foot in ledge.

(c) Slope easements or retaining walls shall be employed where the slope of the grass plot cannot be contained within the exterior street lines. Grass plots shall be so graded as to prevent surface water on the street from draining onto private land, except at designated ponding areas.

4.10.3 Trees

(a) Street trees of species approved by the Planning Board shall be planted on each side of each street in a subdivision, except where, in the opinion of the Board, existing trees which are suitable as street trees can be retained. Such trees shall be located outside of the right of way, at approximately forty (40) foot intervals, and shall be at least twelve (12) feet in height, two and one-half (2 1/2) inches in caliper measured one (1) foot above the approved grade, and shall be planted in at least one-half (1/2) cubic yard of topsoil.

(b) All trees shall be well-rooted and free of injury, harmful insects, and diseases. They shall be well-branched, and the branching construction should be sound.

(c) The Developer shall be responsible for the maintenance of planted trees and replacement of those which have died or become diseased within eighteen (18) months of acceptance by the Board.

(d) Where appropriate, the Planning Board may stipulate that in lieu of planting street trees along the road(s) of a subdivision, the applicant shall provide and plant a comparable amount of plant materials at off-site locations designated by the Board.

4.10.4 Bank Plantings

(a) All cut bankings must be planted with suitable, well-rooted, low-growing shrubs. Perennial turf installed as sod is an acceptable alternative for the planting of banks.

(b) If bank plantings are of a type which is properly spaced at close intervals, four (4) inches of loam shall be spread over the entire bank. If the plantings are to be widely spread they may be planted in loam pits.

(c) Mulch (wood chips or equal) shall be spread to a minimum depth of six (6) inches among plantings for purposes of weed and erosion control.

(d) The Developer shall be responsible for maintenance of bank plantings and replacement of those which have died or become diseased within eighteen (18) months of acceptance by the Board.

4.11 FIRE PROTECTION

4.11.1 Fire Protection Device Barriers

All fire protection devices, including hydrants, standpipes, post and wall indicator valves, and fire department connections, shall be protected by barriers installed by the Developer. The location, number, and type of barriers needed to adequately protect all fire protection devices in a subdivision from damage or blockage by motor vehicles shall be specified by the City Fire Department.

4.11.2 Overhead Obstructions

The overhead clearance for all streets in a subdivision shall be a minimum of fourteen (14) feet. Trees and utility wiring or structures shall be located so as not to interfere with fire rescue operations for all buildings in the subdivision.

4.11.3 Sprinkler Systems

All buildings which do not provide adequate access for fire fighting purposes shall contain sprinkler systems in accordance with specifications established by the City Fire Dept. Adequate access for such purposes would require:

(a) For buildings with a height of thirty (30) feet or less at the roof line, a circular area around the building having a radius determined by dividing the building height by four (4) and then adding three (3) feet to the quotient.

(b) For buildings with a building height of more than thirty (30) feet at the roof line, a circular area around the building having a radius of no less than thirty-six (36) feet.

4.11.4 Fire Alarms

Whenever required by the Fire Department, wiring for fire alarm systems shall be installed underground along all streets in the subdivision, in accordance with the specifications of the Fire Department, for possible connection to the City fire alarm system.

4.12 CLEANING UP

Upon completion of all work on the ground, the developer shall clean up any debris caused by street construction and installation of utilities so as to leave a neat and orderly appearance. All areas within the street lines destroyed or altered in construction operations shall be restored to vegetation or other finish satisfactory to the Planning Board. No stumps or other spoil materials shall be left unburied on any property within or adjacent to the subdivision. The entire drainage system, including catch basins, manholes and pipes, shall be cleaned out properly.

SECTION V ADMINISTRATION

5.1 INSPECTION

The Planning Board's Construction Inspector shall be given at least three working days notice of work scheduled in order to make inspections at the following stages:

1. After excavation and trenching, before placement of utilities or foundation material;
2. Foundation gravel to be approved before placement;
3. After placement of drainage structures, before backfilling;
4. After placing gravel, before placing paving;
5. As required for confirmation of extent of completion for release of security verifying: placement of finish coat; sidewalks; curbing; street signs; grading outside traveled way; trees; monuments; clean-up;
6. As required to advise on requested departures from plans as approved.

5.2 VARIATION

Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with the Subdivision Control Law. Written requests for waivers of strict compliance with these Rules shall accompany the Definitive Plan, and shall indicate the specific regulation sought to be waived and the nature, location, and extent of the waiver sought. Such request shall also include justification of each waiver sought and a demonstration certified by the Applicant's engineer that such waiver is consistent with each of the purposes set forth in the Purpose statement of these Rules and Regulations, and is in the public interest.

5.3 RESCISSION

Failure of the Developer to record the Definitive Plan within six months of its endorsement, or to either initiate construction of improvements or sell lots in a subdivision or portion thereof within seven years of the approval of the Definitive Plan, shall constitute sufficient reason for the rescission of such approval in accordance with the requirements of Section 81-W, Chapter 41, General Laws

5.4 REFERENCE

For matters not covered by these Rules and Regulations, reference is made to Massachusetts General Laws Chapter 41, Sections 81-K to 81-GG, inclusive.

5.5 BUILDING PERMIT

5.5.1 Release of Lots

No building shall be erected within a subdivision without written permission from the Gloucester Planning Board by Certificate of Release Form M.

5.5.2 Enforcement by Denial of Building Permit

The Building Inspector shall not issue any permit for the erection of a building until he is first satisfied that the lot on which the building is to be erected is not within a subdivision or that a way furnishing the access to such lot as required by the Subdivision Control Law is shown on a plan recorded under Section 81-X of Chapter 41, and that any condition endorsed thereon limiting the right to erect or maintain buildings on such lot has been satisfied or waived by the Planning Board, and in the event that more than one building for dwelling purposes be erected or placed or converted to use as such on any lot, that the Building Inspector is satisfied that consent has been obtained from the Gloucester Planning Board in accordance with section 2.5 of these Rules and Regulations, and Chapter 41, Section 81-Q, and amendments thereto. For a way furnishing the access to a lot on which a building is to be erected shown on a plan recorded prior to December 8, 1960, the Building Inspector shall not issue any permit for the erection of a building without the approval of the Planning Board, except for a building on a lot exempted from Subdivision Control Law as provided under Section 81-FF of Chapter 41.

5.6 SEPARABILITY

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

**SECTION VI RULES AND REGULATIONS PERTAINING TO THE CITY OF
GLOUCESTER OPEN SPACE RESIDENTIAL DEVELOPMENT
(OSRD) ZONING ORDINANCE**

6.1 PURPOSE

The purpose of the following rules and regulations is to implement the Gloucester Zoning Ordinance, Section 5.15, Open Space Residential Development (OSRD). The rules and regulations provide standards for development of OSRD communities, a preferred method of land development in residential districts. The ordinance promotes OSRD developments that are consonant with existing site features, that limit site disturbance and that promote set-asides of permanently protected open space. OSRDs shall comply with the standards set forth in this section, unless waivers to one or more of these standards are judged by the Planning Board to result in a substantially better design.

6.2 DETAILED DESIGN STANDARDS.

A. Disturbed Areas -- A disturbed area is defined as any land not left in its natural vegetated state and topography. Note: in order to identify locations where disturbed area is proposed, there are submission requirements for the proposed site plan map requiring the delineation of: existing vegetative cover; areas where existing vegetative cover may be altered (such as when it is proposed to remove vegetation); and/or any area cut or filled, with specific identification of areas changed in elevation by two (2) or more feet.

1. The OSRD shall be designed to:
 - a. Minimize disturbance to Primary Conservation Areas (See OSRD zoning ordinance for definition);
 - b. Provide minimal disturbed area within Secondary Conservation Areas (See OSRD zoning ordinance);
 - c. Provide minimal disturbed area within Potentially Developable Areas (See OSRD zoning ordinance); and
 - d. Minimize adverse impacts within the Watershed Protection Overlay District.

B. Traffic and Circulation

1. All Streets, Roads and Driveways in the subdivision shall be designed to provide for safe vehicular and pedestrian access and egress.
2. Roadways shall form an interconnected pattern of rectilinear or curvilinear streets, to the extent possible. If one or more properties adjacent to the OSRD site are undeveloped and have development potential, the OSRD plan shall provide at least one (1) right of way, suitable to provide future roadway connections to the adjacent areas, as required by Planning Board under its subdivision review regulations. Cul de sacs are discouraged.
3. All residences within the OSRD site shall be granted a right of way.
4. The proposal for operation and maintenance of the rights of ways internal to the site shall be the responsibility and liability of the applicant and future owners. All rights of ways shall be reviewed by the Board, including public and private street connections, proposed public and private roads and driveways, and bicycle and pedestrian paths.

As Amended by the Gloucester Planning Board – July 2008

5. Minimum pavement width for streets serving more than four (4) units should be twenty (20) feet or greater in width, unless the Board deems otherwise.
6. Where parking is provided on a street with the consent of the Board, the minimum pavement width on such streets shall be twenty four (24) feet or greater.
7. Each dwelling unit with two (2) or more bedrooms should be served by two (2) off street parking spaces; dwelling units with one (1) bedroom can be served by a minimum of one and a half (1.5) off street parking spaces, unless the Board deems otherwise. [Note: garages and areas in front of garages may count in this computation in cases when clear description is specified on the plan and approved by the Board to ensure when it finds that vehicles operating from the proposed parking area would not interfere with the circulation of adjacent sidewalk, driveway or road.]
8. On-site pedestrian and bicycle circulation -- walkways and/or bicycle paths shall be specified to link residences with parking areas, recreation facilities (including parkland and open space), and adjacent land uses where appropriate.
9. Where possible, shade trees, or other species of trees, shall be planted in or adjacent to streets, roads and driveways in a subdivision.
10. Gravel (pervious) surface treatments on streets, roads and driveways may be preferred; however, specifications/ departures from standards presented in the Subdivision Review Regulations shall be specified in the site plan.

C. Landscaping & Screening

1. As described in 'Drainage', landscaping treatment in the vicinity of buildings, ways, structures and utilities should be designed and specified to impede rapid stormwater run-off.
2. There should be attempts to specify non-invasive and drought-resistant species of plants within disturbed areas.
3. Landscaping treatment in the vicinity of buildings, ways, structures and utilities should be designed to camouflage infrastructure and blend development with natural features.
4. Landscaping treatment should be used to minimize direct views of one structure to another when buildings or groups of buildings are proposed in close proximity to one another, such as when there is less than fifty (50) feet between the respective exterior walls of opposing structures (or directly opposing parts of structures).
5. Landscaping treatment should be provided for shading of ways and parking areas.
6. Permanent maintenance of open space and landscape improvements, including the stormwater utilities, shall be described in a program document that provides detailed operation and maintenance procedures and responsibilities.
7. Parking areas with greater than ten (10) spaces shall be screened from public view.
8. Parking areas with more than fifteen (15) spaces shall be divided into smaller sections, defined by landscaped strips or buffers consisting of vegetation and/or earthen berms.
9. Dumpsters and storage area shall be screened by buffers consisting of vegetation or earthen berms.
10. Proposed lighting shall minimize glare.

D. Drainage

1. 'Soft', open (nonstructural) stormwater management techniques (such as swales) and other drainage techniques that slow the rate of runoff, reduce impervious surface and enable infiltration should be employed where appropriate consistent with local ordinances pertaining to drainage and grading and Rules and Regulations Governing the Subdivision of Land (including Appendix A-1 STORMWATER MANAGEMENT).
2. Landscaping treatment in the vicinity of buildings, ways, structures and utilities should be designed to impede rapid stormwater runoff.
3. A permanent operation and maintenance program for the stormwater system shall be provided.

E. Building Orientation and Building Massing

1. Proposed structures shall be compatible with nearby structures in terms of character; scale; mass; volume; color and major design elements.
2. Proposed structures should be situated in relation to the site circulation system and other structures such that there can be basic evacuation by residents and access by public safety officials in the event of an emergency.

**6.3 SUBMISSION OF PLANS & DOCUMENTS FOR OPEN SPACE
RESIDENTIAL DEVELOPMENT**

A. Pre-application

1. Zoning Ordinance 5.15.6.1 requires that all applicants shall make a written request for an informal pre-application review as described in Section 2.9 of the Subdivision Rules and Regulations.
2. The pre-application stage is intended to promote informal presentation to and discussion with the Board regarding the notion (concept) for a development. The forum is intended to establish communication between a potential developer and the Board so as to establish a dialogue on land development objectives and OSRD process. Generally, it is not recommended that this forum be used to review detailed plan specifications, although this is permissible.
3. All submittals under this section shall be clearly labeled "PRE-APPLICATION".
4. The form of a pre-application required under Section 5.15.6.1 shall be:
 - a. A written letter, received at the Community Development Department no later than sixteen (16) days prior to a regularly scheduled Planning Board meeting.
 - b. The letter application shall be addressed to the chair, care of the Community Development Department, and it shall identify:
 - c. That the applicant seeks pre-application review of a site for a potential OSRD;
 - d. The property owner;
 - e. The address(es) of the subject site and the applicable Assessor Map(s) and Lot(s).

B. Site Plan (Yield and Sketch Plans)

The site plan consists of the Yield Plan and the Sketch Plan. An application will not be considered complete until there is receipt of both plans.

As Amended by the Gloucester Planning Board – July 2008

1. Yield Plan

- a. The Yield Plan showing the maximum number of lots that can be placed on a site and submitted as part of an OSRD Site Plan under Zoning Ordinance Section 5.15.7 shall consist of:
 - i. A Yield Plan Map; and
 - ii. A Yield Plan Narrative explanation detailing the results of the determination of proposed yield.
- b. The yield plan shall be based upon applicable city ordinances and site plan standards, including:
 - i. Zoning Ordinance minimum requirements, including minimum lot requirements for the applicable zoning district;
 - ii. Standards in the Rules and Regulations Governing the Subdivision of Land in Gloucester; and
 - iii. Standards in the Planning Board's Development Review Regulations.
- c. In cases where connection to public sewers is proposed, the yield plan shall show a conceptual layout of access to the site (such as a road providing required frontage) along with a conceptual layout of lots for a conventional, grid subdivision.
- d. In addition to the above requirements, for cases where connection to public sewers is not proposed, the yield plan shall provide evidence that adequate on-site sanitary wastewater treatment and disposal systems may be constructed to serve the number of dwelling units proposed. This evidence shall include documentation, prepared by a Professional Engineer, demonstrating suitable soil and groundwater conditions as determined by representative sampling and testing of the buildable areas of the site using methods approved by the Health Department, guided by state and local standards pertaining to the siting of sanitary systems. The Planning Board shall consult the Health Department and Board of Health regarding the methods used and their interpretation of the findings of such analysis. Note that while Planning Board seeks to encourage flexibility in the design of development, this standard helps promote early awareness of relationships between soil capabilities on the site, a sustainable number of dwellings, and the placement of dwellings respective to soils that will be used to site sanitary system(s).
- e. Required form for Yield Plan
 - i. The specific required contents of the Yield Plan Map are contained under APPENDIX 6.A: YIELD PLAN MAP CHECKLIST. Staff will utilize the checklist in its review of applications on behalf of the Planning Board.
 - ii. The specific required contents of the Yield Plan Narrative are contained in the under APPENDIX 6.A2: YIELD PLAN NARRATIVE CHECKLIST.

2. Sketch Plan

- a. A Sketch Plan submitted as part of the OSRD Site Plan under Zoning Ordinance 5.15.7 shall consist of:
 - i. A Sketch Plan Map (plan) of the site containing descriptive site plan details and information regarding existing features and the proposed design of an OSRD on the site; and
 - ii. A Sketch Plan Narrative description regarding the concept for a development, including the layout of open space, stormwater

As Amended by the Gloucester Planning Board – July 2008

management, wastewater management, utilities, landscaping, and other aspects of open space, infrastructure, and building design.

- b. Required Form for Sketch Plan:
 - i. The specific required contents of the Sketch Plan Map are under APPENDIX 6.B: SKETCH PLAN MAP CHECKLIST. Staff will utilize the checklist in its review of applications on behalf of the Planning Board.
 - ii. The specific required contents of the Sketch Plan Narrative are contained under APPENDIX 6.B2: SKETCH PLAN NARRATIVE CHECKLIST.

C. Review Procedure and Policies Pertaining to OSRD Site Plans

1. The Planning Board may request an independent technical review of a site plan, provided for at the expense of the applicant independent of the application filing fee, pursuant to the Subdivision Review Regulations and M.G.L. Ch. 44 Section 53G.
2. A Site Plan shall be considered a complete application, according to Zoning Ordinance Section 5.15.8.3, upon the majority vote of the Planning Board at a meeting when the specific OSRD application is properly posted on a Planning Board meeting agenda filed with the City Clerk.
3. All application materials (submissions) must be received no less than six (6) days prior to a scheduled Planning Board meeting.
4. The form of all application plans shall be thirty (30) copies of required drawings compiled in sets of consecutively numbered pages on twenty four (24) by thirty six (36) inch size sheets.
5. The form of all narrative application materials shall be thirty (30) copies of a complete set of all narrative documents with the pages consecutively numbered.
6. The form of proper notice for a Planning Board public hearing on a proposed site plan is notification of the hearing to all abutters and all abutters to abutters, and to any other property owner within three hundred (300) feet of the subject site, along with a notice advertising the public hearing concerning the specific site plan in the Gloucester Daily Times at least twice prior to the hearing, one point being no more than fourteen (14) days prior to that hearing.

APPENDIX 6.A: YIELD PLAN MAP CHECKLIST

The Yield Plan map shall contain the following information on a 24 by 36 inch sheet:

- A. Title block information along with the notation YIELD PLAN MAP. The title block shall include the following information:
 1. A development name.
 2. Assessor map(s) and parcel number(s) for the overall site subject to OSRD.
 3. The street address(es) for the overall site subject to OSRD.
 4. The name(s) of the record owner(s).
 5. Name(s) of the applicant(s).
 6. Name of the Landscape Architect and Engineer that prepared the plan.
 7. The address and phone numbers of the Landscape Architect and Engineer that prepared the plan.
 8. Sheet number and the total number of sheets in the set, labeled consecutively.
 9. A title defining information contained on a specific sheet.
 10. A block for revisions, with sufficient space to provide the date of revisions and notation describing the changes.

As Amended by the Gloucester Planning Board – July 2008

- B. A detailed locus plan of the site and vicinity at one (1) inch equals a 1,000 feet, showing the area road network, proposed roads, USGS topography, and other features.
- C. Horizontal scale of one inch equals forty feet.
- D. A detailed legend;
- E. North point;
- F. Boundaries of the overall site subject to OSRD application and property lines within 250 feet of the exterior property lines of the site.
- G. Topography as shown by two foot contour lines for the site and within 250 feet;
- H. Areas of the plan designated as wetlands, including all on-site local, state, and federal regulatory (wetland) resource boundaries and buffer zones clearly identified along with all flag locations numbered and placed upon the plan.
- I. Location of existing storm drains and appurtenances on site and outside it within 250 feet.
- J. The location of soil test site(s), with reference labels placed upon the plan, if applicable.
- K. A table that displays the following:
 - 1. Zoning district(s) in which the land is located.
 - 2. The total area of the entire site.
 - 3. The total area of any wetlands within the site.
 - 4. Total number of building lots which could be derived in a grid subdivision on the site.
- L. The approximate location of a road that would provide access to a grid subdivision on this site and its linear feet.
- M. The approximate location of lots lines would define the lots within a grid subdivision on the frontage and total area in square feet for each lot.
- N. If the applicant seeks a waiver of strict compliance with these Regulations, a note describing the waiver(s) requested.

APPENDIX 6.A2: YIELD PLAN NARRATIVE CHECKLIST

Required contents of the Yield Plan Narrative shall include:

- A. A descriptive document title.
- B. Name and address of the Landscape Architect and Engineer that prepared the narrative.
- C. Data sheets for the official soil percolation tests together with:
 - 1. descriptions of the soil depth(s),
 - 2. percolation rate(s), and
 - 3. The composition and type of soil within the proposed development, if applicable.
- D. A table showing:
 - 1. The application of Formula One, Basic Maximum Number of Allowed Lots (see Zoning Ordinance section 5.15.7.3); and
 - 2. Derivation of the Basic Maximum Number of Allowed Lots.
- E. Description of anticipated yield, with approximate total number of bedrooms.
- F. Description of rationale supporting requests by the applicant for waivers of strict compliance with these regulations.

As Amended by the Gloucester Planning Board – July 2008

APPENDIX 6.B: SKETCH PLAN MAP CHECKLIST

The sketch plan map shall contain the following information on a 24 by 36 inch sheet:

- A. Title block along with the notation SKETCH PLAN MAP. Note: see the Yield Plan section of these regulations for a description of the required title block contents.
- B. Notation with specific reference to the Yield Plan with its date of last revision.
- C. Names of all abutters as determined from the most recent tax list.
- D. Stamp and signature of a Landscape Architect.
- E. At the option of the applicant, the stamp and signature of a Professional Engineer (P.E.) that prepared the plan.
- F. Locus plan of the site and vicinity at 1" = 1,000' (duplicate yield plan map requirements).
- G. Horizontal scale of one inch equals forty feet.
- H. North point.
- I. Lines showing the property boundaries for the overall site subject to an OSRD application along with any property lines on the site and within 250 feet.
- J. Topography of the land as shown by two (2) foot contour lines to an area on or within 250 feet of the property.
- K. Areas with slopes of twenty (20) percent or more on or within 250 feet of the property.
- L. Areas of the plan designated as wetlands, including all resource area (regulatory wetland) boundaries and buffer zones clearly identified along with all flag locations numbered and placed upon the plan, and approximate location of any wetland within 250 feet.
- M. The location on the site of existing natural and man-made landscape features including: forests, fields, meadows, buildings, structures, utilities, archeological and historic structures or points of interest, rock outcrops, boulder fields, stone walls, steep slopes including cliffs, high points, major long views, forest glades, major tree groupings, noteworthy tree specimens, habitats of endangered or threatened wildlife, and also any of these features within 250 feet of the property. This includes information identified in the Pre-Application submittals as well as existing features requested by Planning Board to be included in a the sketch plan based on a site visit.
- N. The location of major watershed drainage divides within 250 feet of the site.
- O. The location of any protected open space adjacent to the site.
- P. The location of areas in the Watershed Protection Overlay District on site or within 250 feet.
- Q. Existing streets, ways, and/or driveways on the site or within 250 feet.
- R. Existing easements on the site or within 250 feet.
- S. The location of the site perimeter setback line with any part of this are proposed to be disturbed by a way provided in an alternative marking.
- T. That part of the site perimeter setback proposed to be designated as open space.
- U. Area identified as Primary Conservation Area shall be marked, and any part of that area that will be altered provided with an alternative marking.
- V. Approximate Secondary Conservation Area shall be marked, and any part of that area that area that will be disturbed provided in an alternative marking.
- W. Approximate Potentially Developable Area shall be marked, and any part of that area that will be disturbed provided in an alternative marking.

As Amended by the Gloucester Planning Board – July 2008

- X. The approximate proposed location of the open space set aside pursuant to Zoning Ordinance Section 5.15.4.
- Y. A breakdown of the proposed open space characteristics according to 5.15.4.1.
- Z. General building envelopes which locate the individual house sites.
- AA. Site features proposed to be demolished, or moved.
- BB. Approximate areas where soils or rock are proposed to be altered more than two (2) vertical feet.
- CC. Delineation of areas where existing vegetative cover is proposed to be altered (such as when it is proposed to remove vegetation) and any area cut or filled less than two (2) vertical feet.
- DD. Approximate areas and dimensions of each lot.
- EE. The approximate location of any proposed streets, ways and driveways.
- FF. Delineation of associated parking areas.
- GG. A conceptual drainage plan showing:
- HH. Watershed drainage area boundaries,
- II. The approximate location of any major drainage devices;
- JJ. The approximate location of major proposed infrastructure improvements, including any lighting or cross-country utility line layouts.
- KK. The approximate location of any trails or sidewalks.
- LL. Landscaping plan with proposed location and specifications, including species, notation to identify where existing vegetation is retained, and the provision of landscaping for screening purposes. Landscaping plans may be augmented by planting details, perspective drawings, and landscaping management programs.
- MM. Description of rationale supporting requests by the applicant for waivers of strict compliance with these regulations.

APPENDIX 6.B2: SKETCH PLAN NARRATIVE CHECKLIST

Required Content of the detailed Sketch Plan narrative shall include the following:

- A. A qualitative description of the proposed characteristics and layout of open space.
- B. A description of the proposed site development program.
- C. Discussion of the rationale for altering topography (providing major cuts and fills) in Secondary Conservation Areas.
- D. Discussion of the rationale for altering topography (providing major cuts and fills) more than two vertical feet for areas greater than two thousand (2,000) contiguous square feet within the Potentially Developable Area.
- E. Proposed conceptual uses of open space along with an explanation of the proposed concept for open space stewardship.
- F. A description of how the stormwater management system will function on the site and the proposed off-site impacts, including:
- G. Some basic or preliminary calculations and descriptions of how it is proposed to achieve stormwater management.
- H. Description how proposed stormwater management will provide adequate quantitative control of stormwater emissions.
- I. Description how proposed stormwater management will provide adequate qualitative control of stormwater emissions.
- J. Preliminary description of how sanitary wastewater management will be provided on the site.
- K. Preliminary description of how drinking water will be supplied to the site.

As Amended by the Gloucester Planning Board – July 2008

- L. Preliminary description of how other utilities and infrastructure will be laid out on the site.
- M. Preliminary description of how landscaping and screening will be provided on the site.
- N. Description of the proposed landscaping management plan.
- O. Description of the proposed site circulation system operation and management plan.
- P. Description of stormwater system operation and management plan.
- Q. Description of how the applicant proposes to comply with the detailed design standards.
- R. Description of rationale supporting requests by the applicant for waivers of strict compliance with these regulations.
- S. An explanation of the rationale for major departures from the standards for subdivision development provided in the Design and Improvement requirements within the Subdivision Regulations.

APPENDICES

- Appendix A - page 63** Environmental Impact Evaluation
- Appendix A-1 - page 67** Stormwater Management
- Appendix B - page 72** Methodology and Standards for Determination of Nutrient Loading
- Appendix C - page 73** Design Standards for Street and Related Construction
- Appendix D - page 75** Planning Board Forms (Form A through Form N)
- Appendix E - page 77** Index of Amendments to Subdivision Rules and Regulations

Appendix A
Environmental Impact Evaluation

The Applicant shall submit an evaluation of environmental impact, the purpose of which is to enable the officials of the City to determine what methods are used by the applicant to promote the environmental health of the community and to minimize adverse effects on the natural resources of the City.

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

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

The statement shall include the following:

A. Physical Environment

- (1) Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, scenic and historical features, trails, and open space links and indigenous wildlife.
- (2) Describe how project will affect these features.
- (3) Provide a complete physical description of the project, and relationship to surrounding area.
- (4) If the proposed subdivision is located within five hundred feet of an Areas of Critical Environmental Concern (ACEC), a map showing the boundaries of such district shall be submitted.

B. Surface Water and Soils

- (1) Describe location, extent and type of existing water and wetlands (including intermittent brooks and drainageways), and the existing surface drainage characteristics, both within and adjacent to the project.
- (2) Describe the methods to be used during construction to control erosion and sedimentation i.e. use of sediment basins and type of mulching, matting, or temporary vegetation; describe approximate size and location of land to be cleared at any given time and length of time and exposure; covering of soil stockpiles; and other control methods used. Evaluate effectiveness of proposed methods on the site and on the surrounding areas.
- (3) Describe the permanent methods to be used to control erosion and sedimentation. Include description of:
 - (a) Any areas subject to flooding or ponding.

Appendix A cont.

- (b) Proposed surface drainage system, including the projected flow from a 50 year storm, name of the receptor stream, and any flow constrictions between the site and the receptor stream.
 - (c) Proposed land grading and permanent vegetative cover.
 - (d) Methods to be used to protect existing vegetation.
 - (e) The relationship of the development to the topography.
 - (f) Any proposed alterations of shore lines, marshes or seasonal wet areas.
 - (g) Any existing or proposed flood control or wetland easements.
 - (h) Estimated increase of peak runoff caused by altered surface conditions, and methods to be used to return water to the soils.
- (4) Completely describe sewage disposal methods, including projected flow, size of pumping stations, and any special problems which must be dealt with. Evaluate impact of disposal methods on surface water, soils and vegetation.

C. Sub-Surface Conditions

- (1) Describe any limitations of proposed project caused by sub-surface soil and water conditions, and methods to be used to overcome them.
- (2) Describe procedures and findings of percolation tests conducted on the site.
- (3) Evaluate impact of sewage disposal methods on quality of subsurface water.
- (4) Show the locations of all wells located within 500 feet of the boundaries of the subdivision, including any wells located within the land to be subdivided.

D. City Services

(1) Traffic Circulation

- (a) Describe estimated traffic flow at peak periods and proposed circulation pattern.
- (b) Classify the streets within the development according to the street classification system described in these Rules and Regulations.
- (c) Describe locations and number of vehicles accommodated in parking areas.

(2) Police and Fire Protection

Describe effect of project on police and fire protection services.

(3) Public Works Department Services

Describe effect of project on public works department services.

(4) Educational Services

Describe effect of project on educational services.

(5) City Water Supply and Distribution system

Appendix A cont.

- (a) Indicate the projected water demand of the proposed subdivision, and the effect of the project on the city water supply.
- (b) Discuss the existing and proposed water distribution system, and its ability to serve all lots in the subdivision.

E. Human Environment

- (1) Provide a tabulation of proposed buildings by type, size (number of bedrooms, floor area), ground coverage, and a summary showing the percentage of the tract to be occupied by buildings, parking and other paved vehicular areas and usable open space.
- (2) Describe type of construction, building materials used, location of common areas, location and type of service facilities (laundry, trash, garbage disposal).
- (3) Discuss the location and size of lights, and methods used to screen adjoining properties from glare.
- (4) State proximity to transportation, shopping and educational facilities.
- (5) Describe proposed recreational facilities, both active and passive age groups participating, and state whether recreational facilities and open space are available to all residents. Indicate distance to and type of existing public facilities.

F. Phasing

If the development of the site will take place over more than one year, supply a schedule showing how the development will be phased. A flow chart is helpful. This time table shall include the following elements:

- (1) Stripping and/or clearing of site
- (2) Rough grading and construction
- (3) Construction of grade stabilization and sedimentation control structures
- (4) Final grading and vegetative establishment
- (5) Landscaping
- (6) The construction of any public improvements shall be specified, explaining how these improvements are to be integrated with the development.
- (7) The number of housing units and the square footage of non-residential uses to be constructed each year and their estimated value shall be specified.

G. General Impact

- (1) Summarize briefly environmental impact on entire City with supporting reasons.

APPENDIX A-1
STORMWATER MANAGEMENT

Purpose & Intent:

The purpose and intent of stormwater management shall include:

- 1) for quantitative control of stormwater runoff, a system of native specie vegetation and structural measures that control the increased volume and rate of surface runoff caused by man-made changes to the land and
- 2) for qualitative control of stormwater runoff, a system of native specie vegetation, structural and other measures, that reduce or eliminate pollutants that might otherwise be carried off by surface runoff.

Submission requirements:

A Stormwater Management Plan containing sufficient information for the Planning Board to evaluate the environmental characteristics of the affected area by the proposed subdivision. The Stormwater Management Plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, calculations, plans showing construction details of all systems and structures, and citations to supporting references, as appropriate to communicate the information as required by these regulations.

The existing environmental and hydrological conditions of the site and of receiving waters and wetlands shall be described in detail, including, but not limited to the following:

- 1) the direction, flow rate, and volume of surface runoff under existing conditions; the required information shall be based on the 2 year, 10 year, and 100 year storm events for the 24 hour duration, and the duration which coincides with the time concentration of the watershed; the method of calculation shall be TR-55 Rationale Method for drainage areas under 100 acres and TR-55 for drainage areas of 100 acres or more;
- 2) the location of areas of the site where stormwater collects or percolates into the ground;
- 3) a description of all surface watercourses, waterbodies, and wetlands on or entering a site, or into which stormwater flows. Information regarding their water quality and the current water quality classification shall be included;
- 4) depth to seasonal high groundwater levels;
- 5) location of flood plains as per the City of Gloucester Watershed Overlay Protection District and Flood Plain District, Zoning Ordinance and Map on file with the City Clerk's Office;
- 6) principal vegetation types;
- 7) topography described in full contour detail, at 2 foot intervals, with areas of steep slopes (over 10%) highlighted;

Appendix A-1 cont.

8) soils, with an accompanying analysis of the best use potential of the soils and the hydrological group classification; the soils map and use potentials analysis prepared by the U.S. Soil Conservation Service shall be used as the basis for this analysis.

Proposed alteration of the site shall be described in detail, including but not limited to the following:

- 1) changes in topography, described in full contour details at two foot intervals;
- 2) areas where vegetation will be cleared or otherwise altered;
- 3) areas that will be covered with an impervious surface and a description of the surfacing material.

The proposed development layout shall be described in detail, including but not limited to the following:

- 1) the site arrangement, including the location of structures, roadways, parking areas, sewage disposal facilities, and undisturbed lands;
- 2) all drainage systems to be provided, including the location and design of roadway and individual lot subdrains; full drainage calculations shall be included, with a 2 year, 10 year, and 100 year storms used as the basis of design;
- 3) the method of calculation shall be the TR-55 or Rationale Method for drainage areas under 100 acres and TR-55 for drainage areas of 100 acres or more.

Predicted impacts of the proposed development on existing conditions shall be described in detail, including:

- 1) changes in water quality, included but not necessarily limited to ground and surface water;
- 2) changes in groundwater levels;
- 3) changes in the incidence and duration of flooding on the site and upstream and downstream from it;
- 4) adverse impacts on wetlands;
- 5) impacts on vegetation.

All components of the drainage system and any measures for the detention, retention, or infiltration of water, or for the protection of water quality shall be described in detail, including:

- 1) the channel, direction, volume, and rate of the flow, and quality of storm water that will be conveyed from the site, with a comparison to existing conditions, and to the extent practicable, pre-development conditions;
- 2) detention and retention areas and devices including:
 - a. plans for the discharge of contained waters, including the time to draw down from full condition, description of outlet structures;

Appendix A-1 cont.

- b. maintenance plans; including maintenance schedule, an outline of responsible parties and owners, and all pertinent agreements to be executed to insure proper maintenance;
- c. an evaluation of the pollutant removal efficiency of such devices under existing conditions;

3) areas of the site to be used or reserved for percolation including the depth to seasonal high groundwater table, and prediction of the impact on groundwater quality;

4) areas to be utilized in overland flow, the hydrological soil type of such areas, vegetation present, and the soil susceptibility to erosion;

5) any other information which the applicant or the Planning Board believes is necessary for an evaluation of the development.

Nitrogen and/or Phosphorus Loading Report:

For review of water quality impact, an applicant shall submit calculations of anticipated nitrogen and/or phosphorus contributions from roads, lawns, and septic systems. Applicant must determine the "carrying load" or ability to absorb nitrogen and phosphorus loading of all receiving water system on site.

Performance Standards

Stormwater Management Plans submitted must demonstrate that the proposed development or activity has been planned and designed and will be constructed and maintained to meet each of the following standards:

- 1) ensure that after development, runoff from the site or activity approximates the rate of flow, velocity, volume, and timing of runoff that would have occurred following the same rainfall conditions under pre-development conditions;
- 2) maintain the natural hydrodynamic characteristics of the watershed;
- 3) protect or improve the quality of surface and ground waters;
- 4) protect, maintain, or improve water quality or existing water quality standards for all receiving waters, water courses, and water bodies;
- 5) protect and maintain groundwater levels;
- 6) protect the beneficial function of wetlands as areas for the natural storage of flood waters, , the chemical reduction and assimilation of pollutants, and wildlife and fisheries habitat;
- 7) prevent increased flooding and damage that results from improper location, construction, and design of structures;
- 8) prevent reverse salt water intrusion;
- 9) protect the natural fluctuating levels of salinity in estuarine areas;

Appendix A-1 cont.

- 10) minimize alteration to flora and fauna and adverse impacts to fish and wildlife to habitat;
- 11) prevent the release of volatile hydrocarbons organic compounds
- 12) otherwise further the objectives of the Stormwater Management Policies and Regulations.

Design Standards:

The design, construction, and maintenance of stormwater systems will be consistent with the following:

- 1) Discharging runoff directly into rivers, streams, watercourses, or enlarging the volume, rete, or further degrading the quality of existing discharges/runoff is prohibited. Runoff shall be routed through vegetated swales, using native species and other structural and nonstructural systems designed to increase time of concentration, decrease velocity, increase infiltration, allow suspended solids to settle, and remove pollutants; such systems will utilize overland flow and reinfiltration as priority techniques for the treatment of runoff.
- 2) Retention and detention ponds, and methods of overland flow may be used to retain, detain, and treat the increased and accelerated runoff which the development generates.
- 3) There shall be a minimum of two feet of naturally occurring soils between the detention basin bottom and the seasonal high groundwater table.
- 4) Water shall be released from detention ponds at a rate and in a manner approximating the natural conditions which would have occurred before development, incorporating the following standards:
 - a. Peak flow discharges from a 1 year, 2 year, and 100 year storm shall not be increased or decreased by the development or activity;
 - b. Ponds shall not be placed where their use poses concerns of groundwater contamination through the recharging of pollutants from surface runoff;
 - c. Retention ponds shall have a minimum containment time of 36 hours, a minimum sump depth of 3 feet, and whenever possible utilize permeable sides and/or bottoms so as to minimize outflow;
 - d. Outflow from structural devices shall have flow proceed to native vegetated areas or native vegetated swales when discharging in proximity to water courses, wetland, and the estuary; such areas utilized for sheet flow should have hydraulic and vegetative characteristics adequate to insure that stormwater reaching the watercourse, wetland, or estuary does so in a manner at pre-development or existing conditions;
- 5) Natural watercourses shall not be dredged, cleared of vegetation, deepened, widened, straightened, stabilized, or

otherwise altered.

- 6) Water shall be retained or detained before it enters any natural watercourse in order to preserve the natural hydrodynamics of the watercourse and to prevent siltation or other pollution.
- 7) Intermittent watercourses such as swales, should be vegetated;
- 8) The first one inch of runoff from impervious surfaces, such as rooftops and paved surfaces, shall be treated and re-infiltrated in the site of the development and the Applicant shall quantify first one inch of runoff, and specify how treatment and re-infiltration will be accomplished;
- 9) Runoff from parking lots and roads shall be treated to remove oil and sediment;
- 10) The use of drainage facilities and vegetated buffer zones as open space and conservation areas shall be encouraged;
- 11) Neighboring properties shall not be adversely effected by flooding from excessive runoff.

General Requirements

Monitoring well will be installed at the outlet of the retention/detention basin to ensure that no chemical de-icers, fertilizers or pesticides (other than fertilizer contained in the seed mixture) are being used. A baseline sample will be taken prior to construction of the retention basin and semiannually thereafter until such time as a Certificate of Compliance is issued.

Sedimentation must be excavated at least semi-annually from the pond and after every major storm event of two inches or more over any 24 hour period. Any vegetation uprooted by sedimentation removal must be replaced.

Applicant shall submit an Operation and Maintenance Manual for retention and detention ponds and related stormwater facilities. Said Manual shall address basin identification, final inspection, operation, inspection and maintenance, checklist, as-built plans, and City acceptance. Sample copies may be obtained from the Planning Board.

The applicant/developer shall secure future maintenance of the stormwater system by a proper bond or by deposit of money of an amount as determined by the Planning Board and Conservation Commission. Such bond or deposit must be secured to satisfaction of the Board and Commission prior to release of any lots within the development and prior to receipt of any permits.

In the event that the developer does not follow maintenance procedures and programs as approved by the Board, the Board shall have authority to expend any portion of said bond or deposit to provide such maintenance.

In the event that the stormwater system is accepted by the City and therefore the City assumes the ownership of said system, any remaining portion of this bond or deposit will be refunded to the developer or homeowner's association.

Appendix B

Methodology and Standards for Determination of Nutrient Loading

Methodology

1. Determination of nutrient loading shall be done using available loading estimates from county, state or federal performance standards and shall include, at a minimum:
 - (a) The existing condition of the water body or water supply, including physical characteristics and water chemistry;
 - (b) The expected change in the condition of the water body or water supply as a result of the proposed development;
2. When comparing the nutrient loading of the proposed subdivision to the carrying capacity of receiving waters, the probable effect of the subdivision on the receiving waters (ground or surface) over a period of time shall be set forth, assuming total buildout of the subdivision.
3. All comparisons of the nutrient loading from the proposed development with loading from other developments shall be done on a per acre basis.

Standards

In determining total nutrient loading of a development and critical eutrophic levels, the following standards shall be used:*

- a). Loading per person: 5 lbs Nitrogen per person per year; .25 lbs Phosphorus per person per year for sewage disposal systems within 300 feet of the shoreline. Persons per dwelling unit = 5.0.
- b). Loading from lawn fertilizers: 3 lb Nitrogen per 1000 square feet per year.
- c). Loading from road run-off: .19 lbs Nitrogen per curb mile per day; .15 lbs Phosphorus per curb mile per day.
- d). Critical eutrophic levels: Fresh water concentration, total Phosphorus = .02 mg/litre; salt water concentration, total Nitrogen - .75 mg/litre.
- e). Critical level for ground water used for drinking water = 5 parts per million nitrate Nitrogen in well recharge areas.

*Unless the applicant demonstrates to the Planning Board that given the nature of the proposed project and/or receiving waters, other standards are appropriate.

APPENDIX C
Design Standards for Street and Related Construction

<u>Location and Alignment</u>	Collector Street	Minor Street	Lane	Court
Minimum center line radius	300 feet	150 feet	100 feet	100 ft.
Minimum curb radius at intersections* (residential subdivision)	30 feet	25 feet	25 feet	25 ft.
Minimum curb radius at intersections* (non residential subdivision)	35 feet	N/A	N/A	N/A
Minimum Length of tangents between reverse curve	150 feet	N/A	N/A	N/A
<u>Width</u>				
Minimum right-of-way width	60 feet	50 feet	40 feet	25 ft.
Minimum pavement Width	32 feet	26 feet	20 feet	16 ft.
<u>Grades</u>				
Minimum grade	0.5%	0.5%	0.5%	0.5%
Maximum centerline grade	6.0%	8.0%	10.0%	12.0%
Minimum sight distance	300 feet	200 feet	200 feet	150 ft.
Minimum levelling area (residential subdivision)	75 feet**	75 feet**	75 feet**	75 ft.+
Minimum levelling area***	200 feet	200 feet	200 feet	200 ft.
Maximum length	600 feet	500 feet	500 feet	200 ft.
Minimum curb-line diameter of turnaround	100 feet	100 feet	100 feet	80 ft.
Minimum property line diameter of turnaround (non-residential subdivision)	120 feet	120 feet	120 feet	90 ft.

* In certain instances, as specified in 4.1.1(i), curb radius required may be less than specified in this table.

** For streets where the grade is five percent or greater. Slope of levelling area shall not exceed three percent.

*** For street where the grade is three percent or greater. Slope of levelling area shall not exceed two percent.

+ For street where the grade is six percent or greater. Slope of levelling area shall not exceed four percent

Appendix C cont.

	Collector Street	Minor Street	Lane	Court
<u>Dead End Streets</u>				
Minimum center island diameter (if required)	40 feet	40 feet	40 feet	40 ft.
<u>Street Pavement</u>				
Minimum thickness of gravel base	12 inches	12 inches	12 inches	12 in.
Minimum thickness of bituminous concrete binder course	2 inches	2 inches	2 inches	2 in.
Minimum thickness of bituminous concrete top course	1 1/2 inches	1 1/2 inches	1 1/2 inches	1 1/2"
<u>Curbs</u>				
Installation of granite curbs	At all intersections & behind catchbasins			
Installation of granite or bituminous concrete curbs	Both sides	Both sides	Both sides*	Both sides*
<u>Sidewalks</u>				
Installation	Both sides	Both sides	Both sides	Where necessary to serve pedestrian safety
Minimum width	5 feet	5 feet	5 feet	5 feet
Minimum thickness of gravel base	8 inches	8 inches	8 inches	8 inches
Minimum thickness of bituminous concrete	2 1/2 inches	2 1/2 inches	2 1/2 inches	2 1/2 inches

* Required when grades are in excess of three percent or where there are curves of the type specified in 4.3.5(f)(2)

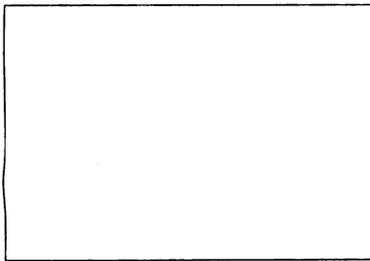
APPENDIX D

PLANNING BOARD FORMS

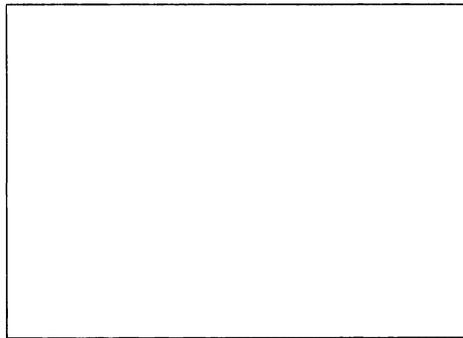
- Form A:** Application for Endorsement of Plan Approval Not Required (ANR)
- Form B:** Application for Approval of Preliminary Plan
- Form C:** Application for Approval of Definitive Plan
- Form D:** Engineer's Certificate*
- Form D1:** Land Surveyor's Certificate*
- Form D2:** Landscape Architect's Certificate*
- Form E:** Certificate of Action on a Definitive Plan
- Form F:** Performance Bond Secured by Deposit
- Form G:** Performance Bond Secured by Surety Company
- Form H:** Covenant in lieu of Performance Bond
- Form I:** Lenders Guarantee of Construction
- Form J:** Conveyance of Easements and Utilities to the City
- Form K:** Subdivision Inspection Checklist from Engineering Department
- Form L:** Release of Performance Bond
- Form M:** Release of Covenant
- Form N:** Release of Retainage

* Accompanies submission of a Definitive Subdivision Plan and Form C

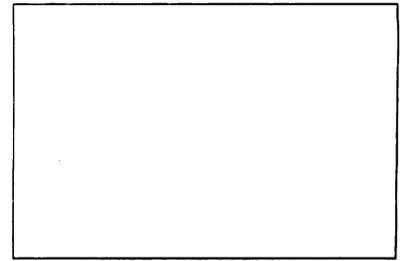
As Amended by the Gloucester Planning Board – July 2008



Community Dev. Dept.



Planning Board



City Clerk

FORM A - Application for Subdivision Approval Not Required (ANR)

PLANNING BOARD, CITY OF GLOUCESTER, MA

ANR File # _____

Application for endorsement of a plan of land believed not to require approval under the Subdivision Control Law, MGL Chapter 41.

Please take the following steps in order for proper filing:

- 1) Prior to any filing it is highly recommended that the applicant meet with the Planning Division of the Community Development Department to review the proposed division of land and to determine that the application is complete, satisfying all plan requirements of Sections 2.2.3 and 2.2.4 of the "Rules and Regulations Governing Subdivision of Land in Gloucester" (SR&R).
- 2) Prior to making eleven copies of the application, the applicant must obtain an Engineering Department sign-off assigning street numbers (see #10 below).
- 3) **Community Development Stamp:** According to Section 2.2.2 and 2.2.3 of the SR&R, prior to submission to the Planning Board, eleven (11) copies of this form are to be stamped and filed with the Community Development Department, together with the Mylar and eleven (11) prints of the plan, and a fee of \$100.00 per lot or lot line change, in the form of cash or cashier's check made payable to the CITY OF GLOUCESTER. When filling out this application please print or type.
- 4) **Planning Board Stamp:** Per SR&R Section 2.2.2, the plan and application shall be deemed submitted when the Planning Board stamps the application at a regularly scheduled meeting when it is on the agenda.
- 5) **City Clerk's Stamp:** Per MGL Ch. 41, Sections 81-P and 81-T, the applicant must notify the City Clerk by delivery or registered mail that such a plan, accompanied by a Form A application, has been submitted to the Planning Board. The City Clerk shall stamp the original application and return it to the Planning Division, and file a copy of the application in the Clerk's office.

TO THE PLANNING BOARD:

The undersigned record owner of the property wishes to record the accompanying plan and requests a determination by the Planning Board that approval by it under the Subdivision Control Law is not required.

1. Name of Applicant _____
Address & Telephone # _____
2. Name of Engineer or Surveyor _____
Address & Telephone # _____
3. Parcel Address: _____
4. Assessor's Map & Lot Number: Map _____ Lot(s) _____
5. Wetland Base Map Number: 40 ___ (Not same as Assessor's Map #)
6. Zoning Classification: _____

7. Deed of Property recorded in _____ Registry / Land Court,
Book _____ Page _____
8. Location and Description of Property _____

9. The applicant believes that subdivision approval is not required for the following reasons:
a) Per SR&R Section 2.2.5, every lot shown on the accompanying Plan of Land has frontage on an accepted way _____ with the frontage length and lot area required by the Zoning Ordinance; and has adequate access to the buildable portion of the lot(s); or

b) The division of land shown on the accompanying plan is not a subdivision for the following additional reasons; please specify in your description any reference to regulations: _____

10. Proposed Street Numbers approved by City Engineer as appropriate. Plan of Land must be available for review by the Engineer.
Number(s): _____ Approved by: _____
11. Name of Record Owner _____
a) Signature of Record Owner _____
Address & Telephone # _____
- If not the record owner:
b) Signature of Applicant _____
Statement of Interest _____
(i.e. attorney, purchase and sale agreement etc.)

The applicant must submit with this application all of the data and documentation required by SR&R Sections 2.2.3 and 2.2.4 to the Planning Board, and shall provide written notice to the City Clerk of submission to the Board. Applications will be accepted by the City Clerk only if they bear the stamp of the Gloucester Planning Board.

12. Date City Clerk Notification _____

ATTENTION FORM A APPLICANTS

All property being divided must be staked, flagged, or otherwise marked to enable Planning Staff and Planning Board members to locate the property and evaluate frontage and access.

Please be advised that after the Planning Board has acted on the plan, Applicants are responsible for retrieving their own Mylars and having them recorded at the Registry of Deeds or Land Court. The plans must be recorded within six months of approval in order for them to become official; if they are not recorded within six months, the approval is no longer valid. Please submit proof of recording to the Planning Division as soon as possible.

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM B - APPLICATION FOR APPROVAL OF PRELIMINARY PLAN

The applicant shall submit a completed Form B application together with a print of the Preliminary Plan to the Planning Board; one copy of the plan must be filed with the Board of Health, and a notice of submission along with one copy of the form must be filed with the City Clerk's office in accordance with the requirements of Section III of the Planning Board's Subdivision Rules and Regulations.

_____, 20 ____

To the Planning Board:

The undersigned herewith submits the accompanying Preliminary Plan of property located in Gloucester, Massachusetts, for approval as a subdivision as allowed under the Massachusetts Subdivision Control Law and the Planning Board's "Rules and Regulations Governing the Subdivision of Land, Gloucester".

1. Name of Subdivision _____
2. Address and Description of Property: _____

3. Assessor's Map and Lot numbers: Map _____ Lot(s) _____
4. Wetland Base Map number 40 _ _ _
5. Zoning Classification _____
6. Name of Applicant _____
Address and Phone number _____
7. Name of Engineer or Surveyor _____
Address and Phone number _____
8. The owner's title to the land is recorded in Southern Essex District Registry of Deeds, dated _____; Book _____, Page _____; or registered in the Southern Essex County Land Court, Certificate of Title No. _____.
9. Signature of owner of record or his/her agent: _____
Print name of owner or agent: _____
Address and Telephone: _____

Certified list of names and addresses of the abutters to this subdivision is attached.

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM C - APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

The applicant shall submit to the Planning Board an original and ELEVEN (11) copies of this form together with the Mylar and ELEVEN (11) prints of the Definitive Plan; one copy of the plan must be filed with the Board of Health and one copy of the form must be filed with the City Clerk's Office in accordance with the requirements of Section III of the Planning Board's Subdivision Rules and Regulations.

To the Planning Board: _____, 20 _____

The undersigned herewith submits the accompanying Definitive Plan of property located in Gloucester, Massachusetts, for approval as a subdivision as allowed under the Massachusetts Subdivision Control Law and the Planning Board's "Rules and Regulations Governing the Subdivision of Land, Gloucester, MA".

Said plans have () / have not () evolved from a Preliminary Plan submitted to the Board on _____; and were approved () / with modifications (), or disapproved () on _____.

1. Name of Subdivision _____
2. Address and Description of Property: _____

3. Assessor's Map and Lot numbers: Map _____ Lot(s) _____
4. Wetland Base Map number 40 _ _ _
5. Zoning Classification _____
6. Name of Applicant _____
Address and Telephone _____
7. The owner's title to the land is recorded in Southern Essex District Registry of Deeds, dated _____; Book _____, Page _____; or registered in the Southern Essex District of Land Court, Certificate of Title No. _____.
8. The Land within the proposed subdivision is subject to the following easements and restrictions: _____

9. Appurtenant to the land within the proposed subdivision are the following easements and restrictions over the land of others: _____
-
10. The applicant agrees, if the definitive plan is approved, to construct the street, install utilities and all other improvements within the proposed subdivision required by the Planning Board's current Rules and Regulations.
11. The applicant further agrees to complete all said required improvements within three (3) years from the date of approval of the definitive plan by the Planning Board, unless the Board approves a different period of time.
12. If the definitive plan is approved, the applicant shall record the plan in the Southern Essex District Registry of Deeds or register the plan in the Essex County Land Court, and agrees that even if otherwise authorized to do so by filing of a Performance Bond, the applicant shall not sell or offer to sell any of the lots within the subdivision until said plan is so recorded or registered.
13. The applicant further agrees that before endorsement by the Planning Board of the Definitive Plan, he will (check one):
- _____ A. File with the Board a Performance Bond (Form F or G) conditioned on the completion of all required improvements in the time and manner prescribed, in a penal sum sufficient to cover the cost of such work, and executed by the applicant as principal and a surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the City Treasurer of cash or negotiable securities in an amount equal to the penal sum of the bond; or
- _____ B. File with the Board a Covenant (Form H) which provides that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required improvements necessary to adequately serve such lot have been completed to the satisfaction of the Board, as evidence by its vote and execution of a Release of Lots (Form M).
14. This application is accompanied by an original drawing or the proposed Definitive Plan, an engineer and a land surveyor's certificate, a list of the names and addresses of the abutters to this subdivision, and such data and fees as required by the Planning Board's current Rules and Regulations.
15. Signature of owner of record or his/her agent: _____
 Print name of owner or agent: _____
 Address and Telephone: _____
-

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM D – ENGINEER’S CERTIFICATE

SUBDIVISION NAME: _____

To the Planning Board of the City of Gloucester:

In preparing the plan of the subdivision entitled above, I hereby certify that the above named plan has been prepared by me or under my direct supervision, reflects accepted engineering practice, conforms to the City of Gloucester’s Subdivision Rules and Regulations except as noted herein, and represents my best professional efforts.

1. Sources of data are listed as follows: _____

2. Oral information furnished by: _____

3. Actual measurements on the ground and other field determinations: _____

4. Other sources: _____

(Seal of Engineer)

Signed: _____
Registered Professional Engineer

Date: _____

Registration Number: _____

Address: _____

Tel. & Fax: _____

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM D1 – LAND SURVEYOR’S CERTIFICATE

SUBDIVISION NAME: _____

To the Planning Board of the City of Gloucester:

In preparing the plan of the subdivision entitled above, I hereby certify that the surveying of the land for the plan, including the platting and laying out of lots and the alignment of streets, and the drafting of the plan, has been done by me or my firm, reflects accepted land surveying practices and standards, and represents my best professional efforts. The survey and plan were prepared in accordance with Procedural and Technical Standards for the Practice of Land Surveying in the Commonwealth of Massachusetts. My source of information about the location of boundaries shown on the plan was one or more of the following:

1. Deed from: _____ to _____
dated _____ and recorded in the Southern Essex District Registry of Deeds, Book: _____ ; Page: _____ ; or in the Southern Essex District of the Land Court, Book: _____ ; Page: _____.
2. Other plan, as follows: _____

3. Oral information furnished by: _____

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

5. Other sources: _____

(Seal of Land Surveyor)

Signed: _____
Registered Land Surveyor

Date: _____

Registration Number: _____

Address: _____

Tel & Fax: _____

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM D2 – LANDSCAPE ARCHITECT’S CERTIFICATE

SUBDIVISION NAME: _____

To the Planning Board of the City of Gloucester:

In preparing the plan of the subdivision entitled above, I hereby certify that the plan has been designed in collaboration with me or my firm, reflects accepted landscape design practice, and represents my best professional efforts.

(Seal of Landscape Architect)

Signed: _____
Landscape Architect

Date: _____

Registration Number: _____

Address: _____

Tel & Fax: _____

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM E – CERTIFICATE OF ACTION ON A DEFINITIVE PLAN

SUBDIVISION NAME: _____

It is hereby certified by the Planning Board of the City of Gloucester, Massachusetts, that at a
duly called and properly posted meeting of said Planning Board, held on _____,

it was voted to APPROVE / MODIFICATION & APPROVAL / DISAPPROVE (circle)

a definitive plan entitled: _____;

submitted by Applicant: _____;

originally filed with the Planning Board on: _____;

concerning property located at: _____.

Assessors Map _____; Assessors Lot _____;

Subject to and in accordance with the conditions, terms and rationale set forth in

“ATTACHMENT A”

A copy of this Certificate of Action is to be filed with the Gloucester City Clerk and a copy sent to the applicant.

NOTE TO CITY CLERK: Please notify the Planning Board, through the Planning Office, immediately of any appeals filed with your office during the twenty (20) day appeal period. If no appeals are filed, please notify the Planning Board at the end of the appeal period.

Chair, Gloucester Planning Board

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM F - PERFORMANCE BOND - SECURED BY DEPOSIT

SUBDIVISION NAME: _____

Know all men by these present that _____
hereby binds and obligates itself, executors, administrators, devisees, heirs, successors and assigns
to the City of Gloucester, a Massachusetts municipal corporation, in the sum of _____
Dollars, (\$ _____), and has secured this obligation by the deposit with the Treasurer of the
said City of Gloucester of said sum in money or negotiable securities with proper stock powers.

The condition of this obligation is that if the undersigned or his/its executors, administrators,
devisees, heirs, successors and assigns shall fully and satisfactorily observe and perform in the
manner and in the time herein specified, all of the covenants, conditions, agreements, terms and
provisions contained in the application signed by the Principal and dated _____, under
which approval of the definitive plan of the subdivision entitled above and dated _____
has been or is hereafter granted by the Gloucester Planning Board, then this obligation, less
twenty percent (20%) for the necessary period, shall be void; otherwise, it shall remain in full
force and effect and the aforesaid security for said sum shall become and remain in full force and
effect and the aforesaid security for said sum shall become and be the sole property of said City
of Gloucester as liquidated damage.

In WITNESS WHEREOF the undersigned has hereunto set his hand and seal this _____
day of _____, 20 .

Gloucester Planning Board Chair

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 20 ____.

Then personally appeared the above named _____ and acknowledged
the foregoing instrument to be the free act and deed of the Planning Board of the City of
Gloucester, before me.

Notary Public

My Commission Expires

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM G - PERFORMANCE BOND – SURETY COMPANY

SUBDIVISION NAME: _____

Know all men by these present that _____ as Principal,
and a corporation duly organized and existing under laws of the State of _____,
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 City of Gloucester, a Massachusetts
municipal corporation, in the sum of _____ Dollars (\$_____).

The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in the time herein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____, under which approval of the definitive plan of a certain subdivision entitled _____ and dated _____ has been or is hereafter granted by the Gloucester Planning Board, then this obligation, less twenty percent (20%) for the necessary period, shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum, reduced as necessary, shall be paid to the City of Gloucester City 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 waive notice thereof.

IN WITNESS WHEREOF we have hereunto set our hands and seal this _____ day
of _____, 20 .

Gloucester Planning Board Chair

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 20_____.

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be the free act and deed of the Planning Board of the City of Gloucester, before me.

Notary Public

My Commission Expires

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM H - COVENANT

SUBDIVISION NAME: _____

Know all men by these presents that whereas the undersigned has submitted an application dated _____, to the Gloucester Planning Board for approval for a definitive plan of a certain subdivision entitled above; dated _____, and has requested the Board to approve such plan without requiring a performance bond, **NOW, THEREFORE**, this covenant witnesses that in consideration of the Gloucester Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the City of Gloucester as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any building on any such lot until the ways and other improvements necessary to serve adequately such lot have been completely constructed and installed in the manner specified in the aforesaid application and in accordance with the covenants, conditions, agreements, terms and provisions thereof.
2. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or the balance thereof not heretofore released.
3. The undersigned represents and covenants that the undersigned is the record owner in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages or encumbrances of record or otherwise on any of said land, except such as are noted below.
4. This Covenant shall be binding upon executors, administrators, devisees, heirs, successors and assigns of the undersigned.
5. It is the intention of the undersigned and it is hereby understood and agreed that this Covenant shall run with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.
6. It is understood and agreed that lots within the subdivision shall respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

IN WITNESS WHEREOF the undersigned hereunto set his/her hand and seal
this _____ day of _____, 20__.

Signature of Owner(s) of Record or his/her Agent

Address

And _____, banking corporation in _____ (city),
_____ (county), _____ (state), the present holder of a mortgage on
the above described land which mortgage is dated _____, and recorded in
Southern Essex District Registry of Deeds, Book _____, Page _____, or
registered in Southern District Essex of the Land Court as Document No. _____,
and noted on Page _____, for consideration paid, hereby assents to the Covenant.

IN WITNESS WHEREOF this instrument has been executed in the name and on behalf
of said bank and the corporate seal affixed by _____,
its _____, hereunto duly authorized this _____ day of
_____, 20__.

By: _____
Title

Address

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 20__.

Then personally appeared the above named _____,
and acknowledged the foregoing instrument to be his/her free act and deed before me,

Notary Public

My Commission Expires

Approved: _____, 20__.

By: _____
Gloucester Planning Board Chair

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM I – LENDERS GUARANTEE OF CONSTRUCTION

SUBDIVISION NAME: _____

Agreement made this _____ day of _____, 20____,
by and between Applicant / Corporate Name: _____

Address: _____,
hereinafter referred to as the “Applicant”;

the Lender / Corporate Name: _____,

Address: _____,
hereinafter referred to as the “Lender”; and the City of Gloucester, acting through its Planning
Board, hereinafter referred as the “Board”, viz:

Whereas, pursuant to the provisions of the Massachusetts Subdivision Control Law and the
Board’s Subdivision Rules and Regulations, adopted thereunder, the Board has approved a
Definitive Plan entitle as above, dated _____ 20 ____, and recorded in the Southern
Essex District Registry of Deeds; Book _____, Page _____; or registered in the
Southern Essex District of the Land Court as Document No. _____, and noted on the
Certificate of Title No. _____, in Registration Book: _____, Page: _____.

The Applicant and the Board have executed a Covenant, dated _____, 20 ____,
recorded in said Deeds, Book _____, Page _____; and

Whereas, the Applicant has granted to the Lender a mortgage dated _____, 20 ____,
recorded in said Deeds, Book _____, Page _____,

covering lots numbered _____ as shown on said plan
as security for the payment of a certain note in the principal sum of \$ _____; and,

Whereas, the Lender has withheld \$ _____ of said principal sum to be
distributed to the Applicant as and when municipal services shall have been installed and ways
constructed pursuant to said plan, said Rules and Regulations, and said Covenant.

Now, therefore, it is understood and agreed that the Lender shall retain the following sums, deemed by the Board to be sufficient, until the corresponding municipal services and ways shall have been determined by the Board to be completed in accordance with its applicable rules and regulations:

<u>Sum</u>	<u>Services and Ways</u>
\$ _____	_____
\$ _____	_____
\$ _____	_____

It is further understood and agreed that all of the above services and ways shall be completed no later than _____, 20____, unless the date is extended by written amendment by mutual agreement of the parties hereto.

In the event the work is not completed within the time set forth or as extended, said funds as retained by the Lender shall be made available to the Treasurer of the City of Gloucester for completion of the work, and the Applicant shall be deemed to have authorized the release of said funds for said purpose, and to have relinquished all claims to said funds.

In consideration of the foregoing, the Board hereby releases lots numbered _____ as shown on said definitive plan from the provisions of said covenant and conditions therein imposed.

The obligations of the parties hereunder are to be construed consistent with the Subdivision Control Law, and no rights granted thereunder are waived.

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

LENDER By: _____

The APPLICANT does hereby agree to the terms and conditions contained herein and authorizes the LENDER to disburse the amounts set forth as provided above, subject to the terms and conditions of the Agreement.

WITNESS my hand and seal this _____ day of _____, 20_____.

APPLICANT By: _____

Date: _____

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM J – CONVEYANCE OF EASEMENTS AND UTILITIES

SUBDIVISION NAME: _____

_____, of _____, Massachusetts,
for good and adequate consideration, grant to the City of Gloucester, a municipal corporation in
Essex County, Massachusetts, with quitclaim covenants, the perpetual rights and easements to
construct, inspect, repair, renew, replace, operate and forever maintain water and sewer mains
and surface and subsurface drainage systems, with any manholes, pipes, conduits, and their
appurtenances, and to do all other acts incidental to the foregoing, including the right to pass
along and over the land for the aforesaid purposes, in, through, and under all roads and easements
shown on the definitive Subdivision Plan entitled above and dated _____, and
said plan is incorporated herein for a complete and detailed description of said roads and
easements.

The following parcel of Land is situated on _____ (Street)
in said Gloucester and bounded and described as follows:

To have and to hold the above described rights and easements unto the said City of Gloucester
and its successors and assigns forever.

And, for the consideration aforesaid, the said grantor does hereby give, grant, transfer and deliver
unto the City of Gloucester and its successors and assigns forever, all water and sewer mains,
surface and subsurface drainage systems, manholes, pipes, conduits, drainage easements and all
appurtenances thereto that are now or hereafter constructed or installed in, through, or under the
above described land by the grantor and the grantor's successors and assigns.

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

For grantor's title see deed from _____
dated _____, and recorded in Southern Essex District Registry of Deeds,
Book _____, Page _____, or under Certificate of Title No. _____, registered
in Southern Essex District of the Land Court, Book _____, Page _____.

And _____, a banking corporation in _____,
Massachusetts, the present holder of a mortgage on the above described land, which mortgage is
dated _____, and recorded in said Deeds, Book _____, Page _____,

for consideration paid, here by releases unto the City of Gloucester and its successors and assigns forever from the operation of said mortgage, the rights and easements hereinabove granted and assents thereto.

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

COMMONWEALTH OF MASSACHUSETTS

_____, SS. Date: _____

Then personally appeared the above named _____ and acknowledges the foregoing to be _____ free act and deed. before me.

Notary of Public My Commission Expires

**PLANNING BOARD and ENGINEERING DEPARTMENT
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM K - SUBDIVISION INSPECTION CHECKLIST*

SUBDIVISION NAME: _____

Address _____; Name of Contractor _____

Name of Applicant _____; Phone # of Applicant _____

Assessor's Map _____; Lot(s) # _____

Inspection Date of Inspection Number	Subject	Initials of Agent
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1. Centerline Stakeout (roadways) a. Benchmark every 300'		
2. Clearing, Grubbing a. Pavement area only b. Determination of remaining Right-of-Way by City Engineer and City Planner		
3. Excavation of Right-of-Way		
4. Utility installation		
a. Drainage		
1) Backfill		
2) Retention Ponds		
3) Structures (tables, sumps)		
b. Water		
1) Backfill		
2) Testing		
3) Hydrants		
4) Ties for shut-offs		
c. Sewer		
1) Backfill		
2) Testing		
3) Manhole Tables		
4) Ties for clean-outs		
d. Other Utilities		
1) Electrical		
2) Telephone		
3) Cable		
4) Gas		
5) Street Lights		

5. Sub-grade Preparation		
a. Grades Check Prior to Gravel		
6. Gravel Base		
a. Sieve Analysis (sample-dump truck load)		
b. Grade Check (prior to pavement)		
7. Binder Course		
a. Patching		
b. Leveling Course		
c. Finish Course		
8. Sidewalk Construction		
a. Base		
b. Binder		
c. Top		
9. Curb Installation		
a. Bit Concrete		
b. Granite		
1) Joint		
2) Concrete		
10. Grass Strips		
a. Loam and Seed		
b. Touch up if necessary		
11. Street Signs		
12. Monuments		
a. In Place		
b. Drill Holes		
c. Certification		
13. Street Trees & Plantings		
a. Replacements (1 year if necessary)		
14. Final Cleanup		
15. As-Built Plan(s)		

* Engineering Department shall be notified at least 24 hours before each required inspection as listed.

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM L – RELEASE OF PERFORMANCE BOND

SUBDIVISION NAME: _____

City Treasurer
City of Gloucester, Massachusetts

This is to certify that at a regular meeting of the Gloucester Planning Board, held on _____, 20____, at which a quorum was present and acted throughout, it was unanimously

SECURED BY DEPOSIT (Form F)

VOTED to release to the developer _____, the Performance bond, dated _____, and the \$ _____ Dollars in cash that was deposited with the City as security for the performance by the developer of his agreement in the form of an application for approval of a definitive plan, Form C, dated _____, to complete the work to be performed by the developer as shown on the subdivision plan as entitled above and dated _____.

SECURED BY SURETY (Form G)

VOTED to release the performance bond, dated _____, filed on _____, as Principal, and _____ as Surety, in the sum of \$ _____ Dollars to secure the performance by the developer of his agreement in the form of an application for approval of a definitive plan, Form C, dated _____, to complete the work to be performed by the developer as shown on the subdivision plan as entitled above and dated _____.

Gloucester Planning Board Chair

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM M - RELEASE OF COVENANT

SUBDIVISION NAME: _____

The undersigned, being a majority of the Planning Board of the City of Gloucester, Massachusetts, hereby certify that the requirements for construction improvements called for by the Covenant dated _____, given by _____ (record owner) and recorded in the Southern Essex District Registry of Deeds, Book _____, Page _____, or registered in the Southern Essex District of Land Court as Document No. _____, and noted on Certificate of Title No. _____ in Registration Book _____, Page _____, have been completed or have been secured by the posting of a bond or other acceptable security to the satisfaction of the Gloucester Planning Board as to the lots enumerated or designated as follows:

Lot (s) _____ shown on the Definitive Subdivision Plan as entitled above; dated _____, and recorded in said Deeds, Book _____, Page _____; or registered in said Land Court, Plan Book _____; Page _____; and said lot(s) is hereby released from the restrictions as to the sale and building specified in said Covenant.

Executed as a sealed instrument this _____ day of _____, 20____.

Gloucester Planning Board Chair

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

Date: _____, 20 ____.

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be the free act and deed of the Planning Board of the City of Gloucester, before me.

Notary Public

My Commission Expires

**PLANNING BOARD
CITY OF GLOUCESTER, MASSACHUSETTS**

FORM N – RELEASE OF RETAINAGE

SUBDIVISION NAME: _____

City Treasurer
City of Gloucester, Massachusetts

This is to certify that at a regular meeting of the Gloucester Planning Board, held on _____, 20____, at which a quorum was present and acted throughout, it was unanimously

SECURED BY DEPOSIT (Form F)

VOTED to release to the developer, _____, the Performance Bond, dated _____, and the \$_____ Dollars in cash that was deposited with the City as security for the performance by the developer of his agreement in the form of an application for approval of a definitive plan, Form C, dated _____, said work having been completed for at least eighteen (18) months from the date of this release.

SECURED BY SURETY (Form G)

VOTED to release the Performance Bond, dated _____, filed on _____, as Principal, and _____ as Surety, in the sum of \$_____ Dollars to secure the performance by the developer of his agreement in the form of an application for approval of a definitive plan, Form C, dated _____, to insure adequate construction and installation of the streets and municipal services and dated _____; said work having been completed at least eighteen (18) months from the date of this release.

Gloucester Planning Board Chair

As Amended by the Gloucester Planning Board – August 2007

APPENDIX E

Index of Amendments to Subdivision Rules and Regulations

<u>Year</u>	<u>Date</u>	<u>Section(s)</u>	<u>Description of Amendment</u>
1979	03/06		
1983	03/07		
1986	05/08		
1987	02/09		
	05/05		
1988	01/23		
	04/25		
1989	09/19		
1990	12/10		
2002	04/22	4.3.4	Dead-End Streets: Change 600' to 500'
	09/09	3.8.2, 3.8.4, 3.8.5	Performance Bond Guarantee
2003	02/24	4.4.1(a) 1 & 2	Sewer Connection in Ward 5-2
	04/28	2.9	Pre-Application - Adopted
	08/25	6.1-6.3	OSRD Rules and Regulations
2006	07/10	2.1, 2.2, 2.2.4, 2.2.4, 2.2.6, 2.2.7, 3.1.3, 3.2.1(r), 3.2.4(k), 4.3.1(a), 4.10	Steep Slopes
2007	01/08	3.8.5	Change in Security, Reductions & Extensions
	08/27	2.2; 3.1.2; 5.5	ANR Approval; Preliminary Subdivision Filing
2008	04/08	3.1.2,3.2.1,3.7	Cluster Development Filing Fees