



TOWN of AVON
MASSACHUSETTS
RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND





583-1833

TOWN of AVON MASSACHUSETTS Office of the PLANNING BOARD

TO: The Residents of the Town of Avon, Massachusetts

At a meeting of the Avon Planning Board, held on May 1, 1974, it was voted that the Rules and Regulations governing the subdivision of land in Avon, Massachusetts adopted February 6, 1964 and all subsequent amendments thereto is hereby amended in total and that pursuant to the authority granted by the General Laws, Chapter 41A, Section 81K to 81GG inclusive, the following rules and regulations are adopted, and the following requirements are established governing the submission and approval of plans for the subdivision of land in the Town of Avon, Massachusetts.

JOHN J. DeMARCO
ROBERT W. PURSLEY
JOHN BRECKNER
WAYNE M. CARRELL
MICHAEL D. HATCH

Chairman
Clerk
Vice Chairman
Associate
Associate

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
AND THE PROCEDURES OF THE
PLANNING BOARD
AVON, MASSACHUSETTS

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SUBDIVISION REGULATIONS

PURPOSE: (Section 81-M of Chapter 41 G. L.)

"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 into 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 insuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways, for reducing danger to life and limb 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 subdivisions....."

SECTION I. AUTHORITY

Under the authority vested in the Planning Board of the Town of Avon by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these amended rules and regulations governing the subdivision of land in the Town of Avon.

A. Planning Board Procedures

Regular meetings of the Planning Board are held on the dates and times as posted with the Town Clerk. Except for executive sessions as provided for in Section 23A of Chapter 39 of the General Laws as amended, meetings of the Planning Board shall be open to the public to attend. Anyone desiring to meet with the Board shall do so by appointment. To secure an appointment, all applicants shall notify the Town Clerk at least four (4) days prior to a regularly scheduled meeting. In such notice, the

applicant shall state his name, address and a brief outline of the nature of the business to be discussed with the Planning Board. No appointment with the Planning Board shall be required of applicants desiring to submit a plan in accordance with the provisions of Section IIA.6 of these Rules and Regulations. Any person attending an advertised public hearing may address the Board at the pleasure of the Chairman without prior notice and in so doing shall state his name, address and person represented, if any.

All meetings of the Board shall be conducted formally under the direction of the Chairman of the Board. In the absence of the Chairman, the Vice-Chairman shall act as Chairman. In the absence of both the Chairman and Vice-Chairman, the Clerk shall act as Chairman. A majority of the members of the Board shall constitute a quorum but less than a majority may vote to adjourn, subject to the meeting being rescheduled as hereinafter provided, all other action of the Board shall require a majority vote of all the members. In the event of there being less than a quorum present at any scheduled meeting, the Chairman shall reschedule a meeting as soon as practicable thereafter.

The records of the Planning Board shall be maintained in the manner set forth in Section 23A of Chapter 39 of the General Laws as amended and may contain such other matters as the Board at its discretion may deem appropriate.

The Planning Board may require any applicant to produce evidence of ownership, or authority of an agent, representative or assign.

SECTION II. GENERAL

A. DEFINITIONS

1. Applicant - shall include an owner, or his agent or representative or his assigns.

2. Block

An area of land enclosed on two or more sides by street rights-of-way.

3. Streets (See Exhibit "D")

a. Arterial Streets

Existing and proposed streets which are primarily used, or will be used, by fast, heavy, and through traffic, as defined in the Town's Master Plan or as determined by the Planning Board.

b. Collector Streets

Existing and proposed streets which carry or will carry traffic from residential or minor streets to the system of arterial streets, as existing and proposed and as defined in the Town's Master Plan or as determined by the Planning Board.

c. Residential or Minor Streets

Existing or proposed streets which are used primarily for access to abutting properties.

4. Subdivision

Subdivision shall mean the division or resubdivision of a tract of land into two or more lots, or to the process of subdivision, or to the land or territory subdivided.

The division of a tract of land into two or more lots shall not constitute a subdivision if, at the time it was made, every lot within said tract has frontage, in compliance with the Zoning By-Law, on (1) a public way as laid out by the Selectmen or a way which the Town Clerk certifies is maintained and used as a public way, (2) a way shown on a plan previously approved under subdivision control, or (3) a way in existence on October 2, 1953, having in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular and pedestrian traffic and municipal services in relation to the proposed use of the land abutting thereon or served.

Conveyances or other instruments by adding to, taking away from, or changing the size and shape of lots, or the division of a tract of land, on which two or more buildings were standing on October 2, 1953, into separate lots, on each of which one such building remains standing shall not constitute a subdivision.

5. Planning Board Agent

A duly authorized engineering consultant retained by the Planning Board.

6. Plan Believed Not To Require Approval

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law, may submit his plan and application (Form A) to the Planning Board, accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application.

If the Board determines that the plan does not require approval, it shall, without a public hearing and within fourteen days of submission, endorse on the plan the words "Planning Board approval under Subdivision Control Law not required." Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action.

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

7. Basic Requirements

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

8. Engineering

The Definitive Plan shall be prepared, stamped and signed by a Registered Civil Engineer or a Registered Land Surveyor.

9. U.S.G.S. Datum

U.S.G.S. Datum = United States Coast and Geodetic Survey Datum.

SECTION III. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

A. PRELIMINARY SUBDIVISION PLANS

1. General

A Preliminary Plan of a subdivision shall be submitted by the subdivider for discussion and approval by the Board. The submission of such a Preliminary Plan will enable the subdivider, the Board, 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, a Preliminary Plan must be filed in every case and such plan be filed to allow the Board thirty (30) days in which to study and make recommendations toward the preparation of the Definitive plan. (See Paragraph III, A, 4.)

2. Filing Procedure

Any person submitting a Preliminary Plan shall give written notice to the Town Clerk, by delivery or registered mail of a Form B; such notices shall identify the tract, the date of submission, and the name and address of the owner.

The applicant shall file one Form B, a reproducible copy of the original drawing(s) and five prints with the Planning Board and three prints with the Board of Health. Both the Board of Health and the Planning Board shall comply with the requirements of Section 81-S of Chapter 41 of the General Laws as amended in notifying the applicant and the Town Clerk of their decisions.

3. Contents (See Exhibit "A")

A Preliminary Plan, which may be drawn in pencil shall be at one inch equals 100 feet or a larger scale, and shall include the following data:

- (a) the subdivision name, boundaries, north point, date, scale, legend, and the title "Preliminary Plan",
- (b) the name(s) of the owner of record, the applicant, and the designer, engineer or surveyor;
- (c) the names of all abutters, as determined from the most recent tax list;

- (d) the existing and proposed lines of streets, ways, easements, and any public areas within the subdivision in a general manner;
- (e) the proposed system of drainage and utilities, including adjacent existing natural waterways, showing the approximate locations of all inlets, outlets, pipes and drains and other appurtenances to the proposed drainage system;
- (f) the approximate boundary lines of all existing and proposed lots within and abutting the tract, with approximate areas and dimensions;
- (g) the names, approximate location, area, and dimensions of existing nearby streets, ways, easements and public areas;
- (h) the proposed locations and depths of other municipal services and utility installations where possible;
- (i) the topography of the land in its present state and as proposed by contour lines drawn at a 5 foot contour interval or better, based on USGS Datum, to indicate clearly the natural and proposed drainage areas;
- (j) any zone or district boundary established by the Town of Avon Zoning By-Law which divides or bounds the area to be subdivided;
- (k) existing dwellings, buildings and sanitary systems;
- (l) existing outstanding features, swamps, ledge outcrops, ponds, water courses, tree lines, existing easements, walls, fences, etc.
- (m) location of bench mark based on USGS Datum.

4. Planning Board Action on Preliminary Subdivision Plans

The Planning Board may invite the applicant to discuss proposed modifications or corrections of the Preliminary Plan and may then approve, disapprove or approve with modifications such Preliminary Plan within sixty days after submission. In case of disapproval, the Planning Board shall advise the applicant of the specific reasons for which the plan is disapproved, thus enabling the

applicant to resubmit the plan, provided the plan is corrected to comply with the requirements of the Planning Board and with the Zoning By-Laws in effect at the time of the resubmission. If the Preliminary Plan is approved, the rules and regulations of the Planning Board in effect at the time of submission of such Preliminary Plan shall govern the definitive subdivision plan evolved from such Preliminary Plan, provided such Definitive Plan is submitted within seven months of the submission of the Preliminary Plan. Further, approval of a Preliminary Plan does not constitute approval of a subdivision, but it shall be deemed an expression of approval to the layout submitted on the Preliminary Plan as a guide to the applicant's preparation of a Definitive Plan which must be submitted for approval of the Planning Board in accordance with these regulations.

B. DEFINITIVE PLAN & DEFINITIVE SUBMISSION
(See Exhibit "B" "C" & "D")

1. General

The Definitive Plan shall conform substantially to the Preliminary Plan as approved but may constitute only that portion which is proposed to be recorded and developed at the time. (See Exhibit "B"). The subdivision rules and regulations and zoning in effect at the time of the submission of the Preliminary Plan shall govern the Definitive Plan if it is duly submitted within seven months.

2. Filing Procedure

Applicants filing a Definitive Submission of a subdivision for approval, or for approval of a street profile, or for a revision of a subdivision previously approved, where such revision requires a public hearing shall submit to the Planning Board the following;

- a. a properly executed application (Form C) provided by the Town Clerk,
- b. a filing fee deposited with the Town Treasurer equal to an amount of one dollar (\$1.00) per each lineal foot of roadway to be constructed. All expenses incurred by the Planning Board shall be deducted from the filing fee, the remainder of which shall be reimbursed to the applicant;
- c. the original drawings and six (6) prints of each drawing,

A Definitive Submission shall not be deemed to have been submitted unless it has been delivered to the Planning Board at a scheduled meeting or has been sent to the Planning Board care of the Town Clerk. If so mailed, the date of mailing shall be the date of submission of the plan. Simultaneously, a complete set of prints of such Definitive Submission must be submitted to the Board of Health. The applicant shall give written notice to the Town Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted and as further provided in Section 81-T of Chapter 41 of the General Laws, as amended.

3. Contents (See Exhibits "B", "C", & "D")

The Definitive Submission shall be clearly and legibly drawn. The Definitive Plan (See Exhibit "B") shall be drawn in ink on blue linen suitable for filing. The construction plans (See Exhibits "C" & "D") shall be at a scale of one inch equals forty feet and shall show details clearly and adequately. Sheet sizes shall be 24" x 36". The construction drawings may be prepared in pencil. Plans shall be numbered consecutively and shall be accompanied by an index sheet showing the entire subdivision. The Definitive Submission shall contain the following information:

- (a) Subdivision name, boundaries, north point, date, scale, bench mark and datum. All elevations to refer to U.S.G.S. Datum.
- (b) Name and address of record owner, subdivider and engineer or surveyor.
- (c) Names and addresses of all abutters as they appear in the most recent tax list.
- (d) Existing and proposed lines of streets, ways, lots, easements, waterways and public or common areas within the subdivision. (The proposed street names shall be shown in pencil until they have been submitted by the applicant and approved by the Selectmen).
- (e) Location of all permanent monuments properly identified as to whether existing or proposed. The distance and bearing to the nearest town, county or state monument on an accepted way or within a reasonable distance. Monuments at all points of curvature and changes in direction of street side lines, or where designated by the Planning Board Agent.

- (f) Location, names and present width of streets, bounding, approaching or within reasonable proximity of the subdivision.
- (g) Suitable space to record the action of the Board and the signatures of the members of the Board.
- (h) Existing and proposed topography at a one (1) foot contour interval is required by the Board.
- (i) Lengths, radii and central angles of all curves in lot lines and street lines.
- (j) Zoning classification of the area.
- (k) The names of all abutters, as determined by the most recent local tax list.
- (l) Size and location of existing and proposed storm drainage and water supply.
- (m) All information required on the Preliminary Plan shall be shown on the Definitive Plan as may be required by the Board.
- (n) A storm drainage system will be shown on a separate sheet. The plan shall include invert and rim elevations of all catch basins and manholes together with surface elevations of all water-ways within the subdivision at 100 foot intervals and approximate depth of water at these points. Surface elevation and approximate depth of water shall be shown at each point where drainage pipe ends at a waterway.
- (o) Sufficient data to determine readily the location, bearing and length of every street and way line, lot line and boundary line and to reproduce same on ground; all bearings to be referred to true meridian.
- (p) Subsurface conditions on the tract, location and results of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water shall be indicated.

- (q) Water courses, marshes, flood plains, ledge outcrops, walls, fences, trees of over 10 inch caliper, and other significant natural features.
 - (r) Locus plan, showing location of the subdivision.
 - (s) Location of all the following improvements unless specifically waived in writing by the Board; street paving, sidewalks, street signs, street lighting fixtures, all utilities above and below ground, curbs, gutters, street trees, storm drainage, all easements, and fire alarm boxes, this work shall be shown on a separate sheet.
4. Profiles of Proposed Streets (may be made on a separate sheet; see Exhibit "C")

Profiles shall be drawn with:

- a. a horizontal scale of 1 inch to 40 feet,
- b. a vertical scale of 1 inch to 4 feet,
- c. existing center line in fine dashed line with elevations shown every 50 feet,
- d. proposed center line grades and elevations, with elevations shown every fifty (50) foot station except that in vertical curves elevations shall be shown at twenty-five (25) foot stations and at the PVC and PVT,
- e. all existing intersecting walks and driveways shown on both sides,
- f. all elevations and bench marks will refer to the U.S.G.S. Datum,
- g. rates of gradient shall be shown,
- h. size and location of existing and proposed water mains and their appurtenances and surface drains and their appurtenances,
- i. profiles shall show vertical location of water lines, drainage lines and other utilities as well as required new water-ways. Sizes of all pipes shall be shown as well as inverts of all

pipes at each manhole or catch basin, together with invert elevation and rim elevation of each manhole or catch basin. Profiles shall be included for each proposed main water line and all proposed sewerage system lines as well as all proposed drainage lines whether or not within the subdivision or in the roadways.

5. Performance Guarantee

Before approval of a Definitive Plan of a subdivision the subdivider shall either, (1) file a Performance Bond or deposit money or negotiable securities in an amount determined by the Board to be sufficient to cover, (a) the cost of all or any part of the improvements specified in Section V, (b) the maintenance of such improvements for two years, and, (c) a 10 percent contingency factor or, (2) follow the procedure outlined in "b" below.

a. Final approval with bonds or surety

Such bond or security if filed or deposited shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Town Treasurer and shall be contingent upon the completion of such improvements within two years of the date of the bond.

If the Board shall decide at any time during the term of the Performance Bond that:

- (a) improvements have been installed in a satisfactory manner in sufficient amount to warrant reduction in the face amount of such bond, or
- (b) the character and extent of the subdivision requires additional improvements, previously waived,

then the Board may modify its requirements for any or all such improvements and the face value of such Performance Bond shall thereupon be reduced or increased by an appropriate amount.

b. Final approval with a covenant

Instead of filing a bond or depositing surety, the subdivider may request approval of his Definitive Plan on condition that a covenant

running with the land has been duly executed and recorded and inscribed on the plan, or a separate document referred to, on the plan, in accordance with Section 81-U of Chapter 41 G. L. Such covenant shall provide in part that no lot may be built upon or sold until all of the improvements as required in these Regulations have been completed and approved as provided hereafter.

Upon completion of such required improvements the subdivider shall so notify the Planning Board and the Town Clerk, by delivery or registered mail, requesting release from such covenant, but will post maintenance bond. The Board shall act on such request within forty-five days.

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

The Board of Health shall report to the Planning Board, in writing, their approval or disapproval of said plan, in accordance with Chapter 41 Section 81-U amended of the Massachusetts General Laws.

7. Public Hearing

Before approval, modification and approval, or disapproval of the Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board at the expense of the applicant in each of two successive weeks by advertisement in a newspaper of general circulation in the Town of Avon, the first notice being not less than fourteen days before such hearing or in accordance with Section 81-T of Chapter 41 G. L.

8. Certificate of Approval

The action of the Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk (Form D) and sent by delivery or registered mail to the applicant. If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its actions. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signature of a

majority of the Board but not until the statutory twenty-day appeal period has elapsed following the filing of the certificate of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. Final approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of streets within a subdivision.

Before approval of a plan the Board may require the developer to show parks, playgrounds, recreation areas, or other open spaces to serve the future residents of the subdivision and adjacent areas, if they are without such facilities, and by appropriate endorsement require that no building may be erected on such site for three years.

SECTION IV. GENERAL REQUIREMENTS AND DESIGN STANDARDS

A. GENERAL

1. Basic Requirement

The subdivider shall observe all design standards for land subdivision as hereinafter provided. These standards shall be considered minimum standards and shall be varied from or waived, only as provided in Section VI B.

2. Conformance with Master Plan

Any proposed subdivision shall conform as far as practicable, to the proposals and intentions of the Avon Master Plan as adopted in whole or in part by the Planning Board, unless substitute proposals may be shown to the satisfaction of the Board to serve better the general area of the subdivision and the Town.

3. Minimum Lot

No lot area or width, in a subdivision, shall be less than the minimum required by the Zoning By-Law for the District in which it is located.

4. One Dwelling Per Lot

Not more than one building designed or available for use as a dwelling shall be erected or placed or

converted to such use, on any lot in a subdivision, or elsewhere in the Town, without the consent of the Planning Board, who may attach appropriate conditions.

5. Protection of Natural Features

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

6. Access Through Another Municipality

In case access to a subdivision crosses land in another municipality; the Board may require certification, from appropriate authorities, that such access is in accordance with the Master Plan and subdivision requirements of such municipality and that a legally adequate performance bond has been duly posted or that such access is adequately improved to handle prospective traffic.

7. Reserve Strips

Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Board, such strips shall be in the public interest.

8. Further Subdivision

In the event a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the logical and economic extension of streets, utility easements, drainageways, and public areas into such parcels.

9. Resubdivision

The resubdivision of all or part of land covered by an existing plan, shall be governed by these regulations. Such resubdivision shall show clearly that area or areas which are being replatted and shall show the file number of all previous plans of these same areas with dates of filing. All areas last subdivided more than seven years previous to the date of application shall be resubdivided in accordance with the zoning by-laws in effect.

B. STREETS

1. Arrangement

The proposed streets shall be considered in their relation to existing and planned streets, to topographic and geologic conditions and to public convenience and safety. They shall provide for:

- a. appropriate continuation of existing arterial and collector streets,
- b. the extension of arterial and collector streets into adjoining land,
- c. the discouragement of through traffic on residential streets,
- d. the maximum attractiveness, livability and amenity of the subdivision.

2. Access to Arterial Street

Intersections of collector and residential streets with arterial streets will not normally be allowed at intervals of less than 400 feet. Subdivisions of 50 or more lots will be required to have more than one access to an existing arterial street or to a proposed arterial street which is to be built in conjunction with the proposed subdivision.

3. Street Jogs

Street jogs in arterial and collector streets with centerline offsets of less than 250 feet shall not be allowed. Street jogs in residential streets with centerline offsets of less than 125 feet should be avoided.

4. Right-of-Way Widths and Alignments

On all classifications of streets the following characteristics shall be the minimum acceptable:

Street Class.	Right-of-Way (ft)	Min Radius of Curve	Sight Distance (ft)	Max-Gradient (%)	Min-Gradient (%)
Arterial	80	1000'	500	6	1
Collector	60	1000'	500	6	1
Residential or Minor	50	800'	200	8	1

5. Intersection

Rights-of-way shall be laid out so as to intersect as nearly as possible at right angles. No R.O.W. shall intersect any other R.O.W. at less than 60 degrees. Property lines at R.O.W. intersections shall be cut back to provide for a curb radius on the roadway of not less than twenty feet except where the angle of intersection varies more than ten degrees from a right angle in which case the radius of the curve connecting the acute angle may be less and the opposite radius must be correspondingly greater.

6. Dead-End Streets

Dead-end streets: (a) shall not exceed 600 feet in length, and (b) shall be provided with a turn-around having a property line diameter of at least 100 feet, and shall not provide frontage to more than 2 lots, (c) shall not provide access to more than 12 lots.

Any easement obtained for turn-around purposes at the end of a temporary dead-end street shall terminate upon construction of an extension.

A 20 foot minimum easement shall be required at the end of cul-de-sacs to provide for continuation of pedestrian traffic and/or utilities to the next street, unless waived by the Board in writing.

7. Half Streets

Half streets shall be prohibited.

C. BLOCKS

In general, block lengths shall not be less than 500 feet, nor more than 2000 feet. Each normal block shall be planned to provide two rows of lots, but,

large irregularly-shaped blocks with interiors served by cul-de-sacs and/or interior parks will be considered.

D. EASEMENTS

1. Layout

Wherever possible, easements shall be continuous from block to block and their layout shall create as few irregularities as possible.

2. Water-Courses

Streams or water-courses shall be provided with a right-of-way conforming substantially with the line of its course, but, not less than 20 feet in width. Parallel streets or pedestrian ways and/or appropriate access may be required in connection therewith. The relocation of streams or water-courses into open channels or covered culverts shall be kept to a minimum.

3. Utilities

Utility easements shall generally follow lot lines and shall be not less than twenty (20) feet in width.

E. PEDESTRIAN WAYS

Pedestrian ways or foot paths will normally be required to provide convenient circulation or access to schools, playgrounds, shopping, churches, transportation, parks, conservation areas and/or other facilities. Such ways shall consist of a R.O.W. of at least 15 feet.

F. OPEN SPACE, PARKS AND PLAYGROUNDS

Areas for open space, parks and/or playgrounds may be required to be set aside in accordance with the proposals and intents of the Master Plan and Chapter 41, Section 81-U of the General Laws as amended. Such areas shall be of reasonable size but generally not less than five percent, depending upon the location and quality of the land being set aside. The minimum area acceptable for later public acquisition shall be one acre. No building may be erected or placed on such an area for a period of three years without the approval of the Board.

Any open space, park or playground shall provide at least fifty feet of continuous frontage on a street,

and pedestrian ways will normally be required to provide access from each of the surrounding streets, if any, to which the open space, park or playground has no frontage.

Further, such parks and/or playgrounds may be required to have maintenance provided for by covenants and agreements acceptable to the Board, until public acquisition by the community.

SECTION V. REQUIRED IMPROVEMENTS

A. BASIC REQUIREMENTS

The subdivider shall install all of the improvements itemized herein unless waived in writing by the Board.

All work done under this section shall be done under the direction of the Planning Board.

Notice by registered or certified mail shall be given to the Planning Board at least six (6) days before the subdivider commences construction of any street, sidewalk, drain, catch basin, culvert or related facility.

No aforementioned Bond or Covenant shall be released until full approval in writing of all work done under this section is received by the Planning Board from the Inspecting Agent. SUCH APPROVAL SHALL INCLUDE A COMPLETED CHECKLIST AS APPENDED.

B. IMPROVEMENT SPECIFICATIONS

1. Typical Cross Section

Street construction shall conform to the Typical Cross Section of streets included as Exhibit "D" with these Rules and Regulations. Grass strips and driveway entrances shall be so graded as to prevent surface water on the street from running onto private land.

2. Minimum Width Requirements (in feet)

Street Class	Pavement	Planting Strips	Sidewalks
Arterial (With 10' centerstrips)	<u>44'</u>	2 @ <u>7'</u>	2 @ <u>6'</u>
Arterial (Without centerstrip)	<u>50'</u>	2 @ <u>9'</u>	2 @ <u>6'</u>
Collector	<u>36'</u>	2 @ <u>6'</u>	2 @ <u>6'</u>
Residential and Minor	<u>30'</u>	2 @ <u>5'</u>	2 @ <u>5'</u>

3. Minimum Depth Requirements (in inches)

	Roadway			Planting Strip Loam	Sidewalks		
	Gravel Base	Binder Course	Finish Course		Gravel Base	Binder Course	Finish Course
Arterial	12	1½	1½	6	8	1½	1
Collector	12	1½	1½	6	8	1½	1
Residential	12	1½	1½	6	8	1½	1

	<u>Curbs Granite</u>
Arterial	18
Collector	18
Residential	18

4. Street Grading

The entire area of each street or way shall be cleared of all stumps, brush, roots, boulders, like material and all trees not designated for preservation.

The full length and width of the proposed paved surface area shall be excavated or filled, as necessary, to a depth of at least fifteen (15) inches below the

finished surface as shown on the profile. However, if the soil is soft and spongy, or contains undesirable material, such as clay, sand pockets, peat, stones over six (6) inches in diameter, or any other material detrimental to the subgrade, such material shall be removed and replaced with suitable well-compacted material. In no case shall wood of any form be used as fill material within the street right-of-way.

The sub-base shall be inspected by the Planning Board Agent prior to the placement of any gravel base course upon proper notice. Sufficient grade stakes shall be available to the Agent so that the profile can be checked.

5. Finished Base Course

Roadway base course shall be provided of at least 12" of compacted thickness. No base course material shall be placed on frozen material. Base course material shall be placed in layers not exceeding 8" in thickness, and compacted to 98% maximum density at optimum moisture content. Base course material shall consist of hard durable stone and course sand, having the following gradation:

<u>Sieve</u>	<u>Percent Passing</u>
$\frac{1}{2}$	50 - 85
No. 4	40 - 75
No. 40	10 - 35
No. 200	0 - 10

Maximum size of stone in gravel shall be 3 inches.

Base course material shall be compacted with no less than a 10 ton roller. The base course shall be placed to the lines and grades indicated on the approved drawing. Any depressions that occur shall be filled with additional gravel and re-rolled until the surface is true and even. The base course shall be inspected by the Planning Board Agent during its placement and just prior to placing the bituminous binder course.

6. Paved Surface

Paved surfaces shall be constructed for the full length of all streets within the subdivision shown on the plan. The center line of such paved surfaces

shall coincide with centerline of street rights-of-way unless a minor variance is specifically approved by the Board.

Minimum width of paved surface shall coincide with the requirements of Section V, Paragraph B-2, of these Rules and Regulations as determined by the Board.

7. Pavement

Upon receipt of the Planning Board Agent's approval for the base course, a binder course of bituminous concrete Type I-1 as specified by the Massachusetts Department of Public Works shall be placed, compacted and rolled to a thickness of $1\frac{1}{2}$ inches, conforming to the lines and grades indicated on the approved plans. The Planning Board's Agent shall be notified in sufficient time to allow them to inspect the placing of the binder course. (Twenty-four (24) hours written notice prior to beginning construction)

A second course consisting of bituminous concrete top, Type I-1 according to the above specification shall be placed and rolled to a thickness of $1\frac{1}{2}$ inches true to the lines and grades indicated on the approved plans. The Planning Board's Agent shall be notified in sufficient time to allow them to inspect the placing of the surface course. (Twenty-four (24) hours written notice prior to beginning construction)

8. Curbing

Each and every street proposed to be built shall be required to have granite curbing, (see Exhibit "D"), on both sides of the street for its entire length including all radii regardless of grades.

9. Sidewalk Construction

All materials shall be removed for the full width of the sidewalk to a subgrade $10\frac{1}{2}$ inches below the finished grade as shown on cross-section; and all soft spots and other undesirable material below such subgrade shall be replaced with good binding material and rolled. This excavated area then shall be filled with 8 inches of good quality gravel as specified for Finished Base Course (Section V, B-5), and rolled with a pitch toward the curb of not less than $\frac{3}{8}$ inches nor greater than $\frac{1}{2}$ inches to the foot. Wood

forms shall be set to grade, filled with 2½ inches of compacted bituminous concrete to be applied in two courses (1½ inch base course compacted and 1 (one) inch finish course compacted), except 3 inches shall be placed at driveway entrances provided, however, that if a granolithic surface is desired and/or specified by the Board, specifications of the Massachusetts Department of Public Works shall be complied with.

10. Storm Drains and Appurtenances

Storm drains, culverts and related installations, including catch basins, gutters and manholes, shall be installed within the subdivision as necessary to permit unimpeded flow of all natural water courses, to insure adequate drainage of all low points along streets, to control erosion, and to intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained. Catch basins shall be required on both sides of the roadway on continuous grade at intervals of not more than four hundred (400) feet. Storm drains and culverts shall be no less than 12 inches inside diameter and shall be of greater size when required by the Board. Type of pipe used shall be reinforced concrete pipe conforming to AASHO-M170 Standard for Class III pipe Wall B. All pipe 24" in diameter or smaller shall be bell and spigot type. Pipe larger than 24" in diameter shall be tongue and groove or bell and spigot. Pipe joints shall be thoroughly wet before filling them with cement mortar. The mortar shall be placed around the entire circumference of the pipe. Catch basins shall be constructed in accordance with the applicable portions of Paragraph 201.61 of Section 201, Basins, Manholes and Inlets of the Massachusetts Department of Public Works Standards Specifications for Highways and Bridges.

Storm drains shall be designed to have 2'6" minimum cover over the pipe. All backfill material shall contain no stone larger than 3 inches and backfill material shall be placed in 12 inch lifts and compacted.

Any drain pipe connected to the proposed drainage system whose purpose is to drain wet lots, must be shown on the Definitive Subdivision Plans, and manholes shall be provided at all such connections.

Proper connections shall be made with existing drains. Where, in the opinion of the Board, after consultation with the appropriate Town Department, the capacity of an existing drain is inadequate to accommodate the entire subdivision, only that portion thereof which, in their opinion, can be adequately accommodated shall be so connected.

Where adjacent property is not subdivided, provisions shall be made for extension of the utility systems by continuing appropriately sized drains to the exterior boundaries of the subdivision, at such size and grade as will allow for their proper projection.

Design Analysis: A design analysis shall be submitted with each Definitive Plan submitted for approval. The design analysis shall include the following information:

The data shall include consideration of the entire watershed and the calculations used in designing the drainage system including area calculations, intensity of rainfall, coefficient of runoff, time of concentration, discharge, pipe coefficients of roughness, and quantity and velocity of flow under design conditions.

Storm drains shall be designed on a basis of ten (10) year storm and shall be such as to insure a rate of flow of not less than $2\frac{1}{2}$ feet per second nor more than ten (10) feet per second under design conditions.

No drains shall be backfilled until they have been inspected by the Planning Board's Agent.

11. Manholes and Catch Basins

Manholes and catch basins shall be constructed in accordance with the requirements detailed on Exhibit "D".

Manholes or headwalls for drain lines over 30 inches in diameter shall be constructed in accordance with the Commonwealth of Massachusetts Department of Public Works book of construction standards.

Frames and Covers: To conform to the shape and size of castings as shown in E.L. LeBaron catalog item LA-246. Cut with 3" letters (Drain), or approved equal.

Frames and Grates: To conform to the shape and size of castings as shown in E.L. LeBaron catalog item LD-268-1, or approved equal.

No drainage structures shall be backfilled until they have been inspected by the Planning Board's Agent.

12. Sub-Drains

Where side slopes are steep and where soils are poorly drained (especially in clay or semi-impervious soils) the Board, after consulting with their Agent, may require a sub-drain with a bed of 12" of crushed stone.

13. Water

Water pipes and related equipment such as hydrants, main shut-off valves and laterals shall be installed to serve all lots on each street in the subdivision in conformity with the standards set by the Avon Water Department. Connection to existing town water facilities to assure adequate supply shall be the responsibility of the developer.

14. Sewers

Sewer pipes and related equipment, such as manholes and connecting Y's shall be installed in conformity with the standards set by the Master Sewer Plan, or, in the absence of such plan, standards set by the (Sewer Commissioners.)

Connection to existing or provision for connection to proposed town sewer facilities at proper grade and elevation shall be the responsibility of the developer.

15. Utilities

All utilities shall be placed underground. (Sewer, water, drain, gas, electric, telephone)

16. Retaining Walls

Retaining walls shall be installed where deemed necessary by the Board and shall comply with specifications set forth in "Standard Specifications for Highways and Bridges" - as amended.

17. Fire Alarm System

There shall be installed within a Subdivision Development a sufficient number of Fire Alarm Telegraph Boxes, the type, number and location to be established by the Chief of the Avon Fire Department.

18. Shade Trees

Such trees as are suitable, in the opinion of the Board shall be preserved. Where, in the opinion of the Board, existing trees are inadequate, shade trees having a diameter of at least two inches and of a variety suitable, in the opinion of the Board, shall be planted not more than 50 feet apart, in one-half ($\frac{1}{2}$) cubic yard of topsoil satisfactory to the Board.

19. Planting Strip

There shall be a planting strip between the outside edge of the sidewalk and the curb line of the roadway (see Section V B-2 for width requirements). Said area shall be surfaced with not less than six inches of quality loam which shall be seeded, fertilized, limed and rolled until there is a stand of grass satisfactory to the Board.

20. Street Signs

Street name signs shall be furnished and erected at all street intersections prior to the occupancy of any building on the street. All streets not accepted by the Town shall be so indicated by a sign stating ("Private Way"). Signs shall be approved by the highway superintendent.

21. Street Lights

Street lights shall be installed as required by the Planning Board.

22. Guard Rails

Guard rails shall be installed as required by the Planning Board. The type, size and location of guard rails shall be determined by the Planning Board.

23. Monuments

(a) Granite bounds shall be placed at the beginning and end of all curves, at all intersections of streets and at such other places as may be required by the Board. On any curve with a tangent distance of over 500 feet, intermediate bounds shall be set at intervals of 500 feet measured from one end of the curve.

Bounds shall be of sound granite, not less than 42" long and not less than 5" square. A $\frac{1}{2}$ " drill hole shall be placed at the top of each bound.

The setting of the bounds shall be supervised by a registered land surveyor and/or registered Engineer.

No permanent bounds shall be installed until all construction which would disturb or destroy the bounds is completed.

Upon completion of setting the required number of bounds, a written certification shall be mailed to the Board from a registered Land Surveyor or Engineer stating that they have been placed with drill holes in accordance with the locations shown on the approved plans.

(b) Lot Markers - Lot markers in the form of $1\frac{1}{2}$ " O.D. steel pipe shall be installed at all front lot lines within a subdivision. Said markers shall be driven to a point 3 feet minimum below grade and 6 inches minimum above grade. The Board may require that all lot corners be staked.

24. Construction Details

In the event of any question as to construction details, specifications for the composition of material, workmanship, and the method of applying materials the standards of the Massachusetts Department of Public Works shall apply in each instance.

25. Cleaning Up

Before sale of a lot, the subdivider shall clean up any debris thereon caused by street construction and installation of utilities. All areas within a street destroyed or altered in construction operations shall be restored to vegetation or other finish satisfactory to the Board.

26. Safety

All precautions should be taken by the developer and his subcontractors to observe common sense safety requirements. The Board designates the Building Inspector and/or the Planning Board's Agent to report all unsafe activities in preparation of the subdivision to the Board.

Trenches greater than five (5) feet in depth and soil piles higher than ten (10) feet, or materials stacked in an unsafe manner shall not be allowed unless the area is adequately protected.

VARIATION - Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgement of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law. No variation from the approved Definitive Subdivision Plans will be allowed without the written consent of the Planning Board.

27. Maintenance of Roadways Including Utilities

The subdivider shall be responsible for maintaining all roads in a subdivision for a period of two (2) years after partial release of performance bond or covenant as required in Section III herein, or until the roads are accepted by the Town Meeting, whichever time is shorter. To assure such responsibility the Subdivider shall guarantee the maintenance of the roads in a subdivision in a condition which meets all the requirements of these rules and regulations to the satisfaction of the Planning Board, by posting with the Town a maintenance bond consisting of either a bond with two or more sureties approved by the Board or by a surety company bond issued by a company authorized to do business in the Commonwealth, either or both to be in a penal sum as required by the Board to secure the maintenance as herein provided, or by a deposit of money or negotiable securities sufficient in amount, in the opinion of the Board, to secure the aforesaid maintenance.

SECTION VI. ADMINISTRATION

A. AUTHORITY

The Planning Board shall be the administrative agency of these regulations and shall have all the powers assigned them by Section 81-A to GG of Chapter 41 of the General Laws. The Zoning Board of Appeals, as established under Chapter 40-A of the General Laws, shall function as the Subdivision Board of Appeals.

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

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

B. VARIATION

1. Waiver of Compliance

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

2. Planned Unit Development

The Planning Board will give consideration to suggestions offered by the subdivider that will tend to provide for the most efficient use of land in harmony with its natural features. The developer is referred to Section 7-8 of the Zoning By-Law entitled "Planned Unit Development" for the conditions that shall apply.

C. REFERENCE

For matters that may arise during subdivision procedures that are not covered by these regulations the

following were accepted as standards in their applicable portions; "Sections 81K to 81GG" of Chapter 41 of the General Laws; "Suggested Land Subdivision Regulations" H.H.F.A.; "Standard Specifications for Highways and Bridges" Massachusetts Department of Public Works: each as amended or up-dated from time to time.

D. INSPECTION

Inspection shall be carried out at appropriate times during the improvement of the subdivision as spelled out in Section IV of these regulations and in the attached Inspection Check List. The subdivider shall notify the responsible agencies and the Planning Board 24 hours before carrying out each operation to be inspected.

The responsible agency shall appoint a competent person or shall make arrangements with a professional person or firm, to carry out such inspection.

The costs of such inspections shall be borne by the subdivider with all responsible agencies billing the Town Treasurer and the Treasurer sending a monthly bill or statement to the subdivider with a duplicate going to the Planning Board. The inspection fee shall include 'portal to portal' and 'off-site' (analysis of plans) costs.

E. VALIDITY OF REGULATIONS

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

F. AMENDMENTS

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



FORM A*

APPLICATION FOR ENDORSEMENT
OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Town of Avon, Mass., _____

To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the Town of Avon, Massachusetts, does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits a plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required and has supplied a copy of this Form A to the Selectmen and the Board of Health.

1. Location and description of property: _____

2. Name of Applicant _____

Address _____

3. Name of Engineer or Surveyor _____

Address _____

4. Deed of Property recorded in _____

Book _____ Page _____

Signature of Owner _____

File two completed forms, one with the Planning Board and one with the Town Clerk before and after approval in accordance with the requirements of Section II-B of the Rules & Regulations Governing the Subdivision of Land in the Town of Avon. Approved plans shall be filed by the applicant with the Water Department, Board of Assessors and the Conservation Commission.

Address _____

Telephone No. _____

FORM A

PLANNING BOARD RULING

It is the opinion of the Board that your plan does not require approval under the Subdivision Control Law.

Your plans are enclosed herewith.

File No. _____

Time and date filed with Town Clerk _____

Date received by Planning Board _____

1. _____ Chairman
2. _____ Clerk
3. _____
4. _____
5. _____

* Form shall be typewritten



FORM B

APPLICATION FOR APPROVAL OF PRELIMINARY PLAN*

Massachusetts

_____, 19____.

To the Planning Board of the Town of Avon:

The undersigned, being the owner** of all land included within a proposed subdivision shown on the accompanying plan, entitled,

and dated _____, 19____, submits such plan as a preliminary plan showing in a general way the proposed subdivision of the land, and makes application to the Board for approval thereof.

The owner's title to the land is derived under deed from

_____, dated _____, 19____, and recorded in Norfolk District Registry of Deeds, Book _____ Page _____, or under Certificate of Title No. _____, registered in Norfolk Land Registry District, Book _____, Page _____.

Time and date received by Town Clerk _____

Applicant

Address

Note: This application is not deemed to have been submitted until the following endorsement has been completed by a member or employee of the Planning Board.

Accepted this _____ day of _____, 19____ as duly submitted under the Rules and Regulations of the Planning Board.

Planning Board

By _____

* Application shall be typewritten

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



FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN*

(where alternative paragraphs are provided, applicant is to select and complete the paragraph pertinent to his case.)

Massachusetts

_____, 19__.

To the Planning Board of the Town of Avon:

1. The undersigned applicant, being the owner** of all land included within a proposed subdivision shown on the accompanying plan entitled _____

and dated _____, 19__, submits such plan as a definitive plan of the proposed subdivision and makes application to the Board for final approval thereof.

2. The land within the proposed subdivision is subject to the following easements and restrictions:

3. There are appurtenant to the land within the proposed subdivision following easements and restrictions over the land of others:

4. A preliminary plan of the proposed subdivision has not been submitted to the Board.

A preliminary plan of the proposed subdivision, to which the accompanying plan conforms, was approved by the Board on _____, 19__.

A preliminary plan of the proposed subdivision was approved by the Board on _____, 19__, with modifications, which modifications have been incorporated in the accompanying plan.

FORM C

6. The applicant further agrees to complete all said required work on the ground within two years from the date of final approval of the definitive plan by the Board, unless a new application is filed with and approved by the Board extending such time.

7. The applicant further agrees, if the definitive plan is approved, to cause said plan to be recorded or registered in the Norfolk District within thirty (30) days after the return of said plan to the applicant by the Board, and agrees not to sell, or to offer to sell, any of the lots within the subdivision until said plan is so recorded or registered.

8. The applicant further agrees that if the definitive plan is approved, the applicant will promptly, at any time thereafter when requested so to do by the Board, convey to the Town, in form satisfactory to the Board, title to the water mains and sewers and the prescribed easements therefor.

9a. The applicant further agrees that before final approval of the definitive plan, the applicant will cause to be filed with the Board a bond in form satisfactory to the Board, conditioned on the completion of all required work on the ground in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work, and executed by the applicant as principal and an indemnity or surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the Town Treasurer of cash or United States Government Bonds in an amount equal to the penal sum of the bond.

9b. The applicant requests the Board to approve the 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 required work on the ground necessary to adequately serve such lot has been completed to the satisfaction of the Board.

10. This application is accompanied by an original drawing of the proposed definitive plan, a designer's certificate, and approved cost estimates for all work to be covered by bond.

FORM C

11. The owner's title to the land is derived under deed from _____, dated _____, 19____, and recorded in Norfolk District Registry of Deeds, Book _____, Page _____, or under Certificate of Title No. _____ registered in Norfolk Land Registry District, Book _____, Page _____.

Applicant

Address

Note: This application is not deemed to have been submitted until the following endorsement has been completed by a member of the Planning Board.

Accepted this _____ day of _____, 19____, as duly submitted under the Rules and Regulations of the Planning Board.

Planning Board

By _____

* Application shall be typewritten

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



FORM D

ACTION TAKEN BY THE PLANNING BOARD
ON A DEFINITIVE SUBDIVISION PLAN

_____, 19____
_____, Esquire

Town Clerk
Avon, Massachusetts

Dear Sir:

The Avon Planning Board hereby certifies that at a meeting of said Board on _____, 19____, at which a majority and quorum was present, following a public hearing by the Board on _____, 19____, pursuant to notice published in _____ on _____, 19____, and _____ on _____, 19____, a majority

VOTED: That a subdivision plan and plan and profile of _____ dated _____, 19____, and drawn by _____ registered as an engineer or land surveyor in Massachusetts, submitted for the Board's approval by _____, owner herein- after called "the subdivider", by and hereby are approved on condition that prior to the Board's endorsement of its approval thereon the subdivider shall execute an Agreement with the Avon Planning Board, on behalf of the Town of Avon, that no lot depending on said _____ Street for its legal street frontage shall be sold, or buildings or structures erected or placed on, or application for building permits made with respect to, any such lot until:

- (a) _____ Street as shown on said plan has been brought to subgrade in accordance with the

FORM D

requirements of the Board, including installation of catch basins, drains and culverts;

- (b) facilities for Town of Avon water, complying with the requirements of the Rules and Regulations of the Avon Planning Board, have been installed throughout in conformity with the requirements of the Avon Water Department;
- (c) the subdivider has executed a Contract with the Avon Planning Board, on behalf of the Town of Avon, accompanied by appropriate security to secure performance to complete construction, including final surfacing in accordance with Rules and Regulations of the Avon Planning Board, on or before a date specified in the Contract, of _____ Street and to install granite bounds to permanently establish the lines of said ways;
- (d) the subdivider has recorded in the Registry of Deeds (or Land Court) a certificate (Ref. Form F) executed by the Board that the above conditions with respect to any such lot have been performed by him (it) or have been amended, modified, revoked, waived or released by the Board.

Respectfully Submitted,

AVON PLANNING BOARD

BY: _____



FORM E

PERFORMANCE BOND - SURETY COMPANY

Know all men by these presents that _____ as Principal, and _____ a corporation duly organized and existing under the laws of the State of _____, and having a usual place of business in Massachusetts, as Surety, hereby bind and obligate themselves and their respective heirs, executors, administrators, successors and assigns, jointly and severally, to the Town of _____, 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 therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____, 19____, under which approval of a definitive plan of a certain sub-division, entitled _____ and dated _____, 19____, has been or is hereafter granted by the Avon Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the Town of Avon as liquidated damage.

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

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of _____, 19____.

Principal

By _____ (Title)

Surety

By _____ Attorney-in-Fact



FORM F

PERFORMANCE BOND - SECURED BY DEPOSIT

Know all men by these presents _____
that _____
of _____, Massachusetts hereby binds and
obligates himself/itself and his/their executors, administrators,
devises, heirs, successors and assigns to the Town of Avon, a
Massachusetts municipal corporation, in the sum of _____
Dollars, and has secured this
obligation by the deposit with the Treasurer of said Town of
Avon of said sum in money or negotiable securities.

The condition of this obligation is that if the undersigned or
his/its executors, administrators, devisees, heirs, successors
and assigns shall fully and satisfactorily observe and perform
in the manner and in the time therein specified, all of the
covenants, conditions, agreements, terms and provisions con-
tained in the application signed by the undersigned and
dated _____, 19____, under which approval of a
definitive plan of a certain subdivision, entitled _____

and dated _____, 19____, has been or is hereafter
granted by the Avon Planning Board, then this obligation shall
be void; otherwise, it shall remain in full force and effect
and the aforesaid security for said sum shall become and be the
sole property of said Town of Avon as liquidated damage.

IN WITNESS WHEREOF the undersigned has hereunto set his hand
and seal this _____ day of _____, 19____.



FORM G

APPROVAL WITH COVENANT CONTRACT

Know all men by these presents _____
that whereas the undersigned has submitted application dated
_____, 19____, to the Avon Planning Board for
approval of a definitive plan of a certain subdivision
entitled _____
and dated _____, 19____, and has requested the
Board to approve such plan without requiring a performance
bond,

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

1. The undersigned will not sell any lot in the subdivision
or erect or place any permanent building on any such lot
until the work on the ground necessary to serve adequately
such lot has been completed in the manner specified in the
aforesaid application, and in accordance with the covenants,
conditions, agreements, terms and provisions thereof.
2. This agreement shall be binding upon the executors, adminis-
trators, devisees, heirs, successors and assigns of the
undersigned.

It is the intention of the undersigned and it is hereby
understood and agreed that this contract shall constitute
a covenant running with the land included in the aforesaid
subdivision and operate as restrictions upon said land.

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

3. The undersigned represents and covenants that the under-
signed is the owner* in fee simple of all the land included
in the aforesaid subdivision and that there are no mortgages
of record or otherwise on any of said land, except such as
are described below and subordinated to this contract, and

FORM G

the present holders of said mortgages have assented to this contract prior to its execution by the undersigned.

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this _____ day of _____, 19____.

Applicant

Address

Description of Mortgages: _____

(Give complete names and Registry of Deeds reference.)

Assents of mortgagees:

COMMONWEALTH OF MASSACHUSETTS

_____, SS. _____, 19____.

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

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

Notary Public

My commission expires:



FORM H

CERTIFICATE OF PERFORMANCE

Avon, Massachusetts

_____, 19____.

The undersigned, being a majority of the Planning Board of the Town of Avon, Massachusetts, hereby certify that the requirements for work on the ground called for by an Approval with Covenant Contract dated _____, 19____, and recorded in Norfolk District Deeds, Book _____, Page _____, (or registered in Norfolk Land Registry District as Document No. _____, and noted on Certificate of Title No. _____, in Registration Book, _____, Page _____), have been completed to the satisfaction of the Planning Board as to the following enumerated lots shown on Plan entitled _____

_____ recorded with said Deeds, Plan Book _____, Plan _____, (or registered in said Land Registry District, Plan Book _____, Plan _____), and said lots are hereby released from the restrictions as to sale and building specified thereon.

Lots designated on said Plan as follows:

_____ Majority of
the Planning
Board of the
Town of Avon

FORM H

COMMONWEALTH OF MASSACHUSETTS

_____, SS. _____, 19____.

The personally appeared _____ one of the above names
members of the Planning Board of the Town of Avon, Massachusetts,
and acknowledged the foregoing instrument to be the free act
and deed of said Planning Board, before me

Notary Public

My commission expires:



FORM I

TOWN OF AVON

Norfolk County - Massachusetts

Office of the Planning Board

Name of Subdivision _____ Number of Subdivision _____

Name of Applicant _____ Phone # of Applicant _____

SUBDIVISION INSPECTION CHECKLIST*

Subject	Responsible Agency	Initials of Agent	Date of Inspection
1. Clearing of Right-of-Way	Planning Board or its Agent	_____	_____
2. Sub-grade Plane, preliminary	Planning Board or its Agent	_____	_____
3. 'Below-grade' Drainage Installation	Planning Board or its Agent	_____	_____
4. Water Installation	Water Dept.	_____	_____
5. Sewer Installation	Sewer Commissioners	_____	_____
6. Gravel Base - First course	Planning Board or its Agent	_____	_____
7. Gravel Base - Final course	Planning Board or its Agent	_____	_____
8. Curb Installation	Planning Board or its Agent	_____	_____
9. Binder Course	Planning Board or its Agent	_____	_____

FORM I

10.	Finish Course	Planning Board or its Agent	_____	_____
11.	Sidewalk Gravel Base	Planning Board or its Agent	_____	_____
12.	Sidewalk Binder Course	Planning Board or its Agent	_____	_____
13.	Sidewalk Finish Course	Planning Board or its Agent	_____	_____
14.	Fire Alarm Installation	Fire Dept.	_____	_____
15.	Street Trees and Planting	Planning Board or its Agent	_____	_____
16.	Street Lights	Planning Board or its Agent	_____	_____
17.	Street Signs	Highway Dept.	_____	_____
18.	Monuments	Planning Board or its Agent	_____	_____
19.	Planting Strips	Planning Board or its Agent	_____	_____
20.	Final Clean- up	Planning Board or its Agent	_____	_____
21.	Maintenance	Planning Board or its Agent	_____	_____

* Responsible agency and Planning Board shall be notified at least 24 hours before each required inspection as listed while work is in progress. No inspection may be waived except by joint approval of Planning Board and responsible agency.



FORM J

CONSTRUCTION COST ESTIMATE

FOR

PERFORMANCE GUARANTEE

AVON PLANNING BOARD

_____, 19____

Subdivision

From _____ to _____

<u>WORK ITEM</u>	<u>COST PER UNIT</u>	X	<u>NO. UNITS</u>	=	<u>EST. COST</u>
Clear, Grub and Disposal	_____		_____		_____
Excavation 2', rough grade	_____		_____		_____
Catch Basins	_____		_____		_____
Drain Manholes	_____		_____		_____
Headwalls	_____		_____		_____
12" R.C.P. including installation	_____		_____		_____
15" R.C.P. including installation	_____		_____		_____
18" R.C.P. including installation	_____		_____		_____
24" R.C.P. including installation	_____		_____		_____
36" R.C.P. including installation	_____		_____		_____

FORM J

<u>WORK ITEM</u>	<u>COST PER UNIT</u>	X	<u>NO. UNITS</u>	=	<u>EST. COST</u>
Cement Lined, Tar Coated C.I. Pipe including appertanences and installation	_____		_____		_____
Hydrants	_____		_____		_____
Gravel Base Course in place	_____		_____		_____
Bituminous Concrete Street Paving	_____		_____		_____
Granite Curb (Straight)	_____		_____		_____
Granite Curb (Radius)	_____		_____		_____
Curb Inlets (Guttermouths)	_____		_____		_____
Bituminous Concrete Sidewalk Paving	_____		_____		_____
Planting Strips	_____		_____		_____
Trees and Plantings	_____		_____		_____
Fencing	_____		_____		_____
Guard Rail	_____		_____		_____
Street Signs	_____		_____		_____
Surveying and Engineering	_____		_____		_____
"As Built" Drawings	_____		_____		_____
	_____		_____		_____
	_____		_____		_____
	_____		_____		_____

TOTAL PERFORMANCE BOND OR DEPOSIT REQUIRED \$ _____