

# **PLANNING BOARD RULES AND REGULATIONS**

**GOVERNING SUBDIVISION OF LAND**

**TOWN OF MEDWAY  
COMMONWEALTH OF MASSACHUSETTS**

*Official Publication*

*As revised, effective October 17, 1973*

**Adopted under the Subdivision Control Law  
Sections 81K to 81GG inclusive, Chapter 41 of the General Laws**

MEDWAY PLANNING BOARD RULES AND REGULATIONS

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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 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) in 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 1  
AUTHORITY

Under the authority vested in the Planning Board of the Town of Medway by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these revised rules and regulations governing the subdivision of land in the Town of Medway. Such rules and regulations shall be effective on and after October 17, 1973.

SECTION 11  
GENERAL INFORMATION

A. DEFINITIONS

"Subdivision" shall mean the division of a tract of land into two or more lots, shall include resubdivision and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; however, 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 it is made, every lot within the tract so divided has frontage under one of the following conditions:

1. It is on a public way.
2. It is on a way shown on a plan theretofore approved in accordance with the subdivision control law.
3. It is on a way in existence when the subdivision control law became effective in the Town of Medway 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.

"Board" shall mean the Planning Board of the Town of Medway.

B. 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 (see Figure 1, Appendix) 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 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 14 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. Three copies of said plans shall be left with the Planning Board.

If the Board determines that the plan does require approval under the subdivision control law, it shall, within 14 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.

C. SUBDIVISION

No person shall make a subdivision within the meaning of the subdivision control law of any land within the Town of Medway or proceed with the improvement or 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 to and approved by the Planning Board as hereinafter provided.

SECTION 111  
PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

A. PRELIMINARY PLAN

1. General

A Preliminary Plan of a subdivision may 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, 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 every case (see Figure 2, Appendix).

2. Contents

The Preliminary Plan shall be drawn at a suitable scale and 10 prints shall be filed at the office of the Board. Said Preliminary Plan should show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the Definitive Plan. Such information will include major site features trees, rock ridges and outcroppings, swamps, and water bodies, and existing topography as required, together with the information required by items A to D, inclusive, of Section III B 2 (Contents of Definitive Plan). During discussion of the Preliminary Plan, the complete information required for the Definitive Plan (Section III B2, Contents) and the financial arrangements (Section III B3, Performance Guarantees) will be developed.

A copy of the Preliminary Plan shall be sent to the Board of Selectmen, the Town Counsel, the Board of Health, the Highway Department, the Sewer Commissioners and the Conservation Commission within seven days after the plan has been filed with the Town Clerk. Comments from the above mentioned Town Officials received within 45 days after the date the plans have been filed will be considered by the Planning Board when approving, altering or disapproving the Preliminary Plan. Failure to receive comments, in writing, from the above mentioned Town Officials may be considered as approval of these plans by these Officials.

- (a) The developer shall request, upon submission of Preliminary Plans to the Planning Board, that the Conservation Commission make a determination as to the applicability to the Wetland Protection Act (131-40) and to all Town Wetland and Flood Plain ordinances as applied. No alteration of the proposed development shall be undertaken until the Conservation Commission has made their determination.

- (b) The applicant has the responsibility and obligation to indicate to the best of his ability the location of wetland areas within the building site.

3. Approval

The Planning Board may give such Preliminary Plan its approval, with or without modification. Such approval does not constitute approval of a subdivision but does facilitate the procedure in securing final approval of the Definitive Plan. The Provisions of paragraph 81-S of Chapter 41 of the General Laws shall govern the submission and approval or disapproval of such a plan.

Notification of the actions of the Board in respect to such plan shall be filed with the Town Clerk and sent by delivery or registered mail to the applicant (see Figure 3, Appendix).

B. DEFINITIVE PLAN

1. General

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board the following:

- (a) An original drawing of the Definitive Plan and ten contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.
- (b) A properly executed application (see Figure 4, Appendix).
- (c) A review fee, payable to the Town of Medway by certified check. Said fee shall be equal to the amount determined by multiplying the number of lineal feet (by center line) of proposed street(s) within the subdivision by the sum of (\$1.30). Twenty five percent of the fee shall be paid at the time of submission of the definitive plan and seventy five percent of the fee shall be paid at the time of approval of the plan, and prior to the signing of the plan by the Planning Board. The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval accompanied by a copy of the completed application (Figure 4).
- (d) Definitive Plans shall specifically delineate all flood plains/wetlands as indicated by existing Town flood plain/wetland maps, as well as those specified as a result of onsite inspection by the Conservation Commission.

## 2. Contents

The Definitive Plan shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth. The plan shall be at a scale of 1 inch equal to 40 feet or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24X36 inches. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

- (a) Subdivision name, boundaries, north point, date and scale.
- (b) Name and address of record owner, subdivider, and engineer or surveyor.
- (c) Names of all abutters as they appear in the most recent tax list.
- (d) Existing and proposed lines of streets, ways, lots, easements, and public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Board.)
- (e) Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
- (f) Location of all permanent monuments properly identified as to whether existing or proposed.
- (g) Location names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- (h) Suitable space to record the action of the Board and the signatures of the members of the Board.
- (i) Existing and proposed topography with two feet contour intervals or as required by the Planning Board must be provided based on a field survey by a Registered Land Surveyor. All elevations shall be based on U.S. Geodetic Survey bench marks.
- (j) Profiles of the center lines, gutter lines, storm drainage including easements and sewerage lines of proposed streets at a horizontal scale of 1 inch to 4 feet, or such other scales acceptable to the Board. All elevation shall be based on U.S. Coast and Geodetic data.

- (k) Proposed layout of storm drainage, water supply, gas telephone, and electrical lines, and sewerage disposal systems.

## 3. Performance Guarantee

- (a) Final approval with bonds or surety.

Before approval of a Definitive Plan of a subdivision, the subdivider shall either file a performance bond (see Figure 7, Appendix) or deposit money or negotiable securities (see Figures 8 and 9, Appendix) in any amount determined by the Board to be sufficient to cover the cost of all or any part of the requirements specified in Section V, or follow the procedure outlined in "b" below. 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 Selectmen, and final release of such bond or surety shall be contingent on the completion of the required installations within 1 year of the date of the bond or surety.

- (b) Final approval with conditions.

Instead of filing a bond or depositing surety, the subdivider may request approval of his Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected thereon until the installations specified in Section V are completed so as to serve the lots adequately (see Figure 10, Appendix). Such conditions shall be endorsed upon the plan or contained in a separate vote or agreement which shall be referred to on the plan and recorded in the Registry of Deeds. When the subdivider has completed the requirements specified in Section V for any lots in a subdivision, he may request a Release of Conditions for said lots. If the installations have been completed to the satisfaction of the Board, the Board will then execute and deliver to the subdivider such release (see Figure 11, Appendix) which shall be in form for recording in the Registry of Deeds. Thereafter, the conditions relating to such lots so released shall terminate.

## 4. Review by Board of Health as to Suitability of the Land

The Planning Board shall within 10 days after submission of a plan to it consult with the Board of Health (see Figure 13, Appendix). If the Board of Health is in doubt as to whether any of the land in the subdivision can be used as building sites without injury to the public health, it shall so notify the Planning Board in writing within 35 days. Any approval of the plan by the Planning Board shall then only be given on condition that the lots or land as to which such doubt exists shall not be built upon without prior consent of the Board of Health, and shall endorse on the plan such condition, specifying the lots of land to which said condition applies.

- (a) A copy of the Definitive Plan shall be forwarded to the Town Counsel, the Board of Health, the Highway Department, the Fire Department, the Water Department, the Sewer Commissioners, and the Conservation Commission within seven days after the plan is filed with the Town Clerk. A review of the Definitive Plan from the Board of Health, the Sewer Commissioners and the Conservation Commission must be received in writing as to whether or not it meets their approval or disapproval.

#### 5. Public Hearing

Before approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board at the expense of the applicant first causing notice of the time and place of the hearing and subject matter sufficient for identification to be published in a newspaper of general circulation in the Town of Medway once in each of two successive weeks, the first publication being not less than 14 days before the day of such hearing. The applicant shall file with the Planning Board a list of abutters (see Figure 6, Appendix). The Planning Board shall mail copies of said notice of public hearing to the applicant and to all owners of land abutting upon the subdivision as appearing in the most recent tax list.

#### 6. Certificate of Approval

Notification of the action of the Board in respect to such plan shall be filed with the Town Clerk and sent by delivery or registered mail to the applicant (see Figure 5, Appendix). If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Board, but not until the statutory 20-day appeal period has elapsed following the filing of the certificate of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. Within 7 days after the Definitive Plan has been approved and endorsed, the applicant shall furnish copies in accordance with Figure 18, Appendix. Final approval of the Definitive Plan does not constitute acceptance by the town of streets within a subdivision.

#### C. AS-BUILT PLANS

Upon the completion of the required installations as specified in Section V, the linen master of the certified as-built plans shall be furnished to the Planning Board by the developer as follows before the release of the covenant and/or surety or bond held under agreement between the developer and the Planning Board as assurance of satisfactory completion of a subdivision development.

1. A profile view of all drainage and sewerage system features, water, gas, electric, and telephone lines, as well as roadway details including center-line elevations and both gutter elevations at 50-foot stations.

2. A plan view of all existing drainage and sewerage system features, curbing, sidewalks, survey monuments, water and gas lines and valves, hydrants, telephone and electric lines and pedestals, and electric transformers.

#### D. RESCISSION

Failure of a developer to record a Definitive Plan within six months after the Planning Board endorsement of the definitive plan shall constitute sufficient reason for rescission of approval.

When no construction of roads and buildings has taken place in an approved sub-division five years after endorsement by the Planning Board. The endorsement may be rescinded with no damages applicable to the Town of Medway or to the members of the Planning Board in accordance with the requirements of Chapter 41, Section 81 W of the General Laws.

Rescission may take place following a majority vote of the Planning Board.



SECTION IV  
DESIGN STANDARDS

A. RUN-OFF STUDIES

To establish drainage parameters, a surface-water runoff study shall be required for any subdivision. (Run-off in industrial areas could be greater than in residential areas).

B. STREETS

1. Location and Alignment

- (a) All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- (b) Provision satisfactory to the Board shall be made for continuity and alignment with existing streets as far as practicable for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- (c) 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.
- (d) Street jogs with center-line offsets of less than 125 feet should be avoided.
- (e) The minimum center-line radii of curved streets shall be 100 feet. Greater radii may be required for principal streets.
- (f) Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than 60 degrees.
- (g) Property lines at a street intersection shall be rounded or cut back to provide for a curb radius of not less than 40 feet on streets of 45-foot or 50-foot widths. Streets in Industrial Districts shall be 60 feet wide and shall have at least 60-foot curb radius at intersections.

2. Width

The minimum width of street rights-of-way shall be 50 feet except that the Board in its discretion may approve a width of not less than 45 feet. In areas zoned for industry, the minimum street rights-of-way shall be 60 feet. Greater widths shall be required by the Board when deemed necessary for present and future vehicular traffic.

3. Grade

Grades of streets in residential districts shall be at least 1.0% and not more than 6.0% for principal streets nor more than 10.0% for secondary streets. In Industrial Districts, grades shall be at least 1.0% and not more than 7.0%. The slope of any road grades of intersections shall be limited to a maximum of 3.0% for a distance of 100 feet in any direction. There shall be a principal street or streets in all districts one of which shall enter the subdivision from an existing town way and which shall have a grade of not more than 6.0% at any point and which shall provide access to all other streets within the subdivision.

4. Dead-End Streets

Dead-end streets shall not be longer than 400 feet unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. Dead-end streets shall be provided with a turn-around having a roadway center-line diameter of at least 100 feet and a property-line diameter of at least 150 feet.

5. Street Names

No street shall be given a name similar to or already borne by an existing street in the Town of Medway.

6. Street Signs

Permanent street signs of an acceptable design shall be erected at locations indicated by the Planning Board. Such street signs shall be erected within 10 days of application of the finished street surface. At the start of foundation, temporary street signs shall be erected at the intersections of new streets with Town-accepted streets.

7. Shade Trees

Wherever feasible, shade trees with trunks 12 inches in diameter or larger shall not be removed. Where, in the opinion of the Planning Board, existing woodlands or suitable individual trees are not retained, at least two trees with trunks that are 2 inches in diameter or larger, of a species approved by the Tree Warden, shall be planted on each lot in the subdivision. Trees shall be placed 5 feet from the street lines.

#### C. EASEMENTS

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

2. Where a subdivision is traversed by a water course, drainage way, channel, stream, or brook, the Board shall require that there be provided a storm water easement or drainage right-of-way of adequate width and length to provide for construction or other necessary purposes. A profile view of all such easements shall be presented to the Planning Board for approval.

3. When a new roadway in a subdivision intersects with a public way having approval-not-required lots on either side of the proposed roadway, easements in the name of the Town of Medway shall be obtained for a 20-foot strip of said lots along the edge of the new roadway for grading purposes.

#### D. OPEN SPACES

Before approval of a plan, the Board may also in proper cases require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land.

#### E. 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.

#### F. FLOOD PLAIN AREAS

To minimize damage to property or hardship to property owners, the following requirements shall be met with respect to the flood plain areas identified on the present "Flood Plain/Wetland Protection District Map" dated 1975, Medway, Mass.

1. The subdivision plan must show the extent of the flood plain in the proposed subdivision including floodway limits or encroachment lines.

2. Relocation, removal, or addition of fill in the channel or floodway that would restrict flow or reduce floodway area is prohibited.

3. The center lines of subdivision roads shall be 1 foot above the elevation of the indicated maximum flood level for the respective location as shown in the Flood Plain Information Report.

4. The lowest foundation floor elevation of any building shall be 1 foot above the indicated maximum flood level. There shall be a positive downward slope in the grade of the land from the foundation in all directions, including the slope to street level, of not less than 2- $\frac{1}{4}$  inches for a horizontal distance of 10 feet as specified in the Federal Housing Administration standard entitled "Minimum Property Standards for One and Two Living Units."

SECTION V  
CONSTRUCTION STANDARDS  
(See Figures 19 and 20 in Appendix.)

A. STREETS AND ROADWAYS

1. The entire area of each street or way shall be cleared of all stumps, brush, roots, boulders, like materials, and all trees not intended for preservation. All loam, subsoil, peat, and other yielding material shall be removed from the right-of-way area of each street or way.

2. The center of said traveled way shall coincide with the center of the full right-of-way insofar as possible. Said way shall be bordered with shoulders of adequate design.

3. Each street shall be brought to a finish grade as indicated on the final plan, and as shown on profiles of street and sidewalk designs of the Planning Board. Laying of pipes or paving of a roadway shall not be permitted if there is frost in the ground. The top 12 inches of said traveled way shall consist of good binding gravel or better with no stone more than 4 inches in diameter applied in two layers of at least 6 inches each, with each layer wet and rolled with a roller having a compaction weight of not less than 220 pounds per square inch. In areas where there is a preponderance of clay in the soil mixture, as determined by the Planning Board Field Representative, the top 18 inches of said traveled way shall consist of good binding gravel or better with no stone more than 4 inches in diameter applied in three layers of 6 inches each, with each layer wet and rolled with a roller having a compaction weight of not less than 220 pounds per square inch.

4. The roadway shall be paved to a thickness of 2- $\frac{1}{4}$  inches, but for industrial area roads to a thickness of 3 inches, compacted with two coats of Class 1 bituminous concrete pavement, Type 1-1, each course 1- $\frac{1}{4}$  inches thick, or 1- $\frac{1}{4}$  inches thick for industrial area roads. The aggregate shall be composed, mixed and laid hot in two courses as specified in the "Massachusetts Public Works Specifications, Section B-18 for Class 1 Bituminous Concrete Pavement" as specifically set forth in Sections 818.10 to 818.22.

B. DRAINS (See Figures 19 and 20, Appendix)

1. Suitable provisions must be made in the plan for a drainage system for the disposal of all surface water on lots and streets. All springs or subsurface water discovered during construction must be brought to the attention of the Planning Board or its Field Representative. If springs or subsurface water will cause conditions that would be damaging to a lot or roadway, suitable provisions for drainage must be made. Streets shall be brought up to subgrade before any drains and utilities are installed. All drains shall be installed

under the sideline strips, outside of the roadway, as designated by the Planning Board. All drainage systems shall be flushed and cleaned by the developer before completion of a project and its acceptance by the Planning Board.

2. Storm drains, culverts and related installations, including catch basins, gutters and manholes, shall be installed within or without the subdivision as necessary to permit unimpeded flow of all natural watercourses, to ensure adequate drainage of all low points along streets, and to intercept storm water runoff along streets in catch basins at intervals not exceeding 300 feet but still related to the extent and grade of the area drained. Storm drains and culverts shall be no less than 12 inches in inside diameter and shall be of greater size when required by the Board. All pipe shall be of reinforced concrete. The fill material shall be rammed and compacted around the pipe as laid for a depth of 1 foot over them, before completing the filling. At least 2- $\frac{1}{4}$  feet of cover shall be provided. Catch basin grates shall be so constructed that the length of the opening in the direction of travel shall not exceed 4 inches nor a width of 1- $\frac{1}{4}$  inches.

All pipes are to have joints cemented except where, in the opinion of the Planning Board Representative, subservice drainage is necessary; then said drain pipes shall be laid with open joints surrounded with a layer of 1- $\frac{1}{4}$  inch washed stone at least 6 inches thick and the trenches for said drains shall be back-filled with clean gravel. If the amount of ground water encountered is of such quantity as to necessitate the use of drain pipes of a larger size than called for in the original storm drainage plans, the required adjustments in size shall be made to handle the additional water. The size of the pipe to be used in a particular area should be arrived at by the use of formula. The Burklii-Zeigler or rational runoff formula for rainfall should be used.

Concrete headwalls shall be constructed at the open ends of any drainpipes. These head walls shall be of the shape and size directed by the Planning Board. If brooks or tributary ditches are left open within the development they shall be shaped to a cross section and gradient acceptable to the Planning Board Representative.

3. Manholes shall be provided at intervals not more than 400 feet apart and at every change in direction and grade of the pipe, and the drain between manholes shall be laid in a straight line and on grade. Maximum spacing of catch basins shall be 300 feet unless otherwise approved by the Planning Board. Catch basins shall not have less than a 3-foot sump, measuring from the invert on the outlet pipe. Details of catch basins, manholes, and curb inlets are shown in Figure 20.

4. Lot Drainage

Lots shall be so graded as to prevent low spots that will not drain. If low spots are unavoidable, they shall be drained by

means of drain pipes and catch basins connected to the nearest street drains, and necessary easements shall be provided. Reinforced retaining walls of concrete, stone, brick, or other suitable material satisfactory to the Planning Board, shall be constructed outside the street lines of a development where the final grade of the exterior street lines is above or below the grade of the adjacent land as the case may be, to a height designated, by said Board, if, in the opinion of the Board, such retaining walls are necessary for the public interest and the safety and protection of the abutters or the general public. The area outside the street lines of a development shall be sloped at the rate of 2 to 1 (2 feet horizontally to 1 foot vertically) to a point where it precisely coincides with the surrounding ground or the abutters' lawns or property. Six inches of loam shall be the minimum cover on all slopes. Slopes shall be seeded and rolled in the same manner as in grass plots. If ledge, the slope ratio shall be 1 foot horizontally to 4 feet vertically or as the Board may designate for the safety of the Public.

Buildings to be constructed on land subject to seasonal flooding, shall be built to an elevation recommended by the Planning Board Field Representative.

#### C. UTILITIES

1. Water pipes and related equipment, such as hydrants and main shutoff valves, shall be constructed to serve all lots on each street in the subdivision in conformity with specifications of the Medway Water Board.

- (a) Sewage pipes shall be laid to provide service to all lots on each street in a sub-division in conformity with specifications of the Medway Sewer Commissioners as put forth in their book entitled, "Rules and Regulations Concerning Sanitary Sewers". Volume 1, dated July 1, 1977 and any amendments added hereafter.

2. Planning Board inspections shall be performed at each phase during the installation of drainage, sewer and water systems and under no circumstances shall back-filling commerce without permission of the Inspector. The same notification in writing must be given the Field Representative as that required in Paragraph VI-C-1 under Inspections.

3. All utilities shall be installed under the sideline strips, outside of the roadway, and, all underground electrical wiring installed within the lots shall be placed in rigid conduit approved for the purpose, as designated by the Planning Board.

#### D. SIDEWALKS

1. The installation of bituminous concrete sidewalks shall be carried out in accordance with the following specifications and in reasonably close conformity with the lines and grades shown on the plans or established by the Planning Board Field Representative.

2. Sidewalks of not less than 5 feet, 6 inches in width shall be constructed on both sides of all streets, or as otherwise specified by the Planning Board.

3. There shall be a grass strip of 3- $\frac{1}{2}$  or 4 feet in width, depending on the width of the roadway (see Figure 19 in Appendix) between the outer edge of each sidewalk and the roadway berm unless otherwise specified by the Planning Board.

#### 4. Construction

- (a) The subgrade for the sidewalks shall be shaped parallel to the proposed surface of the walks and shall be thoroughly compacted. All depressions occurring shall be filled with suitable material and again compacted until the surface is smooth and hard.
- (b) A foundation of finely graded gravel with no stone more than 2 inches in diameter shall be applied after the subgrade has been prepared. After being compacted thoroughly, the foundation shall be at least 8 inches in thickness and parallel to the proposed surface of the walk. The foundation shall be at least 12 inches in thickness where there is a preponderance of clay in the soil mixture as determined by the Planning Board Field Representative.
- (c) The bituminous concrete walk surface shall be laid in two courses to a depth after rolling of 2- $\frac{1}{4}$  inches. The bottom course shall be 1- $\frac{1}{4}$  inches in thickness, and its surface after rolling shall be parallel to the proposed grade of the finished surface. The top course shall be 1- $\frac{1}{4}$  inches in thickness after rolling.

Unless otherwise directed, the walk shall have a pitch toward the berm  $\frac{3}{16}$  inch per foot of width to provide for proper drainage.

- (d) The surface shall be rolled with a self-propelled tandem roller weighing not less than 1- $\frac{1}{4}$  tons and not more than 5 tons. In places inaccessible to a power roller, compaction shall be obtained by means of mechanical rammers or by hand tampers weighing not less than 50 pounds and having a tamping face not exceeding 100 square inches.

- (e) When tested with a 10-foot strightedge placed parallel to the center line of the courses there shall be no deviation from a true surface in excess of  $\frac{1}{4}$  of an inch.

5. Inspection shall be performed by the Planning Board Field Representative after subgrades have been shaped and compacted, after gravel has been placed and compacted, and during the laying of each course of bituminous concrete.

#### E. CURBINGS

Granite curbings shall be installed along the entire radius of all street intersections. Granite curbing inlets shall be installed at each catch basin. Machine-formed asbestos-fibred bituminous concrete curbings shall be installed along all portions of the roadway-gutter except where granite curbings are required.

#### F. MONUMENTS

Monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets and at other points where, in the opinion of the Board, permanent monuments are necessary. Such monuments shall be 6x6x42 inches with finished top and drill hole in the center. No permanent monuments shall be installed until all construction which would destroy or disturb the monuments is completed.

#### G. FIRE ALARM SYSTEM

A fire alarm system shall be installed within the limits of the subdivision, including exact location of fire alarm boxes as specified by the Chief of the Medway Fire Department. The Medway Fire Department shall be notified at least 3 days before the start of installations of any part of the fire alarm system.

### SECTION VI ADMINISTRATION AND INSPECTION

#### A. 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.

#### B. REFERENCE

For matters not covered by these rules and regulations, refer to Sections 81-K to 81-GG, inclusive, of Chapter 41 of the General Laws.

For purposes of reference and records, or for convenience in maintaining communications between the Planning Board and other Town boards regarding subdivision control matters, forms additional to those directly referenced in these Rules and Regulations are included in the Appendix.

#### C. INSPECTION

1. The Planning Board Field Representative shall be formally requested in writing, note in hand, at least 24 hours prior to each and every inspection. Inspections by the Planning Board shall be performed at least daily during all phases of construction. No further work may take place until completion and approval of previous inspection has been secured.

2. Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the applicant or rescission of the approval of the plan in accordance with Chapter 41, Section 81 W of the General Laws of Massachusetts.

SECTION VII  
SCENIC ROAD REGULATIONS

A. GENERAL

Chapter 40 Section 15 C: Upon recommendation or request of the Planning Board, Conservation Commission or Historical Commission of any city or town may designate any road in said city or town, other than a numbered route or state highway, as a scenic road.

1. Town Meeting designated the following 23 roads as Scenic Roads at a Special Town Meeting on December 30, 1975:

1. Adams Street
2. Brigham Lane (Now Country Lane) from Main St. to Village St.
3. Causeway Street
4. Charles River Road
5. Ellis Street
6. Elm Street
7. Evergreen Street
8. Farm Street
9. Fisher Street
10. Franklin Street
11. Granite Street
12. Guernsey Street
13. High Street
14. Highland Street
15. Hill Street
16. Lincoln Street
17. Lovering Street from Winthrop St. to Summer St.
18. Oakland Street
19. Partridge Street
20. Pearl Street
21. Populatic Street
22. Walker Street
23. Wellington Street

2. After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board, after a Public Hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place, and purpose, the last publication to occur at least seven days prior to such hearing.

B. PROCEDURES

1. Filing

Any person or organization seeking the consent of the Planning Board under Section 15 C, Chapter 40 of the General Laws (The Scenic Roads Act) regarding the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, in connection with the repair, maintenance, reconstruction or paving work on Scenic Roads shall submit a request to the Planning Board, together with the following:

- (a) The text of a legal notice identifying the location of the proposed action in terms enabling readers to reasonably locate it on the ground without need for additional plots or references, and describing the proposed changes to trees and stone walls.
- (b) A list of the owners of land abutting the scenic road on which the proposed work is to be performed, and, if the proposed work is only for a section of a scenic road, a list of the owners of land abutting and within 100 feet of the section.
- (c) Except in the case of town agencies, a deposit sufficient for the cost of advertising and notification.
- (d) A plan and explanatory material found adequate by the Town Engineer to inform the Planning Board prior to the Public Hearing.

Notice of submittal shall be concurrently filed with the Town Clerk.

2. Notice

The Planning Board shall, as required by statute, give notice of its Public Hearing by twice advertising in a newspaper of general circulation in the area. The Board shall also send copies of that notice to the Selectmen, Conservation Commission, Historical Society, Medway Citizens for Conservation, Planning Board Field Representative, Tree Warden, Department of Public Works, and owners of property within 100 feet of the proposed action.

3. Timing

The Planning Board shall hold a Public Hearing within thirty days from the date on which notice of submittal is received by the Town Clerk, and shall make a decision within forty-five days of that receipt, unless a longer time is agreed to by the applicant.

#### 4. Tree Warden

Whenever feasible, Planning Board Hearings shall be held in conjunction with those to be held by the Tree Warden acting under Chapter 87, General Laws. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden or vice versa.

#### C. DEFINITIONS

In the absence of contrary meaning established through legislative or judicial action pursuant to Section 15 C, Chapter 40 General Laws, these terms contained in that statute shall be construed as follows:

"Road" shall mean a vehicular travelled way plus its necessary appurtenances within the right-of-way including bridge structures, drainage system, retaining walls, traffic control devices, and sidewalks, but not intersecting streets or driveways.

"Cutting or removal of trees" shall mean the destruction of more than one tree trunk of diameter four inches or more measured one foot from the ground.

"Tearing down or destruction of stone walls" shall mean the destruction of more than fifteen linear feet of stone wall involving more than one cubic foot of wall material per linear foot above existing grade, but shall not be construed to include temporary removal and replacement at the same location with the same materials.

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FIGURE 1.

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

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

To the Planning Board of the Town of Medway, Massachusetts.

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

1. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount of frontage, area and depth required by the Medway Zoning By-law and is on a public way, namely,  
\_\_\_\_\_  
\_\_\_\_\_
2. The division of land shown on the accompanying plan is not a subdivision for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The owner's title to the land is derived under deed from \_\_\_\_\_ dated \_\_\_\_\_, 19\_\_, and recorded in Norfolk County Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_ or Land Court Certificate of Title No. \_\_\_\_\_, registered in Norfolk County District Book \_\_\_\_\_, Page \_\_\_\_\_

Received by Town Clerk:	Applicant's signature _____
Date _____	Applicant's address _____
Time _____	_____
Signature _____	_____
	Owner's signature and address if not the applicant
	_____
	_____
	_____

Date received by the Planning Board \_\_\_\_\_

FIGURE 2.

APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

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

To the Planning Board of the Town of Medway:

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled \_\_\_\_\_

By \_\_\_\_\_ Dated \_\_\_\_\_  
(being land bounded as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

hereby submits said plan as a Preliminary subdivision plan in accordance with the Rules and Regulations of the Town of Medway Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from \_\_\_\_\_  
\_\_\_\_\_ by deed dated \_\_\_\_\_ and recorded in the Norfolk County Registry of Deeds, Book No. \_\_\_\_\_ Page No. \_\_\_\_\_ or Norfolk County Registry District of the Land Court. Certificate of Title No. \_\_\_\_\_ Book No. \_\_\_\_\_ Page No. \_\_\_\_\_

Received by Town Clerk:	Applicant's signature _____
Date _____	Applicant's address _____
Time _____	_____
Signature _____	_____
	Owner's signature and address if not the applicant
	_____
	_____
	_____

Date received by the Planning Board \_\_\_\_\_



FIGURE 3

NOTIFICATION OF PLANNING BOARD ACTION ON PRELIMINARY PLAN

You are hereby notified that the Town of Medway Planning Board on this date has not approved/approved with the following modifications the preliminary plan entitled

as submitted on \_\_\_\_\_ by \_\_\_\_\_ 19\_\_

The modifications required on this plan are:

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

Reasons for disapproval:

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

Medway Planning Board

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

cc. Town Clerk

A-4

FIGURE 4.

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

To the Planning Board of the Town of Medway

The undersigned, being the applicant as defined under Chapter 41, Section 81-L for approval of a proposed subdivision shown on a plan entitled \_\_\_\_\_ 19\_\_  
 by \_\_\_\_\_ dated \_\_\_\_\_ 19\_\_  
 being land bounded as follows: \_\_\_\_\_

hereby submits said plan as a DEFINITIVE plan in accordance with the Rules and Regulations of the Town of Medway Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from \_\_\_\_\_

by deed dated \_\_\_\_\_ and recorded in the Norfolk County District Registry of Deeds Book \_\_\_\_\_, Page \_\_\_\_\_, or registered in the Norfolk County Registry District of the Land Court, Certificate of Title No. \_\_\_\_\_; and said land is free of encumbrances except for the following: \_\_\_\_\_

Said Plan has/has not evolved from a preliminary plan submitted to the Board on \_\_\_\_\_, 19\_\_ and approved with modifications/disapproved on \_\_\_\_\_, 19\_\_.

The undersigned hereby applies for the approval of said DEFINITIVE plan by the Board, and in furtherance thereof hereby agrees to abide by the Board's Rules and Regulations. The undersigned hereby further covenants and agrees with the Town of Medway, upon the approval of said DEFINITIVE plan by the Board:

1. to install utilities in accordance with the Rules and Regulations of the Planning Board, the Water Department, the Highway Superintendent, the Board of Health, and all general as well as zoning by-laws of said Town, as are applicable to the installation of utilities within the limits of ways and streets;
2. to complete and construct the streets or ways shown thereon in accordance with Section V of the Rules and Regulations of the Planning Board and the approved DEFINITIVE plan, profiles and cross sections of the same. Said plan, profiles, cross sections and construction specifications are specifically, by reference, incorporated herein and made a part of this application. This application and the covenants and agreements herein shall be binding upon all heirs, executors, administrators, successors, grantees of the whole or part of said land, and assigns of the undersigned; and
3. to complete the aforesaid installations and construction within two (2) years from the date hereof.

Received by Town Clerk:

Date: \_\_\_\_\_ Signature of Applicant \_\_\_\_\_

Time: \_\_\_\_\_

Signature: \_\_\_\_\_ Address \_\_\_\_\_

Date received by the Planning Board \_\_\_\_\_

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FIGURE 5.

NOTIFICATION OF PLANNING BOARD ACTION ON DEFINITIVE PLAN

You are hereby notified that the Planning Board of the Town of Medway on \_\_\_\_\_  
has not approved/approved the Definitive Plan \_\_\_\_\_

as submitted on \_\_\_\_\_ by \_\_\_\_\_

Reasons for disapproval:

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

Medway Planning Board

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

cc: Town Clerk

A-6

FIGURE 6.

CERTIFIED LIST OF ABUTTERS

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

To The Medway Planning Board:

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

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

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

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

To The Medway Planning Board:

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

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

\_\_\_\_\_  
Assessor

A-7

FIGURE 7.

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 \_\_\_\_\_  
\_\_\_\_\_, as surety, hereby bind and obligate themselves and their respective heirs,  
executors, administrators, successors and assigns, jointly and severally, to the Town of Medway,  
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, agree-  
ments, terms and provisions contained in the application signed by the Principal 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 Town of Medway  
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 Medway as liquidated damages.

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

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FIGURE 8.

PERFORMANCE BOND SECURED BY DEPOSIT

Know all men by these presents that \_\_\_\_\_  
\_\_\_\_\_ hereby binds and obligates himself/itself/his/its executors, administrators, devisees, heirs,  
successors and assigns to the Town of Medway, a Massachusetts municipal corporation, in the  
sum of \_\_\_\_\_ Dollars, and has secured this obligation by the  
deposit with the treasurer of said Town of Medway 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 herein 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 definitive plan of a certain subdivision, entitled \_\_\_\_\_

and dated \_\_\_\_\_, 19\_\_ has been or is hereafter granted by the Town of Medway  
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 Medway as liquidated damages. IN WITNESS WHEREOF the undersigned has hereunto  
set his hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Principal

By: \_\_\_\_\_  
Title

A-9

FIGURE 9.

PERFORMANCE BOND SECURED BY BANK PASSBOOK<sup>1</sup>

(Page 1 of 2)

\_\_\_\_\_ 19\_\_\_\_  
AGREEMENT made this date between the Town of Medway and \_\_\_\_\_  
\_\_\_\_\_  
KNOW ALL MEN by these presents that \_\_\_\_\_ of \_\_\_\_\_  
hereby binds and obligates himself/itself/his or its executors, administrators, devisees, heirs, accessors and assigns to the Town of Medway, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ Dollars, and has secured this obligation by the deposit with the Treasurer of the Town of Medway, Bank Book No. \_\_\_\_\_ drawn on the \_\_\_\_\_ Bank of \_\_\_\_\_ of \_\_\_\_\_ Dollars (all), \_\_\_\_\_ of said sum to be used to insure the performance by the obligor of all the covenants, conditions, agreements, terms and provisions contained in the application signed by \_\_\_\_\_ and dated \_\_\_\_\_ 19\_\_\_\_, under which approval of a definitive plan of a certain subdivision entitled \_\_\_\_\_ and dated \_\_\_\_\_ 19\_\_\_\_, has been or is hereinafter granted by the Town of Medway Planning Board.

In the event the obligor should fail to perform his obligations on said project in accordance with the rules and regulations of the Town of Medway Planning Board, the Town of Medway may use these funds, or any part thereof, to satisfy and complete the obligor's obligations on said project.

Upon completion of all the work required to be completed by the obligor aforesaid on or before \_\_\_\_\_ (date) the said Bank Book shall be returned to the obligor with all interest accrued thereon.

<sup>1</sup> Negotiable securities can also be used. The Planning Board should check with the Town Counsel when a passbook or securities are offered as security to be certain that they are free from encumbrances.

PERFORMANCE BOND SECURED BY BANK PASSBOOK (Cont)

(Page 2 of 2)

The Town of Medway, acting by and through its Planning Board hereby agrees to accept the aforesaid Bank Book as security for the performance of the project as aforesaid.

Majority of the \_\_\_\_\_  
Planning Board \_\_\_\_\_  
of the Town of \_\_\_\_\_  
Medway \_\_\_\_\_

OWNER, AND/OR CONTRACTOR,  
AND/OR DEVELOPER  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss \_\_\_\_\_ 19\_\_\_\_,  
Then personally appeared \_\_\_\_\_,  
one of the above named members of the Planning Board of the Town of Medway, Massachusetts and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

Notary Public

My commission expires \_\_\_\_\_

The \_\_\_\_\_ Bank of \_\_\_\_\_  
hereby recognizes and accepts the conditions of this notice of agreement.

Authorized Signature

To be executed in four copies, all of which are to be considered originals. (Note: Two copies of this agreement form are to be forwarded to the above Bank and one signed copy returned to the Planning Board.)

FIGURE 10.

SAMPLE

(Page 1 of 2)

Know all men by these presents that whereas the undersigned has submitted an application dated \_\_\_\_\_, 19\_\_\_\_, to the Town of Medway 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 Town of Medway 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 Medway 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 construction of ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

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

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

3. The undersigned represents and covenants that undersigned is the owner<sup>1</sup> 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 the present holders of said mortgages have assented to this contract prior to its execution by the undersigned.

<sup>1</sup> If there is more than one owner, all must sign.

SAMPLE (Cont)

(Page 2 of 2)

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

Applicant's signature \_\_\_\_\_

Applicant's address \_\_\_\_\_

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

Date \_\_\_\_\_

Time \_\_\_\_\_

Signature \_\_\_\_\_

Owner's signature and address if not the applicant: \_\_\_\_\_

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.

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

My commission expires: \_\_\_\_\_

FIGURE 11 A

RELEASE OF SAMPLE AND CONDITIONS

We, the undersigned, being a majority of the Planning Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify that lot(s) \_\_\_\_\_ on a plan entitled, \_\_\_\_\_, Subdivision of Land in Medway, Massachusetts, Owner & Developer: \_\_\_\_\_ dated \_\_\_\_\_, Surveyed by: \_\_\_\_\_ which is registered in Norfolk County Land Registry District as Document No. \_\_\_\_\_ and noted on Certificate and Title No. \_\_\_\_\_ in Registration Book \_\_\_\_\_ Page \_\_\_\_\_, to which reference may be made for a more particular description, is hereby released from the terms, provisions, and conditions as set forth in a covenant between \_\_\_\_\_ and the Planning Board of the Town of Medway, dated \_\_\_\_\_ 19\_\_\_\_, recorded in Book \_\_\_\_\_, Page \_\_\_\_\_ with said deeds.

Signed and sealed at Medway, Massachusetts, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Norfolk, ss.

Dated \_\_\_\_\_

Then personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing instrument to be his free act and deed, before me.

Notary Public

My commission expires \_\_\_\_\_

FIGURE 11B.

RELEASE OF SAMPLE AND CONDITIONS

RELEASE OF SAMPLE AND CONDITIONS

We, the undersigned, being a majority of the Planning Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify that lot(s) \_\_\_\_\_ on a plan entitled, \_\_\_\_\_, Subdivision of Land in Medway, Massachusetts, Owner & Developer: \_\_\_\_\_ dated \_\_\_\_\_ 19\_\_\_\_, Surveyed by: \_\_\_\_\_ which is filed with the Norfolk Registry of Deeds as Plan No. \_\_\_\_\_ of 19\_\_\_\_, Plan Book \_\_\_\_\_, to which reference may be made for a more particular description, is hereby released from the terms, provisions, and conditions as set forth in a covenant between \_\_\_\_\_ and the Planning Board of the Town of Medway, dated \_\_\_\_\_ 19\_\_\_\_, recorded in Book \_\_\_\_\_, Page \_\_\_\_\_ with said deeds.

Signed and sealed at Medway, Massachusetts, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Norfolk, ss.

Dated \_\_\_\_\_

Then personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing instrument to be his free act and deed, before me.

Notary Public

My commission expires \_\_\_\_\_

FIGURE 12.

CONVEYANCE OF EASEMENTS AND UTILITIES

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

\_\_\_\_\_ appearing on a plan entitled \_\_\_\_\_  
And, for the consideration aforesaid, the said grantor does hereby give, grant, transfer and  
deliver unto the Town of Medway all water mains, manholes, pipes, conduits, drainage ease-  
ments 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 encum-  
brances, that he (it) has good title to transfer the same, and that he will defend the same  
against claims of all persons.

For grantor's title see deed from \_\_\_\_\_ dated \_\_\_\_\_, 19\_\_\_\_  
and recorded in Norfolk County Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, or under  
Certificate of Title No. \_\_\_\_\_ registered in Norfolk County District of the  
Land Court, Book \_\_\_\_\_, Page \_\_\_\_\_.

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

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

\_\_\_\_\_  
Authorized Signature of Mortgagor \_\_\_\_\_ Owner  
IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_.

COMMONWEALTH OF MASSACHUSETTS

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

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

My commission expires: \_\_\_\_\_

FIGURE 13.

REFERRAL FORM

Town of Medway Planning Board

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

Board of Selectmen \_\_\_\_\_

Town Counsel \_\_\_\_\_

Board of Health \_\_\_\_\_

Highway Department \_\_\_\_\_

Fire Department \_\_\_\_\_

Water Department \_\_\_\_\_

Sewer Commissioners \_\_\_\_\_

Conservation Commission \_\_\_\_\_

The attached definitive plans were submitted to the Planning  
Board on \_\_\_\_\_ 19\_\_\_\_. A public hearing has been scheduled  
for \_\_\_\_\_ P.M., on \_\_\_\_\_ 19\_\_\_\_ to discuss these plans.

May we have your comments and recommendations concerning this  
subdivision by no later than \_\_\_\_\_ 19\_\_\_\_. Please return  
this form with your comments and recommendations.

Thank you,

\_\_\_\_\_  
Clerk, Planning Board

FIGURE 14.

CONTROL FORM

Preliminary Plan Approval Date \_\_\_\_\_  
Date of Definitive Plan \_\_\_\_\_  
Submission Date(s) \_\_\_\_\_  
Approval Deadline Date (S+60 days) \_\_\_\_\_  
Hearing Date (H) \_\_\_\_\_  
Date of Letters to Abutters (H-14 days) \_\_\_\_\_  
Date of Newspaper Notices (2) (H-14 days) \_\_\_\_\_  
Approval or Disapproval Date (A) \_\_\_\_\_  
Appeal Deadline Date (A+20 days) \_\_\_\_\_  
Date of Covenant \_\_\_\_\_  
Date Plans and Covenant Recorded \_\_\_\_\_  
Book No. \_\_\_\_\_ Page No. \_\_\_\_\_  
1st Copy Subdivider's file \_\_\_\_\_  
2nd Copy Planning Board Clerk for Follow-up \_\_\_\_\_  
Date copy of definitive plan application form and set of  
definitive plans sent to following (S+10) \_\_\_\_\_

1. Board of Health \_\_\_\_\_
2. Highway Dept. \_\_\_\_\_
3. Fire Department \_\_\_\_\_

Date copy of definitive plan application form and set of  
definitive plans returned from the followin (S+45 days=Deadline)

1. Board of Health \_\_\_\_\_
2. Highway Department \_\_\_\_\_
3. Fire Department \_\_\_\_\_
4. Water Department \_\_\_\_\_
5. Sewer Commissioners \_\_\_\_\_
6. Conservation Commission \_\_\_\_\_

FIGURE 15.

NOTICE OF DEFINITIVE PLAN PUBLIC HEARING  
TOWN OF MEDWAY, MASSACHUSETTS

\_\_\_\_\_, having submitted a definitive  
(Applicant)  
of land in Medway, a copy of which is on file with the Town Clerk, located at \_\_\_\_\_  
as shown on plan by \_\_\_\_\_  
(engineer or surveyor)  
dated \_\_\_\_\_, 19\_\_, a public hearing will be held thereon at the Town  
Hall on \_\_\_\_\_, 19\_\_, at \_\_\_\_ P.M., in accordance with the provisions  
of General Laws, Chapter 41, Section 81-T, as amended.

Medway Planning Board  
Chairman, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



FIGURE 16.

## RECEIPT FOR SUBDIVISION PLAN

Town Clerk  
Medway, Massachusetts

Received from \_\_\_\_\_  
a copy of a Preliminary/Definitive Subdivision Plan entitled \_\_\_\_\_  
application for approval for which has been made to the Town of Medway Planning Board.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date of Filing

One copy of this form to go to Planning Board

FIGURE 17.

## PLANNING BOARD AGENT INSPECTION FORM

Medway, Massachusetts  
\_\_\_\_\_ 19\_\_

Name of Subdivision \_\_\_\_\_  
Street Name \_\_\_\_\_

From Sta.	To Sta.	Subject	Initials of Agent	Date of Inspection
		1. Clearing of Right-of-Way		
		2. Sub-grade Preparation		
		3. Drainage (Below-grade) Installation		
		4. A. Water System Fittings B. Water Line Installation		
		5. Fire Alarm Installation		
		6. Gravel Base		
		7. Curb Installation, Granite		
		8. Binder Course		
		9. Drainage (at surface) Installation		
		10. Finish Course		
		11. Berm Installation		
		12. Sidewalk Construction A. Gravel B. Base Course C. Finish Course		
		13. Street Trees and Planting		
		14. Grass Strips		
		15. Street Lights		
		16. Street Signs		
		17. Final Clean-up		
		18. Water Service to Lots		
		19. Monuments		
		20. Curtain Drains		
		21. Off-Site Drains		

COMMENTS: \_\_\_\_\_

COPY TO BE SUBMITTED TO PLANNING BOARD ON FIRST OF EACH MONTH BY  
PLANNING BOARD AGENT

FIGURE 18.

## DISTRIBUTION OF PLANS

## TOWN OF MEDWAY PLANNING BOARD

AGENCY	Approval under Subdivision Control Law Not Required	SUBDIVISION PLANS		
		Date/ Preliminary	Date/ Definitive	Date/ Approved
Owner	Original Returned	Original Returned	Original Returned	Original Returned
Registry of Deeds	Owner files			Owner files
Planning Board	Original and 3 Prints	Original and 6 Prints	Original and 8 Prints	11 Prints
Board of Selectmen			1 Print from Planning Bd.	1 Print from Planning Bd.
Building Inspector				1 Print from Planning Bd.
Town Clerk	1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.
Board of Health		1 Print from Applicant	2 Prints from Applicant	1 Print from Planning Bd.
Supt. of Streets		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.
Town Counsel			1 Print from Planning Bd.	1 Print from Planning Bd.
Planning Board Field Representative		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.
Assessors	1 Print from Applicant (Note C)	1 Print from Applicant (Note C)	1 Print from Applicant (Note C)	1 Print from Planning Bd. (Note C)
Fire Dept. (Note A)		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd. (Note C)
Water Dept. (Note A)		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd. (Note D)
Telephone Co. (Note B)				1 Print from Applicant (Note D)
Electric Co. (Note B)				1 Print from Applicant (Note D)
Gas Co. (Note B)				1 Print from Applicant (Note D)

NOTE: Except for prints of Preliminary and Definitive Subdivision Plans, all originals and prints shall have the signatures of at least three members of the Planning Board.

- A - Fire Dept., Water Dept., and developer agree on location of hydrants.  
 B - Developer to confer regarding the location of underground utilities.  
 C - That part of the approved plan showing streets and lots.  
 D - That part of the approved plan showing hydrants and underground utilities.

FIGURE 19.

## ROAD CONSTRUCTION SPECIFICATIONS -- TYPICAL CROSS SECTIONS

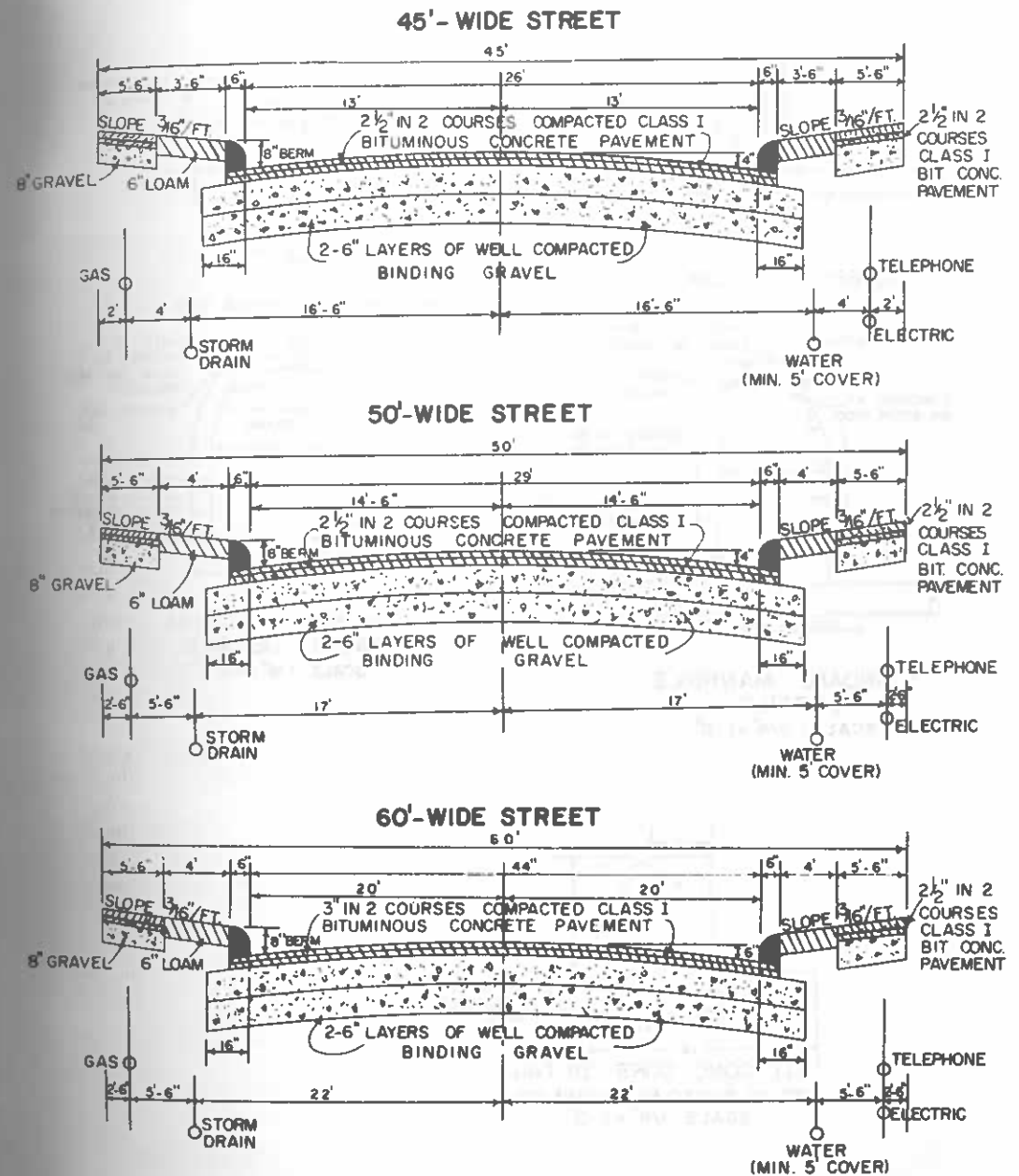


FIGURE 20.

MANHOLE, CATCH BASIN AND CURBING SPECIFICATION

