

TOWN OF MILFORD, MASSACHUSETTS

RULES AND REGULATIONS

RELATING TO

THE SUBDIVISION OF LAND

APRIL 2015

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**RULES AND REGULATIONS RELATING TO THE  
SUBDIVISION OF LAND**

**MILFORD, MASSACHUSETTS**

Adopted under the Subdivision Control Law Sections 81-K to 81-GG inclusive, Massachusetts General Law, Chapter 41. Said Law and other statutes, as amended from time to time, shall prevail over any regulation inconsistent therewith.

The Planning Board was established by Town Meeting action on June 24, 1937 under Statute 1936, Chapter 211, Section 4, Massachusetts General Law Chapter 41, Section 81-A. (Revised 10/19/89)

**ARTICLE I**

**PURPOSE**

These rules are intended to promote the public safety, convenience and welfare in the various particulars set forth in Section 81-M; also to give a subdivider information which may assist him in planning a subdivision.

**ARTICLE II**

**AUTHORITY**

These rules and regulations are promulgated under the authority granted in Section 81-Q.

**ARTICLE III**

**GENERAL**

**III. A. DEFINITIONS**

**SUBDIVISION** shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; provided however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the Town Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in the Town of Milford having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by zoning or other ordinance or by-law within the Town of Milford for erection of a building on such lot. Conveyance or other

instruments adding to, taking away from, or changing the size and shape of, lots in such manner as not to leave any lot so affected without the frontage required, or the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the Town of Milford into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

BOARD shall mean the Planning Board of the Town of Milford, Massachusetts.

ARTERIAL STREET shall mean a street which can be expected to handle a considerable amount of through traffic, or average daily traffic in excess of 2500 vehicles per day.

COLLECTOR STREET shall mean a street which collects, or may reasonably be expected to collect, traffic from several minor streets, or which handles traffic equivalent to that generated by 50 (fifty) or more homes, or which serves non-residential traffic. Collector and arterial streets shall also be known as "principal streets".

MINOR STREET OR SECONDARY STREET shall mean a street serving only abutting residential uses up to 50 (fifty) homes. (Revised 7/19/65)

### III. B. PLAN BELIEVED NOT TO REQUIRE APPROVAL

Any person who believes that a plan does not require approval under the Subdivision Control Law may submit said plan with application Form A (see appendix) to the Board accompanied by evidence to show that the plan does not require approval.

Said person shall also file, by delivery or registered mail, a notice with the Town Clerk stating the date of such submission accompanied by a copy of said application.

A filing fee of \$150.00 +\$100.00 for each new lot or parcel must be paid to the Milford Planning Board at the time of submission of said application. (Revised 1/22/86, 10/19/89, 2/19/2002, 4/6/2004)

The Board shall, within 21 (twenty-one) days of such submission, determine whether the plan requires approval. If not, it shall without a public hearing endorse on the plan the words "Planning Board approval under Subdivision Control Law not required". Said plan shall be returned to the applicant. (Revised 10/19/89)

If the Board determines that the plan requires approval under the Subdivision Control Law, it shall so inform the applicant and return the plan.

The Board shall also notify the Town Clerk of its determination.

### III. C. SUBDIVISION

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

## ARTICLE IV

### PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

#### IV. A. PRELIMINARY PLAN

##### 1. General (Revised 10/19/89)

A Preliminary Plan of a subdivision of residentially zoned land may be submitted by the subdivider for discussion and approval by the Board. The submission of such a Preliminary Plan will enable the subdivider, the Board, other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is recommended that a Preliminary Plan be filed in every case.

In the case of commercially or industrially zoned land, a preliminary plan must be filed.

##### 2. Submission (Revised 3/26/75, 10/19/89)

- a. Application for Preliminary Plan shall be submitted to the Planning Board at a regularly scheduled meeting of said Board or by certified mail to the Planning Board, in care of the Town Clerk. The application shall include:
  1. a properly executed application Form B-1 (see appendix)
  2. if the applicant is not the land owner of record, a completed and notarized Form H (see appendix) must be submitted.
  3. 8 (eight) prints of the preliminary plan
  4. an application fee in the amount of \$500.00 +\$100.00 per lot in residential subdivisions, or \$500.00 +\$2.00 per linear foot of road frontage in non-residential subdivisions. (Revised 1/22/86, 2/19/2002, 4/6/2004)
- b. If the application was submitted directly to the Planning Board then the applicant must file with the Town Clerk a notice of the date of submission and a copy of the completed application.
- c. The applicant must also submit an application and a copy of the plan to the Board of Health.

##### 3. Contents of the Preliminary Plan (Revised 10/19/89)

The preliminary plan shall include the following information:

- a. the subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan"
- b. the names of the record owner and the applicant and the name of the registered engineer and surveyor
- c. the names of all abutters, as determined from the most recent local tax list(s)
- d. the existing and proposed lines of streets, ways, lots, easements and public or common areas within the subdivision in a general manner, depicting the means by which access will be provided to accepted public ways
- e. the proposed system of drainage, including adjacent existing natural waterways, wetlands and flood plains, in a general manner
- f. the proposed water distribution system, in a general manner (Adopted 1/6/93)

- g. the approximate boundary lines of proposed lots, with approximate areas and dimensions
- h. the names, approximate location and widths of adjacent streets
- i. the topography of the land in a general manner
- j. a locus plan of the subdivision, at a scale of 1"=600' depicting double the area of the proposed subdivision, unless a greater area is required by the Board. Access to all accepted public ways which will provide access to the subdivision must be shown. (Revised 3/26/75)
- k. in the case of subdivision covering less than all of the land owned by the subdivider contiguous to the subdivision, a plan showing in a general manner the proposed overall development of all said land.

#### 4. Approval (Revised 10/19/89)

Within 45 (forty-five) days after submission of a Preliminary Plan, the Planning Board and the Board of Health shall notify by certified mail the applicant and the Town Clerk either that the plan has been approved, or that the plan has been approved with modifications suggested by the Board and agreed upon by the applicant, or that the plan has been disapproved and in the case of disapproval, the Board shall state in detail its reasons therefore.

### IV. B. DEFINITIVE PLAN

#### 1. Submission (Revised 3/26/75, 10/19/89)

- a. Application for Definitive Subdivision shall be submitted to the Planning Board at a regularly scheduled meeting of said Board or by certified mail to the Planning Board, in care of the Town Clerk. The application shall include:
  - 1. a properly executed application Form B (see appendix)
  - 2. if the applicant is not the land owner of record, a completed and notarized Form H (see appendix) must be submitted
  - 3. nine prints of the definitive plan
  - 4. an application fee in the amount of \$1,000.00 +\$200.00 per lot in residential subdivisions, or \$1,000.00 +\$5.00 per linear foot of road frontage in non-residential subdivisions. In either case the applicant shall also be responsible for the cost of legal notice publications and the cost of certified mail notification of abutters. (Revised 1/22/86, 2/19/2002, 4/6/2004)
- b. If the application was submitted directly to the Planning Board, then the applicant must file with the Town Clerk a notice of the date of submission and a copy of the completed application.
- c. The applicant must also submit an application and a copy of the plan to the Board of Health.

#### 2. Contents of the Definitive Plan (Revised 6/1/71, 10/19/89, 11/21/71, 1/14/98, 4/21/2015)

The Definitive Plan shall be prepared by an engineer and surveyor licensed in the Commonwealth of Massachusetts, and shall be clearly and legibly drawn in black India Ink upon tracing cloth or mylar. The plan shall be at a scale of one inch equals 40 (forty) feet. Sheet sizes shall preferably not exceed 24" x 36" and shall be not less than 21" x 30". There shall be a 1" border on all sides. If multiple sheets are used, they shall be accompanied by an index sheet at

1" = 100' showing the entire subdivision. The plan shall be clearly labeled as Definitive Plan. The Definitive Plan shall contain the following information:

- a. subdivision name, boundaries, north point, date, scale, legend and title "Definitive Plan"
  - b. the names of the record owner and the applicant and the name of the engineer and surveyor
  - c. names of all abutters, as determined from the most recent local tax list(s)
  - d. existing and proposed lines of streets, ways, lots, easements and public or common areas within the subdivision
  - e. the proposed names of the proposed streets
  - f. lot numbers, enclosed by a circle (Adopted 6/1/71)
  - g. street numbers, as approved by the Building Inspector, enclosed by a square or rectangle (Adopted 6/1/71)
  - h. sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish those lines on the ground
  - i. location of all permanent monuments properly identified as to whether existing or proposed
  - j. location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision
  - k. suitable space to record the action of the Board and the signatures of the members of the Board (or officially authorized person)
  - l. existing and proposed topography at a suitable contour interval, if required by the Board; elevations must refer to mean sea level datum of 1929, as established by the Massachusetts Geodetic Survey (Revised 11/21/71)
  - m. street plan or plans showing grading
  - n. existing and proposed profiles shall be shown in red ink on the original
  - o. proposed layout of storm drainage, water supply and sewage disposal systems
  - p. a minimum of 2 bench marks with location and description should be shown on definitive plans and/or profiles (Revised 11/21/71)
  - q. drainage calculations showing that all site improvements exceed the Massachusetts Stormwater Standards to the greatest extent practicable, do not result in runoff or erosion to any downgradient or adjacent properties, and do not result in downstream surcharging or flooding of the Town's drainage system. The applicant is responsible for the costs associated with improvements needed to ensure compliance with the requirements of this sub-section 2.q. Determination of compliance shall be made by the Town Engineer. (Revised 11/21/71, 4/21/2015)
  - r. specific identification of on-site and adjacent existing natural waterways, wetlands and floodplains.
  - s. a detailed quantity takeoff, by street, of the public portions of the project, for any commercial development or redevelopment and any residential development over 4 units. At a minimum, the quantity takeoff shall include site clearing, grading, drainage, sewer, water, electric, paving, sidewalks, curbing, plantings, signs, and permanent survey, property line, and wetland boundary markers. (Revised 4/21/2015)
3. locus plans of the final approved plan at 1" = 600' scale and 1" = 1000' scale. (Added 1/14/98)

(IV. B.) 3. Performance Guarantee (Revised 10/19/89, 11/28/01)

- a. General



Before endorsement of its approval on a plan, the Board shall require that the construction of ways and the installation of municipal services be secured by one, or in part by one and in part by another, of the below described methods. The method or combination of methods may be selected and from time to time varied by the applicant. Such performance guarantee shall be contingent on such improvements being completed within two years of the date of the performance guarantee. The preferred method of security shall be in the form of a Deposit of Money.

1. Bond. (see Form C, appendix) Security may be provided by a proper bond sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision.
2. Deposit of Money (see Form D, appendix): The security shall be in the form of a business or cashier's check made out to the Town of Milford in an amount sufficient, in the opinion of the Board, to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision. Said funds will be held by the Town Treasurer in an escrow account and will accrue interest to the benefit of the applicant at a competitive rate. Such funds will remain in escrow until the Treasurer receives notification from the Planning Board as to disposition. (Revised 11/28/01)
3. Covenant. (see Form E, appendix) Security may be provided by a covenant, executed and duly recorded by the owner of record running with the land, whereby such ways and services shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed.
4. By Agreement Whereby Lender Retains Funds. Security may be provided by delivery to the Board of an agreement executed after the recording of a first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be made to the applicant by the lender, which agreement shall provide for the retention by the lender of funds sufficient in the opinion of the Board and otherwise due the applicant, to secure the construction of ways and the installation of municipal services. Said agreement shall also provide for a schedule of disbursements which may be made to the applicant upon completion of various stages of the work, and shall further provide that in the event the work is not completed within the prescribed time, any funds remaining undisbursed shall be available for completion.

b. Release

Request for release of security shall be made in writing by registered mail to the Board, with a copy to the Town Clerk. The request shall include the address of the applicant. Final funds shall not be released until the request for release is received in accordance with Article X herein and approved, nor until approval is received from the Highway Department, Board of Health and Sewer Department verifying that improvements have been satisfactorily completed.

(IV. B.) 4. Review by the Board of Health as to Suitability of the Land

The Board of Health shall, within 45 (forty-five) days after the Definitive Plan has been submitted, report to the Planning Board in writing with a copy to the person submitting the plan, approval or disapproval of said plan, and in the event of disapproval shall make specific

findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report, and, where possible, shall make recommendations for the adjustment thereof. Failure to so report shall be deemed approval by the Board of Health.

Any lot so located that it cannot be served by a connection to the municipal sewer system shall be provided with a septic tank with proper effluent disposal satisfactory to the Board of Health. (Revised 10/19/89)

5. Approval by Other Town Boards (Revised 10/19/89)

The subdivider shall, before the public hearing, obtain letters approving the layout of their respective services from the Highway Department, Sewer Department, Fire Department and the Milford Water Company. Where a bond is to be filed, cost estimates of the required work shall be approved by the various Town Departments and/or the Town Engineer, as applicable.

(IV. B.) 6. Public Hearing (Revised 10/19/89)

Before approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board, notice of which shall be given at the expense of the applicant once a week for two consecutive weeks; the first notice to be not less than fourteen days prior to the public hearing by advertisement in an official publication, or in a newspaper of general circulation in the Town of Milford and by mailing a copy of such advertisement to the applicant and to all owners of land abutting the land to be subdivided, as appearing on the most recent tax list.

(IV. B.) 7. Lot Size and Frontage (Revised 10/19/89)

All lots shall be of such size and dimensions to meet at least the minimum requirements of the Zoning By-Law of the Town of Milford.

(IV. B.) 8. Certificate of Approval (Revised 10/19/89)

The Board shall take action on said Definitive Plan within 90 (ninety\_ days) where a preliminary plan has been acted upon by said Board or within 135 (one hundred thirty-five) days where no preliminary plan has been acted upon. These time limitations may be extended as agreed upon at the written request of the applicant. The action of the Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant. If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Board (or officially authorized person) but not until the statutory 20 (twenty) day appeal period has elapsed following the filing of the certificate of action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with 3 additional prints thereof. Final approval of the Definitive Plan does not constitute the laying out or acceptance by the town of streets within a subdivision.

(IV. B.) 9. Recordation (Adopted 10/19/89)

The subdivider shall record the approved plan and covenant within 6 months of endorsement. A copy of the plan (to scale) and covenant, as recorded, shall be provided to the Planning Board prior to lots being released.

(IV. B.) 7. 10. Rescission (Adopted 6/1/71)

Failure of the developer to record the Definitive Plan within 6 months of its endorsement, or to either initiate construction of improvements or sell lots in a subdivision or portion thereof within seven years of the endorsement of the Definitive Plan, shall constitute sufficient reason for the rescission of such approval, in accordance with the requirements of Section 81-W, Chapter 41, Massachusetts General Laws. (Major portion of Article IV Revised 7/19/65)

## ARTICLE V

### DESIGN STANDARDS

Note: All Zoning By-Laws must be complied with. A copy may be obtained from the Town Clerk.

#### V. A. STREETS

##### 1. Location and Alignment

- a. All streets in the subdivision shall be designed so that, in the opinion of the Board they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout.
- b. The proposed streets shall conform to any Master or Study Plan as adopted in whole or in part by the Board.
- c. Provision satisfactory to the Board shall be made for the proper projection of streets, and for access adjoining property which is not yet subdivided.
- d. 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.
- e. Street jogs with centerline offsets of less than 125 (one hundred twenty-five) feet are not permitted.
- f. The centerline radii of curved streets shall not be less than the following:

|                   |  |
|-------------------|--|
| Arterial streets  | 500 (five hundred) feet                  |
| Collector streets | 250 (two hundred fifty) feet             |
| Minor streets     | 100 (one hundred) feet (Revised 7/19/65) |
- 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 60 (sixty) degrees.
- h. Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than 20 (twenty) feet.

##### 2. Width

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

|                   |                                   |
|-------------------|-----------------------------------|
| Arterial streets  | 80 (eighty) feet                  |
| Collector streets | 60 (sixty) feet                   |
| Minor streets     | 50 (fifty) feet (Revised 1/14/98) |
- b. Greater width shall be required by the Board when deemed necessary for present or future vehicular travel. (Revised 7/19/65)

(V. A.) 3. Grade

- a. Grades of streets shall be not less than 0.5 (one-half) %. Grades shall not be more than 6 (six) % for arterial or collector streets, nor more than 8 (eight) % for minor streets in areas having less than 120 (one hundred twenty) foot average lot frontage, nor more than 12 (twelve) % for minor streets in residential areas having 120 (one hundred twenty) foot or more average lot frontage.
- b. Vertical curves are required wherever the algebraic difference in grade between centerline tangents is 2 (two) % or more.
- c. On any street where the grade exceeds 6 (six) % on the approach to an intersection, a leveling area with a slope of not more than 4 (four) % shall be provided for a distance of not less than 50 (fifty) feet measured from the nearest exterior line of the intersecting street. (Revised 7/19/65)

(V. A.) 4. Dead-end Streets

- a. Dead end street shall not be longer than 500 (five hundred) feet unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions.
- b. Dead-end streets shall be provided at the closed end with a cul-de-sac having an outside roadway diameter of at least 120 (one hundred twenty) feet. Where such dead-end streets may in the future be extended or in other special circumstances, a "T" or "Y" turnaround may, at the discretion of the Board, be allowed in place of a circular one. (Revised 6/1/71)
- c. Each cul-de-sac shall be designed to provide an unpaved, landscaped center island having an outside diameter of at least 60 (sixty) feet. Cul-de-sac center islands shall be landscaped with live native low maintenance plantings the number, type, height, and arrangement of which to be approved by the Planning Board. (Revised 4/21/15)

(V. A.) 5. Sight Distances

Forward sight distances shall not be less than 150 (one hundred fifty) feet on minor streets, 200 (two hundred) feet on collector streets or 300 (three hundred) feet on arterial streets. (Revised 7/19/65)

(V. A.) 6. Adequate Access from a Public Way (Adopted 1/6/93)

When the physical condition or width of a public way from which a subdivision has its access is considered by the Board to be inadequate to carry the traffic expected to be generated by such subdivision, the Board may require the applicant to widen the public way to a width at least as great as that required within the subdivision, or to the greatest extent feasible within the existing right-of-way, and/or to make physical improvements to and within such public way to the same standards required within the subdivision. Any such

work performed within such public way shall be done only with permission of the governmental agency having jurisdiction over such way and all costs of any such widening or construction shall be borne by the applicant.

#### V. B. EASEMENTS

1. Easements for utilities across lots or centered on rear or side lot lines are often a practical necessity. Such easements shall be at least 20 (twenty) feet wide. (Revised 7/19/65)
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board will require that provision shall be made for the continued existence thereof, acceptable both as to the location and the capacity.

#### V. C. OPEN SPACES

Before approval of a plan by the Board, said Board shall 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 and not unreasonable in area in relation to the area of the land being subdivided and the prospective uses of such land, and if so determined, said Board shall, by appropriate endorsement on the plan, require that no building may be erected on such park or parks for a period of not more than 3 (three) years without its approval. (Revised 7/19/65)

#### V. D. PROTECTION OF NATURAL FEATURES

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

#### V. E. PRESERVATION OF TREES

The developer shall remove no trees over 4 (four) inch caliper from any front yard required by the Zoning By-Law, nor make more than a 6 (six) inch change in grade under such trees, without first giving 2 (two) days notice to the Tree Warden to allow him to designate which trees are to be preserved. See also Article VI, Section K, herein. (Revised 9/3/68, 10/19/89)

#### V. F. DRAINAGE (Revised 6/1/71, 3/6/73, 4/21/2015)

Design shall be based upon either the Rational Method or Manning Formula. Design should be based upon a 25 (twenty-five) year storm frequency. Water velocities shall be between 2-10 (two to ten) feet per second. The coefficient of runoff used shall not be less than 0.4 (four tenths) for subdivided areas. All developable land tributary to facilities being designed shall be assumed to be subdivided.

When the subdivision creates a need for drainage improvements outside the subdivision, the applicant shall be required to secure the necessary easement(s) and provide such improvements. All cost of such easements or construction shall be borne by the applicant. (Adopted 1/6/93)

A catchbasin to manhole system of drainage is required with no storm sewers of less than 12 (twelve) inch inside diameter, with catchbasins at all low points and sags, near the corners of the roadway at intersecting streets and at intervals of not more than 250 (two hundred fifty) feet on continuous grades of greater than 5 (five) % with curbing or 300 (three hundred) feet on continuous grades with slopes of 5 (five) % or less with curbing, and 200 (two hundred) feet without curbing.

Drain outfalls on grades greater than 5 (five) % shall not be allowed unless adequate erosion control measures are used.

Calculation of drainage impacts must include all existing conditions, including an analysis of the existing municipal drainage system and downstream impacts. No connections will be allowed to any municipal drainage system that is already unable to handle the 25-year storm, unless improvements are made by the Applicant to ensure adequate capacity of the system. (Revised 4/21/2015)

## **ARTICLE VI**

### **REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION**

#### **VI. A. SUPERVISION**

All work done under this Article shall be done under the direction of the designated agent of the Planning Board, unless otherwise specified. (Revised 10/17/89)

#### **VI. B. CONSTRUCTION SPECIFICATIONS** (Revised 10/19/89)

Streets shall be constructed by the developer in accordance with the following specifications and in accordance with the appropriate typical cross section plan (see appendix).

As each construction operation is completed it shall be approved by the Boards' agent previous to starting work on the succeeding operation.

#### **VI. C. PREPARATION OF THE ROADWAY**

1. All material shall be removed for the full length and width of the roadway to a depth of at least 12 (twelve) inches below the finished surface as shown on the profile plan, provided however that if the soil is soft and spongy, or contains unsuitable material such as clay, sand pockets, tree stumps, stones over 6 (six) inches in diameter or any other material detrimental to the subgrade, a deeper excavation below the subgrade shall be made as required by the Board's agent.
2. At this point of preparation, all pipes shall be laid as specified in D-1 and D-2 of this Section. (Revised 7/19/65)
3. The excavated area below the subgrade shall be filled to subgrade with well compacted material satisfactory to the Board's agent.

4. The entire roadway then shall be rolled, forming the subgrade with a 5 (five) inch crown as required on the typical cross-section plan.

#### VI. D. COMPLETION OF ROADWAYS

##### 1. Drainage (Revised 6/1/71)

- a. Storm drains and culverts shall be constructed in accordance with the requirements of the Boards' agent. Storm sewers shall have at least 24 (twenty-four) inch cover, and shall be of reinforced concrete Class III pipe if having less than 48 (forty-eight) inch cover within a street right-of-way. Coated aluminum pipe of at least comparable strength may be substituted in appropriate locations if approved by the Boards' agent.
- b. Culverts and storm sewer outfalls shall have reinforced concrete headwalls and wingwalls designed in accordance with good practice.
- c. Catchbasins and manholes shall be not less than 48 (forty-eight) inch diameter 3 (three) feet below grade, and shall be made of at least 8 (eight) inch precast concrete or cement plastered unit masonry. Catchbasins shall provide a sump extending not less than 30 (thirty) inches below pipe invert.
- d. Open brooks or tributary ditches shall be shaped to a cross-section and gradient acceptable to the Boards' agent. Stream bottom hardening shall also be provided, if required by the Boards' agent.

##### (VI. D.) 2. Water Pipes

Water mains and their appurtenances shall be installed in accordance with such rules of the Milford Water Company as apply to the installation of this utility within the limits of ways, and all other underground utilities required by the Board with all connections to the proposed subdivision lots on both sides of the street shall be laid after the roadway is subgraded, but before application of the gravel base and bituminous courses. The back filling of all trenches shall be thoroughly tamped and puddled as required by the Boards' agent. (Revised 6/1/71, 7/19/65)

##### (VI. D.) 3. Monuments (Revised 1/6/93)

Concrete monuments shall be 6" by 6" square, not less than three (3) feet in length, with a 1/2" beveled top edge and a 3/8" drill hole and be reinforced with a minimum of two #4 steel reinforcing rods. The monuments shall be set to finished grade at all street intersections, at all points of change in direction or curvature and on all proposed streets in the subdivision.

##### (VI. D.) 4. Additional Requirements

The Board may require provision for curbing, gutters, street signs, trees and cleaning up operations.

##### (VI. D.) 5. Gravel Base and Surfacing (Revised 1/14/98, 10/2/2007; 6/5/2012)

Before the gravel is spread, the roadbed shall be shaped to a true surface, conforming to the proposed cross-section of the road, and no gravel shall be spread until this subgrade is approved

by the Boards' agent. Gravel for base shall be spread in two 6 (six) inch layers to a total depth of 12 (twelve) inches. After rolling, each layer so placed shall be thoroughly watered and rolled true to lines and grades with a roller weighing not less than 12 (twelve) tons. Any depressions that appear during or after the rolling shall be filled with crushed bank gravel and be re-rolled until the surface is true and even. The completed gravel base shall be coated with bituminous concrete, Type 1. A two-course work shall be required and rolled between each course. The first course shall be 2½ (two and one-half) inches thick after compaction and shall be the base course. The second course shall be 1½ (one and one-half) inch thick after compaction and shall be the finish course, also known as the topping. The minimum width for the paved way shall be not less than the following:

|                   |   |
|-------------------|---|
| Arterial streets  | 40 (forty) feet                           |
| Collector streets | 30 (thirty) feet                          |
| Minor streets     | 28 (twenty-eight) feet (Revised 6/5/2012) |

Greater width shall be required by the Board when deemed necessary for present or future vehicular travel. (Revised 7/19/65)

The Planning Board or its authorized agents must be notified in writing as to when operations on roadways shall commence.

#### VI. E. SIDEWALKS (Revised 7/19/65; 6/5/2012)

##### 1. Required

Sidewalks 5 (five) feet wide shall be required on both sides of all arterial and collector streets, on one side of all minor streets, and at other locations where, in the opinion of the Planning Board, sidewalks are required for pedestrian safety. Sidewalks shall not be required around a cul-de-sac. (Revised 7/19/65; 6/5/2012)

##### 2. Preparation

All materials shall be removed for the full width of the sidewalk to sub-grade 10 (ten) inches below the finished grade as shown on the typical cross-section plan; also all soft spots and other unsuitable material below such subgrade shall be replaced with a good binding material and rolled. This excavated area then shall be filled with 8 (eight) inches of good quality gravel and rolled with a pitch towards the gutter not less than 1/4 (one-quarter) inch nor greater than 3/8 (three-eighths) inch to the foot.

##### 3. Surface

Forms shall be set to grade, filled with 2 (two) inches of asphaltic concrete, except 3 (three) inches at driveway entrances. Two-course work will be required and rolled between each course if granolithic or monolithic surface is desired; specifications satisfactory to the Boards' agent shall be complied with.

#### VI. F. SLOPES



The area in back of the sidewalk shall be sloped at the rate of 2 (two) to 1 (one) (2 feet horizontally to 1 foot vertically) to a point where it precisely coincides with the surrounding ground or the abutters lawns. Six inches of loam shall be the minimum cover on all slopes. Slopes shall be seeded with lawn grass seed and rolled, the quality of and quantity of the seed to be determined by the Boards' agent.

#### VI. G. STREET SIGNS

The developer shall furnish and erect necessary street signs to designate the name of each street in his development, said signs to conform with those used by the Town. All proper forms may be obtained at the Highway Department. The developer shall erect either temporary or permanent street signs and identify each lot or home with a street number prior to any house in the subdivision being occupied. (Revised 6/1/71)

#### VI. H. CLEAN-UP OPERATIONS

All areas inside the boundary of the roadway must be cleaned of all large stones and debris and left in a neat and workman-like manner.

#### VI. I. FIRE ALARMS (Revised 6/1/71)

A fire alarm system shall be furnished and installed in accordance with the specifications of the Milford Fire Department, which include provisions of one alarm box for each 1000 feet of way or fraction thereof. (see also Minimum Specifications/Rules and Regulations for Fire Alarms Within Subdivisions, Appendix).

#### VI. J. GRANITE CURBS (Revised 7/19/65)

Granite curbing meeting Massachusetts DPW specifications for type VC curb, or N.E. Fletcher Company type VS 5 x 16, shall be installed in accordance with Massachusetts DPW specifications along both sides of the traveled way, except when waived by the Board. Granite curb inlets and curb corner blocks of matching shade and finish shall be furnished at catch basins and driveways, respectively. Curb inlets set on radius of 160 feet or less shall be cut to the curve required.

#### VI. K. SHADE TREES (Revised 9/3/68)

Each residential lot shall have no fewer than 2 (two) trees, each not less than 2 (two) inch caliper within the front yard area required by the Zoning By-Law. Where such trees do not exist, trees of like caliper and of a species acceptable to the Tree Warden shall be planted in at least 1/2 cubic yard of topsoil.

#### VI. L. INSPECTION COSTS (Revised 1/21/86, 10/19/89, 4/6/2004)

The subdivider shall pay a fee of \$100.00 per lot for final inspection in residential subdivisions, or \$2.50 per linear foot of subdivision road frontage in non-residential subdivisions.

The above stipulated fees shall be exclusive of any costs imposed by other boards or agencies.

Performance guarantees shall not be released prior to receipt of final inspection costs.

VI. M. OWNERSHIP OF WAYS AS UNACCEPTED STREETS (Adopted 5/4/77)

The subdivider and/or landowner of record shall retain title to the fee of each way within the subdivision until such time that the subdivider and/or landowner of record submits a conveyance of the fee in this way for acceptance by the Town. Fee shall be conveyed to the Town only at such time that the Town votes to accept said way through Town Meeting action. Such notation that this is to be done shall be written on the cover sheet of the Definitive Plan and made part of the covenant.

Property owners within the subdivision shall own only to the property line as recorded, and the subdivider and/or landowner of record shall be responsible for all roadways, grass strips and sidewalks within his subdivision.

VI. N. STREET LIGHTS (Adopted 5/4/77)

The subdivider shall install street lights on all streets within the subdivision. Prior to the public hearing on the subdivision, the subdivider shall submit a plan depicting street light locations to the Massachusetts Electric Company, the Board of Selectmen and the Planning Board.

Street lights shall be located by the subdivider at such locations as are recommended by the Board of Selectmen and the Electric Company. Those recommended locations shall be incorporated in and shown on the Definitive Subdivision Plan prior to its approval by the Planning Board and/or set forth in a covenant either inscribed on said plan, or referred to on said plan.

All street lights shall conform to the requirements of the Massachusetts Electric Company.

The subdivider shall protect all street lights installed in accordance with this Section N from any and all damage, until the street on which such lights are located has been accepted by the Town as a public way. Until such acceptance, any damage to such street lights, or malfunctions thereof shall be repaired or remedied in a manner satisfactory to the Board, the full cost of which shall be borne by the subdivider.

The subdivider shall also pay the cost of operating each street light installed in accordance with this Section N until the street on which it is located has been accepted by the Town as a public way.

VI. O. UNDERGROUND WIRING (Revised 6/1/71, Deleted 6/29/76, Adopted 10/17/89)

Underground wiring is not permitted within the Town of Milford.

VI. P. STREET OPENING PERMITS (Adopted 1/6/93)

After final paving and prior to public street acceptance, the Highway Surveyor may require a street opening permit for proposed work within the road right-of-way for streets within the

subdivision. The work may include but not be limited to connection to underground utilities and driveway curb cuts. The Highway Surveyor may require a performance bond for the issuance of the permit.

## **ARTICLE VII**

### **VARIATIONS**

Exceptions from these rules and regulations may be allowed in special cases when, in the judgment of the Board, it is in the public interest and not inconsistent with the Subdivision Control Law.

## **ARTICLE VIII**

### **FLOOD HAZARD REGULATIONS**

In addition to all other requirements of these rules and regulations, the Planning Board will review all proposed subdivisions, and all new construction within accepted subdivisions, within the Flood Hazard District established by Article V of the Zoning By-Law, to determine that all such proposed subdivisions are consistent with the need to minimize flood damage by providing adequate drainage so as to reduce exposure to flood hazards within the subdivision and on adjacent land and by requiring that all utilities be located and constructed as to minimize or eliminate flood damage. (Adopted 12/8/75)

## **ARTICLE IX**

### **DWELLING LOT LIMITATIONS**

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 Milford, without the consent of the Planning Board. Such consent may be conditional upon the providing of adequate ways furnishing access to each site for such building, in the manner as otherwise required for lots within a subdivision. (Adopted 3/5/86)

## **ARTICLE X**

### **ACCEPTANCE OF STREETS AS PUBLIC WAYS**

Upon completion of all required work within the subdivision, the developer shall:

- A. Take the necessary action to have the streets accepted as public ways pursuant to applicable sections of Massachusetts General Law. Plans and legal descriptions of the streets submitted for acceptance must be provided.
- B. After acceptance by Town Meeting of streets and easements within the subdivision as public ways, the developer shall provide deeds to said streets and easements to Town Counsel for recordation. The appropriate fee for said recordation shall also be delivered to Town Counsel.

- C. After recordation of said deeds, the developer shall submit, via registered mail, a document suitable for recording, to the Planning Board releasing the subdivision from the terms of the covenant. If applicable, a request for release of the remainder of the bond should be filed at this time.

FORM A

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 Article III B.

Milford, Mass \_\_\_\_\_  
(Date)

To the Planning Board:

The undersigned, believing that the division of property as shown on the accompanying plan does not constitute a subdivision within the meaning of the Subdivision Control Law, hereby requests an endorsement thereon that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

2. Name of Engineer or Surveyor \_\_\_\_\_

Address \_\_\_\_\_

3. Deed of property recorded in Worcester District Registry,

Book \_\_\_\_\_ Page

4. Location and Description of Property:

\_\_\_\_\_

Signature of Owner \_\_\_\_\_

Address \_\_\_\_\_

FORM B

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

File one completed form with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Article IV-B.

Milford, Mass \_\_\_\_\_  
(Date)

To the Planning Board of Milford:

The undersigned herewith submits the accompanying Definitive Plan of Property for approval as a subdivision under the requirements of the Subdivision Control Law and your Rules and Regulations covering the subdivision of Land.

1. Name of Owner of Record

Address

2. Name of Subdivider

Address

3. Name of Registered Engineer or Surveyor

Address

4. Name of Subdivision

5. Deed of Property recorded in Worcester District Registry,

Book \_\_\_\_\_ Page

6. Location and Description of Property:

FORM B (Page 2)

Said plan has( ) has not( ) evolved from a preliminary plan submitted to the Board on \_\_\_\_\_ which was approved( ) approved with modifications( )disapproved( )  
(Date)  
on \_\_\_\_\_.  
(Date)

The undersigned hereby applies for the approval of said DEFINITIVE PLAN by the Board, and in furtherance thereof hereby agrees to abide by the BOARD'S RULES AND REGULATIONS. The undersigned hereby further covenants and agrees with the Town of Milford, upon the approval of said DEFINITIVE PLAN by the Board:

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

Signature of Owner

Address

For certified list of Abutters, see Form G.

FORM B - 1

APPLICATION FOR TENTATIVE APPROVAL  
OF A PRELIMINARY PLAN

File one completed form with the Planning Board (See Section III-A).

Milford, Mass \_\_\_\_\_  
(Date)

TO THE PLANNING BOARD:

The undersigned herewith submits the accompanying Preliminary Plan of the property located in the Town of Milford for tentative approval as a subdivision under the requirements of the Subdivision Control Law and the Planning Board's Rules and Regulations Governing the Subdivision of Land in the Town of Milford.

1. Name of Subdivider

Address

2. Name of Registered Engineer or Surveyor

Address

3. Deed of property recorded in Worcester District Registry

Book \_\_\_\_\_ Page

4. Location and Description of Property:

Signature of Owner

Address

A list of names and addresses of the abutters of this subdivision is attached. The names are as they appear on the most recent tax list.



FORM C

PERFORMANCE BOND - SURETY COMPANY

KNOW ALL MEN BY THESE PRESENTS

that

as Principal and

a corporation duly organized and existing under the laws of the State of

and having a usual place of business in \_\_\_\_\_,

as Surety, hereby bind and obligate themselves and their respective heirs, executors,

administrators, successors and assigns, jointly and severally, to the Town of Milford, a

Massachusetts municipal corporation, in the sum of

Dollars.

The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the following:

1. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated
2. The Rules and Regulations Governing the Subdivision of Land in Milford, adopted by the Planning Board.
3. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the Certificate of Approval issued by the Planning Board dated  
then this obligation shall be void; otherwise, it shall remain in full force and effect.

Whenever the Principal shall be, and declared by the Planning Board to be in default under the Definitive Plan and its Certificate of Approval, the Surety may promptly remedy the default or shall promptly:

1. Complete the Definitive Plan in accordance with its terms and conditions, or

2. Obtain a bid or bids for submission to Planning Board for completing the Definitive Plan in accordance with its terms and conditions, and upon determination by Planning Board and Surety of the lowest responsible bidder, arrange for a contract between such bidder and Planning Board and make available as work progresses sufficient funds to pay the cost of completion; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof.

IN WITNESS WHEREOF we have hereunto set our hands and seal, this \_\_\_\_\_ day  
of \_\_\_\_\_.  
(Date)

By \_\_\_\_\_  
(signature and title of principal)

Surety  
By \_\_\_\_\_  
(Attorney-in-Fact)

1 copy each:  
APPLICANT  
SURETY COMPANY  
PLANNING BOARD  
TOWN TREASURER  
TOWN CLERK

FORM D

PERFORMANCE BOND - SECURED BY DEPOSIT

KNOW ALL MEN BY THESE PRESENTS

that

of

hereby binds and obligates himself/itself and his/their executors, administrators, devisees, heirs, successors and assigns to the Town of Milford, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ Dollars, and has secured his obligation by the deposit with the Treasurer of said Town of Milford said sum of money.

The conditions of this obligation is that if the undersigned or his/its executors, administrators, devisees, heirs, successors and assigns shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, conditions, agreements terms and provisions contained in the following:

1. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated \_\_\_\_\_ .
2. The Rules and Regulations Governing the Subdivision of Land in Milford, adopted by the Planning Board.
3. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the Certificate of Approval issued by the Planning Board dated \_\_\_\_\_ then this obligation shall be void; otherwise it shall remain in full force and effect, and that portion of the aforesaid security required to complete the Principal's obligation under this agreement shall become the sole property of said Town of Milford as liquidated damage.

IN WITNESS THEREOF the undersigned has hereunto set his hand and

seal this \_\_\_\_\_ day of

(Date)

1 copy each:

APPLICANT  
PLANNING BOARD  
TOWN TREASURER  
TOWN CLERK

(Revised 11/28/01)

FORM E

CONDITIONAL APPROVAL CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

That whereas the undersigned has submitted application dated \_\_\_\_\_  
to the Milford Planning Board for approval of a Definitive Plan of a certain subdivision entitled \_\_\_\_\_  
and dated \_\_\_\_\_ and has requested the Board to approve such plan  
without requiring a performance bond.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Milford Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Milford as follows: (Plan recorded in Plan Book \_\_\_\_\_ and Plan No. \_\_\_\_\_ )

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the work on the ground necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:
  - a. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated \_\_\_\_\_.
  - b. The Rules and Regulations Governing the Subdivision of Land in Milford, adopted by the Planning Board.
  - c. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the \_\_\_\_\_ Certificate of Approval issued by the Planning Board dated \_\_\_\_\_.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

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

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

3. The undersigned represents and covenants that the undersigned is the owner in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgages have assented to this contract prior to its execution by the undersigned.

IT IS AGREED THAT:

1. [street names] to be \_\_\_\_\_ feet wide, with \_\_\_\_\_ feet of pavement.
2. Developer will not destroy trees, except as necessary, and only in accordance with Article V, Sections D and E of the Rules and Regulations Relating to the Subdivision of Land. During the first phase of construction cutting of trees is permitted only as necessary to construct the roads, utilities, detention basins and required sloping. During the home construction phase cutting of trees is permitted only as necessary to construct the house, driveway, utilities, septic systems and a reasonable lawn area. The Town Engineer will review all Board of Health Plot Plans. All lots, houses, driveways and septic systems to be staked in the field before clearing. Upon completion of landscaping, the developer shall have a minimum of two trees on each lot located within 30 feet of the street line, in accordance with Article VI, Section K of the Rules and Regulations Relating to the Subdivision of Land. [amend as necessary if property served by public sewer]
3. Water mains will be placed and be of specifications desired by the Milford Water Company in their letter of \_\_\_\_\_. Fire hydrants and the fire alarm system to be placed by direction of the Fire Chief in his letter of \_\_\_\_\_. Fire hydrants are to be maintained by the developer until the Town of Milford accepts these streets as public ways. No occupancy permits are to be issued until the fire alarm system is extended and in service. No combustible construction is to be allowed until the hydrants are installed, tested, in service and to final grade.
4. Road and surface water (drainage) to be carried away in such a manner as to meet with the approval of the Milford Highway Surveyor, see letter dated \_\_\_\_\_, and the Planning Board's Engineer, see letter dated \_\_\_\_\_.
5. The Milford Board of Health's letter dated \_\_\_\_\_ stipulated that all lots meet the requirements of Title #5 of the State Sanitary Code. [amend as necessary if property served by public sewer]
6. Developers will abide by Milford Planning Board Rules and Regulations in effect as of \_\_\_\_\_ (date to coincide with date on Form B).
7. Curb inlets for catch basins to be straight granite set in concrete, in accordance with standard specifications of the Massachusetts Department of Public Works.
8. The following shall be printed on all plans of subdivisions submitted: "This plan is approved subject to agreements and covenants as included in the conditional contract dated [date of this contract]. Contract will be recorded. Plans will be filed in the Worcester Registry of Deeds".

9. House numbers shall be assigned and placed on houses before occupancy permits are issued.
10. [One/Two] sidewalks to be constructed on [street names]. All sidewalks must be constructed in accordance with the Rules and Regulations of the Architectural Access Board as published by the Commonwealth of Massachusetts Executive Office of Public Safety and the Americans with Disabilities Act. Where there is a conflict between these two regulations, the more restrictive shall govern.
11. Construction of [street names] and the installation of all municipal services shall be completed in accordance with the applicable rules and regulations within a period of two (2) years from the date of endorsement of the Definitive Plan. Failure to so complete shall automatically rescind approval of the plan, unless other agreements are made by the Planning Board, and shall empower the Board to take control of all bond monies posted by the applicant and use said monies for the completion of the construction of [street names].
12. Developer shall retain the fee in the streets as shown on said plan and shall comply with Article VI, Section M of the Rules and Regulations Relating to the Subdivision of Land.
13. Proposed location of street lights approved, but lighting fixtures will not be installed until moratorium is lifted by Board of Selectmen. The developer will comply with Article VI, Section N of the Rules and Regulations Relating to the Subdivision of Land. Pole locations to be as follows: (lot/lot line designations)
14. Description of mortgages:
15. [Sloped/Straight] granite curbing, set in cement concrete, joints to be pointed with light-colored Portland cement mortar, to be installed on both sides of street and turnaround. Curbing at driveways to be sloped and rounded to the existing driveway grades with a minimum of 5/12" short blocks for each rounding at driveways.
16. Each lot within the subdivision will be graded so as to eliminate any water impoundments on the property.
17. All grading around foundations will be done so as to eliminate any water flowing towards the foundation.
18. All grading of lots, where possible, will be towards the street. Subdrains will be installed when necessary to ensure dry house basements. All such subdrains shall be discharged to the drain system installed in the street (see plan detail) or other location acceptable to the Planning Board's engineer. An as-built plan, where applicable, showing the location of all subdrains is to be provided to the Planning Board before any lots are released.
19. Only subdrains and water laterals will be allowed in the same trench. Sewer and water mains are to be separated by a minimum of ten (10) feet.
20. All road construction will be done under the supervision of the Town Engineer and will conform to the Massachusetts Department of Public Works Standard Specifications for

Highways and Bridges. Where there is a conflict with the Town of Milford Rules and Regulations Relating to the Subdivision of Land, the more restrictive rules and regulations will supercede all others.

21. Dust from construction is to be kept to a minimum by watering during dry spells.
22. Burial areas along lot lines to be for stumps, ledge and boulders and free of all construction material. Stumps shall not be buried within 500 feet of a private well.
23. No occupancy permits to be issued until binder course of pavement is in place.
24. Street signs either temporary or permanent to be installed before any occupancy permits are issued.
25. All utility service connections shall be installed prior to placement of the bituminous concrete binder course.
26. The developer, his subcontractors and assigns shall be responsible to repair any damage to or deterioration of any public way which they allow to be used by construction equipment in servicing the job site. The repair of damage shall be done to the specifications of the Town Engineer.
27. Sewer mains to be placed and be of specification described by the Milford Board of Sewer Commissioners in their letter dated \_\_\_\_\_ .
28. The developer, his subcontractors and assigns shall not be permitted to leave construction equipment along the sides of public ways.
29. Prior to street acceptance, all vacant residential lots within the subdivision shall be cleared of all debris, stumps, construction material and fallen trees. All loam, gravel, or any soil material piled on a vacant lot shall be either removed or uniformly graded. All disturbed areas shall be loamed and seeded. In general, all vacant lots shall be left in a condition so as not to detract from the residential development.
30. Developer will abide by any additional conditions or restriction on all proposed construction activity subject to the jurisdiction of the Wetlands Protection Act and to any terms provided by the Town of Milford Conservation Commission in the form of the order of Conditions, Department of Environmental Protection #\_\_\_\_\_.
31. Existing public streets to be kept clean, street sweeping to be done when necessary or at the request of the Milford Town Engineer or Highway Surveyor, at the developer's expense.
32. A sign stating "Not a Through Street" shall be installed at the beginning of [list all dead-end streets] prior to the issuance of occupancy permits in the subdivision.
33. Construction of areas in steep slopes, including utilities, to be stabilized as soon as possible with loam, seed and hay mulch.

IN WITNESS WHEREOF, the undersigned applicant, as aforesaid, have hereunto set his hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ .  
(Date)

(signature/title of property owner)

COMMONWEALTH OF MASSACHUSETTS

Worcester ss.                      Date:

Then personally appeared (owner's name) and acknowledged the foregoing instrument to be his free act and deed, before me.

Notary Public

my commission expires:

Conditional Approval Contract approved by the Milford Planning Board:

Chairman                              date



FORM E - 1

CERTIFICATE OF PERFORMANCE

(name of subdivision)

Milford, Mass

(Date)

The undersigned, being a majority of the Planning Board of the Town of Milford, Massachusetts, hereby certify that the requirements for work on the ground called for by a Conditional Approval Contract dated \_\_\_\_\_ and recorded in Worcester District Deeds Book \_\_\_\_\_ Page \_\_\_\_\_ (or registered in Worcester Land Registry District as Document No. \_\_\_\_\_ and noted on Certificate of Title No. \_\_\_\_\_, in Registration Book Page \_\_\_\_\_ ) have been completed or provided for through bond or sureties to the satisfaction of the Planning Board, secured 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 restriction as to sale and building specified thereon.

Lots designated on said Plan as follows:

Majority of the Planning Board of the Town of Milford:

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS

(Date)

Then personally appeared \_\_\_\_\_ one of the above named

members of the Planning Board of the Town of Milford, Massachusetts, and

acknowledged the foregoing instrument to be the free act and deed of said

Planning Board, before me.

Notary Public

my commission expires

1 copy each:

APPLICANT

PLANNING BOARD

TOWN CLERK

REGISTRY OF DEEDS OR LAND COURT

FORM F

PERFORMANCE BOND  
SECURED BY BANK PASSBOOK\*  
**(Deleted November 28, 2001)**

FORM G

CERTIFIED LIST OF ABUTTERS

(Date)

To the Planning Board of the Town of Milford

The undersigned, being an applicant for approval of a definitive plan of a proposed subdivision entitled

submits the attached list of names of the adjoining owners and indicating the address of each abutter, including owners of land separated from the subdivision only by a street.

Applicant's signature

Address

To the Planning Board of the Town of Milford:

This is to certify that at the time of the last assessment for taxation made by the Town of Milford, the names and addresses of the parties assessed as adjoining owners to the proposed subdivision as entitled

were as written, except as follows:

Assessor

FORM H

I, \_\_\_\_\_ land owner of record of the  
below described property, do hereby authorize  
d/b/a \_\_\_\_\_ to submit application for  
subdivision of said land.

PROPERTY DESCRIPTION:

OWNERS:

name  
address  
deed reference  
signature

APPLICANTS:

name  
address  
signature

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS.

(Date)

Then personally appeared the above named applicant and owner of the property described herein,  
and acknowledged the foregoing instrument to be the free act and deed of said applicant and  
owner, before me.

Notary Public

my commission expires:

Milford Water Company  
Information Regarding Extension of Water Service

1. GENERAL

A plan of a subdivision approved by the Milford Planning Board, must be submitted to the Water Company as the first requisite for service to a new subdivision. Arrangements must be made with the Water Company regarding acceptable materials and installation. A valid agreement with the Water Company must be signed prior to installation covering title to facilities and financial terms.

2. REGARDING MATERIALS AND INSTALLATION

Installation shall not be started until street boundaries have been accurately marked by survey so that mains, hydrants and service valves can be placed in proper location.

Water mains shall be connected at all streets entering a subdivision. If no water main exists on the street entering or bordering a subdivision the subdivision water main must be installed to the boundary of the subdivision.

Water mains within a subdivision shall be connected wherever streets are connected. Dead-end mains will not be permitted except where the Planning Board has permitted a permanently dead-ended street.

The standard size for water mains shall be eight inch diameter except that larger sizes may be required by the Water Company to insure adequate hydrant flows or domestic pressure now or in the future. Water service pipes shall not be angled off to the last houses.

All water pipes shall be covered to a depth of five feet.

Water service pipes from main to house shall be minimum one inch diameter.

All water facility installations shall be inspected during installation by Water Company personnel.

Hydrant locations are determined by the Milford Fire Chief and the subdivision should be submitted to him for this information.