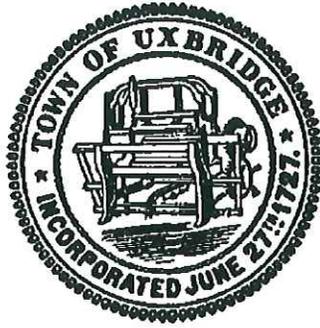


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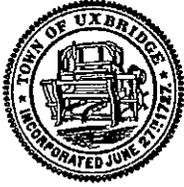
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Town of Uxbridge

SUBDIVISION RULES & REGULATIONS

GOVERNING THE SUBDIVISION OF LAND

Adopted by the Planning Board
2-24-2016



RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND UXBRIDGE, MASSACHUSETTS

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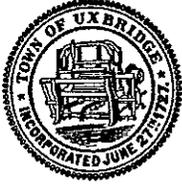
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PURPOSE (MGL Chapter 41 Section 81M)

“The subdivision control law has been enacted for the purpose of protecting the safety, convenience, and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions, providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and, in proper cases, parks and open areas. The powers of a planning board and of a board of appeals under the subdivision control law shall be exercised with due regard for the provisions of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic, and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provisions of water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, and street lighting 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 recommendation of the board of health and to 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 eighty-one R, such portions of the rules and regulations as is deemed advisable.”

SECTION 1 Authority

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

SECTION 2 General

A. Definitions

Subdivision shall mean the division of a tract of land into two (2) or more lots and shall include re-subdivision, and when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided, provided that the division of a tract of land into two (2) 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 (b) a way shown on a plan theretofore approved in accordance with the subdivision control law, or (c) a way in existence when



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the subdivision control law became effective in the city or town in which the land lies, 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.

The Board shall mean the Planning Board of the Town of Uxbridge.

B. Plan Believed Not To Require Approval

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law may submit his plan and application (Form A), per MGL Chapter 40 Section 81P – Approval Not Required (ANR), to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said plan and application.

DEFINITION: An ANR provides that a lot can be subdivided and meets current zoning regulations or bylaws.

If the Board determines that the plan does not require approval, it shall without a public hearing and within twenty-one (21) days of submission, per MGL Chapter 41 Section 81P, or at the next regularly scheduled meeting with a quorum, whichever comes first, endorse on the plan the words “Planning Board approval under the Subdivision Control Law not required”. Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action.

An application fee, in accordance with SECTION 7C, shall be paid to the Town of Uxbridge. Seven (7) 11” x 17” copies of the application and site plan shall be submitted along with the application fee to the Planning Department one week prior to meeting date.

C. Subdivision

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted to and approved by the Planning Board as hereinafter provided. Per MGL Chapter 41 Section 81S, all applications for newly proposed subdivisions in a residential zone, before submitting a definitive plan for approval, *may* submit to the Planning Board and Board of Health, a preliminary plan as



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defined in SECTION 3. In the case of a nonresidential subdivision, any person before submitting a definitive plan for approval *shall* submit to the Planning Board and Board of Health, a preliminary plan as defined in SECTION 3

An application fee, in accordance with SECTION 7C-Fees, shall be paid to the Town of Uxbridge.

SECTION 3 Procedure for the Submission and Approval of Plan

A. Preliminary Plan

1. **General.** A submitted Preliminary Plan by the subdivider shall be submitted to both the Planning Board and the Board of Health for discussion and tentative approval, modification, or disapproval by such Board. The submission of such a Preliminary Plan will enable the subdivider, the Board, or other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in every case. An application fee, in accordance with SECTION 7C, shall be paid to the Town of Uxbridge. Applicant must send an electronic file of all materials to planning@uxbridge-ma.gov. All copies shall be submitted no later than 28 days prior to the meeting date.
2. **Contents.** The Preliminary Plan shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn. The plan shall be at a scale of one (1) inch equals forty (40) feet or such other scale as the 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 plans shall contain the following information:
 - Subdivision name, boundaries, north point, date, and scale.
 - Name and address of record owner, subdivider, engineer, and/or surveyor.
 - Existing and proposed lines of streets, ways, proposed number of lots, easements, and public or common areas within the subdivision.
 - 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.
 - Location, names, and present widths of streets bounding.
 - Existing and proposed topography at a suitable contour interval as required by the Board, including approximate wetland boundaries (setback lines).
 - Square footage of lots, frontage on the lots, and zoning information..



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- An original drawing of the Preliminary Plan is required and provided to the following departments:
 - Town Clerk (original plan & copy of application; one 11" x 17" size plan)
 - Planning Board (original plan & original application; (1) one large size plan , (7) seven 11" x 17" size plans, and (7) copies of the application)
 - One electronic copy of original plan & application
 - Original drawings must be filed and time stamped by the Town Clerk's office prior to submission to the Planning Board.
 - An application fee, in accordance with SECTION 7C, shall be paid to the Town of Uxbridge.
3. **Tentative Approval.** The Planning Board may give such Preliminary Plan its tentative approval, with or without modification. Such tentative approval does not constitute approval of a subdivision but does facilitate the procedure for securing final approval of the Definitive Plan.

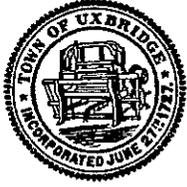
B. Definitive Plans

1. **General.** Any person who submits a Definitive Plan of a subdivision to the Planning Board shall file with the Board the following, no later than 28 days prior to the meeting date:
- * Prior to the submission of any definitive plan, all proposed street names must be submitted to the Board of Selectmen. See Section 3B, Street Signs and Names, for additional information.
- a. An original drawing of the Definitive Plan is required, dark line on white background and 14 copies of the application and plans:
- Town Clerk (one 11" x 17" size plan)
 - Planning Board (one large size plan for main file and six 11" x 17" size plan)
 - Engineering Review Company (one large size plan, application, drainage/storm water report)
 - Department of Public Works/Public Safety Committee (one large size plan)
 - Building Department (11" x 17" size plan)
 - Board of Health Department (11" x 17" size plan)
 - Conservation Commission *(if within wetlands proximity; 11" x 17" size plan)
 - Historical Commission *(if within the Historical District; one 11" x 17" size plan)



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- b. Applicant must send an electronic file of the application and all versions of the original drawing(s)/plan(s) to planning@uxbridge-ma.gov when submitting the application and as revisions are made.
 - c. Applicant must time stamp completed applications and plans with the Town Clerk's office.
 - d. A filing or administrative fee, in accordance with SECTION 7C-Fees, shall be tendered by certified check, payable to the Town of Uxbridge.
 - e. A review fee, in accordance with SECTION 7D -Review Fees, shall be tendered by certified check, payable to the Town of Uxbridge.
 - f. Two (2) copies of drainage and/or stormwater reports and one (1) electronic copy
 - g. Name of all abutters as they appear in the most recent tax list in the Assessor's database. An abutters list can be accessed by the Town of Uxbridge Assessor's office. Per MGL Chapter 40 Section 11, the abutter list must include the Town of Uxbridge as well as surrounding towns and agencies as populated by the Town of Uxbridge Assessor's office.
 - h. With the application, the applicant shall deliver to the Planning office, a check or money order made payable to the Post Office for the abutter notifications along with the pre-addressed certified return receipt documents and envelopes for each party of interest, applicant, owner, and abutter required to be notified. The Planning office shall submit a public legal notice to a local newspaper and mail copies of the public legal notice to parties of interest, applicant, owner(s), abutters, and surrounding towns and agencies, via certified return receipt mail. The Planning Office shall also mail copies of the Decision to the applicant and owner(s) and a Decision Notice letter to abutters and surrounding towns and agencies via certified return receipt mail.
2. **Contents.** The Definitive Plan shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn. The plan shall be at a scale of one (1) inch equals forty (40) feet or such other scale as the 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:
- Subdivision name, boundaries, north point, date, and scale.
 - Name and addresses of record owner, subdivider, and engineer and/or surveyor.



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- All proposed lots to show square footage, acreage, frontage, setback lines, proposed buildings, septic, well locations (if Town utilities are unavailable), and approximate wetland boundaries.
- Existing and proposed lines of streets, ways, lots, easements, and public or common areas within the subdivision.
- 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.
- Location of all permanent monuments properly identified as to whether existing or proposed.
- Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- Suitable space to record the action of the Board and signatures of the members of the Board (or officially authorized persons).
- Existing and proposed topography at a suitable contour interval as required by the Board.
- Profiles on the exterior lines of proposed streets at a horizontal scale of one (1) inch equals forty (40) feet and vertical scale of one (1) inch equals four (4) feet, or such other scales acceptable to the Board. Reference point for elevations shall be shown.
- Proposed layout of storm drainage, water supply, and sewage disposal systems.
- An Erosion & Sedimentation Control Plan consistent with MA-DEP's Erosion & Sedimentation Control Guidelines for Urban and Suburban Areas of March 1997, with a 2003 reprint, shall be submitted with all applications for a Definitive Plan.
- Plans must include all utilities (electrical, water, sewer, cable, and gas).
- All lots in subdivision must have driveway access from its frontage or proposed way. Exceptions may be granted to avoid a major wetland crossing/disturbance.

3. Performance Guarantee.

- a. Final Approval With Bonds or Surety.** Before approval of a Definitive Plan of a subdivision, the subdivider shall either file a performance bond or deposit money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all, or any parts of the improvements specified in SECTION 5, or following the procedures outlined in "b." below. Such bond or security if filed or deposited shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Selectmen or Town Treasurer and shall be contingent on the completion of such improvements within the time set by the Planning Board.
- b. Final Approval With Conditions.** Instead of filing a bond or depositing surety, the subdivider may request approval of his Definitive Plan on condition that no lot



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in the subdivision shall be sold and no building shall be erected thereon until the improvements specified in SECTION 5 are constructed and installed so as to serve the lots adequately. Such conditions shall be endorsed upon the plan or contained in a separate vote or agreement which shall be referred to on the plan and recorded in the Worcester County Registry of Deeds. When the subdivider has completed the required improvements specified in SECTION 5 for any lots in a subdivision, he may request a Release of Conditions for said lots. If the improvements have been completed to the satisfaction of the Board, the Board will then execute and deliver to the subdivider such Release, which shall be in form for recording in the Worcester County Registry of Deeds. Thereafter the conditions for relating to such lots and so released shall terminate.

4. **Review by Board of Health as to Suitability of the Land.** The Planning Board shall within ten (10) days after submission of a plan to it consult with the Board of Health. If the Board of Health is in doubt as to whether any of the land in the subdivision can be used as building sites without injury to the public health, it shall so notify the Planning Board in writing within thirty (30) days. Any approval of the plan by the Planning Board shall then only be given on condition that the lots or land as to which such doubt exists shall not be built upon without prior consent of the Board of Health, and shall endorse on the plan such conditions, specifying the lots or land to which said condition applies. All lots that will have private sewer shall have Deep Hole testing, soil log testing, soil testing, and perk testing done on each of the proposed lots which are to be approved by the Board of Health. All lots that will have private sewer shall be provided with a septic tank and drain field satisfactory to the Board of Health.
5. **Public Hearing.** Before approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board in the manner prescribed by Chapter 41 of the Massachusetts General Laws.
6. **Certificate of Approval.** The action of the Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk 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 but not until the statutory twenty (20) day appeal period, per MGL Chapter 40A Section 17, has elapsed following the filing of the certificate of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with four (4) prints thereof.

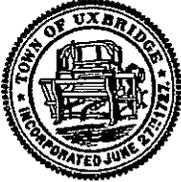


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*Final approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of streets within a subdivision.

7. Endorsement and Recording.

- a. **Endorsement** Final approval, if granted, shall be acknowledged by endorsement of the signatures of a majority of the Planning Board on all pages of the original drawing of the Definitive Plan, and the plan shall be returned to the applicant by the Board. Said endorsement shall not be inscribed until the twenty (20) day appeal period provided by M.G.L. Chapter 41 Section 81-V has elapsed following the filing of the Decision of the Board with the Town Clerk and after the Town Clerk has endorsed the Definitive Plan or otherwise notified the Board that no appeal has been taken pursuant to the Subdivision Control law or, if appeal has been taken, that a final decree has been entered by the court sustaining approval of the plan. Endorsement of approval must be sought by the applicant within sixty (60) days of the expiration of the aforementioned twenty (20) day appeal period or within sixty (60) days after the entry of a final decree by the court sustaining the approval of the plan if appeal has been taken. If endorsement of approval is not sought within this sixty (60) day period, the approval of the Definitive Plan is automatically void by virtue of this regulation, and the Planning Board shall so notify the Town Clerk and the applicant.
- b. **Recording** Within six (6) months, the applicant shall cause to be recorded with the Worcester County Registry of Deeds and, in the case of registered land, with the Recorder of the Land court, a copy of all the pages of said Plan and the Covenant, if any, and shall notify the Board or its Clerk of such recording, submitting evidence thereof satisfactory to the Board. The Planning Board will not approve any revision of the Definitive Plan, release of lots, or reduction of surety until the Definitive Plan and related instruments have been recorded and filed in the above manner.
- c. **Additional Requirements** Within thirty (30) days of endorsement of an approved Definitive Plan, the applicant shall obtain and deliver to the Board or its Clerk, four (4) sets of prints of said endorsed Plan, as so completed, for the Board's files and for subsequent distribution to appropriate Town Agencies. The applicant shall submit an electronic version of said endorsed complete Plan to the Planning Board at planning@uxbridge-ma.gov, prior to the issuance of any building permit within the subdivision. The Plan will be in a universal digital format, such as PDF.
- d. **Failure to Comply** Failure to comply with the procedural and other requirements of these Rules and Regulations may result in rescission of the approval given hereunder by the Board.



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8. **Clerk Of The Works.** To ensure compliance with the Town of Uxbridge Subdivision Rules and Regulations, and the approved Definitive Plan, the applicant shall be required to sign a clerk of the works agreement with the Town of Uxbridge prior to any construction. Unless otherwise agreed to by the Planning Board, the Uxbridge Department of Public Works or the Planning Board's peer review engineer shall be the clerk of the works. The applicant will be responsible for payment of all costs associated with the clerk of the works. No occupancy permit shall issue until all outstanding fees for clerk of the works have been paid.
9. **Provision for Failure to Complete.** The developer shall complete construction of all ways and installation of all municipal services and utilities in accordance with the Board's Rules and Regulations within three (3) years from the date of approval (unless an extension has been granted by the Planning Board). Failure of the developer to complete construction as stated above shall result in automatic rescission of the plan without further action of the Board. At its option and among whatever other remedies it may have, the Board may enforce the bond or apply the deposit towards the reasonable cost of satisfactory completion of such work. In case of a covenant, the Board may also seek an injunction restraining any further sale of lots or buildings thereon until all required work has been satisfactorily completed.

SECTION 4 Design Standards

A. Streets.

1. Location and Alignment.

- a. All streets in the subdivision shall be designed so that, in the opinion of the Board or their consultant, they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout of the subdivision.
- b. The proposed streets shall conform to the Planning Board rules and regulations governing the subdivision of land, as adopted in whole or in part by the Board and may be amended as needed.
- c. Provisions satisfactory to the Board shall be made for the proper layout of streets or for access to adjoining property which is not yet subdivided.



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- 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 public interest.
- e. Street jogs should have a minimum centerline offset of one hundred twenty-five (125) feet.
- f. The minimum centerline radii of curved streets shall be two hundred (200) feet. Greater radii may be required for primary streets.
- g. Streets shall be laid out so as to intersect at right angles.
- h. Property lines at street intersections shall be rounded or cut back to provide for a curb radius or a right of way of not less than twenty-five (25) feet.
- i. All subdivision improvements shall comply with all pertinent requirements of the Americans with Disabilities Act, Massachusetts Architectural Barriers Board, 521 CMR 1.00 et sequence.

2. Width.

- a. The width of street rights of way shall be based on the following sliding scales:

<u>STREET</u>	<u>RESIDENTIAL</u>	<u>INDUSTRIAL</u>	<u>COMMERCIAL</u>
CUL-DE-SAC	50'	50'	50'
PRIMARY	50'	*72'	50'
SECONDARY	50'	50'	50'

**72' WIDTH 6' - 10" "ISLAND" FIRST 50' REDUCED TO 50' THERE AFTER.*

- b. The width of pavement shall be based on the following sliding scales:

<u>PAVEMENT</u>	<u>RESIDENTIAL</u>	<u>INDUSTRIAL</u>	<u>COMMERCIAL</u>
CUL-DE SAC	24"	28"	28"
PRIMARY	26"	30"	30"
SECONDARY	24"	28"	28"

3. Grades of Streets.

- a. Grades of streets shall not be less than 0.75% nor more than 10%.



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- b. Grades of turnarounds on dead-end streets shall not be less than 0.75% nor more than 2.0%.
- c. At points of intersection of any streets, a leveling distance of no less than eighty (80) feet shall be provided running at ninety (90) degrees to the street of intersection. This leveling distance shall have a grade of not less than 0.75% nor more than 2.0%.

4. Dead-end Streets.

- a. Dead-end streets 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 twenty (120) feet, or such diameters as approved by the Planning Board.

For the purposes of these subdivision rules and regulations, a “dead-end street” is defined as any street or system of streets which has only a single access to an existing street system with two (2) or more points of access. Any such street or system of streets shall be considered a dead-end regardless of size or internal circulation patterns.

- b. No subdivision street shall be less than two hundred fifty (250) feet in length. No dead-end street or system of dead-end streets shall be created or extended to provide frontage for more than twenty-five (25) potential dwelling units in accordance with applicable provisions of the Uxbridge Zoning By-Law in effect at the time of application.
- c. The Point of Beginning of a dead-end street or a system of dead-end streets is a point at the intersection of the centerline of the side road with the centerline of a through public way from whence there are two (2) or more distinct vehicular access routes to the general roadway network of the Town. To be considered as a distinct vehicular access route, roadway centerlines shall be separated by a minimum of two hundred fifty (250) feet.
- d. The length of a dead-end street shall be the distance measured along the roadway’s centerline extending from the Point of Beginning of the Dead End Street to the terminus of the road. The terminus of the road is the center of the cul-de-sac, or if no cul-de-sac is provided, is the end of the pavement.
- e. The number of dwelling units and road length in a condo or multi-family project to be determined on a case by case basis.



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5. Sight Distance, Intersections, and Curvatures.

- a. Stopping sight distance is the sum of the brake reaction distance and the braking distance required by stopping a vehicle when a driver sees an obstacle in the roadway. Required stopping sight distance shall be provided in both the horizontal and vertical plan, on all roadways and intersections within and immediately external to the subdivision. A minimum design speed of thirty (30) mph will be utilized within the subdivision roadways. Stopping sight distance values will be shown on all grading / utility, and plan and profile sheets. Stopping sight distance should include both internal and immediate external intersections. Stopping sight distance must be measured at the eighty-fifth (85th) percentile speed, using the most recent revision of the AASHTO manual.
- b. Stopping sight distance shall be determined in accordance with AASHTO procedures utilizing a 3.50-foot height of observer and a 0.50-foot height of object.
- c. Intersection sight distance (ISD) is the sight distance required by a driver entering or crossing an intersecting roadway to perceive an on-coming vehicle and safely complete a turning or crossing maneuver with on-coming traffic. ISD shall also allow drivers of stopped vehicles with a sufficient view of the intersecting roadway to decide when to enter or cross the intersecting roadway safely. The methods for determining ISD needed by drivers approaching intersections shall be based on the same principles as Stopping Sight Distance. ISD evaluation and design shall be in accordance with AASHTO and Mass Highway standards. The measurement of the driver's eye and the object height of an automobile shall be three and one-half (3.5) feet above the roadway. The horizontal and vertical alignment of the intersecting roadways and any visual obstructions shall be considered as part of the ISD evaluation and any deficiencies identified shall be mitigated.

6. Easements. Easements shall be provided across lands to remain in private ownership both within the subdivision and outside the limits of the subdivision to accommodate access, utilities, and the flow of runoff or channelized flow in accordance with the following:

- a. Easements shall be provided across lots and other tracts to remain in private ownership and shall preclude construction of buildings, structures, subsurface wastewater disposal systems, and other incompatible improvements.
- b. The form of easement shall be acceptable to Board.



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- c. The easement shall be obtained from the owner of the land whether lying inside or outside the subdivision boundary and rights therein shall provide the Town with clear, unencumbered rights in the easement in perpetuity.
- d. Easements shall be of the width required to accommodate convenient vehicular and pedestrian use for access, inspection, repair, replacement, and other necessary purposes.
- e. Easements shall have a minimum width of twenty (20) feet.
- f. Easements for utilities shall be centered on rear or side lot lines where practicable.
- g. Easements for watercourses, drainage ways, wetlands, streams, or channels, shall generally conform to the layout thereof. Easements for natural rivers or permanent streams shall extend one hundred twenty-five (125) feet beyond the top of the bank. Easements for drainage ways, wetlands, and channels shall extend twenty-five (25) feet beyond the edge thereof. Easements for minimum sight distance triangles shall be provided at intersections.

7. Open Spaces.

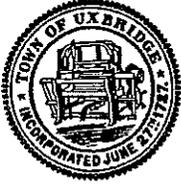
Before approval of a plan, the Board may also require the plan to show a park or parks suitably located for playground or recreation purposes. The park or parks shall not be unreasonable in area in relation to the land being subdivided and the prospective uses of such land. The Board may, by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval.

8. Protection of Natural Features.

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

9. Environmental Impact Study.

- a. An Environmental Impact Statement following the Massachusetts Guideline for an M.E.P.A. Study shall be provided at the expense of the developer if in the opinion of the Planning Board an Environmental Impact Statement is necessary to assure the safety, convenience, and welfare of the inhabitants in the proposed subdivision and the town. The Board may require alternate courses of road systems to better protect adjacent wetland areas, in and outside the subdivision.



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- b. More than ten (10) dwellings in a development will, at the discretion of the Planning Board, require an impact study regarding utilities, schools, traffic, etc.

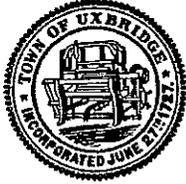
SECTION 5 Street and Roadway Requirements and Specifications

A. General Requirements

1. **Materials and Methods.** Unless otherwise specified, all materials and methods used in the construction of roadways shall conform to the requirements of “The Commonwealth of Massachusetts, Department of Public Works, Standards & Specifications for Highways & Bridges”, Latest Edition and any amendments, addition or substitution, therefore.
2. **Construction Standards.** Unless otherwise specified, construction standards shall conform to the most current revisions as published by the Mass DOT-Highway Division.
3. **Inspections and Fees.** All work associated with construction of the subdivision as specified in the approved Definitive Plan shall be subject to inspection by the Uxbridge Planning Board and the Uxbridge Department of Public Works. Reasonable fees for work to provide inspection of subdivision construction will be imposed and shall be paid by the developer in the form of a check payable to the Town of Uxbridge.
4. **Building Permits.** No building permits shall be issued for any lot in a subdivision until the roadway serving said lot has a base coat which has been completed to the satisfaction of the Planning Board and the Director of the Department of Public Works and the drainage system is operating at the base coat level.

B. Street and Roadway Preparation Requirements

1. **Clearing.** The entire area of each street or way shall be cleared of all organics, peats, stumps, brush roots, boulders, like material, and all trees not intended for preservation.
2. **MDPW Specification.** All loam and other yielding material (peat, soft clay, building debris, or loose fill, etc.) shall be removed from the roadway area of each street or way and replaced with suitable material, compacted soil satisfying MDPW Specification No. M1.01 (ordinary fill).



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- 6. Curbing.** Curbing shall be sloped granite edging or bituminous concrete, subject to Planning Board approval except at catch basins and intersection rounding where vertical granite curb shall be required. Granite transition sections shall be provided at transitions from sloped to vertical curb.

D. Utilities

- 1. Water Disposal.** Adequate disposal of surface water shall be provided. Catch basins shall be built in conformity with specifications of the Selectmen on both sides of the roadway on continuous grades at intervals of not more than four hundred (400) feet, at low points and sags in the roadway and near the corners of the roadway at intersecting streets.
- 2. Water Pipes and Equipment.** Water pipes and related equipment, such as hydrants and main shut-off valves, shall be constructed to serve all lots on each street in the subdivision at the cost of the developer, an in conformity to specifications of the Uxbridge DPW.
- 3. Underground Utilities.** All utilities servicing lots and/or devices in any subdivision shall be placed underground at the time of initial construction. This shall include, but not be limited to electricity, telephone/communication cable, street lights, water, sewer, drainage, gas, etc. All underground utilities shall be positioned within the street rights of way as Uxbridge DPW design standards may require.

E. Sidewalks Not less than one (1) sidewalk, which is not less than five (5) feet in width, shall be constructed on one (1) side of the street. Sidewalk shall abut street with vertical bituminous concrete or sloped granite.

F. Monuments Monuments shall be installed at all new street intersections, at the beginning and end of the radius curves, and at other points where, in the opinion of the Board, permanent monuments are necessary. No permanent monuments shall be installed until all construction, which would destroy or disturb monuments is completed.

G. Street Signs and Names

- 1. Street name approval.** All proposed street names shall be submitted in writing to the Board of Selectmen for approval. Approved street names shall be listed on all final plans approved by the Uxbridge Planning Board.

All street names shall follow the Town of Uxbridge Street Naming Policy and Regulations enacted by the Board of Selectmen on February 10, 2014: The Board of



RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND UXBRIDGE, MASSACHUSETTS

Selectmen must approve all street names used in the Town of Uxbridge in advance. Street name suggestions that should be given preference for new streets include Veteran names from the Uxbridge Wall of Honor, local historical figures, places, or events. Street names that are believed to be offensive (slang, double meaning, etc.) shall be avoided and will not be considered by the Board of Selectmen. Only alphabetic characters and no punctuation shall be used in street names.

The Board of Selectmen will collaborate with the Public Safety Committee. The Board of Selectmen may solicit and consider, but need not use, street name suggestions from developers and residents. In no case shall a street name be used which, in the opinion of the Public Safety Committee, sounds like or can easily be confused with an existing street name and no proposed street name should duplicate an existing street irrespective of the suffix (road, street, place, way, etc.).

2. **Naming of Private Ways.** When a private, unnamed road, regardless of the legal form of roadway ownership, provides ingress to and egress from more than three residences, the private road will be named by the Board of Selectmen. The Board of Selectmen shall consider, but need not use, suggestions from the property owners of the road.
3. **Naming of New Subdivision Development.** Prior to the submission of any preliminary or definitive subdivision plans to the Uxbridge Planning Board, all proposed street names must be submitted to the Board of Selectmen. No plan shall be approved without the approval of the Board of Selectmen.
4. **Naming of Private Driveways.** Naming of private driveways and shared driveways servicing three or fewer units is prohibited unless the Public Safety Committee determines a name is necessary for public safety reasons.
5. **Street Signs.** Street signs shall be installed at all street intersections.

H. Determination of Completeness

A Determination of Completeness letter will be issued by the Planning Board after all reviews have been completed by relevant Boards/Commissions/Departments/Peer Review Engineers and statements of approval have been received by the Planning Board, endorsed Covenants have been recorded with the Worcester Registry of Deeds, and Surety has been obtained and approved.

I. Standard Cross Section

Subdivision design and construction shall comply with the Standard Cross Section included herein as **FIGURE 3** (see next page) unless waivers are granted.



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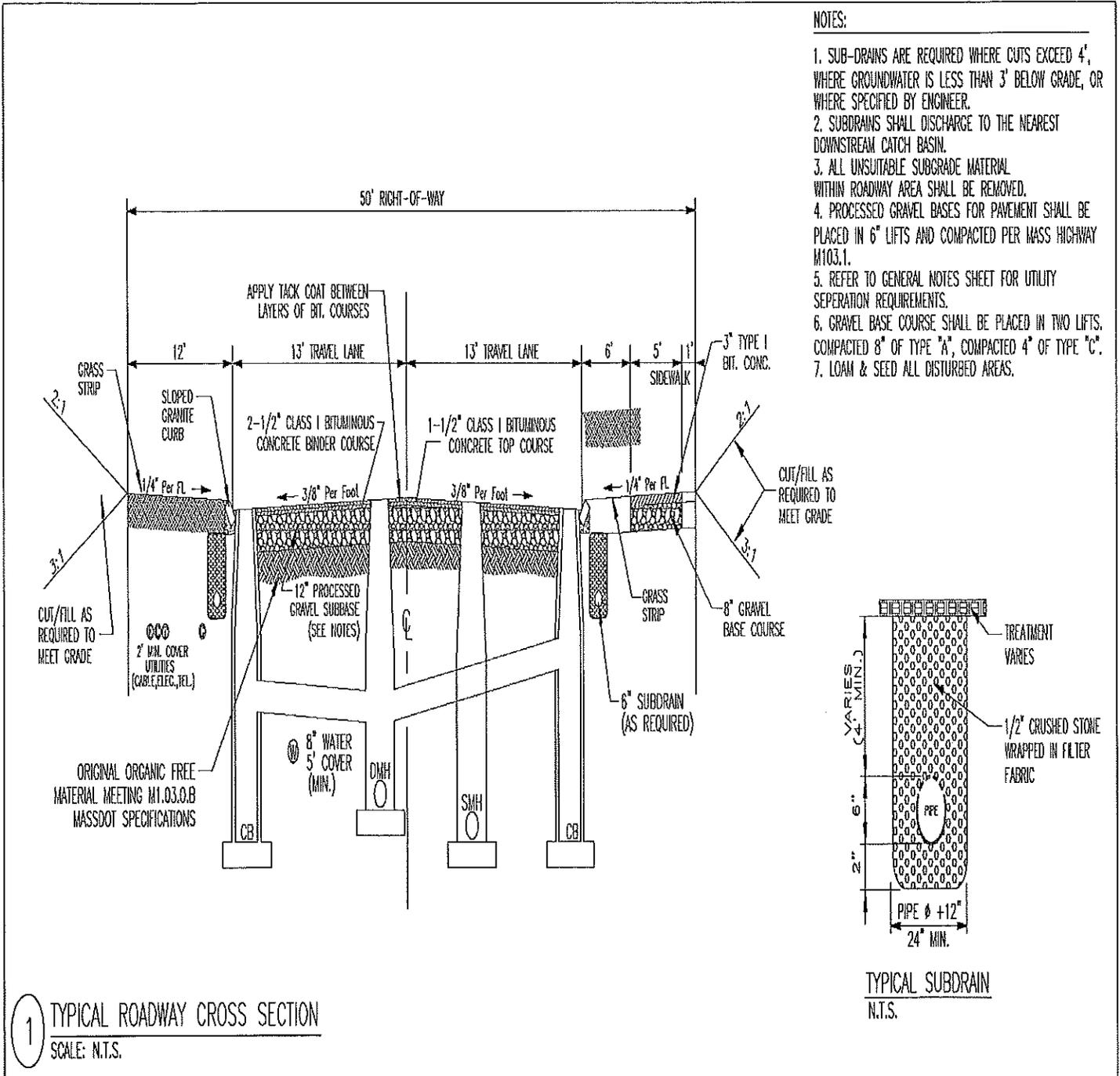


FIGURE 3



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J. Maintenance of Streets The subdivider shall be responsible for maintaining in good repair all roads in a subdivision for a period of two (1) year after release of performance bond or covenant as required in Section 3 herein, or until the roads are accepted by the Town Meeting, whichever time is shorter. To assure such responsibility, the subdivider shall guarantee the maintenance of the roads in a subdivision in a condition, which meets all the requirements of these rules and regulations to the satisfaction of the Planning Board, by holding back 10% of the road bond or \$10,000, whichever is less, until road acceptance. Said passbook shall be posted prior to the release of surety for the subdivision. Maintenance not done by developer (plowing, sanding, etc.) can be done by D.P.W. when there is a public safety need.

K. Street Acceptance –Laying Out of Public Ways

1. Street acceptance procedure/laying out of Public Ways shall be done in accordance with the Board of Selectmen policy and MGL Chapter 82 Sections 1-32.

SECTION 6 Administration

- A. Variation** Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law.
- B. Compliance with Zoning By-Law** No plan of subdivision shall be approved unless all of the lots shown on the plan comply with the zoning by-law.
- C. One Dwelling Per Lot** Not more than one (1) 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 Uxbridge without consent of the Planning Board and Zoning Enforcement Officer.
- D. General** For matters not covered by these Rules and Regulations, reference is made to Sections 81-K to 81-GG, inclusive, of Chapter 41 of the General Laws.

SECTION 7 Fees

A. Application Fees

All application fees and expenses such as advertising, publication of notices; all engineering, including but not limited to review of preliminary and/or definitive plans, and inspections during construction which is part of the subdivision or appurtenant thereto; recording and filing of documents; and all other expenses in connection with review and approval of subdivisions



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or their construction, including without limitation, sampling and testing as required by the Planning Board or its agents, shall be borne solely by the applicant and are not covered in the administrative fees. All fees shall be paid by check only, made payable to the Town of Uxbridge, and are non-refundable. No review of any application will take place until all appropriate application/filing and review fees have been submitted as required. All fees must be satisfied in order for the Board to take affirmative action on any question before it.

B. Incomplete Application

In the event that the filing or application fees submitted by the applicant are deemed to be insufficient as described by these regulations, the application will be deemed incomplete and will not be accepted or scheduled for review by the Board.

C. Application Fee Schedule (Note: Filing fees are non-refundable.)

1. **Approval Not Required (ANR) Plans.** Applicants submitting plans not requiring subdivision approval by the Planning Board shall be required to pay a filing fee of one hundred dollars (\$100.00) for up to two (2) lots or parcels and twenty dollars (\$20.00) for each additional lot, right-of-way, et cetera.
2. **Preliminary Subdivision Plans.** Applicants submitting Preliminary Plans shall be required to pay an administrative fee as follows: The minimum administrative fee shall be two hundred fifty dollars (\$250.00). Administrative fees are non-refundable.
3. **Definitive Subdivision Plans.** Applicants submitting Definitive plans shall be required to pay an administrative fee as follows: The minimum administrative fee shall be four hundred dollars (\$400.00), plus seventy-five dollars (\$75.00) for each lot. Administrative fees are non-refundable.

D. Review Fees

1. **Engineering and Inspection Fees.** At the time of application, a deposit for engineering review and inspection fees shall be paid by the applicant to the Town in such amount as is required by the Planning Board per the Review Fee Schedule Table Below.
2. **Review Fee Schedule Minimum Balance to be Maintained:**



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Lots in Subdivision	Minimum Balance
3 Lots	\$ 750.00
4 Lots	\$ 1,000.00
5-10 Lots	\$ 1,500.00
11 Lots or Greater	\$ 2,500.00

3. Insufficient Balance. As invoices are paid by the Planning Board office, the Planning Board assistant will send a letter to the applicant requesting additional funds so that the minimum balance is maintained. In the event any review or inspection fees are deemed to be insufficient, the applicant shall satisfy such within seven (7) days. In the event the applicant fails to do so, the Board will cease all future reviews and shall deny the application as presented until the minimum balance is maintained.

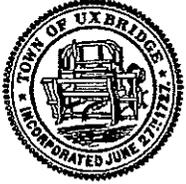
4. Excess Funds. All excess funds shall be returned to the applicant after the project is completed and the road has been accepted by the accepted by the Director of Public Works.

Refer to next page for Uxbridge Zoning Bylaw Appendix A, Table of Use Regulations current as of February 24, 2016.



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Appendix B											
Table of Dimensional Requirements											
District	Minimum lot size (sq. ft.)	Setbacks, principle use (ft.)			Setbacks, detached garage or accessory use (ft.)			Frontage (ft.)		Height	
		Front ¹	Side	Rear	Front ²	Side	Rear	Interior Lot	Corner Lot	Maximum height (ft.)	Maximum number of stories
R-A	20000 ³	30	25	30	65	5	5	125	140	35	2.5
R-B	43,560	30	25	30	65	5	5	185	200	35	2.5
R-C	43,560	40	30	Lesser of 40 ft. or 25% of lot depth, if at least 30 ft.	75	10	10	200	200	35	2.5
A	87,120	40	30	Lesser of 40 ft. or 25% of lot depth, if at least 30 ft.	75	10	10	300	300 ⁴	35	2.5
B	15,000	30	25	30	65	5	5	125	140	45	3
I	30,000	30	30	20	30	30	20	175	200	45	3
1	<i>In the case of a corner lot, the front setback requirement applies on both streets.</i>										
2	<i>See Footnote 1</i>										
3	<i>Plus, for an Apartment House, 8,000 square feet per additional apartment unit over one (1), up to four (4) apartment units per lot.</i>										
4	<i>Said 300 feet of frontage is required on both streets of a corner lot in the Agricultural zoning district.</i>										
SEE UXBRIDGE ZONING BYLAWS FOR OFFICIAL & MOST CURRENT TABLE OF DIMENSIONAL REQUIREMENTS											

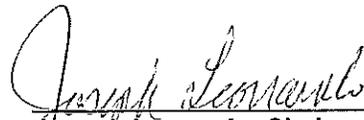


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Signature Page

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UXBRIDGE, MA
02/24/2016**

UXBRIDGE PLANNING BOARD



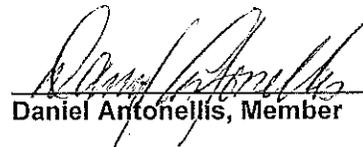
Joseph Leonardo, Chair



James Smith, Vice-Chair



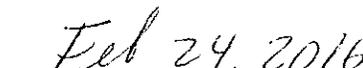
Barry Desruisseaux, Clerk



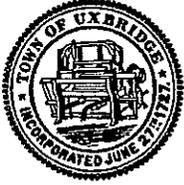
Daniel Antonellis, Member



Peter Petrillo, Member



Date



**RULES AND REGULATIONS
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I hereby certify that twenty (10) days has elapsed from the date this decision was filed per Uxbridge Charter (Revised May 21, 2013) Article 7 Section 5: RULES & REGULATIONS page 19.

A true copy: ATTEST

Wanda M. Connor
Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

March 28, 2016
Date