©

TOWN OF GRANBY

SUBDIVISION REGULATIONS

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
IN THE
TOWN OF GRANBY, MASSACHUSETTS

OFFICIAL COPY FOR PLANNING BOARD

©

GRANBY PLANNING BOARD

TABLE OF CONTENTS

SECTION 1.00 GENERAL....1
1.01 AUTHORITY....1
1.02 PURPOSE....1
1.03 SUBDIVISION COMPLIANCE....1
1.04 MORE THAN ONE BUILDING FOR DWELLING PURPOSES PER LOT....1
1.05 WAIVER OF COMPLIANCE....2
1.06 AMENDMENTS....2
1.07 VALIDITY....2
1.08 EFFECT OF PRIOR RECORDING OF SUBDIVISION PLAN....2
SECTION 2.00 DEFINITIONS....2
2.01 DEFINITIONS....2
SECTION 3.00PROCEDURE FOR SUBMISSION AND ENDORSEMENT OFNON-SUBDIVISION PLANS(PLANS BELIEVED NOT TO REQUIRE APPROVAL - □ANR□ PLAN)....3
3.01 GENERAL....3
3.02 SUBMISSION....4
3.03 CONTENTS....4
3.04 ENDORSEMENT....4
SECTION 4.00PROCEDURE FOR SUBMISSION AND APPROVAL OFPRELIMINARY PLANS....5
4.01 GENERAL....5
4.02 SUBMISSION....5
4.03 CONTENTS....5
4.04 APPROVAL OF THE PRELIMINARY PLAN....6
SECTION 5.00PROCEDURE FOR SUBMISSION AND APPROVAL OFDEFINITIVE PLANS....6
5.01 GENERAL....6
5.02 SUBMISSION....7
5.03 CONTENTS....7
5.04 ADDITIONAL SUBDIVISION REQUIREMENTS....9
5.05 APPROVAL OF DEFINITIVE PLAN....10
5.06 RELEASE OF PERFORMANCE GUARANTEE....13
5.07 DEVIATION FROM APPROVED PLAN....15

OFFICIAL COPY FOR PLANNING BOARD

©

5.08 STREET ACCEPTANCE....15
SECTION 6.00PROCEDURE FOR SUBMISSION AND APPROVALOF PLANS FOR MORE THAN ONE BUILDINGFOR DWELLING PURPOSES PER LOT....16
6.01 GENERAL....16
6.02 SUBMISSION....16
6.03 CONTENTS....16
6.04 APPROVAL, MODIFICATION OR DISAPPROVAL....18
SECTION 7.00.... DESIGN STANDARDS 19
7.01 GENERAL....19
7.02 ROADWAY DESIGN....19
1.... LENGTHS 19
2.... WIDTHS 19
3.... CURVES 20
4.... INTERSECTIONS 20
5.... GRADES 20
6.... CROWNS 20
7. .... DRIVEWAY APRONS 20
8.... SIDEWALKS 21
EASEMENTS....21
7.04 OPEN SPACES....21
7.05. PROTECTION OF NATURAL FEATURES....22
7.06 MASTER LOT GRADING PLAN....22
SECTION 8.00.... REQUIRED IMPROVEMENTS FOR SUBDIVISIONS AND DEVELOPMENTS FOR MORE THAN ONE BUILDING FOR DWELLING PURPOSES PER LOT....22
8.01 GENERAL....22
8.02 PREPARATION OF ROADWAY....23
8.03 STANDARD BOTTOM AND TOP COURSES OF PAVEMENTS....23
8.04 SIDEWALK CONSTRUCTION....23
8.05. DRIVEWAY APRON CONSTRUCTION....23
8.06 CURBS AND BERMS....24
UTILITIES....24
8.08 GRASS PLOTS....25
8.09 STREET TREES....25
8.10 STREET AND TRAFFIC DIRECTIONAL SIGNS....34
8.11 MONUMENTS....34
8.12 PROTECTION OF UTILITIES, WAYS AND IMPROVEMENTS....34
8.13 ENGINEERING SERVICES AND INSPECTIONS....34
8.14 CLEARING UP OF RIGHTS-OF-WAY....35
8.15 OPEN SPACES....35

OFFICIAL COPY FOR PLANNING BOARD

©

8.16 PROTECTION OF NATURAL FEATURES..... 35
9.01 BUILDING PERMIT..... 35
9.02 VALIDITY..... 36
9.03 REFERENCE.....36
9.04 ONE DWELLING PER LOT.....36
9.05 VARIATION..... 36
SECTION 9.00.....ADMINISTRATION
.....36
APPENDIX A..... FORMS
.....38
APPENDIX B.....GRANBY PLANNING BOARD
..... FEE SCHEDULE
.....49
APPENDIX C.....GRANBY PLANNING BOARD
.....TYPICAL CROSS SECTION
..... AND
.....ENGINEERING STANDARDS
.....51

OFFICIAL COPY FOR PLANNING BOARD

BYLAWS OF THE TOWN OF GRANBY

RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND IN THE TOWN OF GRANBY MASSACHUSETTS

(CHAPTER XXII of the TOWN CODE)

SECTION 1.00
GENERAL

1.01 AUTHORITY

Under the authority vested in the Planning Board of the Town of Granby by Section 81-Q of Chapter 41of the General Laws as amended, said Board hereby adopts these Rules and Regulations governing the subdivision of land in the Town of Granby under the Subdivision Control Law Section 81-K through 81-GG, inclusive, Chapter 41, of the General Laws, as amended.

1.02 PURPOSE

The Subdivision Control Law and these Rules and Regulations have been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the Town of Granby by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of the Planning Board and the Board of Appeals under the Subdivision Control Law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel: for lessening congestion in such ways and in the adjacent public ways; for reducing danger 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 Town's Zoning Bylaws; for securing adequate provisions 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 Town of Granby and with the ways in neighboring subdivisions. It is the intent of the subdivision control law that any subdivision plan filed with the Planning Board shall receive the approval of such board if such plan conforms to the recommendations of the Board of Health and to the reasonable rules and regulations of the Planning Board pertaining to subdivision of land; provided, however, that such board may, when appropriate, waive, as provided for in Section 81-R, M.G.L., such portions of these rules and regulations as is deemed advisable. (Pursuant to Section 81-M of Chapter 41 MGL)

1.03 SUBDIVISION COMPLIANCE

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

1.04 MORE THAN ONE BUILDING FOR DWELLING PURPOSES PER LOT

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in the Town of Granby without the consent of the Planning Board and that such consent may be conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision.

1.05 WAIVER OF COMPLIANCE

The Planning Board may waive strict compliance with such portions of these Rules and Regulations as provided for in Section 81-R of the General Laws, in special cases where such action is in the public interest and shall not derogate from the purpose and intent of the Subdivision Control Law.

A request for a waiver of a rule, regulation or requirement shall be made by the applicant in writing at the time of the filing of the Definitive Plan. Such request shall fully set forth the reason(s) for the waiver.

If the Planning Board approves the request for a waiver, it shall endorse conditions of such waiver on the Plan or set them forth in a separate instrument attached to and referenced on the Plan, which shall be deemed part of the Plan.

1.06 AMENDMENTS

These Rules and Regulations or any portion thereof may be amended from time to time in accordance with Section 81-Q of the Subdivision Control Law.

1.07 VALIDITY

The invalidity of any section, paragraph, clause or provision of these Rules and Regulations shall not invalidate any other section, paragraph, clause or provision thereof.

1.08 EFFECT OF PRIOR RECORDING OF SUBDIVISION PLAN

The recording of a plan of land within the Town of Granby in the Hampshire County Registry of Deeds prior to the effective date of the Subdivision Control Law in the Town (February 12, 1960), showing the division thereof into existing or proposed lots, sites or other divisions and ways furnishing access thereto, shall not exempt such land from the application and operation of these Rules and Regulations except as specifically exempt by Section 81-FF, of the Subdivision Control Law.

SECTION 2.00
DEFINITIONS

2.01 DEFINITIONS

For the purposes of these Rules and Regulations, unless a contrary intention clearly appears, the terms and words defined in Section 81-L of Chapter 41 of the General Laws shall have the meaning given therein. If a term is not defined and is not a commonly used term, then the definition in the State Building Code will apply. In addition, the following terms and words shall have the following meanings:

APPLICANT: May be either the owner of the land stated in the application for subdivision or all the owners where title is held jointly, in common, or in tenancy by the entirety, including corporations. An agent, representative, or assigns of same may act for an owner provided written evidence of such fact is submitted. Evidence in the form of a list of their officers and designated authority to sign legal documents shall be required for a corporation.

BOARD: Planning Board of the Town of Granby.

LOT: An area of land in one ownership, with definite boundaries, used or available for use, as the site of one or more buildings

OWNER: The owner of record as shown by the records in the Hampshire County Registry of Deeds or Land Court

PLAN, DEFINITIVE: A proposed plan of a subdivision submitted by the

applicant to be recorded in the Registry of Deeds or Land Court when approved by the Planning Board.

PLAN, PRELIMINARY: A plan of a subdivision submitted by the applicant showing sufficient information to form a clear basis for discussion and clarification of its general contents and for the preparation of a definitive plan.

SUBDIVISION: "Subdivision" shall mean the division of a tract of land into two or more lots and shall include resubdivision, and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided.
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 under any of the following conditions:

1. At the time when the subdivision is made, every lot within the tract so divided has frontage on:
    a. a public way or a way which the Clerk of the Town of Granby certifies is maintained and used as a public way;
    b. a way shown on a plan previously approved and endorsed in accordance with the Subdivision Control Law, or;
    c. a way in existence when the Subdivision Control Law became effective in the Town of Granby 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 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.
        1) Such frontage shall be of at least such distance as is then required by the Zoning Bylaws of the Town of Granby for erection of a building on such lot, and if no distance is so required, such frontage shall be at least twenty (20) feet.
2. Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage above set forth, or;
3. The division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect in the Town of Granby in which the land lies, into separate lots on each of which one of such buildings remains standing.

SUBDIVISION CONTROL LAW: Refers to Sections 81-K through 81-GG, inclusive, of Chapter 41, of the General Laws of the Commonwealth of Massachusetts, entitled, "Subdivision Control", as last amended.

SECTION 3.00
PROCEDURE FOR SUBMISSION AND ENDORSEMENT OF NON-SUBDIVISION PLANS
(PLANS BELIEVED NOT TO REQUIRE APPROVAL - "ANR" PLAN)

3.01 GENERAL

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 in the Town of Granby who believes that his plan does not require approval under the Subdivision Control Law, may submit his plan as hereinafter provided, to the Planning Board for such determination.

3.02 SUBMISSION:

The applicant shall submit to the Planning Board two (2) original mylars and four (4) prints of the plan and application Form A (see Appendix), along with a fee for handling, in accordance with the Fee Schedule (see Appendix), together with any necessary evidence to show that the plan does not require approval.

The applicant may submit a non-subdivision plan to the Planning Board office during working hours, or to the Planning Board either by delivery at a regular or special meeting of said Board, or by delivery or registered mail, postage prepaid, in care of the Town Clerk. In either case, written notice (a copy of Form A) shall be filed, by delivery or registered mail, postage prepaid, with the Town Clerk stating the date of submission for such determinations. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt thereof.

Receipt by the Planning Board, or date of mailing of such notice, plans and necessary documentation as may be required in these Rules and Regulations shall constitute the effective date of submission.

3.03 CONTENTS

The plan shall be prepared by a registered Land Surveyor and shall be clearly and legibly drawn with waterproof ink upon tracing cloth or mylar at a scale not smaller than one (1) inch equals one hundred (100) feet. The plan shall contain the following information:

1. True North arrow, date, scale, legend and title, "Subdivision Approval Not Required".
2. The names and addresses of the owner(s) of record, the applicant, and the Professional Engineer and/or Land Surveyor and official seal(s).
3. Location, names, lines and widths of all existing streets with distances and bearings and any common or public areas.
4. Location, distances and bearings and purpose of all easements, both existing and proposed, within and adjacent to the land in question.
5. The plan shall show boundary lines, distances and bearings of all lots, sites or divisions, lot areas in square feet, with all lots designated numerically and in sequence.
6. Location of all monuments properly described and identified as to whether existing or proposed.
7. Suitable space to record the action of the Planning Board and the signatures of members.
8. A locus plan at a scale of one (1) inch equals four hundred (400) feet showing the exact location of the plan of land in relation to two (2) or more existing streets.
9. Significant site features such as existing stone walls, fences, buildings, wetlands, flood plains, large trees over 18 inches and rock outcroppings as well as the location of natural objects and surfaces such as waterways, water bodies and natural drainage courses within and adjacent to the site. (Amended 6/23/03)
10. The names of all abutters as determined from the most recent tax list, and book and page from the Registry of Deeds.
11. At least two (2) of the prints required shall have the significant features illustrated according to the following color scheme:

    Roads – dark gray
    Streams and water bodies – blue
    Wetlands – solid red
    Wetlands 100' buffer zone – dotted red
    One hundred year flood planes – orange
    Open space and recreation areas – green
    Pedestrian and bicycle paths – brown
    ANR boundaries – black (Amended 6/23/03)

3.04 ENDORSEMENT

If the Planning Board determines that the plan does not require approval, it

shall, forthwith, without a public hearing endorse on the plan the words, "APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED", with the appropriate name(s) of the Planning Board member(s) signed thereto. After such endorsement, the applicant shall file, forthwith, one (1) mylar and one (1) print of such endorsement with the Planning Board.

If the Planning Board determines that in its opinion the plan requires approval under the Subdivision Control Law, it shall within twenty-one (21) days of submission give written notice of its determination to the Town Clerk and applicant and return the plan to the applicant.

If the Board fails to act upon a submitted plan within twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.

SECTION 4.00
PROCEDURE FOR SUBMISSION AND APPROVAL OF PRELIMINARY PLANS

4.01 GENERAL

A Preliminary Plan of a subdivision should be submitted by the subdivider to the Planning Board, Board of Health, in duplicate, and the Conservation Commission for discussion and tentative approval, modification or disapproval.

The submission of such a Preliminary Plan will enable the subdivider, the Planning Board, and other municipal departments and boards and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in each case.

4.02 SUBMISSION

If the applicant decides to submit a Preliminary Plan, he shall submit seven (7) prints of the plan and application Form B (see Appendix) to the Planning Board, accompanied with a fee for handling, in accordance with the Fee Schedule (see Appendix), together with all other information and documentation as required in these Rules and Regulations. The applicant should simultaneously file the Preliminary Plan with the Board of Health along with other necessary information and documentation.

The applicant may submit a Preliminary Plan to the Planning Board office during working hours, or to the Planning Board either by delivery at a regular or special meeting of said Board, or by delivery or registered mail, postage prepaid, in care of the Town Clerk. In either case, written notice (a copy of Form B) shall be filed, by delivery or registered mail, postage prepaid, with the Town Clerk stating the date of submission for such approval. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt thereof.

Receipt by the Planning Board, or date of mailing of such notice, plans and documentation as may be required in these Rules and Regulations shall constitute the effective date of submission.

4.03 CONTENTS

The Preliminary Plan may be drawn in pencil on tracing paper, preferably at a scale of one (1) inch equals forty (40) feet on a sheet size of 24 inches by 36 inches and shall show at least the following information:

1. The subdivision name, boundaries, zoning district, true North arrow, date, scale, legend and title, "Preliminary Plan"
2. The name and addresses of the owners of record, the applicant and the Professional Engineer and/or Land Surveyor
3. The names of all abutters as determined from the most recent tax list, and book and page from the Registry of Deeds
4. Existing and proposed lines or streets, right-of-ways, easements and any

public or common areas within the subdivision

5. Location, names and present widths of adjacent streets
6. Location of natural waterways and water bodies within and adjacent to the subdivision
7. Boundary lines of all proposed lots with approximate dimensions and lot areas in square feet
8. The existing and proposed topography in a general manner
9. Proposed storm drainage and sanitary sewerage systems (if applicable) including location, size, direction of flow of existing and proposed sewers (if applicable), culverts, and storm drains, in a general manner
10. Proposed water systems (if applicable) in a general manner
11. Profiles of proposed streets, on a horizontal scale of one (1) inch equals forty (40) feet and a vertical scale of one (1) inch equals four (4) feet, showing existing and proposed grades along the center lines
12. A sketch plan of the applicant's contiguous unsubdivided land, showing possible or contemplated development and street layout
13. At least (2) of the prints required shall have the significant features illustrated according to the following color scheme:

    Roads – dark gray
    Streams and water bodies – blue
    Wetlands – solid red
    Wetlands 100' buffer zone – dotted red
    One hundred year flood planes – orange
    Open space and recreation areas – green
    Pedestrian and bicycle paths – brown
    ANR boundaries – black (Amended 6/23/03)

4.04 APPROVAL OF THE PRELIMINARY PLAN

After submission, the Preliminary Plan will be reviewed by the Planning Board, Board of Health and other municipal departments, boards and/or commissions, as appropriate, to determine whether it is in compliance with the design standards as set forth in these Rules and Regulations and with those additional requirements of other municipal departments, boards and commissions.

Within forty-five (45) days after submission of the Preliminary Plan, both the Planning Board and the Board of Health shall approve, or approve with modifications suggested by the Board or agreed upon by the applicant, or disapprove said Preliminary Plan, and in the case of disapproval, the Board shall state in detail the reasons for its disapproval.

The Planning Board shall file a certificate of its action with the Town Clerk, and shall send notice of its action by certified mail to the applicant. Failure of the Planning Board to act upon a Preliminary Plan within forty-five (45) days after submission shall be deemed to constitute approval of such plan.

Except as is otherwise expressly provided, the provisions of the Subdivision Control Law relating to a Definitive Plan shall not be applicable to a Preliminary Plan, and no register of deeds shall record a Preliminary Plan. Furthermore, approval of a Preliminary Plan does not, in any way, constitute such approval as to authorize the owner to proceed with construction of streets or other work in the subdivision.

SECTION 5.00
PROCEDURE FOR SUBMISSION AND APPROVAL OF DEFINITIVE PLANS

5.01 GENERAL

A Definitive Plan of a subdivision must be submitted to the Planning Board and Board of Health for approval.

A Definitive Plan shall be governed by the Subdivision Regulations in effect at the time of submission of such plan or in effect at the time of submission of a Preliminary Plan provided that a Definitive Plan evolved there from shall have been submitted to the Planning Board within seven (7) months from the date of submission of the Preliminary Plan.

A Definitive Plan shall also be governed by the zoning in effect at the time of submission of such plan or a Preliminary Plan from which a Definitive Plan is evolved in accordance with the provisions of Section 6 of Chapter 40A of the General Laws as amended.

5.02 SUBMISSION

The applicant shall submit the original Mylar and seven (7) prints of the plan, and application Form C (see Appendix). The applicant shall also submit the application for a sewer system extension or connection permit, when connecting to the public sewer system is proposed, as well as submit calculations for drainage to the Board. The Planning Board will distribute copies of the definitive plan to: Conservation Commission, Highway Department, and the Tree Warden.

The applicant will also submit two copies of the Plan to the Board of Health, along with Form C.

At the time of submission a fee in accordance with the fee schedule (see Appendix) shall be paid by the applicant to cover the costs of handling, reviews and public hearings. Any additional expenses for advertising, plans, surveys or inspections in excess of this amount shall be paid by the applicant.

The applicant shall submit the Definitive Plan to the Planning Board either by delivery or registered mail, postage prepaid, in care of the Town Clerk.

In either case, written notice (a copy of Form C) shall be filed, by delivery or registered mail postage prepaid, with the Town Clerk stating the date of submission to the Planning Board for such approval. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt thereof.

Receipt by the Planning Board, or date of mailing of such notice, plans and such documentation as may be required in these Rules and Regulations shall constitute the effective date of submission.

At the time of submission the applicant shall have visibly staked out and identified station points every one hundred (100) feet along the center line of the proposed roadways that correspond to the stations set forth on the Definitive Plan.

At the time of submission the applicant shall provide the Board with the name, address and contract person of the firm selected from the Planning Board's approved "Peer Reviewer" list to provide the Board with the civil engineering peer review of the definitive plans as well as the inspection services for the project through the construction phase. A draft 'Scope of Services' shall be submitted to the Planning Board for review and approval prior to entering into an agreement for the services.

5.03 CONTENTS

The Definitive Plan shall be prepared by a Registered Land Surveyor and shall be clearly and legibly drawn in black waterproof ink on tracing cloth or Mylar. The plan shall be at a scale of one (1) inch equals forty- (40) feet, unless otherwise specified by the Planning Board, and of a sheet size not to exceed twenty-four (24) inches by thirty-six (36) inches outside dimensions. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision, and all plans, layouts, profiles, cross-sections and application shall be deemed to constitute the Definitive Plan.

The Definitive Plan shall contain the following information:

1. The subdivision name, boundaries, zoning district, true North arrow, date,

scale, legend and title, 'Definitive Plan'.

2. The names and addresses of the owners of record, the applicant and the registered Professional Engineer and/or Land Surveyor and official seal(s)
3. The names of all abutters as determined from the most recent tax list, and book and page from the Registry of Deeds
4. Existing and proposed lines of streets, rights-of-ways, lots, easements and any public or common areas within the subdivision. Proposed names of new streets shall be shown in pencil until they have been approved by the Planning Board.
5. Sufficient data to determine the location, length and direction of every street and way line, lot line and boundary line, and to establish these lines on the ground. All lots shall be numbered numerically and in sequence with lot areas in square feet.
6. Significant site features such as existing stone walls, fences, buildings, wetlands, flood plains, large trees over 18' and rock outcroppings
7. The location of all permanent monuments existing or required, as outlined under "Monuments" in Section 8 of these Rules and Regulations; the location of natural objects and surfaces such as water-ways, water bodies and natural drainage courses within and adjacent to the subdivision
8. A locus plan of the subdivision at a scale of one (1) inch equals four hundred (400) feet showing the exterior lines of proposed streets in the subdivision and their exact location in relation to two or more existing streets
9. A sketch plan of the applicant's contiguous unsubdivided land, showing possible or contemplated development and street layout
10. Typical cross sections governing the full width of each proposed way shall be shown; these cross sections to agree with standard cross sections shown in appendix. Where peculiar conditions warrant, the standard cross section may be modified, with the approval of the Board's engineer, and shall be so indicated on the Plan. Cross section shall show foundation material, wearing surface, crown and width of traveled way, curbing, grass strips, sidewalks, utility locations, etc.
11. Construction details for catch basins, manholes, end walls, etc.
12. The length, radii, tangents and I angles of all curves, intersections, etc., shall be indicated.
13. Where a storm drainage line discharges into a brook, stream or drainage area, a profile will be shown of the brook, stream or drainage area to determine condition, and proposed method of stabilization.
14. Existing (solid line) and proposed (dotted line) topography, at a suitable interval, generally of two (2) feet for gentle slopes and of five (5) feet for steep slopes, embracing at least the area included in the proposed subdivision. The Board may require further information on abutting land, whenever it deems it necessary.
15. A Street Layout Plan on a separate 36"X 24" sheet for each street in the subdivision showing exterior lines, roadway lines, partial lot lines, curb lines, intersection angles, points of tangency, and radii of curves. Also included on the Street Layout Plan shall be location, size, type of construction, elevations and invert of all pipes and conduits of the:
    a. <u>WATER SUPPLY SYSTEM</u>, including wells, pumps, valves, stubs, gates, hydrants and similar equipment;
    b. <u>STORM DRAINAGE SYSTEM</u>, including manholes, culverts, catch basins and appurtenant structures;
    c. <u>SANITARY SEWERAGE SYSTEM</u>, including manholes, pumps, septic tanks and appurtenant structures;
    d. <u>ELECTRICAL SUPPLY EQUIPMENT</u>, including poles, transformers, primary and secondary cables, lighting fixtures and other electrical equipment;
    e. <u>OTHER UNDERGROUND UTILITY SYSTEMS IN THE RIGHT-OF-WAY</u>, such as gas, telephone and cable TV facilities.

16. A Profile Plan on the same sheet located directly below or above and coordinated with the Street Layout Plan indicating existing profiles on the exterior lines (using light weight lines) and proposed profile on the center line (using heavy weight lines) of each proposed street, at a maximum stationing of fifty (50) foot intervals, and at a horizontal scale of one (1) inch equals forty (40) feet and a vertical scale of one (1) inch equals four (4) feet. All elevations shall refer to Town Datum. Profiles shall show existing and proposed street grades, rates of gradient in percentages, ground elevations at centerline of each fifty (50) foot station, and intersecting streets and ways shall be clearly indicated.
    The Profile Plan shall show vertical location of existing and proposed storm drainage and sanitary sewer lines (if applicable), slopes and quantities and velocities of all storm and sanitary sewer lines, invert and rim elevations of each manhole or catch basin and such structures to be properly identified by number. (For identification purposes, if necessary, water distribution system shall be in blue, sanitary sewer lines in red, and storm drainage system in orange colors.)
17. Location of all curbing and curb inlets and sidewalks
18. Proposed layout and design of any and all parks, pools, or similar community improvements, including all water, drainage and electrical layouts, if any, designed to service such community improvement.
19. Traverse calculations and a copy of survey notes shall be submitted to the Board, if required.
20. Present water table and type of subsoil, including depth of fill, if any. Whenever filled land or abnormal soil conditions be within the area of the subdivision then, on request of the Board of Health, Conservation Commission or Planning Board such additional information as they may require shall be furnished to the department requesting same.
21. Where private, individual on-site sewage disposal systems are proposed to serve the lots in a subdivision, a Feasibility Report of the Proposed Sanitary Sewage Systems, shall be required. See Subsection 5.04 for further requirements and detail.
22. Any other pertinent information the Planning Board may request
23. Suitable space to record the action of the Board, and the signatures of the members of the Board
24. At least (2) of the prints required shall have the significant features illustrated according to the following color scheme:
    Roads – dark gray
    Streams and water bodies – blue
    Wetlands – solid red
    Wetlands 100' buffer zone – dotted red
    One hundred year flood planes – orange
    Open space and recreation areas – green
    Pedestrian and bicycle paths – brown
    ANR boundaries – black (Amended 6/23/03)

5.04 <u>ADDITIONAL SUBDIVISION REQUIREMENTS</u>

1. <u>Board of Health</u>: Where sewage disposal is to be by individual on-site sewage disposal systems, the Definitive Plan shall be accompanied by a Design Plan (Feasibility Report) of the Proposed Sanitary Sewage System pursuant to Title V of the State Sanitary Code, as amended, and the regulations of the Granby Board of Health.
2. <u>Sewer Extension Permits</u>: Under the provisions of Section 43, of Chapter 21 of the General Laws, an application (Form WPC-P-1) must be submitted by the Town to the Massachusetts Water Resources Commission, Division of Water Pollution Control, for a permit to allow construction of any sewer extensions (greater than 2000 linear feet of pipe or 2000 gallons) of a public sewerage system.
    It shall be the responsibility of the applicant to furnish the Planning Board

and the Board's engineer, at the time of submission of the Preliminary Plan, Definitive Plan or Plan for More Than One Building for Dwelling Purposes Per Lot, with the necessary data, specifications and construction plans of the proposed sewer extension project, as required on Form WPC-P-1, and said application form to be subsequently completed and signed by the Selectmen for submittal to the Division of Water Pollution Control.

3. Wetlands Protection Act: In order to determine if certain proposed subdivisions, or parts thereof, are subject to the provisions of the Wetlands Protection Act, the Planning Board will submit a copy of the Definitive Plan or Plan for More Than One Building for Dwelling Purposes Per Lot to the Conservation Commission.

   The Conservation Commission shall, to the extent practicable, file a report with the Planning Board not later than forty-five (45) days after receipt of the plan stating that the proposed plan: 1) is not subject to the provisions of the Wetlands Protection Act, or 2) the Wetlands Protection Act applies to certain designated areas. In the event the Conservation Commission indicates that the plan shall be governed by said Act, the Planning Board shall include in its decision for approval, a condition that the applicant shall obtain approval from the Conservation Commission prior to any construction activity in the affected area(s).

5.05 APPROVAL OF DEFINITIVE PLAN

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

   At the time of filing of the Definitive Plan, the applicant shall also file with the Board of Health one (1) print of the Definitive Plan, together with other necessary documentation and reports. The Board of Health shall report to the Planning Board, within forty-five (45) days after the plan is so filed, in writing, its approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the areas shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and reasons thereof in such report, and, where possible, shall make recommendations for the adjustment thereof. Any approval of the plan by the Planning Board shall only be given on condition that the designated lots or land shall not be built upon or served with any utilities such as septic tanks, cesspools and drainage without prior consent of the Board of Health. The Planning Board shall endorse on the plan such conditions as set forth by the Board of Health and the lots and land affected by such conditions.

   All subdivisions shall connect to the Town sanitary sewerage system where feasible and where the system is available, and every lot not served by the Town sanitary sewerage system shall have an adequate and approved sewage disposal system, satisfactory to the Board of Health, in accordance with Article XI of the State Sanitary Code.

   All subdivisions shall connect to a public or quasi-public water supply system where such a system is available and where feasible, and every lot not served by a public system shall have an adequate supply of potable water approved by the Board of Health. A laboratory test of the water quality shall be required and submitted to the Board of Health.

2. Public Hearing

   Before approval, modification and approval, or disapproval of a Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be given by the Planning Board at the expense of the applicant by advertisement in a newspaper of general circulation in the Town of Granby once in each of two (2) successive weeks, the first publication being not less than fourteen (14) days before the day of such hearing, and by posting such notice in a conspicuous place in Town Hall for a period of not less than fourteen(14) days before the day of such hearing.

A copy of said notice shall be mailed to the applicant and to all owners of land abutting upon the land included in such plan as appearing on the most recent tax list.
The applicant or a designated representative should be present at the public hearing.

3. Approval, Modification or Disapproval

Prior to action by the Planning Board on the Definitive Plan, a joint meeting shall be held with the developer, the Planning Board, the Building Inspector, the Board of Health, the Conservation Commission and the consulting engineer and/or the Highway Superintendent, to conduct a complete review of the proposed improvements.

After the required public hearing, but within ninety (90) days if a preliminary subdivision plan was filed or one hundred thirty-five (135) days if no preliminary subdivision plan was filed, from the date of submission, the Planning Board shall approve, modify and approve, or disapprove the Definitive Plan. The action of the Planning Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by registered mail to the applicant.

If the Planning Board modifies or disapproves such plan, it shall state with its vote the reasons for its actions.

Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Planning Board, but not until the statutory twenty (20) day appeal period has elapsed following the filing of the certificate of the action of the Planning Board with the Town Clerk, and said Clerk has notified the Planning Board that no appeal has been filed, or if an appeal has been taken, that a final decree has been entered by the court sustaining the approval of the plan.

4. Endorsement

An approved plan shall not be endorsed until after the mandatory twenty (20) day appeal period has elapsed, and not until the applicant has:

a. posted the necessary performance guarantee,
b. made the necessary corrections on the plans, if conditional approval was given, to the satisfaction of the Planning Board,
c. delivered two (2) originals (one for recording and one for the Board's file) and two (2) prints of the Definitive Plan if no corrections to same were necessary. Note: If corrections were required, 7 prints shall be delivered,
d. paid the necessary street inspection fee to the Town Treasurer,
e. caused to be executed in a form acceptable to the Town Counsel all deeds of easements as shown on the plan and submission of such deeds and documents to the Planning Board.

Failure of the applicant to meet the above requirements shall be full and sufficient reason to withhold endorsement. If the applicant fails to submit the required performance guarantees, easements and other documentation and the endorsement of the plan by the Planning Board is delayed more than six (6) months, the Planning Board, on its own motion, shall exercise its powers to modify, amend, or rescind its approval of the subdivision plan or to require a change in the plan as a condition of said plan retaining the status of an approved plan.

5. Performance Guarantee

Before endorsement of the Planning Board's approval of the Definitive Plan

or approval of a Special Permit for condominium/cluster development, the applicant shall agree to complete the required improvements as specified in Sections 7.00 and 8.00 for all lots in the subdivision, and such construction and installation shall be secured by one, or in part by one and in part by the other, of the following methods, a, b and c, which may be varied from time to time:

a. Approval with Bond or Surety
The applicant shall either file a performance bond with surety, or file a bond without surety but with other negotiable securities approved by the Town Counsel, or by a deposit of money in an amount determined by the Planning Board to be sufficient to cover the cost of all or any part of the required improvements, plus a contingency factor. Such bond shall be approved as to form and manner of execution as shown on the bond agreement, and such money if deposited shall be deposited in a local bank in the name of the Town of Granby, and deposit book shall remain in the trust of the Town Treasurer (see Appendix, Form D).

b. Approval with Covenant
Instead of filing a bond or depositing money, the applicant may fulfill the performance guarantee requirements by filing a covenant, (see Appendix, Form E) executed and duly recorded by the owner of record, running with the land, that no lot in the subdivision shall be sold and no building erected thereon until the required improvements, in accordance with these Rules and Regulations, are constructed and installed so as to adequately serve the lots, and approved to the satisfaction of the Planning Board as provided hereafter.

Such covenant shall be inscribed on the Definitive Plan or on a separate document referred to on the Plan, and recorded in the Hampshire County Registry of Deeds, or Land Court.

c. Approval with an Irrevocable Letter of Credit (L/C)
The applicant may also fulfill the performance guarantee requirement by providing the Board with an Irrevocable Letter of Credit-i.e. a binding document that provides the Board an irrevocable payment to the Town against complying documents as stated in the L/C to guarantee to the Town that the public improvements will be satisfactory completed with in a given time frame.

When improvements have been completed to the satisfaction of the Planning Board, the Board will then authorize in writing, on the appropriate form (see Appendix, Form F), a Release of Conditions for recording in the Registry of Deeds, and the conditions relating to such lots shall terminate

.

6. Completion Time Schedule

Release of the performance guarantee, whether by bond, deposit of money or covenant, as previously described herein, shall be contingent upon the completion of such improvements as required in these Rules and Regulations within one year of such bond, deposit of money, or covenant.

Upon written request of the applicant, the Planning Board may, at its discretion, grant an extension of time, and such agreement shall be executed and affixed to the bond or covenant.

In the case of a surety company bond, such an agreement shall not be effective until the surety delivers to the Board a written statement that

the surety agrees to the proposed alteration of the completion schedule and that such alteration shall not relieve or affect the liability of the surety company.

In the case of a covenant, the Board may grant final approval of the Definitive Plan conditional upon the completion of the construction of all ways and installation of utilities within a specified time period from date of said covenant. Failure to complete such improvements shall automatically rescind approval of the plan.

7. Increase of Performance Guarantee

If the specified subdivision improvements in accordance with Section 7.00 and 8.00 are not completed within one (1) year of the date of bond, deposit of money, or covenant, the Planning Board may require an estimate of the costs of the remaining work, change the amount of the performance guarantee proportionately, and establish a new date for the completion of said required improvements.

Failure of the developer to complete the improvements within said one (1) year period, or any extension thereof, shall not relieve the developer from his obligation to pay for increased costs for completing the improvements in excess of his performance guarantee.

8. Recording of plan

Within six (6) months from the date of the Planning Board's endorsement of the Definitive Plan, the applicant shall cause said plan to be recorded in the Hampshire County Registry of Deeds, or the Land Court. If the applicant delays recording of such plan beyond the six (6) month period, such plan shall not be accepted for recording by the Registry of Deeds or Land Court unless and until it has endorsed thereon, or recorded therewith and referred to thereon, a certificate of the Planning Board, or Town Clerk, dated within thirty (30) days of such recording, that the approval has not been modified, amended, or rescinded, or the plan changed.

Within ten (10) days after the Definitive Plan, as approved and endorsed, has been recorded at the Hampshire County Registry of Deeds and, in case of registered land, with the recorder of the Land Court., the applicant shall notify the Board in writing of the date of such recording.

At the time of such recording, all public easements and covenants shall be duly documented and originals thereof transmitted to the Planning Board for filing with the Town Clerk.

Following receipt of the notification of recording, the Planning Board shall file one (1) print with the Building Commissioner. In accordance with the Subdivision Control Law, the Building Commissioner, if approval with covenant is noted on or affixed to the plan, shall not issue any permit for the construction of a building on any lot within the subdivision without receipt from the Planning Board of a copy of Form F or certified statement releasing the lot(s) in question.

5.06 RELEASE OF PERFORMANCE GUARANTEE

1. Partial Release

The subdivider may, upon partial completion and installation of required improvements in a subdivision as specified in Section 7.00 and 8.00 of these Rules and Regulations, the security for the performance of which was given

by bond, deposit of money, or covenant, or Irrevocable Letter of Credit make formal application to the Planning Board for partial release of his performance guarantee, provided that the main line public sewer be televised prior to occupancy permit sign off, if occupancy is requested prior to subdivision completion, and in accordance with the procedures set forth herein:

a. Bond or Surety or Irrevocable Letter of Credit
The penal sum of any such bond, Irrevocable Letter of Credit, or the amount of any deposit held may, from time to time, be reduced by the Planning Board, upon formal application in the manner prescribed herein, and the obligations of the parties thereto released by said Board in whole or in part.

b. Covenant
The subdivider may request a Release of Conditions (see Appendix, Form F) for designated lots where the required improvements have been completed for said lots to one quarter (1/4) of the total lots in the subdivision.

A new plan of the portion to be subject to the covenant may be required.

2. Procedure for Full or Partial Release
Upon the completion of construction and installation of required improvements in a subdivision, the security of which was given by bond, deposit of money, Irrevocable Letter of Credit or covenant, the subdivider may request a release of conditions of the performance guarantee by:

a. sending by registered mail or by delivery to the Planning Board and Town Clerk a written statement that he has completed the construction and installation of ways and utilities covered by said performance guarantee in accordance with Section 7.00 and 8.00 of these Rules and Regulations,

b. attached to the written statement a Certificate of Performance (see Appendix, Form G) prepared by a Professional Engineer and/or Land Surveyor, at the applicant's expense, stating that the necessary streets, sewers (if applicable), storm drains, water lines, together with their appurtenances and all other necessary requirements have been constructed and installed as specified in these Rules and Regulations and in accordance with the approved plans.

Requests for final release of conditions shall be accompanied by an "As-Built Plan", as required in Section 8.00.

3. Approval of Release
Before the Planning Board will release the interest of the Town in a performance guarantee, the Planning Board shall:

a. obtain in writing a from peer engineer or the inspector a certificate or statement that the either certain construction items have been completed for a partial release request or that the roadway and all underground utilities in the Subdivision have passed one (1) winter season and that all work required by these Rules and Regulations under the jurisdiction of the Town has been inspected by him and completed in each street or streets in the subdivision serving the lots in question, including streets, storm drainage, bridges, sewers, shoulders, sidewalks, curbs, etc., and that the method of construction and materials used in the performance of such work meets with his approval,

b. obtain in writing a certificate from the appropriate Board or Department certifying that the water supply system was installed in accordance with its rules and regulations, where public supply.

c.

If the Planning Board determines that said construction or installation has been completed satisfactorily, it shall release the interest of the Town in such performance guarantee and return the bond, Irrevocable Letter of Credit or deposit to the person who furnished the same, or release the covenant by appropriate instrument (see Appendix, Form F), duly acknowledged, which may be recorded.

If the Planning Board determines after inspection that said construction or installation has not been completed or wherein said construction or installation fails to comply with these Rules and Regulations, the Planning Board shall send by registered mail to the applicant and to the Town Clerk the details wherein said construction or installation fails to comply with its rules.

If the Planning Board fails to act on such an application for release of conditions within forty-five (45) days after the receipt of the application by the Town Clerk, all obligations under the bond, or Irrevocable Letter of Credit shall cease and terminate by operation of law, and any deposit shall be returned and any such covenant shall become void.

Any such bond, or Irrevocable Letter of Credit may be enforced and any such deposit may be applied by the Planning Board for the benefit of the Town of Granby, as provided in Section 81-Y of Chapter 41 of the General Laws, upon failure of the performance for which any such bond ,or Irrevocable Letter of Credit or deposit was given to the extent of the reasonable cost to the Town of completing such construction and installation.

5.07 DEVIATION FROM APPROVED PLAN

1. After approval of any Definitive Plan, the location and width of ways shown thereon, or any street or way subject to the Subdivision Control Law, shall not be changed unless the plan is amended in accordance with the provisions set forth in Section 81-W of Chapter 41 of the General Laws, and approved by the Planning Board.

2. In the event the applicant desires to alter or change the grade of a street, or the size , location or layout of a storm or sanitary line or appurtenant structure, he shall:
   a. provide the Board with a written statement requesting such alteration or change, and

   b. provide the Board with three (3) prints of the original Definitive Plan with the proposed changes drawn on said prints in red.

3. No change, alteration or deviation shall be permitted unless such change, alteration or deviation has been approved by the Planning Board.

4. After approval of an alteration or modification, the applicant shall cause such approved changes to be corrected on the original drawings of the Definitive Plan.

5. Deviations from materials and construction specifications shall not be allowed except as specifically authorized by the appropriate Board, agent, or Department having jurisdiction over a particular utility system.

5.08 STREET ACCEPTANCE

Final approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of any street or other public improvement shown on the plan.

Procedures for the laying out and acceptance of Town streets and ways are

under the administration of the Board of Selectmen in accordance with Chapter 82, Sections 22 to 24 of the General Law, and such procedural steps as enumerated in the statute including approval at town meeting are mandatory for a valid acceptance of a street.

SECTION 6.00
PROCEDURE FOR SUBMISSION AND APPROVAL OF PLANS FOR MORE THAN ONE BUILDING FOR DWELLING PURPOSES PER LOT

6.01 GENERAL

A Plan for More Than One Building for Dwelling Purposes Per Lot must be submitted by the applicant to the Planning Board for consent.

6.02 SUBMISSION

The applicant shall submit seven- (7) prints of his plan and application Form H (see Appendix), to the Planning Board together with all other information and documentation, such as plans, reports, maps and cross-sections as required in these Rules and Regulations. The applicant shall, simultaneously, file one (1) print with the Board of Health along with other necessary information and documentation.

At the time of submission, a fee, in accordance with the Fee Schedule, (see Appendix), shall be paid by the applicant to cover cost of handling and reviewing; any additional expenses for advertising, plans, surveys or inspections in excess of this amount shall also be paid by the applicant.

The applicant shall submit the Plan for More Than One Building for Dwelling Purposes Per Lot to the Planning Board office during working hours, or to the Planning Board either by delivery at a regular or special meeting of said Board, or by delivery or registered mail, postage prepaid in care of the Town Clerk. In either case, written notice (a copy of Form H, see appendix) shall be filed, by delivery or registered mail postage prepaid, with the Town Clerk stating the date of submission for approval. If the notice is given by delivery, the Town Clerk, if requested, shall give a written receipt thereof.

Receipt by the Planning Board, or date of mailing of such notice, plans and such documentation as may be required in these Rules and Regulations shall constitute the effective date of submission.

At the time of submission the Applicant shall provide the Board with the name, Address and contact person of the firm selected from the Planning Board's approved "Peer Reviewer" list to provide the Board with the civil engineering peer review of the Plans for More Than One Building for Dwelling Purposes Per Lot as well as the inspection services for the project through the construction phase.

A draft 'Scope of Services' shall be submitted to the Planning Board review and approval Prior to entering into an agreement for these services.

6.03 CONTENTS

The Plan for More Than One Building for Dwelling Purposes Per Lot shall be prepared by a registered Land Surveyor and shall be clearly and legibly drawn in black waterproof ink on tracing cloth or Mylar. The Plan shall be at a scale of one (1) inch equals forty -(40) feet, unless otherwise specified by the Planning Board, and of a sheet size not to exceed twenty-four (24)

inches by thirty-six (36) inches outside dimensions. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire tract of land, and all plans, layouts,

profiles, cross-sections and application shall constitute the Plan.

The Plan shall contain the following information:

1. The name of the development, boundaries, zoning district, true North arrow, date, scale, legend and title, "More Than One Building For Dwelling Purposes Per Lot"
2. The names and addresses of the owners of record, the applicant and the registered Professional Engineer and/or Land Surveyor and official seal(s)
3. Existing and proposed lines of streets, rights-of-ways, lots, easements and any public or common areas within and adjacent to such tract
4. Location, names and present widths of adjacent streets, approaching, or within reasonable proximity to the development
5. The location, dimensions and purpose of all existing or proposed easements within and abutting the development
6. Location of natural waterways and water bodies within and adjacent to the development
7. Significant site features such as existing stone walls, fences, buildings, swamps, flood plains, large trees and rock outcroppings
8. Sufficient data to determine readily the location, direction, width and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
9. Location of all permanent monuments and bench marks, properly identified as to whether existing or proposed. Bounds are required at all intersections of street lines, angle points and changes in curvature of street lines.
10. Suitable space to record the action of the Planning Board and the signatures of the members of the Board
11. A locus plan of the tract at a scale of one (1) inch equals four hundred (400) feet showing the exterior lines of proposed streets in the development and their exact location in relation to two or more existing streets
12. A sketch plan of the applicant's contiguous unsubdivided land, showing possible or contemplated development and street layout
13. Where a storm drainage line discharges into a brook, stream or drainage area, a profile will be shown of the brook, stream or drainage area to determine condition and proposed method of stabilization.
14. A topographic plan of the entire development at two (2) foot contour intervals showing existing (solid line) and proposed (broken line) topography with proposed spot elevations at pertinent points to show the proposed finished grade of the development
15. A Street Layout Plan on a separate 36□ X 24□ sheet for each street in the development showing exterior lines, roadway lines, curb lines, walks, parking areas, intersection angles, points of tangency, and radii of curves. Also included on the Street Layout Plan shall be location, size, type of construction, elevation, and invert of all pipes and conduits of the:
    a. <u>WATER SUPPLY SYSTEM</u>, including wells, pumps, valves, stubs, gates, hydrants, and similar equipment;
    b. <u>STORM DRAIN SYSTEM</u>, including manholes, catch basins, and appurtenant structures;
    c. <u>SANITARY SEWERAGE SYSTEM</u>, including manholes, pumps, septic tanks and appurtenant equipment;
    d. <u>ELECTRICAL SUPPLY EQUIPMENT</u>, including transformers, primary and secondary cables, lighting fixtures and other electrical equipment;
    e. <u>OTHER UNDERGROUND UTILITY SYSTEMS IN THE RIGHT-OF-WAY</u>, such as gas, telephone and cable TV facilities.
16. A Profile Plan on the same sheet located directly below and coordinated

with the Street Layout Plan indicating existing profiles on the exterior lines (using light weight lines) and proposed profiles on the center line (using heavy weight lines) of each proposed street, at a maximum stationing of fifty (50) foot intervals and at a horizontal scale of one (1) inch equals forty (40) feet and a vertical scale of one (1) inch equals four (4) feet. All elevations shall refer to Town Datum. Profiles shall show existing and proposed street grades, rates of gradient in percentages, ground elevations at center line of each fifty (50) foot station, and intersecting streets and ways shall be clearly indicated. Thee Profile Plan shall show vertical location of existing and proposed storm drainage and sanitary sewer lines, slopes of all storm and sanitary sewer lines, inverts and rim elevations of each manhole or catch basin. Such structures are to be properly identified by number. (For identification purposes, if necessary, water distribution system shall be in blue, sanitary sewer system in red, and storm drainage system in orange colors).

17. A typical cross-section for full width of the proposed street shall be shown in accordance with the "Typical Cross-section" illustrated in the Appendix, showing foundation material, wearing surface, crown and width of traveled way, curbing, grass strips, sidewalks, utility locations, etc.
18. Construction details for catch basins, manholes, end walls, etc.
19. Proposed layout and design of any and all parks, pools, or similar community improvements, including all water, drainage and electrical layouts, if any, designed to serve such community improvements.
20. Where applicable, the plan of the proposed development shall be subject to the additional requirements set forth under Section 5.04.
21. At least (2) of the prints required shall have the significant features illustrated according to the following color scheme:

    Roads – dark gray
    Streams and water bodies – blue
    Wetlands – solid red
    Wetlands 100' buffer zone – dotted red
    One hundred year flood planes – orange
    Open space and recreation areas – green
    Pedestrian and bicycle paths – brown
    ANR boundaries – black (Amended 6/23/03)

6.04 APPROVAL, MODIFICATION OR DISAPPROVAL

Within sixty -(60) days from the date of submission, the Planning Board shall approve, modify and approve, or disapprove the Plan for More Than One Building for Dwelling Purposes Per Lot. The action of the Planning Board in respect to such a plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by registered or certified mail to the applicant. If the Planning Board modifies or disapproves such a plan, it shall state with its vote the reasons for its actions.

If the consent of the Planning Board is granted, it shall be deemed conditional until such time as the applicant submits a written statement guaranteeing that adequate ways furnishing access to all buildings will be provided in accordance with Section 7.00 and 8.00 of these Rules and Regulations. Final consent shall be endorsed on the original drawing of the Final Plan by the signatures of a majority of the Planning Board.

In the event that ways are not constructed in accordance with the applicant's written guarantee, then, the Planning Board on its own motion, shall have the power to modify, amend or rescind its approval of a plan. Written notice of any such action will be transmitted to the Selectmen and Building Commissioner for appropriate disposition.

Final consent does not constitute the laying out or acceptance by the Town of

any way or other public improvement shown on the plan.

SECTION 7.00

DESIGN STANDARDS

7.01 GENERAL

1. 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 be given to present day standards, which contribute to the attractiveness of the street layout, in order to obtain the maximum livability and amenity of the subdivision.

2. The proposed streets shall conform to any Master or Study Plan adopted in whole or in part by the Planning Board.

3. Streets shall be continuous and in alignment with existing streets, as far as practicable, and shall comprise a convenient system, with connections adequate to insure free circulation of vehicular travel.

4. If adjoining property is not subdivided but is, in the opinion of the Planning Board suitable for ultimate development, provision shall be made for proper projection of streets within the subdivision to the exterior boundary line thereof.

5. Dead-end streets, laid out to permit future projections, shall conform to all provisions of alignment, width, and grade that would be applicable to such streets, if extended. The provisions of Section 7.02,1,b, relative to turn-arounds shall apply in their entirety.

6. 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.

7.02 ROADWAY DESIGN

1. LENGTHS

   a. Cul-de-sac, or permanent dead-end streets, shall not exceed eight hundred (800') feet in length excluding the turnaround. They shall be provided with a minimum turn-around radii of not less than one hundred (100') feet, outside roadway diameter, as measured from front to front of curb, and a property line diameter of a least one hundred and twenty (120') feet. The turn-around shall be paved at a width of not less than twenty-six -(26') feet.

   b. The "Y" or "T" back-around may be used on short cul-de-sac streets, or one with a steep slope, but shall not in any case be used on a street having a greater length than three hundred and fifty (350') feet. The width and other requirements of such a turn-around shall be as directed by the Board.

2. WIDTHS

   a. The minimum widths of street rights-of-way shall be:

	RIGHT OF WAY	PAVED ROADWAY
Residential	50 feet	26 feet

General Business or Industrial	60 feet	36 feet
Terrace or Divided	80 feet	24 feet for each side

b. Paved roadway width shall be measured from front to front of curb.

c. The centerline of the roadway shall coincide with the centerline of the right of way unless otherwise approved.

3. CURVES

a. The minimum centerline radii of curved streets shall be one hundred (100') feet. Greater radii may be required for a principal street.

4. INTERSECTIONS

a. Cross intersections, within the subdivision are prohibited.

b. Street jogs, with centerline offsets of less than one hundred and twenty-five (125') feet are not permitted.

c. Streets shall be laid out so as to intersect, as nearly as possible, at right angles. No street shall intersect any other at ninety (90) degrees, plus or minus five (5) degrees.

d. Street lines at all intersections shall be rounded with a curve, at each corner, having a radius of not less than twelve (12') feet, or that which will enable traffic to make a right hand turn without having to cross the centerline of the intersecting roadway. However, when the intersection of two streets varies more than ten (10) degrees from a right angle, the radius of the curve, at the obtuse angle may be less, and at the acute angle shall be greater than twelve (12') feet, at the extent approved or recommended by the Board.

5. GRADES

a. Grades of all streets shall be the reasonable minimum, but shall not be less than one-half of one per cent (0.5%). Grades of all streets shall not be more than seven and one-half percent (7.5%) including curves with a radius greater than five hundred feet (500’). Grades shall not be more than six percent (6%) for curves having a radius of five hundred feet (500’) or less and compensate the grade if grade is over five percent (5%) on curves under five hundred feet (500’) radius by reducing the grade one-half percent (0.5%) for each fifty feet (50%) of radius less than five hundred feet (500’). (For intersection grades see subpart” following).

b. When the grade of any street, at the approach to an intersection, exceeds six per cent (6%), a leveling area shall be provided, having not greater than one per cent (1%) grade, for a distance of not less than fifty (50') feet, measured from the nearest exterior line of the intersecting street.

c. The rate of change of grade shall not exceed three (3%) percent per one hundred (100') feet.

6. CROWNS

a. Roadways shall be pitched three-eights -(3/8") inch per foot, from centerline of roadway, to edges of pavement.

7. DRIVEWAY APRONS

a. The rate of change of grade, from property line to edge of pavement, shall not be over one inch (l") per foot per ten (10') feet of distance.

b. The nearest line of a driveway shall not be any closer than fifty- (50) feet, from the corner of the lot nearest the intersection. This measurement shall be from the lines of intersection of those streets involved.

c. Curb returns, at roadway, shall be at three (3) foot to five (5') foot radius.

8. SIDEWALKS

a. Sidewalks shall not be less than four (4') feet in width, and shall be continuous and constructed along one or both sides of the street, as determined by the Planning Board.

b. The alignment of sidewalks, in relation to the roadway sideline, shall be as determined by the Board.

c. Walks shall be pitched one-quarter (1/4") inch to the foot, from exterior line of right-of-way, to edge of road pavement, or to the top of the curb, whichever is appropriate.

9. GUARD RAIL

a. Roadway guardrail may be required when determined by the Planning Board to be necessary for vehicular and/or pedestrian safety. When required, the construction and installation of guardrail shall be in accordance with Section 601 of the Massachusetts Highway Department 1995 or more recent Standard Specifications for Highways and Bridges.

7.03 EASEMENTS

1. Before the Board will release a surety bond or deposit, or in the case of a covenant or Conditional Approval, issue a Release of Conditions, the applicant shall have executed an instrument, on a form approved by the Town Counsel, transferring to the Town, without cost, valid unencumbered title to all common sewers and water mains, and appurtenances thereto, constructed and installed in the subdivision or portion thereof to be approved, and conveying to the Town without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain common sewers, water mains, with any manholes, pipes, conduits and other appurtenances, of all streets in the subdivision or portion thereof to be approved, and if any such sewers or water mains have been constructed and installed inland not within such streets, then in, through and under a strip of land extending ten (10') feet in width on each side of the center line of all such sewers and water mains, or as may otherwise be deemed necessary.

2. Easements for utilities across lots, or centered on rear or side lot lines, shall be provided by the developer, where necessary, and shall be at least twenty (20') feet wide, and shall be shown on the Definitive Plan.

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

7.04 OPEN SPACES

1. Before approval of a Plan, the Planning 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. The Planning Board may, by appropriate endorsement on the plan,

require that no building be erected upon such park or parks, without its approval, for a period of three (3) years.

7.05. PROTECTION OF NATURAL FEATURES

1. 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 amenity to the subdivision.

7.06 MASTER LOT GRADING PLAN

1. In keeping with the purpose of the subdivision control law, "of protecting the safety, convenience and welfare of the inhabitants of the town," and also having in mind the desire to be of utmost service to the developer in the proper development of his subdivision, the Planning Board urges the subdivider-builder to cooperate in the submission of the following information, as an aid not only to the Town but of utmost value to him, in the Board's deliberations on the soundness and value of the proposed subdivision. This is a suggested procedure, not mandatory in any way.

   a. A separate Master Lot Grading Plan, for the entire section of the Definitive Plan submitted for approval, or that part on which approval is sought, and shall contain the following:

      (1) Items contained under Section 5.03, (4) and (5).

      (2) Contours of proposed finish grading, at intervals of not less than two (2') feet and not more than five (5') feet.

      (3) Location of house, accessory buildings, walks, driveways, proposed well and septic tank installations and any further improvements.

      (4) Elevations at:

         (a) First floor of dwelling, floor of garage, carport and other accessory buildings.

         (b) Finish curb or crown of street at points of extension of lot line

         (c) Existing and finish grade elevations at each principal corner of lot and of dwelling and other buildings.

         (d) Finish grade at both sides of abrupt changes of grade, such as retaining walls, slopes, etc.

         (e) Other elevations that may be necessary to show grading and drainage.

         (f) Bench marks as in Section 5.03, 16

      (5) Distance to nearest well and septic tank leaching field.

      (6) Approximate location and direction of drainage swales.

      (7) Type of soil and water table data. Readings shall be at least one per acre, and more depending on soil conditions. Each test site, and data thereto, shall be indicated by a key number.

SECTION 8.00
REQUIRED IMPROVEMENTS FOR SUBDIVISIONS AND DEVELOPMENTS FOR MORE THAN ONE BUILDING FOR DWELLING PURPOSES PER LOT

8.01 GENERAL

1. All improvements hereinafter specified shall be constructed or installed by the applicant, in accordance with these rules and regulations, and in conformity with the approved Definitive Plan, and the specifications and other construction requirements of the agencies concerned, and to the satisfaction of those agencies.

2. The agencies concerned may require written notice before each phase of the work, and of the completion of specified items of construction, and the proper inspection thereof, and with a suitable written report, by the proper individual, employed at the applicant's expense. Such reports will be transmitted to all agencies concerned.

3. Roadways shall be constructed for their full length, of a specified width, of all streets in the subdivision. The centerline of such roadways shall coincide with the centerline of the street's right-of-way, unless a variance is specifically authorized, in writing, by the Board or its authorized agent.

4. Wherever and whenever, in these regulations, reference is made to the then current specifications of the Massachusetts Department of Public Works, as outlined in their Standard Specifications for Highways and Bridges, it is the intent of the Board that such reference shall apply only to those specifications having to do with methods of doing work, quality of materials and workmanship. Sections and paragraphs relating to payments, of any kind, are not applicable in any sense in these regulations.

8.02 PREPARATION OF ROADWAY

1. The entire area within the exterior lines of all streets in the subdivision shall be cleared, excavated or filled, as necessary, and graded in accordance with the correct specifications of the then current Massachusetts Department of Public Works Standard Specifications for Highways and Bridges, Division II, Section A-1 through A-12, inclusive.

   a. The minimum depth of the gravel base course, after rolling, shall be twenty-four (24) inches. (Amended 6/23/03)

8.03 STANDARD BOTTOM AND TOP COURSES OF PAVEMENTS

1. Standard Bottom and Standard Top Courses shall be in accordance with the then standard specifications for type 1-1 Bituminous Concrete Pavement, Massachusetts Department of Public Works, as described in the then current Standard Specifications for Highways and Bridges, Division II, Section B-18.

   a. The first layer or binder course shall be laid and compacted at a thickness of two (2) inches in accordance with Section 460 of the Massachusetts Department of Public Works Standard Specifications for Highways, Bridges and Waterways (1967). The first layer or binder course must be in place at least six (6) months and have the approval of the Highway Superintendent or Consulting Engineer before the second layer or surface course is applied.

   b. The second layer or surface course shall be Class I bituminous concrete pavement, Type I-1, top course mix, laid and compacted at a thickness of two (2) inches in accordance with Section 460 of the Massachusetts Department of Public Works Standard Specifications for Highways, Bridges and Waterways (1967).

2. All roadways shall be brought to and include a finished grade, as shown on the profiles of the Approved Definitive Plan.

8.04 SIDEWALK CONSTRUCTION

1. The standards to be used shall be then current specifications of the Massachusetts Department of Public Works, Standard Specifications for Highways and Bridges, Division II, Section G-1 or G-2: Four inch (4") thick by four feet (4') wide concrete construction.

8.05. DRIVEWAY APRON CONSTRUCTION

1. Specifications shall be the same as those required for sidewalks.

8.06 CURBS AND BERMS

1. All ways shall have their gutter lines, for their entire length, curbed with bituminous concrete curbing or, at the option of the Planning Board, sloped granite curb as follows:

   a. Bituminous concrete curbs of the type and dimensions as shown on the Typical Street Cross-Section, (see Appendix) or granite curbs shall be required along both sides of the roadway, except at curb inlets or where, in the opinion of the Planning Board, such curbs are not necessary.

   b. The bituminous berms shall be constructed of Type I-1, Class I bituminous concrete, and laid with a berm-forming machine.

   c. The bituminous curbs shall butt against all granite curb inlets, and constructed so as to be true to line and grade after compaction.

   d. Bituminous concrete berms shall be applied onto the binder course of roadway paving and the top course of pavement laid against the face of the berm.

   e. For granite curb, material shall be Type VA-4 (vertical) or Type SA (sloped) granite, as described in the then current specifications of the Massachusetts Department of Public Works Standard Specifications for Highways and Bridges, Division II, Section F-1. Other materials and workmanship shall be as outlined in the above-described Section F-1.

   f. Vertical granite curb corners (Mass Highway Specifications) shall be installed at entrance radii of new ways.

8.07 UTILITIES

1. The overall relationship of surface runoff from rights-of-way, lots and side areas within the subdivision, the roof drainage of structures within the subdivision, and the cellar and footing drainage of those structures should be taken into consideration in the design of the storm drainage system.

2. Whenever and wherever land adjacent to the subdivision is affected, including those ways contiguous to this development, because of changes brought about by the developer through his subdivision, those conditions will also be taken into account, and shall be considered as having a bearing on his planning for the storm drainage system.

3. Catch basins shall be built on both sides of the roadway, on continuous grades, at intervals of not more than four hundred (400') feet, at low points and sags in roadway, and near the corners of the roadway at intersecting streets.

4. Storm drains, of all or of any type, including any of their related installations, shall be installed, by the developer, wherever and whenever in the opinion of the Planning Board, such are necessary to provide adequate disposal of surface water from all streets and side areas, within the subdivision, and adjacent land.
5. Curtain drains shall be installed by the developer wherever and whenever in the opinion of the Planning Board or its authorized agent, such are necessary to provide adequate drainage within the subdivision (Amended 6/23/03)
6. All work and materials, for surface water disposal systems, shall be according to the then current specifications of the Massachusetts Department of Public Works Standard Specifications for Highways and Bridges Division II, Section D, if applicable, or as recommended by the Planning Board or its designated agent.

7. Water pipes and related equipment, such as hydrants and main shut-off valves, shall be constructed to serve all lots on each street in the subdivision, in conformity with specifications of the proper local or State agency concerned.

8. Septic tanks, sewer pipes and related equipment, such as manholes and connecting Y's, shall be constructed in conformity with specifications of the Board of Health, or other proper local or State agency.

9. Electrical Transmission Lines

   a. All lines and/or wires used for the transmission of electricity and/or intelligence shall be placed underground within the subdivision, in a location as approved by the Planning Board or its agent, and in accordance with the Building Code of the Town of Granby, as amended.

      (1) All primary and secondary lines placed between street lines shall be buried at a minimum depth of three (3) feet below the approved final grade of streets, walks or tree belts.

      (2) Related equipment and accessories shall be located so as to minimize hazards to the public.

10. Gas Transmission Lines

    a. All main or distribution pipelines used for the transmission of gas shall be placed underground within the subdivision, in a location and at a depth approved by the Planning Board or its agent.

      (1) Related equipment and accessories shall be located so as to minimize hazards to the public.

11. Street Lighting

    a. Mechanicals for future street lighting shall be installed along all streets in accordance with the specifications of the electric utility company serving the Town of Granby. The type of street lighting shall be consistent with the Base mounted 14 foot fiberglass pole with light standard as shown in Appendix C of these Rules and Regulations, and the pole location within the subdivision shall be approved by the Board with concurrence of the electric utility company. All new street lighting shall be switchable and metered.

12. Cisterns & Dry Hydrants

    a Fire protection cisterns and/or natural water supplies shall be provided in Subdivisions of three or more lots or commercial developments where there is insufficient public and/or private water supply to meet the minimum fire flows required by NFPA 1141, 1142 and references standards of those publications.
    For location, construction and other standards and requirements see Appendix C

8.08 <u>GRASS PLOTS</u>

1. All areas between the exterior street lines and the curb lines of the roadways thereon, and the unpaved areas, within a cul-de-sac or turn-around area, not occupied by sidewalks shall be graded, loamed with six (6") inches of loam, after compacting, and seeded with grass seed. All work and materials standards shall be the then current standard specifications of the Massachusetts Department of Public Works Standard Specifications for Highways and Bridges, Division II, Section H-1, H-3, & H-4.

8.09 <u>TREES AND PLANTINGS</u>

Section A: Preamble

The Town of Granby finds that mature trees have aesthetic appeal, contribute to the distinct character of the community, improve air quality, provide glare and heat protection, reduce noise, aid in the stabilization of soil, provide natural flood-and-climate control, create habitats for wildlife, enhance property values and provide natural privacy to neighbors.

Section B: Intent and Purpose

The purpose of this bylaw is: to protect the critical identified forested areas in Granby from deforestation; to preserve trees in order to prevent erosion on disturbed areas and control stormwater drainage; and to protect the forested and rural character of Granby.

Section C: Definitions

CALIPER: Diameter of a tree trunk (in inches) measured 6 inches above the ground for tree up to and including 4-inch diameter, and 12 inches above the ground for larger trees.

CLEAR-CUTTING: The removal of sixty-five (65%) of mature trees, to be determined by the Tree Warden and/or Planning Board based on species and soil conditions.

DBH (Diameter at Breast Height): The diameter (in inches) of the trunk of a tree (or, for multiple trunk trees, the aggregate diameters of the multiple trunks) measured 4 ½ feet from the existing grade at the base of the tree.

SIGNIFICANT TREE: Any living, healthy tree measuring 14 inches DBH or greater, or to be determined by the Planning Board or Tree Warden based on species and soil condition.

WOODED LOTS: An area or stand of trees whose total combined canopy covers at least 50% of the lot

Section D: Tree Preservation

1. The landscape shall be preserved in its natural state insofar as practical by minimizing tree removal, except in connection with a property used for tree farming. If established forested areas are to be cleared, special attention shall be given to the planting of replacement trees. Land should not be clear-cut for the sole purpose of offering land for sale.

2. Every effort shall be made through the design, layout, and construction of a subdivision to save as many existing, mature trees as possible. Accordingly, the subdivider shall institute alternative site design methods to assure the best chance of tree survival whenever the following criteria cannot be adhered to. The following is a list of recommended measures for the protection of existing trees:

a. There should be no operation of heavy equipment or storage of any materials under said tree within its natural drip line.

b. Wherever possible, no grading or filling should be done within the drip line.

c. No black top paving or vehicle parking should be located under evergreen trees.

d. No more than twenty (20) percent of the area under any deciduous trees natural drop line should be paved.

e. All drainage from paved areas should be directed away from root zones.

3. On wooded lots, subdividers are required to submit a Tree Preservation Plan for within the limits of the proposed construction activity. A registered landscape architect or forester must prepare the Plan. The Tree Preservation Plan must include a scaled Site Plan including the following information:

a. A tree inventory indicating the size, species, location, and condition of all significant trees

within the limits of the proposed activity; also location of existing and proposed structures, improvements, utilities, and existing and proposed contours.

b. Specific protection techniques and disease control, if applicable, that will be utilized to minimize disturbance to all trees remaining on site.

c. A reforestation plan indicating size, species, location, and planting specifications of all street trees, yard trees, and replacement trees. The reforestation plan shall utilize a diversity of tree species with emphasis on native species when possible.

d. Selection of replacement trees in regard to their number, size and species, shall be determined by the Planning Board upon recommendation of the Tree Warden, on the basis of an analysis of tree canopy conditions, soil conditions, and other relevant factors.

E. Street Trees

1. The subdivider is required to plant suitable broad-leaved deciduous shade trees along all streets. Said trees shall be located within the street right-of-way unless the Planning Board has approved otherwise. All trees shall be the equivalent of well-rooted nursery grown stock, free of injury, harmful insects, and diseases. They shall be well branched and the branching structure should be sound and not interfere with traffic visibility. In certain cases, where the subdivider's Tree Preservation Plan demonstrates, to the satisfaction of the Planning Board, that suitable trees will be retained within the right-of-way, the Board may waive a portion of all the required street trees.

2. The subdivider shall install street trees as follows:

a. In order to provide a mature tree canopy in the future, the distance between trees shall not exceed approximately 30 feet along the way. The Planning Board may grant an amendment on this requirement based on tree species and soil conditions.

b. Minimum height and DBH of all trees to be planted is at the discretion of the Planning Board, based on tree species and soil conditions.

c. Supplemental irrigation should be provided to all trees as needed during the summer months to ensure healthy maintenance.

d. The species and variety of the trees to be planted shall be species listed on the "Preferred Tree List" (See Attachment A).

e. No evergreen trees such as pine, fir, spruce or hemlock shall be planted as public shade trees along the way.

f. No trees or shrubs shall be planted at any corner or intersection where they could become a traffic hazard by obstructing vision or preventing safe vehicular travel.

g. All cut bankings that tend to wash or erode shall be planted with a low growing evergreen shrub and seeded with a deep-rooted perennial grass or groundcover to prevent erosion.

h. In a subdivision, the subdivider will be liable for all planted trees as to their erectness and good health for two calendar years after planting as determined by the Tree Warden. For both tree planting and shrub planting see Appendix C.

F. Tree Replacement

1. The subdivider shall provide replacement trees on each lot to ensure that at least 35% of the lot outside the footprint of the house and driveway will be shaded. Plans submitted to the Planning Board shall show the estimated tree canopies after 15 years of growth, the specific names, sizes and locations of trees to be planted, and the total area of square feet of the area shaded by tree canopies. In determining the shaded area, measure the shaded area assuming that the shaded

area is only that area directly under the drip line (See Attachment B).

2. The Planning Board will have the discretion to modify tree shading requirements under power lines and other obstructions which prohibit strict compliance with shading requirements, and to give shading credit for off-site trees and sidewalk tree canopies, where appropriate.

3. Selection of replacement trees in regard to their number, size and species, shall be determined by the Planning Board upon recommendation of the Tree Warden, on the basis of an analysis of tree canopy conditions, soil conditions, and other relevant factors.

4. When possible, a diversity of trees shall be used, with a preference of species native to North America. Please see "List of Recommended Trees" (Attachment A) for preferred tree species.

5. Use of exotic plants, such as Norway Maple (Acer platanoides), Crimson King Norway Maple (Acer platanoides 'Crimson King'), Ailanthus (Ailanthus altissma), Amur Corktree (Phellodendron amurense), Rhamnus cathartica (Common Buckthorn) and Fragula alnus (Glossy Buckthorn) is prohibited.

6. The subdivider will be liable for all planted trees as to their erectness and good health for two calendar years after planting as determined by the Tree Warden.

G. Remediation

1. Any tree shown to be saved on the above mentioned Tree Preservation Plan which, however, is removed or whose survival is irredeemably jeopardized in violation of these conditions shall be replaced in a manner to be determined solely by the Planning Board on advice of the Tree Warden.

2. Failure by the subdivider to comply with these conditions expeditiously may result in the Planning Board to retain a cash bond, held in an interest bearing account by the Planning Board jointly with the subdivider for two years. Upon the completion of the above conditions, the applicant may request release of the funds, plus interest, retained by lender by sending a statement of completion and a request for release by registered mail to the Town Clerk and the Board.

H. Enforcement

1. The Tree Warden or any Planning Board member, or Board designee shall conduct periodic inspections of the site during land clearance and construction in order to ensure compliance with these conditions. Should the Conservation Administrator, Building Inspector, Town Engineer, Police Officer, or any other town official observe violations or possible violations of these conditions, such official shall immediately report same to the Tree Warden or the Town Planner.

ATTACHMENT A
LIST OF RECOMMENDED TREES

An asterisk * denotes a species native to North America. These should in general be preferred to non-native species, as they contribute to the local ecology in ways that exotic species can not.

Scientific Name	Common Name	Mature Height	Mature Canopy Spread	Growth Rate	N
Acer campestre	Hedge Maple	25'-40'	Equal spread	Slow	Handsome stree
Acer ginnala	Amur Maple	15'-20'	Equal spread	Medium	Good fall color
Acer griseum	Paperbark Maple	25'-35'	Half or equal to height	Slow	Interesting Bark
*Acer rubrum**	Red Maple	50'-75'	Half or equal to height	Medium to Fast	Tolerates wet si
*Acer saccharum**	Sugar Maple	60'-80'	40'-55'	Slow	Salt intolerant,

*Amelanchier laevis**	Allegheny Serviceberry	15’-30’	Variable	Medium to Fast	4-season interes
*Betula nigra**	River Birch	40’-75’	40’-60'	Medium to Fast	Cultivars
*Catalpa speciosa**	Catalpa	40’-60’	20’-40’	Medium to Fast	Large leaves, fl
*Celtis occidentalis**	Hackberry	40’-60’	Nearly equal to height	Medium to Fast	Attracts birds, g
Ceridiphyllum japonicum	Katsura	40’-60’	Variable	Medium to Fast	Prefers moist gr
*Cercis Canadensis**	Eastern Redbud	20’-30’	25’-35’	Medium	Tolerates shade, s

©

Scientific Name	Common Name	Mature Height	Mature Canopy Spread	Growth Rate	Notes
*Cladrastis kentukea**	Yellowwood	30’-50’	40’-55’	Medium	Spreading and low branching, good in lawns
*Cornus alternifolia**	Pagoda Dogwood	15’-25’	1½ times the height	Slow	Underused but desirable native
Cornus kousa	Kousa Dogwood	20’-30’	Equal spread	Slow to Medium	Fairly disease resistant
Corylus colurna	Turkish Filbert	40’-50’	1/3 to 2/3 the height	Medium	Tolerates drought
*Crataegus phaenopyrum**	Washington Hawthorn	25’-30’	20’-25’	Medium	Fall berries attract birds
*Fraxinus americana**	White Ash	50’-80’	Equal spread	Medium	Grows wide as well as tall
*Fraxinus pennsylvanica**	Green Ash	50’-60’	25’-30’	Fast	Fast growing, tough
Ginko biloba	Ginko	50’-80’	30’-40’ +	Slow to Medium	Excellent city tree, great fall color. Plant only males
*Gleditsia tricanthos** *(thornless)*	Honeylocust	30’-70’	comparable spread	Fast	Gives filtered shade, fall gold color
*Gymnocladus dioicus**	Kentucky Coffeetree	60’-75’	40’-50’	Slow to Medium	Male preferably, an underused tree
*Liquidambar styraaciflua**	Sweet Gum	60’-75	2/3 equal to height	Medium to Fast	Fall color, star-shaped leaf, needs large area for root development

Scientific Name	Common Name	Mature Height	Mature Canopy Spread	Growth Rate	Notes
*Liriodendron tulipifera**	Tuliptree	70’-90’	35’-50’	Fast	Plant in large areas, tallest native tree

©

Maakia amurensis	Amur Maakia	20'-30'	Wider than tall	Slow	Good street tree, underused
Magnolia stelleta, esp. 'Centennial'	Star Magnolia	15'-25'	10'-15'	Slow	Needs moisture, flexible usage even on street
Malus spp.	Flowering Crabapples	15'-25'	15'-20'	Depends on variety	Many cultivars
*Nyssa sylvatica**	Tupelo, Gum Tree	30'-50'	20'-30'	Slow to Medium	Good in groves, moisture, nice fall color
Ostrya virginiana	American Hophornbeam	25'-40'	2/3 equal to height	Slow	Unique capsules, handsome bark
*Oxydendrum arboretum**	Sourwood	25'-30'	20'	Slow	4-season interest
Platanus x acerifolia	London Planetree	70'-100'	65'-80	Medium	Interesting bark
*Platanus occidentalis**	American Sycamore	70'-100'	Equal or greater spread	Medium to Fast	Interesting bark
Quercus, spp. *	Oak species	60'-80'	Equal or greater spread	Depends on variety	The National Tree, grows very well
*Robinia pseudoacacia**	Black Locust	30'-50'	20'-35'	Fast	Tolerates very poor soil
Sophora japonica	Japanese Scholartree	50'-70'	Comparable spread	Medium to Fast	Mid-summer flowers
*Tilia americana**	Basswood	60'-80'	1/2 to 2/3 the height	Medium	Fragrant Blossoms
Tilia cordata 'Greenspire'	Littleleaf Linden	40'-60'	30'	Medium	Neat Shape
Scientific Name	**Common Name**	**Mature Height**	**Mature Canopy Spread**	**Growth Rate**	**Notes**
Ulmus americana 'Princeton'	American Elm	60'-80'	1/2 to 2/3 the height	Medium to Fast	Disease resistant
Ulmus parvifolia	Lacebark Elm	40'-50'	Equal or greater spread	Medium to Fast	Disease resistant, beautiful bark

©

Zelcova serrata	Zelcova	50’-80’	2/3 the height	Medium	Hardy

©

ATTACHMENT B

Methodology to determine Tree Canopy Shade Coverage in Square Feet

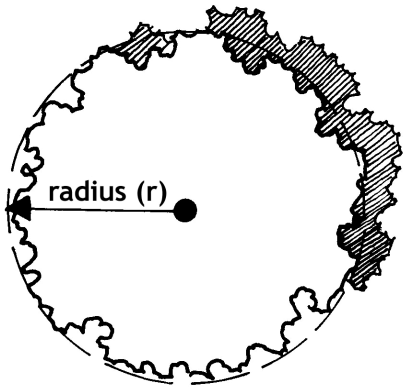
Use the mathematical formula $3.14r^2$ (r = radius)

1. Measure distance from tree trunk to mature canopy edge (radius)
2. Multiply the radius by itself (to get the radius squared)
3. Multiply that number by 3.14
4. The result is the canopy coverage in square feet
5. Calculate the canopy area for each tree and add them together
6. Divide by the total surface area (in square feet) to find shade coverage percentage

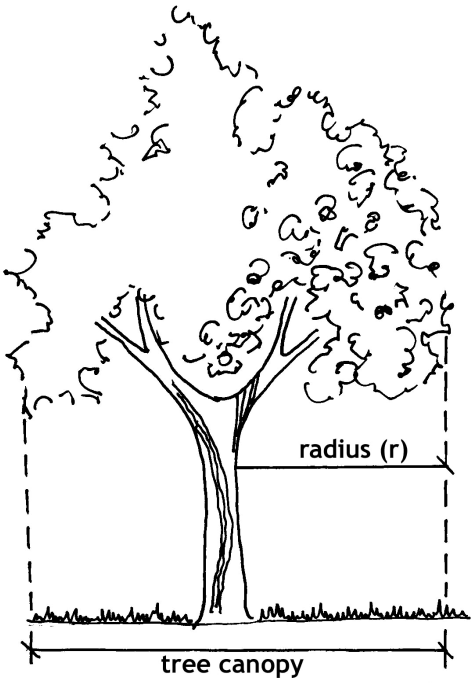
For Example:

- If the outer edge of the canopy is 18 feet from the tree trunk, then the radius is 18 feet
- That radius multiplied by itself (18 x 18) is 324
- That number multiplied by 3.14 is 1,017.36 square feet. This is the shade coverage for one tree

PLAN VIEW



ELEVATION



©

8.10 STREET AND TRAFFIC DIRECTIONAL SIGNS AND STORMWATER RETENTION BASIN SIGNS

1. Street signs, standards, and appropriate traffic directional signs, of a design, material and number approved by the appropriate State agency, or when applicable by the Highway Department, shall be furnished and installed for each way, within the subdivision, at the expense of and by the developer. Where stormwater retention basin (s) are required, a sign (see Appendix C) shall be installed at the basin.

8.11 MONUMENTS

1. The developer shall furnish and shall cause to be placed four (4') foot granite or reinforced concrete monuments, as described in the then current specifications of the Massachusetts Department of Public Works Standard Specifications for Highways and Bridges, Division II, Section G-8.

2. They shall be placed on both sides of each street or way, within the subdivision, at all angle points, at the beginning and end of all curves and changes thereof, and all intersections of streets and ways therein, including existing streets which abut those within the subdivision, and in any other location deemed advisable to the Board.

3. Such monuments shall be set according to the above-mentioned specifications, with their tops at the proposed finished surface grade, and shall be indicated on the Definitive Plan. Certification shall be made by the Surveyor in the employ of the subdivider or developer, in writing, to the Planning Board, that the monuments have been set according to the approved plan. Whenever any changes are to be made, approval of the Board will be required, and the Board's copy of the cloth Definitive Plan will be amended accordingly by the subdivider's agent.

8.12 PROTECTION OF UTILITIES, WAYS AND IMPROVEMENTS

1. The subdivider shall protect all ways, utilities and appurtenances installed under these rules and regulations, from any and all damages, until the date of release of the bond, monies or covenants held by the Board, under Section 5.05, 5.

2. Any damage to the ways, improvements, utilities and their appurtenances, prior to their approval by the Planning Board, shall be repaired in a manner satisfactory to the Board, the full cost of which shall be borne by the subdivider.

3. Any material used which does not meet the standards described herein, or as they may be mutually agreed upon, shall be replaced by the subdivider at his own expense.

8.13 ENGINEERING SERVICES AND INSPECTIONS

1. In order that the Planning Board may have a sound, unbiased basis on which to base its conclusions, Definitive Plans or Plans for More Than One Building for Dwelling Proposes Per Lot (Section 6.00 Plan) submitted to the Planning Board shall be subject to review by a qualified, independent, competent individual or firm selected from the Planning Board's "Peer Reviewer" list. A report on the suitability of the subdivision, or Section 6.00 Plan, and the conformity of the plan to the Design Standards and Required Improvements outlined in Section 7.00 and 8.00 respectively, and other requirements of these regulations will be prepared. The report shall contain any suggestions, recommendations or observations, which will express the intent of these regulations in promoting sound subdivisions. The reviewing of plans shall be accompanied by suitable reports to the Planning Board and developer of the independent reviewer shall be at the expense of the developer.

2. The developer shall provide the services of a Certified Surveyor who will lay out, supervise and check all phases of the construction of utilities, ways and improvements called for in the approved Definitive Plans or Plan for More Than One Building for Dwelling Purposes Per Lot. During

construction the required inspections at various specified stages of construction shall comply with Section 9.00 Administration, Subsection 9.06 Inspections. Compliance with the requirements outlined in Section 5.00 or Section 6.00, or as they may be mutually agreed upon, shall be attested to by a proper Engineer's Certificate, which shall be submitted with the request for release of the Performance Guarantee or the Release of Conditions.

3. From time to time, the Planning Board, or its authorized agents, engineers or employees may enter upon the site of the construction, for the purpose of inspecting the work, or for any other purpose. The developer shall furnish the Planning Board's authorized agents with every reasonable facility for ascertaining that the work is in accordance with the prescribed requirements. All surveys, studies, supervision, and inspections deemed necessary by the Board shall be made by the Board's authorized agents, and the cost of same shall be borne by the developer.

4. At no time will the Town of Granby be obligated to pay the developer or his agents for any work or services performed, any materials supplied, installed, or any tools, personnel or equipment required and/or used in any phase of the development of any subdivision, or parts thereof.

8.14 CLEARING UP OF RIGHTS-OF-WAY

1. All rights-of-ways within the subdivision shall be in a fully completed stage, and further, they shall be cleared of any and all materials, tools, temporary structures used during the development work, and not intended to be a permanent part thereof. Debris and excess materials shall be removed from the site prior to the request for release of a Performance Guarantee bond or a Release of Conditions.

8.15 OPEN SPACES

1. Before approval of a Definitive Plan, the Planning 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 compliance with the standards established for the waters affected. Whoever violates this section may be enjoined from continuing such violation, as provided in Section forty-four. (Chapter 685, Acts of 1966, amending Chapter 21 of the General Laws.)

8.16 PROTECTION OF NATURAL FEATURES

1. 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 amenity.

8.17 NEIGHBORHOOD COLLECTION UNIT

1. The developer shall furnish and install, to the satisfaction of the U.S. Postal Service, a neighborhood collection unit (NDBCU) at the subdivision within a pull off area. (Amended 6/23/03)

SECTION 9.00
ADMINISTRATION

9.01 BUILDING PERMIT

No building permit shall be issued, by the Building inspector of the Town of Granby, until

1. First satisfied that the lot on which the building is to be erected is not within a subdivision, or

©

2. That a way furnishing the access to such lots, as required by the Subdivision Rules and Regulations, is shown on a plan recorded or entitled to be recorded under Section 81-X of Chapter 41 of the General Laws, and that

3. Any conditions endorsed thereon, limiting the right to erect or maintain buildings on such lot, have been satisfied or waived by the Planning Board.

9.02 VALIDITY

The invalidity of any section, part of any section, or provision of these Rules and Regulations shall not invalidate any other section or provision thereof.

9.03 REFERENCE

For matters not covered by these rules and regulations, reference is made to

1. Sections 81-K through 81-GG, inclusive, and as amended, of Chapter 41 of the General Laws, and

2. The Building Code of the Town of Granby, as amended.

3. Chapters 21 and 131 of the General Laws, as amended.

4. Latest edition of Standard Specifications for Highways, Bridges and Waterways of the Massachusetts Department of Public Works, as amended.

5. Latest edition of the Massachusetts Department of Public Works Construction Manual, Construction Standards, Part III, as amended.

9.04 ONE DWELLING PER LOT

1. Not more than one building, designed or available for use for dwelling purposes, shall be erected or placed or converted to use as such on any lot in a subdivision, or elsewhere, in the Town of Granby, without the written consent of the Planning Board.

9.05 VARIATION

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

9.6 INSPECTIONS

The Developer has the responsibility to insure that the approved construction plans are implemented. Use of qualified persons to furnish adequate and timely engineering supervision during construction is required. Surveillance and field revisions by Town Officials or consultants appointed by the Board cannot be construed as fulfilling this responsibility.

At the various specified stages of construction of streets and ways, utilities and other improvements inspections shall be required and reports submitted to the Planning Board, Town Hall, Granby MA either by Town Departments or designated agent of the Board selected from the “Peer Reviewer” List.

The applicant shall be responsible for engaging, at its expense, a qualified engineer to set all lines, grades and stakes to the satisfaction of the designated agent of the Board.

©

In order to make arrangements for proper inspection of street construction and installation of utilities, a seventy-two (72) hour notice shall be given by the applicant to the designated Department, individual, or agent before the following construction stages;

1. The roadway shall be inspected by the agent of the Planning Board upon the completion of each of the following construction stages:
    a. Subgrade (and subbase if necessary)
    b. Gravel Base
    c. Binder Course
    d. Surface Course

2. The installation of the sanitary and storm drainage systems and related structures shall be inspected by the agent of the Board before the filling and compacting of the utility trenches.

3. After the filling and compacting of the utility trenches, the applicant shall have an inspection of installed drainage and sewer mains performed by means of a television camera. This inspection shall be conducted at the applicant's expense and the results forwarded to the Highway Department and agent of the Board.

4. This inspection of sidewalks shall be inspected by the agent of the Board upon completion of subgrade base course, as well as permanent binder and finish course.

5. The installation of curbs, where required, and loaming and seeding operations shall be inspected by the agent of the Board.

6. At the completion of all the improvements in the subdivision including loaming and seeding, curbs, monuments, plantings and signs, the agent of the Board shall make an inspection before final release of the performance guarantee.

Each specified construction stage shall be inspected and completed to the satisfaction of the agent of the Board and given in writing before further work shall be done. Any development which progresses beyond an inspection stage without written approval of the appropriate agent of the Board shall be required to return the construction to the status necessary to perform the required inspection.

Costs of inspections shall be paid by the applicant.

The foregoing Subdivision Rules and Regulations, certified by this Board, were adopted by the Planning Board of the Town of Granby, after the required public hearing held on February 12, 1960.

The forgoing Subdivision Rules and Regulations, certified by this Board, were amended by the Planning Board of the Town of Granby, on April 26, 1977, June 1, 2001, June 10, 2002, June 23, 2003 and October 20, 2003. March 2005, October 2, 2006 and May 20, 2008.

APPENDIX A
FORMS

FORM A
GRANBY PLANNING BOARD

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

File one completed form with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Section 3.02

No._____
Date_____, 20__

To the Planning Board:

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

1. Name of Applicant_____

   Address_____

   Telephone_____

2. Name of Engineer or Surveyor_____

   Address_____

   Telephone_____

3. Deed of property recorded in Hampshire County Registry of Deeds:
   Book_____ Page_____

4. Location and Description of Property:_____
_____
_____

Signature of owner_____
Address_____

Town Clerk:_____
Date of Submission:_____, 20__

©

FORM B
GRANBY PLANNING BOARD
APPLICATION FOR APPROVAL
OF A PRELIMINARY PLAN

Date _____, 20__

File one complete application form together with prints of plan with the Planning Board and one copy with the Granby Town Clerk in accordance with the requirements of Section 4.2.

To the Planning Board:

The undersigned herewith submits the accompanying Preliminary Plan of property located in the Town of Granby for approval as allowed under the Subdivision Control Law (Chapter 41, Section 81 M.G.L.) and the Granby Subdivision Regulations (Volume IV Town Bylaws).

1. Applicant _____

   Address _____Telephone _____

2. Owner (if not applicant) _____

   Address _____Telephone _____

3. Engineer or Surveyor _____

   Address _____Telephone _____

4. Deed of property recorded in the Hampshire County Registry of Deeds,
   Book _____Page _____

5. Location and description of property _____

   _____

   _____

   a. Plan Entitled _____
   b. Lot(s) Proposed _____
   c. Total Acreage of Tract _____

_____
Signature of Applicant

_____
Signature of Owner

TOWN CLERK:

Date of submission _____, 20__

Signature _____

FORM C
GRANBY PLANNING BOARD

©

APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN

Date_____, 20__

File one completed application form together with prints of plan and other necessary documentation with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Section 5.02

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Granby for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in the Town of Granby, Massachusetts.

1. Applicant_____

   Address_____ Telephone_____

2. Owner (if not applicant)_____

   Address_____ Telephone_____

3. Engineer or Surveyor_____

   Address_____

4. Deed of property recorded in the Hampshire County Registry of Deeds:

   Book_____ Page_____

5. Location and description of property_____
   _____
   _____

_____
Signature of Applicant

Town Clerk:

Date of submission_____

Signature_____

FORM D
GRANBY PLANNING BOARD
PERFORMANCE BOND AGREEMENT

THIS AGREEMENT made this _____ day of _____, 20__, at Granby, in the County of Hampshire and Commonwealth of Massachusetts, by and between _____ party of the first part, hereinafter called the SUBDIVIDER, and the TOWN OF GRANBY, a township within said County of Hampshire acting through its Planning Board, party of the second part, hereinafter called the TOWN.

WITNESS:

WHEREAS the Subdivider has petitioned the Town for approval of a Definitive Plan of a subdivision entitled_____
located_____
said Plan has been submitted to the Town Planning Board, copies of which are on file in the office of said Board.

NOW THEREFORE, in consideration of the approval of said Definitive Plan and plan-profile by the Planning Board of said Town, the Subdivider agrees with the Town as follows:

(1) To construct and install streets, ways, utilities and improvements as shown on the approved Definitive Plan, cross-sections and plan-profile in strict compliance with the subdivision rules and regulations of the Planning Board and in accordance with the following general specifications:

(A) Streets and ways shown on the Plan shall be cleared for the entire width, including the necessary side slope excavations, and the roadway shall be excavated to sub-base grade and below sub-base grade where specified by the Planning Board and/or Highway Superintendent, and then brought up to sub-base grade by compacting gravel the required number of inches.

(B) Utilities shown on the Definitive Plan and plan-profile endorsed by the Planning Board shall be installed, where specified, including: water mains, hydrants, sanitary sewers, storm water drains, manholes, catch basins, electrical and telephone wires and cable, together with their appurtenances.

(C) All roadways shall consist of a gravel base course of twelve (12) inches of good binding gravel placed upon

(D) the sub-base in two layers with the first layer consisting of eight(8) inches of bank-run gravel and a second layer consisting of four (4) inches of fine grade road gravel, each layer thoroughly rolled true to lines and grades.

(D) The hardened surface of the roadway shall be paved the required width, and the hardened surface treatment shall be compacted bituminous concrete, Type I-1, at a depth of four (4) inches, placed in two (2) layers, as specified in Section 8.02 of the Subdivision Regulations of Granby.

(E) Monuments, sidewalks, curbs, loaming and seeding, planting and street signs shall be installed as shown on the Definitive Plan and in accordance with the Subdivision Regulations.

(2) To file with the Planning Board a Certificate of Performance attesting to the satisfactory performance of all works and installations as set forth in this agreement and the subdivision rules and regulations of the Town at which time the Planning Board or their authorized representative shall inspect the works and installations and said Board will proceed with the release of the deposit or bond if the provisions of this agreement have been completed.

(3) SPECIAL CONDITIONS:

The Planning Board, its representatives, or other agents of the Town shall have right of entry at all times during the life of this agreement for the purpose of examination and inspection of works and installations included herein and that the Town at its discretion shall have the right to use whatever materials may be in or on the land for completion of said works and installations as hereinafter provided.

(A) All easements to be transferred to the Town by recording said instruments in the Hampshire County Registry of Deeds or Land Court at the expense of the Subdivider before the final bond is released.

(B) Sale or transfer of any lot or lots abutting any street covered in this Bond Agreement shall not release the Subdivider of any obligation contained herein to complete any roadway construction, including clearing, excavation, side slopes, utility installations, grading, gravel or paving, monuments, sidewalks, curing, loaming and seeding, planting, and street signs in the fifty (50) foot right-of-way strip.

(4) To deposit with the Town Treasurer cash in the form of a Certified Check or Pass Book payable to the Town of Granby, or file with the Town Treasurer a bond with sufficient sureties, approved by the Town in the amount of $_____ which shall insure to the said Town the faithful performance, by the subdivider, of the within covenants, promises and agreements, which shall be applied in one of the following ways:

(A) Full amount to be deposited before the Definitive Plan is endorsed and to be released on satisfactory completion of this agreement.

(B) Full amount to be deposited before the Definitive Plan is endorsed and at the request of the subdivider, partial releases to be made upon satisfactory completion and approved by the Planning Board of items 1(a), 1(b), 1(c), 1(d), and the remainder to be released upon completion of the remaining conditions of this agreement.

NOW, THEREFORE, if the Subdivider shall, on or before _____, 20__, make and complete the work and installations as set forth herein and file with the Planning Board the Certificates of Performance required, any case deposited hereunder filed with the Board shall be null and void; otherwise the amount which the Town pays to complete said work and installations shall be deducted from such cash deposit, and, the principal and surety shall pay to the Treasurer of the Town the amount which the Town pays to complete said work and installations; provided, however, the amount shall not exceed the total deposit required or the penal sum of the bond.

This agreement shall terminate upon satisfactory completion of all requirements under the subdivision rules and regulations of the Planning Board and of said work and installations agreed to.

This instrument includes the Subdivider, his administrator, executor, successor or assigns.

The Subdivider herein states as one of the material allegations that induce the said Town to approve this subdivision that he/it is the owner of the tract in fee, subject to the following incumbrance:_____and that he will not sell, convey, mortgage, or pledge the tract in whole or in part, except as individual building lots, without consent of the Town and without making such sale, conveyance, mortgage or pledge subject to the conditions set forth herein.

IN WITNESS WHEREOF, the said Subdivider and mortgagee has/have caused his/their seals to be affixed and these presents to be signed the day and year first above written.

MORTGAGEE	SUBDIVIDER
_____	_____
_____	_____

RECEIPT of the original, hereof, together with the cash deposit or Bond stipulated in paragraph (4) is hereby acknowledged.

GRANBY PLANNING BOARD
_____Chairman
_____
_____
_____
_____

Date_____

FORM E
GRANBY PLANNING BOARD
COVENANT AGREEMENT

Date_____, 20__

The undersigned_____
Name(s) (Print or type)

of_____
No. and Street City/Town County State

Hereinafter called the "Covenantor", having submitted to the Granby Planning Board, a Definitive Plan of a subdivision
entitled_____
Name of Subdivision

dated_____prepared by_____ does hereby covenant and agree with said Planning Board and the successors in office of said Planning Board pursuant to the General Law, Chapter 41, Section 81-U, as amended, that:

1. The covenantor is the owner of record of the premises shown on said plan;

2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the covenantor, and their successors in title to the premises shown on said plan;

3. The construction of streets and ways and the installation of utility services and improvements shall be provided to serve any lot in accordance with the applicable Subdivision Rules and Regulations of said Planning Board before such lot may be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises or part thereof may sell any such lot, subject only to that portion of this covenant which provided that no lot so sold shall be build upon until such streets, ways, services and improvements have been provided to serve such lot;

4. The construction of all ways and the installation of all municipal services shall be completed in accordance with the applicable rules and regulations of the Planning Board within _____ months from the date said plan is approved.

5. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such streets, ways, services and improvements;

6. This covenant shall take effect upon the approval of said Plan;

7. Reference to this covenant shall be entered upon said Plan and this covenant shall be recorded when said Plan is recorded.

The undersigned_____(wife/husband) of the covenanter hereby agree that such interest as (I/we) may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy; dower, homestead and other interest therein.

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

_____ _____

_____ _____

COMMONWEALTH OF MASSACHUSETTS

_____ss. _____, 20_____

Then personally appeared_____ and acknowledged the foregoing instrument to be _____free act and deed before me.

_____
Notary Public

My commission expires_____

FORM F
GRANBY PLANNING BOARD
RELEASE OF CONDITIONS
(COVENANT APPROVAL RELEASE)

Date_____20,____

The undersigned, being a majority of the Planning Board of the Town of Granby, Massachusetts, hereby certify that the requirements for the construction of ways and installation of municipal services called for by the Covenant date_____, 20____ and recorded in the Hampshire County Registry of Deeds, Book_____ Page_____ (or registered in _____ Land

Registry District as Document No._____ 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,
Town of Granby
_____
_____
_____
_____
_____

COMMONWEALTH OF MASSACHUSETTS

_____.ss _____,20____

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

_____
Notary Public

My commission expires_____, 20____

FORM G
TOWN OF GRANBY
CERTIFICATE OF PERFORMANCE
(Registered Engineer's and/or Surveyor's Certificate)

Date_____20__

File one completed form with the Planning Board and one copy with the Town Clerk, accompanied by a request from the subdivider requesting release of bonds or deposit of money on specified works and installations.

To the Planning Board:

The undersigned hereby certifies that the following described works and/or installations have been made in accordance with the approved Definitive Plan:

Name of Subdivider_____

Name of Subdivision_____

Location of Subdivision_____

_____

This is to certify that the necessary streets, sewers, storm drains, water lines, together with their appurtenances and all other necessary requirements have been constructed and installed as specified and in accordance with Sections 7.00 and 8.00 of the Town's Subdivision Regulations and in accordance with the approved plans.

_____
Signature of Engineer or Surveyor

Seal

FORM H
GRANBY PLANNING BOARD
APPLICATION FOR APPROVAL OF
MORE THAN ONE BUILDING FOR DWELLING PURPOSES PER LOT

Date_____20__

File one completed application form and plans with the Planning Board and one copy of the application with the Town Clerk in accordance with the requirements of Section 6.02

TO THE PLANNING BOARD:

The undersigned herewith submits the accompanying More Than One Building For Dwelling Purposes Per Lot plan of property located in the Town of Granby for approval under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in the Town of Granby, Massachusetts.

1. Applicant_____

   Address_____ Telephone_____

2. Owner (if not applicant)_____

   Address_____ Telephone_____

3. Name of Development_____

4. Engineer or Surveyor_____

   Address_____ Telephone_____

5. Deed of property recorded in the Hampshire County Registry of Deeds,

   Book_____ Page_____

6. Location and description of property_____

_____

_____
Signature of Applicant

Town Clerk:

Date of Submission_____

Signature_____

1

FORM I
1GRANBY PLANNING BOARD
SUBDIVISION INSPECTION CHECKLIST

Name of Subdivision:_____

Name of Applicant:_____

Peer Reviewer (Agent of Planning Board)_____

SUBJECT OF INSPECTION		INITIALS OF AGENT	DATE OF INSPECTION
I.	Clearing of Right -of-Way	_____	_____
II.	Completion of Sub-grade Preparation	_____	_____
III.	Below-grade Drainage	_____	_____
IV.	Sanitary Sewer Installation	_____	_____
V.	Water Installation	_____	_____
VI.	Fire Alarm Installation	_____	_____
VII.	Gravel Base	_____	_____
VIII.	Curb Installation	_____	_____
IX.	Binder Course	_____	_____
X.	Berm Installation	_____	_____
XI.	Surface Course	_____	_____
XII.	Sidewalk Construction	_____	_____
XIII.	Surface Drainage	_____	_____
XIV.	Street Trees and Plantings	_____	_____
XV.	Grass Strips	_____	_____
XVI.	Street Lights	_____	_____
XVII.	Street Signs and Monuments	_____	_____
XVIII.	Televising of Sewer Lines	_____	_____
XIX.	Televising of Storm Drain Lines	_____	_____
XX.	Final Clean -up	_____	_____
XXI.	Final Inspection	_____	_____
As-Built Plans		_____	

APPENDIX B
GRANBY PLANNING BOARD
FEE SCHEDULE

GRANBY PLANNING BOARD
FEE SCHEDULE

Application Fees

Form A: Subdivision Approval Not Required (ANR) $125/new lot

Form B: Preliminary Subdivision Plan $2,000 + $75/lot

Small Subdivision*

$500 + $100/lot

Form C: Definitive Subdivision plan after preliminary plan $2,000 + $75/lot

Small Subdivision*

$500 + $100/lot

Definitive Subdivision plan without preliminary plan $4,000 + $200/lot

Small Subdivision*

$1000 + $200/lot

Amendment to Approved Definitive Plan $500/change + $50/affected lot

*Small Subdivision is defined as a proposed subdivision meeting all of the following conditions:

a. Creation of no more than two (2) building lots;
b. Proposed street length of no more than 400 feet;
c. Street is proposed to be privately owned and maintained; and,
d. All municipal services to provided only to edge of public right of way.

Form G-Certificate of Compliance

Request for a full or partial release of a performance guarantee $500/per request

Form H Subdivison: More Than One Building for Dwelling Purposes per lot $2000 + $100/unit

$4,000 + $100/unit

Waiver of Subdivision Requirement $25.00/each waiver

$100/each waiver

Easement Review

Legal Document Review by Town Counsel

$250.00/document

Inspection Fees:

Storm Drainage & Appurtenances

$5.00/lineal foot Sewer Mains & Appurtenance

$5.00/lineal foot

Road Construction, including curbing & paving

$6.00/lineal foot

Sidewalks

$2.00/linealfoot

Public Hearing Notices-

In addition to the required application fee, whenever an application for Planning Board approval requires a public hearing, the following fees are to be assessed to and paid by the applicant:

Notice to Abutters- $50.00 plus actual cost of postage (certified mail with return receipts) this charge must be paid prior to beginning of public hearing.

Public Hearing Advertisement- Actual cost (to billed directly to the applicant from the newspaper in which the notice is advertised).

Site Plan Approval- $200 & $0.10/sq.ft. of Structures

Amendment to Approved Site Plan Approval /Revision to Approve Site Plan $100 + $0.10 sq. ft. of Structures

Special Permit W/Site Plan Approval - $400 & $0.10/sq.ft. of Structures

Other Reviews-

CH 40 A, Section 3 MGL Review $200 + $0 10/sq.ft. of Structures

Plan Reviews Not Otherwise Specified-

Initial Plan Review	$200 & $.010/sq. ft. of Structure (s))
Revised Plan Review	$100 & $.010/sq. ft. of Structure (s)

Miscellaneous-

Zoning Bylaws	$30.00
Subdivision Regulations	$30.00
Zoning Map	$10.00

(Amended 10/2/06)(Amended 05/20/08)

APPENDIX C
TYPICAL CROSS SECTION
AND
ENGINEERING STANDARDS
AND
CISTERN & DRY –HYDRANTS