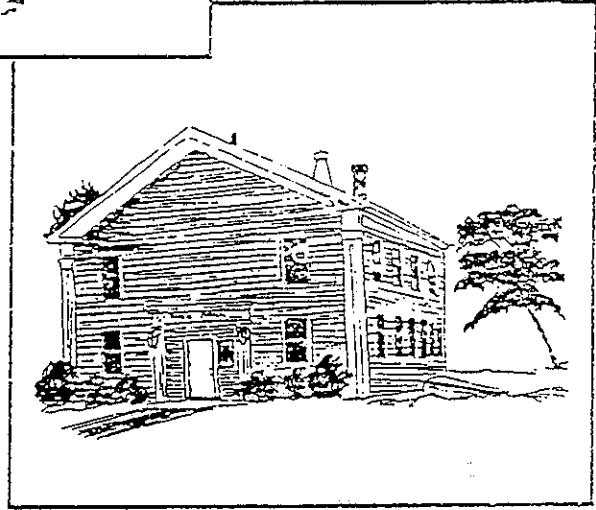
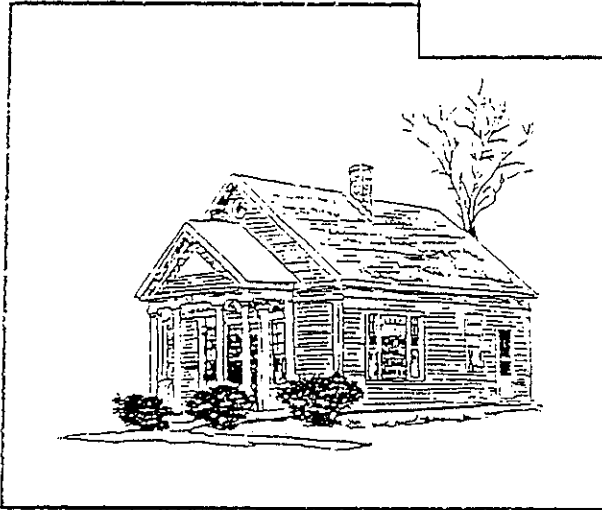
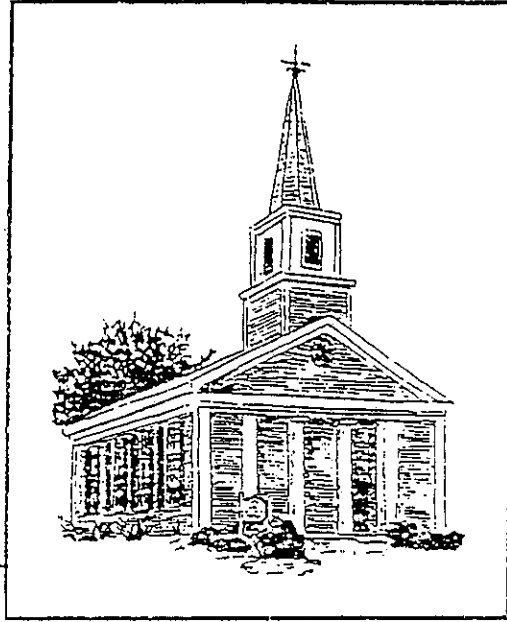


TOWN OF HOLLAND



RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

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**RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
IN THE TOWN OF HOLLAND, MASSACHUSETTS**
(Adopted under the Subdivision Control Law,
Sections 81K to 81GG inclusive, Chapter 41, M G L.)

PURPOSE

"The subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions, providing access to the public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel: for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or bylaws: for securing adequate provisions for water, sewage, drainage and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions. Such powers may also be exercised with due regard for the policy of the Commonwealth to encourage the use of solar energy and protect the access to direct sunlight of solar energy systems. It is the intent of the subdivision control law that any subdivision plan filed with the planning board shall receive the approval of such board if said plan conforms to the recommendations of the Board of Health and the reasonable rules and regulations of the Planning Board pertaining to subdivisions of land; provided, however, that such board may, when appropriate, waive as provided for in section 81R, such portions of the rules and regulations as is deemed advisable "

(Section 81-M of Chapter 41, M G L)

AUTHORITY

Under the authority vested in the Planning Board of the Town of Holland by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these rules and regulations governing the subdivision of land in the Town of Holland. Said Rules and Regulations supersede the Rules and Regulations which first took on effect in the Town of Holland on the 13th day of October 1970

SECTION I. DEFINITIONS

Approval Not Required Plans

- 1) An Approval Not Required Plan shows the division of land in which every lot within the division has frontage on
 - A. A public way, or a way certified as used and maintained as a public way, or
 - B. On a way shown on a plan heretofore approved by this Board in accordance with the subdivision control law, or
 - C. A way in existence when the subdivision control law became effective in the Town ^{HOLLAND} having the opinion of the Board, sufficient width, suitable grade, and adequate construction to provide for the needs of the land abutting thereon or services thereby and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon

Subdivision Requiring Planning Board Approval

- 2) A Subdivision Requiring Planning Board Approval is the division of a tract of land into two or more lots and the laying out of proposed ways and municipal services to service said lots

SECTION II. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

1.) Approval Not Required Plans

This type of subdivision requires a sign off by the Planning Board in an open meeting stating that the division of land does not constitute a full subdivision, that is, that the roadways shown on the plan which serve the lots being created are adequate to provide vehicular access and that the lots have adequate frontage and area

An ANR may also be signed on a currently inadequate road when it is agreed to and the subdivider presents acceptable plans and surety to bring the road up to a standard which is acceptable to the Town

ANR Plan Approval Procedures:

ANR plans must be prepared as follows:

- 1.) ANR plans must be prepared by a registered land surveyor. The plans must also be stamped by a registered engineer if they contain engineering design.
- 2.) The plans must include a locus, indicating the relation of the parcel to neighboring roads.
- 3.) The entire parcel from which lots are being subdivided should be shown on the plan.
- 4.) Owners of all abutting property according to the most recent tax list should be clearly indicated.

ANR plans must be submitted at a regularly scheduled Planning Board meeting. Plans are usually approved on the night they are presented. However, should the Board be unfamiliar with the road in question or should there be other questions, the Board may elect to hold the plan for up to the statutory twenty-one (21) days prior to endorsing a plan. A majority vote of the Board is required to approve an ANR plan.

2.) Subdivision Requiring Planning Board Approval

The applicant or his/her representative may submit a preliminary plan for informal informational meeting with the Planning Board and Board of Health. Said preliminary plan should show:

- A) Subdivision name, boundaries, date, scale, legend, and title "Preliminary Plan "
- B) Names of owners of record, Applicant, Designer, and/or Engineer/Surveyor
- C) Names of abutters, existing and proposed streets, ways, easements and public areas
- D) Approximate boundaries and lot sizes of proposed lots
- E) Approximate topography showing adjacent roadways, and any outstanding topographic features

PRELIMINARY PLAN

I General

A Preliminary Plan is optional in regard to residential subdivisions

A Preliminary Plan is mandatory in regard to non-residential subdivisions

The applicant or his/her representative may submit a Preliminary Plan to the Planning Board and to the Board of Health for discussion and approval, approval with modifications or disapproval by each board. The submission of such a Preliminary Plan will enable the subdivider, the Planning Board, the Board of Health, other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. A properly executed application, Form B, shall be filed with the Preliminary Plan submitted to the Planning Board.

The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval of a Preliminary Plan and accompanied by a copy of the completed application form (Form B)

2 Approval

Within forty five (45) days of submission of said plan, each Board must notify the applicant and Town Clerk, by certified mail, of the action taken on the plan. In the case of disapproval, the Board shall state in detail its reasons therefor. Such approval does not constitute approval of subdivision.

DEFINITIVE PLAN

1 General

The definitive plan must be submitted within seven (7) months after the submission of the preliminary plan and must be evolved from it to retail exemptions from zoning changes and amendments to the subdivision rules and regulations.

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

- A) An original drawing of the Definitive Plan and three(3) prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.
- B) A properly executed application, Form C, and the applicable filing fee.
- C) Drainage Calculations.

The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval and accompanied by a copy of the completed application (Form C)

If the plan shows a residential or non-residential subdivision and a preliminary plan has been submitted and acted on (or has been approved by failure of the Planning Board to act upon the plan within the prescribed statutory time limits) the Planning Board must take action on the plan within 90 days of the date of submission of the definitive plan

If the plan shows a residential subdivision and a preliminary plan was not filed, the Planning Board must take action on the plan within 135 days of the date of submission of the definitive plan.

2 Contents

The Definitive Plan shall be prepared by a Registered Land surveyor. If the Definitive Plans shows proposed drainage structure and other engineering details then it must bear the seal of both a Registered Land Surveyor and Engineer. The plan shall be clear and legibly drawn in black India ink upon tracing cloth or mylar. The plan shall be at a scale of one inch equal forty foot or such other scale as the Planning Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24" X 36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

- A Subdivision name, boundaries, north point, date and scale
- B Name and address of record owner, Subdivider, Surveyor and Engineer
- C Names of all abutters as they appear on the most recent tax list
- D Lines of existing and proposed streets, lots, easements and public or common areas within the subdivision. (The proposed names of streets shall be shown in pencil until they have been approved by the Planning Board.) Street names cannot be duplicated.
- E Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground
- F Location of all permanent monuments properly identified as to whether existing or proposed
- G Location, names and present widths of streets bounding, approaching or within reasonable proximity to the subdivision
- H The plan shall show any areas within the flood plain district, wetland areas and unusual topographic features within one hundred (100) feet of the subdivision perimeter
- I Indication of purpose of easements
- J A suitable space to record the action of the Planning Board and the signatures of the members of the Planning Board (or officially authorized person)
- K Existing and proposed topography at a suitable contour interval if required by the Planning Board

2 Contents (cont.)

- L Existing profiles on the exterior lines and proposed profile of the center line or proposed streets at a horizontal scale of one inch equals forty feet and vertical scale of one inch equals four feet, or such other scales acceptable to the Planning Board.
- M Proposed layout of storm drainage.
- N If the subdivision is to be serviced by municipal water and sewer, proposed layout of water supply and sewage disposal systems shall be included on the plans

3 Board of Health Review as to suitability of land

At the time of the Definitive Plan, the subdivider shall also file with the Board of Health Two (2) prints of the Definitive Plan, dark line on white background. The subdivider shall furnish the Board of Health with all such data as required by said Board's rules. The Board of Health shall within forty-five (45) days after filing of the plan, report to the Planning Board in writing, approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific 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 the reasons therefor in such report and where possible shall make recommendations for the adjustment thereof. Every lot so located that it cannot be served by a connection to the municipal sewer system shall be provided with a sanitary waste disposal system satisfactory to the Board of Health.

4 Public Hearing

Before approval, approval with modifications or disapproval, of the Definitive plan is given, the Planning Board shall hold a public hearing. Notice of the time and place of the hearing along with the subject matter and sufficient information for identification shall be given in said notice at the expense of the applicant by advertisement in a newspaper of general circulation in the Town of Holland, once in each of two successive weeks, the first publication being not less than fourteen (14) days, before the day of such hearing or, if there is no such newspaper, then by posting such notice in a conspicuous place in the town for a period of not less than fourteen days before the day of such hearing, and by mailing a copy of such advertisement to the applicant and to all owners of land abutting upon the land included in such plan as appearing in the most recent tax list.

5. Performance Guarantee

A. After the expiration of the statutory twenty (20) day appeal period and before placing its endorsement upon the defective plan, the Planning Board shall require a performance guarantee to insure construction of ways and installation of municipal services.

B. Pursuant to subdivision approval granted hereunder, the Planning Board will require that one or more performance bonds be posted with the Treasurer of the Town to guarantee completion in strict accordance with the plans and drawings submitted of all public improvements. It may also require that an amount be included for land restoration not having to do with the construction of public improvements. The amount for land restoration shall be \$10,000 per acre, or such other amount as determined by the Town Engineer.

The amount of the security required shall be established by a preliminary estimate from the proponents engineer, confirmed or added to by the Planning Board.

C. The method of securing performance shall be: a bond, a letter of credit, a tri-party agreement with a financial institution acceptable to the Board, or a bank passbook. A covenant, running with the land, is acceptable only before construction is initiated, at which time the financial surety must be posted. Subdivisions large enough to reasonably be built in phases may establish financial surety only for those phases on which construction is initiated, maintaining covenant provisions on the remaining phases.

D. The Planning Board may derive use of the secured funds in the event that the proponent does not complete all public improvements within two (2) years of the date of approval. All approvals of definitive plans shall be conditioned on the completion of public improvements within to (2) years of the date of approval.

One or more extension, not to exceed one (1) year in length, may be granted for sufficient cause. At the time of granting of the extension the amount of any secured funds shall be reviewed to determine if it remains sufficient to cover current costs. If the funds are determined to be insufficient, such additional funds as required shall be added to the total of secured funds.

Should public improvements not be completed within the permitted time, the project approval shall be null and void, with further action by the Planning Board not required. Any project having become null and void by this means shall lose zoning protection from the provisions of Chapter 40A, Section 6.

5 Performance Guarantee (cont.)

E Release of Performance Guarantee - The penal sum of any secured amounts may from time to time be reduced so that the amount bonded, deposited or retained continues to reflect the actual expected cost of work remaining to be completed

F Release of Performance Guarantee - Upon the completion of the construction of ways and installation of municipal services in accordance with the rules and regulations of the Planning Board, the applicant shall send by registered mail to Town Clerk and the Planning Board a written statement that the said work has been completed in accordance with the plans as submitted and approved

If the Board determines that the work has been completed in accordance with the rules and regulations and the plans as submitted and approved, it shall release the form of performance guarantee

If the Board determines that the work has not been completed in compliance with the rules and regulations and the plans as submitted and approved, it shall specify in a notice sent by registered mail to the applicant and the Town Clerk the details of how the construction does not comply. If the Board fails to reply within forty five (45) days of receipt of such statement by the Town Clerk, all obligations under said performance guarantee shall cease and terminate by operation of law and any deposit shall be returned and any such covenant shall become void. In the event that the forty five (45) days expires without due action by the Board, the Town Clerk shall issue a certificate to that effect, duly acknowledged, which may be recorded

7 Certificate of Approval/Disapproval

The action of the Planning Board in respect to such plans shall be certified and filed with the Town Clerk and sent by delivery or by registered mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the detailed reasons for its action. Final approval, if granted, shall be endorsed upon the original drawing of the Definitive Plan by the signatures of a majority of the Planning Board (or by the signature of the person officially authorized by the Planning Board) but not until the statutory twenty (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 and until satisfactory performance guarantee has been posted with the Board. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Planning Board with three prints thereof. Final approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of streets within a subdivision

SECTION III. DESIGN STANDARDS

A Streets

1 Location and Alignment

- a. All streets in the subdivision shall be designed so that, in the judgement of the Planning Board, they will provide safe vehicular travel. Due consideration shall be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision
- b. The proposed streets shall conform, so far as practicable, to the Master or Study Plan when adopted in whole or in part by the Planning Board
- c. Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the judgement of the Planning Board, such strips shall be in the public interest
- d. Provisions satisfactory to the Planning Board shall be made for the proper projection of streets or for access to adjoining property which is not yet subdivided
- e. Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet should be avoided.
- f. The minimum centerline radii of curved streets shall be one hundred (100) feet. Greater radii may be required for principal streets
- g. Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty (60) degrees
- h. Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than thirty (30) feet

2 Width

- a. Minimum street right-of-way width and paved width shall be as follows:

Principal Street	60'	38'
Secondary Street	40'	24'

2 Width (cont)

The Planning Board may require a greater width if they deem it is necessary

3 Grade

- a. Grades of streets shall be not less than 0.5 %. Grades shall not be more than 6.0% for principal streets nor more than 8.0% for secondary streets

4 Dead-end Streets

- a. Dead-end streets shall not be longer than five hundred (500) feet, unless, in the judgement of the Planning Board, a greater length is necessitated by topography or other local conditions
- b. Dead-end street shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred (100) feet, and a property line diameter of at least one hundred and fifteen (115) feet

5 Drainage

- a. Storm drains, culverts and related facilities shall be designed to permit the unimpeded flow of all natural water courses, to ensure adequate drainage at all low points along streets, to control erosion and to intercept storm water runoff at intervals reasonable related to the extent and grade of the area being drained and to the maximum extent feasible storm water shall be re-charged to the ground rather than piped off the premises. Peak stream flows and runoff at the boundaries of the development on a twenty five (25) year frequency storm shall be no more than five (5) percent higher following development than prior to the development
- b. Storm drains shall be based on a 25 year frequency storm, and culverts shall be based on a 50 year frequency storm, with consideration given to damage avoidance for a 100 year storm
- c. Design shall be based upon any of the following run off volume calculation methods: Rational, Hydrograph, Stankowski, or computer software adaptation of these runoff value calculations provided that their data and graphic print out allow review and evaluation

5 c (cont.)

Water velocities in pipes and gutters shall be between two (2) and ten (10) feet per second, and not more than five (5) feet per second on ground surfaces.

- d. A catch basin to manhole drain configuration shall be used. All drain pipes shall be at least twelve (12) inches in diameter made of reinforced concrete conforming to Massachusetts DPW specifications for Class II pipe or such higher class as may be required by depth of cover, which shall be less than twenty-four (24) inches, nor more than ten (10) feet subject to Planning Board review
- e. Catch basins will be required on both sides of the roadway on continuous grade at intervals of no more than 300 feet. Any catch basins and manholes used shall be at least six (6) feet deep and four (4) feet in diameter (inside measurements) with a thirty (30) inch or greater sump below the pipe invert and shall be constructed of concrete blocks or precast concrete units. Manhole covers and grates shall be placed so as to cause no hazard to bicycles. Manholes shall not be spaced more than 300 feet apart. Detention facilities will be required subject to the review of the Planning Board.
- f. Proper connections shall be made with any existing drains in adjacent streets or easements which prove adequate to accommodate the drainage flow from the subdivision. In the absence of such facilities, or inadequacy of the same, it will be the responsibility of the developer to extend drains from the subdivision as required to properly dispose of all drainage from said subdivision in a manner determined to be proper by the Board.
- g. Lots shall be prepared and graded consistent with existing drainage patterns in and around the subdivision and in such a manner that development of the lot shall not cause detrimental drainage on another lot or on areas outside the subdivision. If provision is necessary to carry drainage to or across a lot, an easement of drainage right-of-way of minimum width of twenty (20) feet and proper side slope shall be provided.

6 Other Design Criteria

- a. Side slopes shall not exceed two (2) feet vertical to one (1) foot horizontal.

6 Other Design Criteria (cont.)

- b Cross Grades shall be: Gravel 1/2" per foot
Bituminous Concrete 1/4" per foot
Cement Concrete 1/8" per foot

7 Utilities

- a The placement of electric, telephone or other utility lines and equipment shall be underground and so located as to not be in the traveled way or a roadway, or create an adverse impact on ground water levels
- b In as much as is possible all main lines for water, sewer, and utilities shall be located in the sidewalk area or easements parallel to the right-of-way
- c Connections for sewer, drain, gas, oil, electric and telephone service from the main structure in the way to the exterior line of the way shall be constructed for each lot whether or not there is a building thereon

8 Sidewalks

- a Sidewalks shall be required as follows:
Primary Street: both sides of the road
Secondary Street: one side of the road
- b Sidewalks shall be a minimum of four (4) feet in width and separated from the roadway by a minimum 1' grassed strip
- c Minimum acceptable surface material shall be processed pea stone & stone dust compacted to a thickness of four (4) inches, placed on six (6) inches of compacted gravel borrow

9 Dry Hydrants

Dry hydrants shall be located and constructed in accordance with specifications approved by the Town of Holland Fire Chief

10 Easements

- a Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary
- b Said easements shall be a minimum of twenty (20) feet

10 Easements (cont)

- c Where a subdivision or commercial development is traversed by a water course, drainage way, channel or stream, the Planning Board may require that there be provided a storm water easement or drainage right of way, of adequate width to conform substantially to the line of such water course, drainage way, channel or stream.

The Town of Holland Conservation Commission shall determine if the submitted easement is adequate

11 Monuments

- a Monuments shall be installed at all street intersections and where in the opinion of the Planning Board permanent boundaries are needed. Property line boundaries shall be marked with plastic stakes

Said permanent boundaries shall be of granite material or of reinforced concrete, forty eight (48) inches in height, and at least four (4) inches square (16 square inches)

Said monuments shall be set in compacted gravel with the top six (6) inches exposed

12 Roadway Construction Standards

The following standards are meant to represent the general road construction standards in the Town of Holland. The Massachusetts Highway Department standard specifications for highways and bridges shall be used as a guide to resolve all disputes regarding construction practices and materials (See Attachment A)

- a The proposed roadway right-of-way shall be cleared of all debris, deleterious and/or organic material

Trees within the layout but not in the roadway determined by the Planning Board to be of value shall be provided suitable protection by the contractor

- b All unsuitable material such as peat, silt, clay, ledge or stone greater than six(6) inches shall be removed to a depth of thirty six (36) inches below finished grade

12. Roadway Construction Standards (cont)

- c The roadway foundation shall consist of gravel borrow with no stone larger than six(6) inches and compacted in twelve (12) inch layers

If the moisture content of the gravel borrow is not suitable to reach ninety percent (90%) compaction the contractor shall spray water on the material to achieve 90% compaction

Under no circumstances shall puddling or jetting of water be allowed.

- d The sub-base shall consist of gravel borrow or processed gravel with no stone larger than three (3) inches Said material shall be compacted to a thickness one and one half inches(1 1/2")
- e The base shall consist of bituminous concrete Type I base compacted to a thickness of one and one half inches (1 1/2")
- f The wearing surface shall consist of bituminous concrete Type I Top compacted to a thickness of one and one half inches (1 1/2")
- g The Planning Board, on receipt of a bond determined to be suitable to cover all costs of placing the final wearing course of bituminous concrete, may waive installation of the final wearing course on roadways until such time that the roadways will not be subject to damage by construction equipment.
- h Roadway edge - The roadway edge shall consist of machine laid bituminous concrete berm known as a Type A Berm (See Attachment B) The berm shall create a gutter of one and one half inches at the joint of the roadway edge and the berm edge

13 Driveways

- a To avoid surface drainage entering roadways , all grading shall be on a down slope at 1/4" per foot from the edge of hardened surface to the roadway layout line.
- b No alteration shall be made to any driveway without securing a new permit

13. Driveways (cont.)

- c. The radii of private driveways shall not extend beyond the applicant's property line, unless the applicant has obtained a deeded easement permitting such encroachment
- d. Driveways will not be approved at roadway intersections. Said drives shall be located a minimum of 50 feet from the crossroads, as measured from the edge of the crossroads hardened surface to the nearest driveway edge
- e. Driveways shall enter the roadway at an angle between 60 degrees and 90 degrees.
- f. A driveway which had a grade greater than twelve (12) feet vertical to one hundred (1000) feet horizontal must secure a Special Permit from the Planning Board
- g. All commercial drives and large traffic generators shall conform to those standards as defined by the "Massachusetts Highway Department Manual of Uniform Traffic Control Devices for Streets and Highways"
- h. In order to reduce the number of curb cuts in Business zones and the Special Conservancy District, the use of common drives and service roads is encouraged

14. Landscaping - Within the Subdivision Right of Ways and lands to be presented to the Town

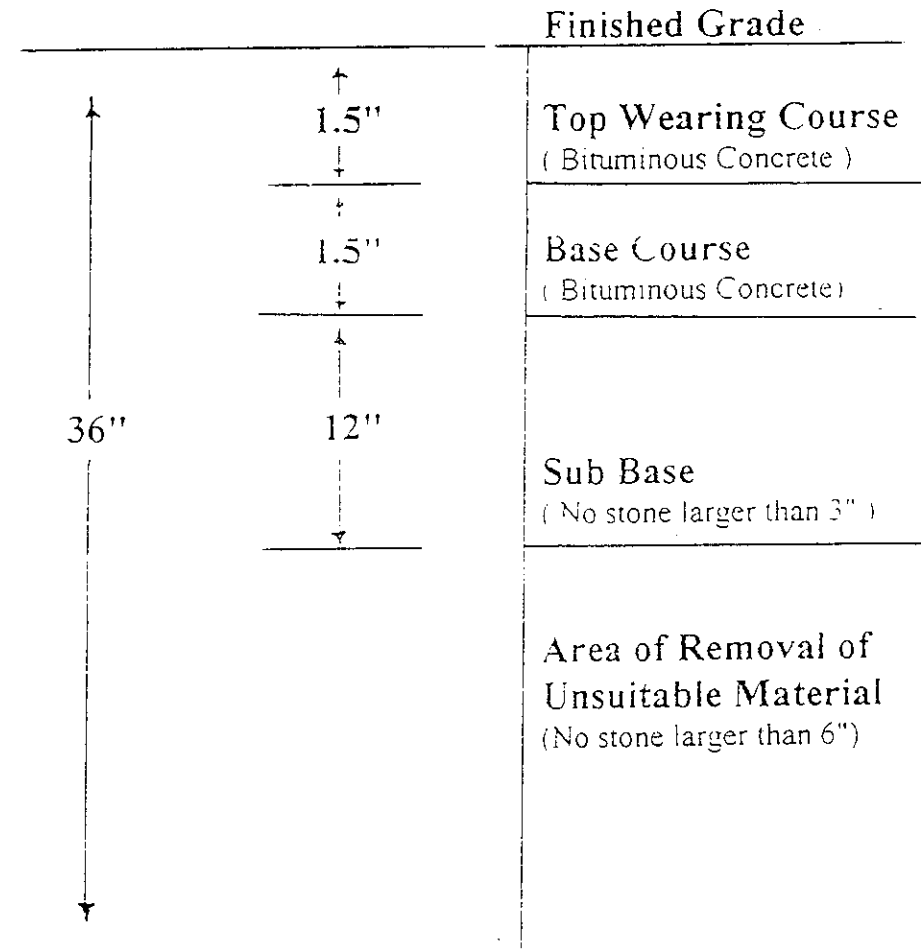
- a. The Planning Board may (1) require landscaping for screening or other purposes, (2) require existing trees and other vegetation be preserved, and/or (3) require the planting of additional trees as prescribed under this section. Any tree which is designated to be preserved by the Planning Board, and which is subsequently damaged during construction of the project, shall be repaired or replaced at the subdividers expense
- b. Trees shall be placed so that there are two or more trees for every 100 feet of roadway length or portion thereof. For the purpose of this calculation, roadway length shall include all new roadways proposed in addition to all existing road frontage for which new building lots are proposed

14 Landscaping (cont.)

- c The subdivider shall provide two copies of the landscape plan at a scale of one inch equals forty feet to the Planning Board for its approval. The landscape plan shall show, as a minimum, (1) paved road layout; (2) road right of way; (3) location, diameter and species of all existing trees; (4) location, diameter and species of all new trees; (5) illustration of the planting technique to be used for each species of tree subject to general soil conditions found on the site; (6) location of all underground and above ground utilities and proposed driveway cuts and; (7) other natural and man made distinguishing features which are located in the road right of way or lands to be presented to the Town.
- d Tree species which are proposed for planting shall be listed by species and variety on the landscape plan. The proposed list of trees shall be reviewed and approved by the Planning Board.
- e All new trees shall be planted in accordance with the landscape plan as approved under section 14 c above, and shall be planted:
 - 1 After the street construction has been completed, including the installation of (a) all underground and above ground utilities, (b) base course of pavement; and (c) all subgrade fills and cuts within the road layout have been made; and
 - 2 Before the subdivider requests acceptance and/or release of the subdivision
- f Each new tree shall be guaranteed by the subdivider for a period of two (2) growing seasons. Any tree deemed by the Planning Board to be unsatisfactory within two (2) growing seasons shall be removed and replaced with a tree of a species which is acceptable to the Planning Board at the expense of the subdivider.
- g If the subdivider determines that the total number of trees shown on the landscape plan cannot be planted within the area of the subdivision due to site and/or development conditions, the subdivider may request a waiver from the tree planting regulations. The request shall be made to the Planning Board and the Planning Board shall approve or deny such request. For each tree waived by the Planning Board, the subdivider shall pay a fee of \$250.00.

Attachment A

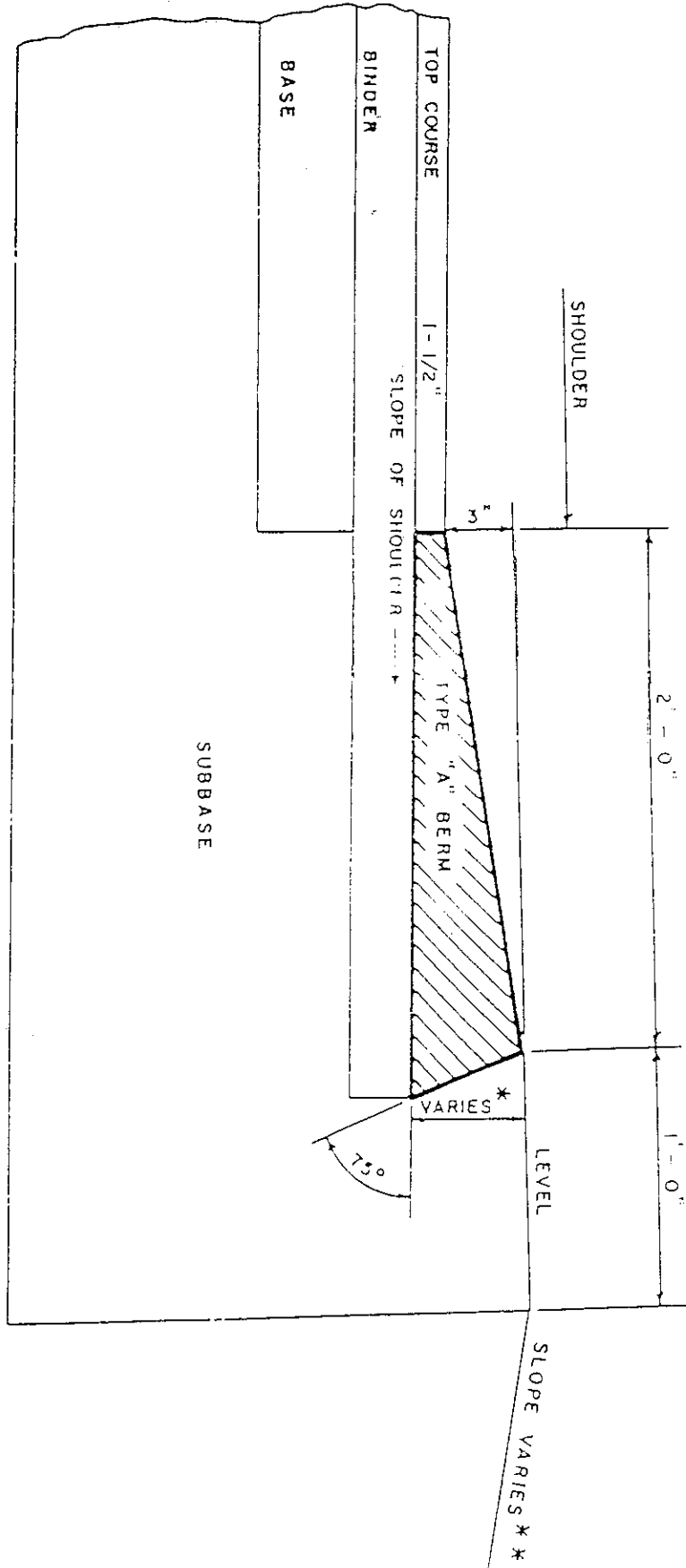
PROPOSED ROADWAY CROSS-SECTION



* Not to Scale

Attachment B

BITUMINOUS CONCRETE BERM - TYPE "A"



* THIS DIMENSION VARIES WITH THE THICKNESS OF THE TOP COURSE AND SLOPE OF SHOULDER
 * * SEE TYPICAL SECTIONS FOR PROJECT