

SECTION I

AUTHORITY

Under the authority vested in the Planning Board of the City of Springfield under Section 81-0 of Chapter 41 of the Massachusetts General Laws, said Board hereby adopts these revised and amended Rules and Regulations Governing the Subdivision of Land in the City of Springfield, Massachusetts.

SECTION II

PURPOSE

"The Subdivision Control Law has been enacted for the purpose of protecting the safety, convenience, and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by:

regulating the laying out and construction of ways in subdivisions providing access to the 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 provision of:

adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel;

for lessening congestion in such ways and in the adjacent public ways;

for reducing danger to life and limb in the operation of motor vehicles;

for securing safety in the case of fire, flood, panic, and other emergencies;

for insuring compliance with the applicable zoning ordinances or by-laws;

for securing adequate provision for water, sewage, drainage and other requirements where necessary in a subdivision, and

for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located, and with the ways in neighboring subdivisions.

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; providing, however that such Board may, when appropriate, waive, as provided for in Section 81-R, such portions of the Rules and Regulations as is deemed advisable." (Section 81-M, Chapter 41 G.L.)

SECTION III

INTENT

A. Subdivision

"No person shall make a subdivision of any land in any city or town in which the subdivision control law is in effect unless he has first submitted to the Planning Board of such city or town for its approval, a plan of such proposed subdivision, showing the lots into which such land is to be divided and the ways already existing or which are to be provided by him for furnishing access to such lots, and the Planning Board has approved such plan in the manner hereinafter provided."

B. Resubdivision

"After the approval of a plan the location and width of ways shown thereon shall not be changed unless the plan is amended accordingly as provided in Section 81-W; but the number, shape and size of lots shown on a plan so approved may, from time to time, be changed without action by the Board, provided every lot so changed still has frontage on a public way or way shown on a plan approved in accordance with the subdivision control law of at least such distance, if any, as is then required by ordinance or by-law of said city or town for erection of a building on such lot, and if no distance is so required, has such frontage of at least twenty feet." (Section 81-O, Chapter 41, G.L.)

C. One Residential Building Per Lot

".....not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision, or elsewhere in the city or town, without the consent of the Planning Board, and that such consent may be conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision." (Section 81-Q, Chapter 41 G.L.)

D. Non-Subdivision

"Any person wishing to cause to be recorded a plan of land situated in a city or town in which subdivision control law is in effect, who believes that his plan does not require

approval under the subdivision control law, may submit his plan to the Planning Board of such city or town, in the manner prescribed in Section 81-T and, if the Board finds that the plan does not require such approval, it shall forthwith, without a public hearing, endorse thereon or cause to be endorsed thereon by a person authorized by it, the words "approval under the subdivision control law not required" or words of similar import with appropriate name or names signed thereto, and such endorsements shall be conclusive on all persons." (Section 81-P, Chapter 41, G.L.)

SECTION IV

DEFINITIONS

A. Applicant

Applicant shall include an owner, or his agent or representative, or his assigns." (Section 81-L, Chapter 41, G.L.)

B. Preliminary Plan

"Preliminary Plan shall mean a plan of a proposed subdivision or resubdivision of land drawn on tracing paper, or a print thereof, showing

- (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 designer, engineer or surveyor;
- (c) the names of all abutters, as determined from the most recent tax list;
- (d) the existing and proposed lines of streets, ways, easements and any public areas within the subdivision in a general manner;
- (e) the proposed system of drainage, including adjacent existing natural waterways, in a general manner;
- (f) with the approximate boundary lines of proposed lots, with approximate areas and dimensions;
- (g) the names, approximate location and widths of adjacent streets
- (h) and the topography of the land in a general manner." (Section 81-L, Chapter 41, G.L.)

C. Subdivision

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

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 same time when it is made, every lot within the tract so divided has frontage on:

- (a) a public way or a way which the Clerk of the city or town 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 city or town in which the land lies, having grades and adequate construction to provide for the needs 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 ordinances or by-law, if any, of said city or town for erection of a building on such lot, and if no distance is so required, such frontage shall be of at least twenty feet.

Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth, or

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 city or town in which the land lies, into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision." (Section 81-L, Chapter 41, G.L.)

D. Registered Mail

"Registered Mail shall mean registered or certified mail." (Section 81-L, Chapter 41, G.L.)

SECTION V

SUBMISSION OF PLANS

A. Non-Subdivision Plans

1. Submission

- a. By delivery at a meeting of said Board, or
- b. By certified mail in care of the City Clerk which shall, in either case, be accompanied by
 - (1) A completed Form A, and
 - (2) A check in the amount of seventy five dollars (\$75.00), made out to the City of Springfield.

2. Plan and Contents

Non-subdivision plans submitted to the Planning Board shall

- a. Be drawn by a registered surveyor;
- b. On tracing cloth or Mylar film, with India ink, at a scale adequate to ensure readability and clarity, and shall show
- c. Items (a), (b), (c) and (g) of paragraph B of Section IV of these regulations as are appropriate.
- d. Plan sizes shall be 8-1/2" x 11", 17" x 22" or 22" x 34", with a one-quarter (1/4) inch border.
 - (1) Plans drawn for Land Court submission shall conform to size standards of the Land Court.

3. Endorsed Plans

Tracing of non-subdivision plans shall remain in the possession of the Planning Board. Therefore,

- a. In the case of plans to be submitted to the Land Court, the original and a cloth or Mylar film reproducible shall be submitted to the Planning Board. When endorsed, the original tracing shall be returned to the applicant.
- b. In all other cases the applicant may submit two (2) tracings, as above. If

only one (1) tracing is submitted, four (4) copies shall be furnished the applicant following endorsement of the plan.

B. Preliminary Plans

1. Submission

The applicant may submit a Preliminary Plan to

- a. The Planning Board with an executed Form B, and to
- b. The Board of Health, which shall be done in the following manner:
 - (1) By delivery at a meeting of said Board, or
 - (2) By certified mail to
 - (a) The Board of Health, and to
 - (b) The Planning Board, in care of the City Clerk, with
 - (c) A check in the amount of two hundred fifty dollars (\$250.00) made out to the City of Springfield.
 - (3) The mailing or submission to each Board shall be on the same date.
 - (4) Notice of these submissions shall be given to the City Clerk by
 - (a) Hand delivery, or
 - (b) By certified mail.

2. Plans and Contents

Preliminary Plans submitted in accordance with this section shall

- a. Be drawn by a registered surveyor and a civil engineer,
- b. At a scale of one inch equals forty feet (1" = 40') for land areas of up to thirty-five (35) acres; and at a scale of not greater than 1" = 200' longer areas,
- c. Have topography shown at five (5) foot intervals.
- d. Show all information described in subparagraph B of Section IV of these

regulations, and

- e. Copies shall be submitted as follows:
 - (1) Three (3) copies to the Planning Board, and
 - (2) Two (2) copies to the Board of Health.

C. Definitive Plans

Note #1: No Definitive Plan of a subdivision shall be approved by the Planning Board, whenever any land within said subdivision is subject to the licensing requirements of the Massachusetts Department of Public Works, until

- 1. Such license has been secured, and
- 2. A copy of the approved plans, license evidence of the recording of such license in the Hampden County Registry of Deeds is furnished to the Planning Board.

Applicants should familiarize themselves with the provisions of Sections 12A and 18 of Chapter 91 of the General Laws, as amended, pertaining to these matters.

Note #2: Any plan, requiring Planning Board approval under the provisions of Sections 81-O and 81-Q of Chapter 41 of the General Laws, and of paragraph A, B and C of Section III of these regulations, shall be submitted in accordance with the following provisions:

1. **Submission**

The applicant shall submit a Definitive Plan to

- a. The Planning Board in triplicate with an executed Form C and,
- b. The Board of Health, in duplicate, which shall be done in the following manner:
 - (1) By delivery at a meeting of said Boards, or
 - (2) By certified mail to
 - (a) the Board of Health, and to
 - (b) the Planning Board, in care of the City Clerk, with
 - (c) a check in the amount of two hundred fifty dollars, plus fifty

dollars per lot (\$250.00 plus \$50.00/lot) made out to the City of Springfield.

- (d) the mailing or submission to each Board shall be on the same date.
- (e) Notices of the submission shall be given to the City Clerk by
 - (1) Hand delivery, or by
 - (2) Notice of submittal to the City Clerk shall be furnished by the applicant to the Planning Board concurrently with the applicant's submittal of the Definitive Plan to the Planning Board.

2. Endorsed Plans

Endorsed Definitive Plans of subdivisions shall be treated in the same manner as provided for in Section V, A, 3 of these Regulations.

3. Plans

Definitive Plans shall be

- a. Prepared by a surveyor and a civil engineer, and shall bear their respective seals or registration numbers;
- b. Drawn on tracing cloth or cloth-backed Mylar film, with India ink, except as noted. Tracings shall not be furnished the Planning Board until the Definitive Plan has been approved and is ready for the Board's endorsement of that approval;
- c. At a scale of 1" = 40', or at such other scale as the Board may accept;
- d. At sheet sizes as follows:
 - (1) Land or plot plans - 17" x 22", or 22" x 34", with a 1/4 inch border.
 - (a) Plans drawn for Land Court submission shall conform to size standards of the Land Court.
 - (2) Street plot and profiles - Standard sheets, at sizes 17" x 22" or 22" x 34", as used by the Department of Engineering of the City of Springfield.

- (3) Whenever multiple sheets are necessary, they shall be matched and appropriately indexed.

4. Contents

Required plans are of two categories, as follows:

a. Land Plot Plan which shall contain the following information:

(1) Subdivision Identification (in lower right hand corner)

- (a) Identified as "Definitive Plan of"; Subdivision name and name of applicant(owner of Land)(see sketch, Appendix B),
- (b) North point;
- (c) Date of Plan;
- (d) Scale of Plan;
- (e) Name of engineer or surveyor, including their Registration Board number or seal;
- (f) Names of abutters, as they appear on the most recent real property tax list.

(2) Street and Lot Data

Data adequate, such as bearings and distances, lengths, radii, tangents and central angles of all curves, to locate and establish, on the ground the lines of

- (a) Adjoining or abutting existing or "paper" public or private ways, as well as proposed ways, whose exact length and widths shall be shown, which limits shall be shown by a broken line with the legend "Limit of Planning Board Approval",
- (b) Existing or proposed easements, within or immediately abutting the proposed subdivision;
- (c) Street names shall be approved by the Planning Board. In general, two-part names and any phonetically similar to existing names shall not be approved. Street name designations shall be in conformance with Section 22-23 of the Revised Ordinances of the City of Springfield, as

amended.

- (d) An insert (in the lower left-hand corner) at a scale of 1" = 400', showing the relationship of the proposed ways, existing or "paper" private or public ways on all sides of the subdivision.
- (e) A copy of the field traverse calculations, with a relative error of closure of one in ten thousand parts.
- (f) The location of all monuments, identified as to whether in place, found or to be places, as well as their type and any other identification, shall be shown, as outlined in Section VI, G of these Regulations.
- (g) Lots, shall be identified by number, preferably, or by letter. Lot areas and dimensions shall be determined and shown.

(3) Topography and Soil

Topography shall be shown as follows:

- (a) Existing topography, by a solid line, in pencil at, generally, a scale of two foot intervals for gentle slopes, and
- (b) Proposed topography, by a broken line, in pencil, as in (a) above.
- (c) Present water table and type of subsoil.
- (d) Whenever filled land or abnormal soil conditions lie within the area of subdivision then, on request of the Engineering Department or the Health Department, such additional information as they may require shall be furnished to the department requesting same.

b. Street Plot and Profile Plan

Note: A separate plan shall be submitted for each individual street. Each such plan (Plot at bottom, Profile at top) shall contain a plan identification box (see Sketch B, Appendix B) in the lower right hand corner.

- 1. All items listed under Land or Plot Plan, **EXCEPT** for the names of abutters, the insert plan, topography and soil data.

2. "Profiles of the ground as it exists at each street line shall be shown and identified as such. Also, the proposed profile shall be shown and so identified and shall refer to elevations as applied to the top of the proposed curb. All such top of curb elevations shall be stationed at a maximum of fifty (50) feet intervals for the entire length of each street and at every change of grade. When the proposed street is a continuation of an existing street, the stationing thereof shall be a continuation from the end of the existing street."
3. The plot plan shall be drawn at a scale of 1" = 40'. The Profile Plan shall be at a scale of 1" = 40' horizontal and 1" = 6' vertical.
4. All points of curvature, points of tangency, intersections, catch basins, manholes, points of tangency of vertical curves shall be stationed.
5. The proposed layout and profile of sanitary and storm water lines shall be shown in pencil and shall include their location, size, type of material to be used, as well as their related structures. All other utilities shall be located on the Plot portion of the plan. Differentiation shall be made between existing and proposed services.
6. Typical cross sections, for the full width of the proposed street shall be shown, in accordance with Appendix B of these Regulations. Where unusual conditions warrant, the standard cross section may be modified, with the consent of the Director of Public Works.
7. The rates of gradient shall be expressed as percentages.
8. All elevations and bench marks shall be those of the U. S. Coast and Geodetic Survey, or those furnished by the Director of Public Works of the City of Springfield, through the Division of Engineering.
9. Details differing from those shown on the Standard Detail sheets (See Appendix B).

SECTION VI

DESIGN STANDARDS

A. General

1. All streets in the subdivision shall be so designed that, in the opinion of the Planning

Board, they will provide safe vehicular and pedestrian travel. Due consideration shall be given to present-day standards which contribute to the attractiveness of the street layout and which contribute to the maximum livability and amenities of the subdivision.

2. The proposed streets shall conform to any Master Plan adopted, in whole or part, by the Planning Board.
3. Streets shall be continuous and in alignment with existing streets as far as practicable, and shall comprise a convenient system, with adequate connections to insure free circulation of vehicular travel.
4. If adjoining property is not subdivided but is, in the opinion of the Planning Board, suitable for ultimate development, provision shall be made for proper projection of streets into such property, by continuing appropriate streets within the subdivision to the exterior boundary line thereof. The intent and purpose of the Subdivision Control Law, as spelled out in Section 81-M of Chapter 41 of the General Laws, will be carried out by the Planning Board, which shall be binding on those parties involved. Reserve strips, structures or barricades prohibiting access to streets or adjoining property shall not be permitted.
5. Dead-end streets, laid out to permit future projections shall conform to all provisions of alignment, width, grade and construction that would be applicable to such streets, if extended. The provisions of Section VI, E, 1, b, hereinafter, shall apply, in their entirety.

B. Street Design

1. Lengths
 - a. Short block lengths should be avoided. Total length of streets shall not exceed fourteen hundred (1400) feet between intersections.
 - b. Cul-de-sac, or permanent dead-end streets, shall be provided with a minimum turnaround radius distance of not less than 35 feet and a property line radius of at least 46 feet. The turnaround shall be paved to its full width.
 - (1) Temporary cul-de-sacs shall be designed and constructed in the same manner as above, EXCEPT that property lines shall be those which would normally have been required or used without the turnaround.
 - c. The "Y" of "T" background may be used on short cul-de-sac streets, or those with steep slopes, but shall not, in any case, be used on a street having a greater length than three hundred and fifty (350) feet. The width and other

requirements of such turnout shall be as recommended by the Director of Public Works and approved by the Planning Board.

2. Widths

- a. The minimum widths of street right-of-ways and pavement shall be:

Residential Streets

<u>Right-of-Way</u>	<u>Pavement</u>
50 feet	28 feet
80 feet (terraced or divided streets)	24 feet (for each side)

Business or Industrial Streets

60 feet	36 feet
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- b. Paved roadway width shall be measured from face to face of curb.
- c. The center line of the roadway shall coincide with the center line of the right-of-way, unless otherwise approved.

3. Curves

- a. The minimum center line radii of curved streets shall be one hundred and fifty (150) feet.
- b. Greater radii may be required whenever deemed advisable or necessary by the Superintendent of Streets and Engineering.

4. Intersections

- a. Cross intersections within the subdivision should be avoided where possible.
- b. Street jogs with center line off-sets of less than one hundred and twenty-five (125) feet shall be permitted.
- c. Streets shall be laid out so as to intersect, as nearly as possible, at a right angle. No street shall intersect any other at less than a sixty (60) degree angle, unless approved by the Director of Public Works.
- d. Street lines, at intersections shall be curbed, to the extent deemed advisable and necessary by the Director of Public Works and Engineering.

5. Grades

- a. Grades, at all streets, shall not be less than one-half (1/2) of one (1) percent; nor greater than six (6) per cent for principal streets and nine (9) per cent for all other streets.
- b. When the grade of any street, at its approach to an intersection, exceeds six (6) per cent, a leveling area shall be provided, which area shall have not greater than a one (1) percent for a distance of not less than fifty (50) feet from the nearest exterior street line of the proposed or existing intersection street.

6. Crowns

- a. Pavement shall be pitched one-quarter (1/4) inch per foot, from the center line of the roadway to the outer edges of the pavement.

C. Utilities

1. Storm water systems

- a. The overall relationship of surface runoff from rights-of-way and lot areas within the subdivision, the roof drainage from structures within the subdivision as well as the cellar and footing drainage of those structures shall be taken into consideration in the design of the storm drainage system.
- b. Whenever and wherever land adjacent to the subdivision is affected, including those ways contiguous to the subdivision because of changes brought about by the applicant through his subdivision, those conditions will also be taken into account, and shall be considered as having a bearing on his planning for the storm drainage system for his subdivision.
- c. Catch basins shall be designed for both sides of the proposed way, on continuous grades, at intervals of not more than three hundred (300) feet, at low points and sags in the way, and near the corners of the way at intersected ways.
- d. Storm drains of all or of any type, including any of their related structures, shall be designed and installed by the applicant, wherever and whenever in the opinion of the Director of Public Works such are necessary to provide adequate disposal of surface water from all streets and lots within the subdivision and that land immediately adjacent to the subdivision.
- e. The following are minimum sizes and strengths of storm water pipes. Existing conditions and design criteria, using Department of Streets and

Engineering standards, shall determine the actual sizes and strengths of pipe to be used in all cases:

- (1) Main Lines - Twelve (12) in reinforced concrete, Class III, or approved equal.
- (2) Catch basin connections - Ten (10) inch vitrified clay pipe, Class 200-65T, or approved equal.

2. Sanitary Systems

- a. Sanitary lines and their related equipment shall be designed and installed in conformance with the requirements of the Director of Public Works.
- b. Whenever septic tanks, or other similar systems, are allowed by the Board of Health of the City of Springfield, they shall be designed and constructed in conformance with their requirements and standards.
- c. The following are minimum sizes and strengths of sanitary lines. Existing conditions and design criteria, using Department of Streets and Engineering standards, shall determine the actual sizes and strengths of pipe to be used in all cases.
 - (1) Main lines - Eight (8) inch, unless volume indicates need for a larger line, asbestos cement, Class 2400 or approved equal.
 - (2) House service lines (main line to lot line) - Four (4) inch asbestos cement, Class 2400, or approved equal.

3. Water Systems

- a. Water mains, and their related equipment, shall be designed to serve all lots on each street within the subdivision, in conformance with the specifications of the Water & Sewer Commission of the City of Springfield.
- b. Whenever a well, or other private water system, is allowed by the Board of Health of the City of Springfield, it shall meet the required standards of said department.

4. Electrical Transmission Lines

- a. All lines and/or wires used for the transmission of electricity and/or intelligence shall be placed underground within the subdivision, in a location as approved by the Director of Public Works, and in accordance with the Building Code of the City of Springfield, as amended.

- (1) All primary and secondary lines placed between street lines shall be buried at a minimum depth of three (3) feet below the approved final grade of streets, walks or tree belts.
- (2) Related equipment and accessories shall be located so as to minimize hazards to the public.

5. Gas Transmission Lines

- a. All main or distribution pipelines used for the transmission of gas shall be placed underground within the subdivision, in a location and at a depth approved by the Director of Public Works.
 - (1) Related equipment and accessories shall be located so as to minimize hazards to the public.

D. Sidewalks

1. Sidewalks having not less than five (5) feet of width may be required on either one or both sides of a street by the Planning Board.
2. The alignment of sidewalks shall be shown on the Standard Construction Details. (Appendix B)
3. Sidewalks shall be pitched at the rate of one-third (1/3) inch to the foot, from the right-of-way line to the top of the curb.

E. Driveway Aprons

1. Driveway aprons shall normally have a sixteen (16) foot clearance at the curb line.
2. The rate of change of grade, from the property line to the pavement line, shall not be over one (1) foot per ten (10) feet of distance.
3. The nearest line of a driveway shall not be any closer than fifty (50) feet from the intersection of any two (2) street lines.
4. Curb returns for driveway aprons shall have a two (2) foot radius, EXCEPT where "rounded corner curbing" is approved by the Director of Public Works.

F. Easements

1. Easements for sanitary, storm or water lines, drainage channels, watercourses, shall be shown on the Definitive Plan. They shall be clearly identified as to purpose and to whom they shall run to.

2. Subject to utility design standards, the following easement widths shall apply:
 - a. Twenty (20) foot minimum for sanitary lines.
 - b. Twenty-five (25) foot minimum for storm water lines.
 - c. As approved for all other purposes.

G. Monuments

1. Monuments shall be located at:
 - a. Both sides of street.
 - b. At all angle points, including the intersection of street lines, at the beginning and end of curves, or changes thereof, EXCEPT that in permanent turnarounds, monumenting shall be resolved between the applicant's surveyor and the Department of Streets and Engineering, through the Division of Engineering.
 - c. At any other location deemed advisable and necessary by the Director of Public Works.

H. Open Spaces

1. Before approval of a Definitive Plan, the Planning Board may also, in proper cases, require the Plan to show a park or parks, suitability located, for playground or recreation purposes, or for providing light and air. The park, or parks, shall not be unreasonable in area, in relation to the land being subdivided, and to the prospective uses of such land. The Planning Board may, by appropriate endorsement on the Plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years.

I. Protection of Natural Features

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

J. Base Flood Elevation

1. Base Flood Elevation data shall be provided for subdivisions greater than 50 lots or 5 acres, whichever is the lesser for that portion within Flood Plain District shown on the Springfield Flood Insurance Rate Maps, panel #250150.

SECTION VII

REQUIRED IMPROVEMENT IN AN APPROVED SUBDIVISION

Note #1: "No person shall remove, fill or dredge any bank, flat, marsh, meadow or swamp bordering on any inland waters without including such plans as may be necessary to describe such proposed activity, with the mayor of a city, and with the State Department of Public Works and Natural Resources. Such notice shall be sent by registered mail at least thirty days prior to any such removing, filling or dredging....Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both, and the Superior Court shall have jurisdiction in equity to restrain a continuing violation of this section." (Chapter 220, Acts of 1965, amending Chapter 131 of the General Laws).

Note #2: "No person shall make or permit a new outlet for the discharge of sewage or industrial waste or wastes, or the effluent therefrom, into any of the waters of the commonwealth, nor shall he construct or operate a new disposal system for the discharge of sewage or industrial or other wastes or the effluent therefrom into the waters of the commonwealth without first obtaining a permit, which the Director (of the Division of Water Pollution Control, Water Resources Commission of the Commonwealth of Massachusetts) is hereby authorized to issue subject to such conditions as he may deem necessary to insure compliance with the standards established for the waters affected. Whoever violates this section may be enjoined from continuing such violation, as provided in Section forty-four" (Chapter 685, Acts of 1966, amending Chapter 21 of the General Laws).

Note #3: "No person, except the Director of Public Works....shall break or dig up or cause to be broken or dug up, the pavement or ground in any public street....or cause to be erected any staging for building thereon, or place or cause to be placed any materials or rubbish thereon, without first obtaining from the Director of Public Works a written license stating the space in the street or other public place that may be occupied, and the time allowed for such occupancy, and such other provisions as they may deem best; and filing with the Director of Public Works a written agreement under seal, approved by the Director of Public Works, to comply strictly with the terms of the license and indemnify the City from all loss, cost or expense that it may suffer by reason of such occupancy" (Section 45 of Chapter 22 of the Revised Ordinances of the City of Springfield).

A. General

1. All improvements hereinafter specified shall be constructed or installed, or caused to be constructed or installed, by the applicant in conformity with the approved Definitive Plan and with
 - a. These Rules and Regulations; and
 - b. Whenever applicable (sections referring to payment are never applicable) with the specifications of the Massachusetts Department of Public Works, as outlined in their 1967 edition of Standard Specifications for Highways,

Bridges, and Waterways, hereinafter referred to as Standard Specifications, as amended, and in the 1966 edition of the Massachusetts Department of Public Works Construction Manual, Construction Standards, Part 3.

- (1) Whenever, in said Standard Specifications, reference is made to the Commonwealth of Massachusetts, it shall mean the City of Springfield; the District Engineer or Engineer shall mean the Director of Public Works.
- c. The Standard Details of the Streets and Engineering Department of the City of Springfield, which are attached to and made a part of these regulations (Appendix B), as appropriate and as amended.
2. Sectional installation of utilities and construction of roadways is permitted, PROVIDED that each such section shall be for not less than five hundred (500) lineal feet of roadway.

B. Inspection of Construction

1. Before the initial construction work is begun, the applicant shall give the Planning Board a written notice of his intent to begin said construction. Such notice shall state the date of such start of construction and shall be given at last two (2) full normal work days before the commencement of the work. Monday through Friday, except for holidays falling on such days, for the purpose of these be deemed normal work days.
 - a. If the construction is carried on in an intermittent manner, a separate notice as required in the above, shall be given before the resumption of construction activity. Stoppage of work for more than two (2) full consecutive work days, as defined herein, shall be deemed "work carried on in an intermittent manner."

C. Preparation of Roadway

1. The entire area within the exterior lines of all streets in the subdivision shall be cleared, excavated or filled, as necessary, and graded in accordance with the then current Standard Specifications, Division II, Sections 101 and 405, inclusive.
 - a. The minimum depth of the gravel base course, after rolling, shall be twelve (12) inches. It shall be greater, if so directed by the Board or its authorized agent, the Director of Public Works.

D. Utilities

1. Storm water systems shall be constructed in accordance with

- a. The then current Standard Specifications, Division II, Section 200 as applicable, and/or
 - b. The Standard Details of the Department of Streets and Engineering of the City of Springfield, as applicable.
2. Sanitary sewer systems, to serve each and every lot, shall be constructed in accordance with the specifications of the Department of Streets and Engineering of the City of Springfield, as outlined in Appendix A of these Rules and Regulations.
 3. Septic tank systems shall be constructed in accordance with the current specifications of the Board of Health of the City of Springfield.
 4. The applicant shall cause water mains and their related accessories, to serve each and every lot, to be installed within the subdivision, as shown on the approved Definitive Plan, and in accordance with the Rules and Regulations of the Board of Water Commissioners of the City of Springfield.
 5. The applicant shall cause primary and secondary lines and/or wires, used for the transmission of electricity and/or intelligence, and their related accessories, to serve each and every lot, to be installed within the subdivision, as shown on the approved Definitive Plan, in accordance with the Building Code of the City of Springfield.
 6. The applicant shall cause main and distribution lines, used for the transmission of gas, and their related accessories, to serve each and every lot, to be installed within the subdivision, as shown on the approved Definitive Plan.

E. Curb Construction

1. All ways shall have their entire gutter lines curbed with granite curbing set in a vertical position, **EXCEPT** for the driveway openings.
2. All materials and workmanship shall be:
 - a. Type VB, four (4) inch thickness, minimum of six (6) foot length granite curbing for residential streets.
 - b. Type VB, five (5) inch thickness, minimum of six (6) foot length granite curbing for all other types of subdivisions, and
 - c. Type A granite curb corners for all types of subdivisions **EXCEPT** "rounded corner curbing" may be substituted at the discretion of the Superintendent of Streets and Engineering, as described in the then current Standard Specifications, Division II, Section 501.

F. Standard Bottom and Top Courses of Pavements

1. The subbase shall be primed with an acceptable asphaltic oil, at a rate of up to one-half (1/2) gallon per square yard of roadway surface, or by any other treatment acceptable to the Director of Public Works.
2. A standard bottom course of one and one-quarter(1/4) inches and a standard top course of one and one-quarter (1 1/4) inches of bituminous concrete shall be laid in accordance with the then current specifications for Type I-1 Bituminous Concrete Pavement, as described in Standard Specifications, Division II, Sections 420 and 460.
 - a. All ways shall be brought up to the finished grade, as shown on the approved Street Plot and Profile Plan of the Definitive Plan.

G. Sidewalk Construction

The standards to be used shall be the then current Standard Specifications, Division II, Section 701.

H. Driveway Apron Construction

The Standards to be used shall be the then current Standard Specifications, Division II, Section 701.

I. Street and Traffic Signs

Street name signs, standards and other appropriate traffic directional signs of a design, material or number required by the Traffic Engineer of the City of Springfield shall be secured, furnished and/or installed, or caused to be installed, by the applicant.

J. Grassed Areas

All unpaved areas, between an exterior right-of-way line and a curb line, within that area contained by a paved turn-around circle, shall be graded, loam with at least four (4) inches of loam, after compacting, and seeded with a suitable cover of seed. All work and material standards shall be the then current Standard Specifications, Division II, Sections 751 and 765.

K. Monuments

1. Monuments, or bounds, as required under Section VI, Paragraph G, shall be:
 - a. Three (3) or four (4) foot lengths of granite or reinforced cement concrete, acceptable to the Director of Public Works and

- b. Shall be installed in accordance with the then current Standard Specifications, Division II, Section 710, at a height of no more than one-third (1/3) of an inch per foot, as measured from the top of the adjacent curb.

L. Clearing Up Right-of-Way

All rights-of-way, within the subdivision, shall be cleared of any and all materials, tools or structures used in this development work but not intended to be a permanent part thereof, prior to the request for release of a Performance Guarantee security or Covenant.

SECTION VIII

APPROVAL AND ENDORSEMENT OF DEFINITIVE PLAN

A. Public Hearing

Before approval, modification and approval, or disapproval of a Definitive Plan is given, the Planning Board shall hold a public hearing on such plan.

1. Notice of the time, place, and subject matter, sufficient for identification, shall be published, by advertisement in a newspaper of general circulation in the City of Springfield in each of two (2) successive weeks, the first publication being not less than fourteen (14) days before the date of such hearing.
2. A copy of such notice shall be mailed to
 - a. The applicant, and
 - b. To the owners of land abutting upon the land included in such plan, as appearing upon the most recent real property tax list. (Section 81-T, Chapter 41, G.L.)

B. Board of Health Report

The Board of Health shall within forty-five (45) days following filing of the Definitive Plan, report to the Planning Board, and applicant, in writing,

1. Approval, or
2. Disapproval of said plan, and
 - a. 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 reasons

therefore in such report, and where possible, shall make recommendations for the adjustment thereof.

3. Failure to so report shall be deemed approval by the Board of Health. (Section 81 U, Chapter 41, G.L.)

C. Planning Board Action

After the public hearing and after receipt of the Board of Health report, or the lapse of forty-five (45) days without the receipt of such report, the Planning Board shall

1. Approve, or shall
2. Modify and approve, or shall
3. Disapprove, if such plan
 - a. Does not comply with the Subdivision Control Law, or
 - b. The Rules and Regulations of the Planning Board, or
 - c. The recommendations of the Board of Health.
 - (1) In the event of disapproval, the Planning Board shall state in detail wherein the plan does not conform to the Rules and Regulations of the Planning Board, or to the recommendations of the Board of Health.
4. A Certificate of Action
 - a. Shall be filed with the City Clerk, and
 - b. Shall be sent by Certified Mail to the applicant. (Section 81 U, Chapter 41, G.L.)
5. A disapproved Definitive Plan which, when amended, does conform to the recommendations and requirements stated in the Certificate of Action issued by the Planning Board, as required in subparagraph 4 above, shall revoke its disapproval and approve such plan.

D. Bonds and Covenants

1. Performance Guarantee

Before endorsement of an approved Definitive Plan, the applicant shall execute

- a. A Performance Guarantee (Form D), in triplicate, which shall be secured by
 - (1) A proper bond, or
 - (2) A deposit of money, or
 - (3) Negotiable securities sufficient, in the opinion of the Planning Board, to secure such Performance Guarantee, or
 - (4) A Covenant (Form E), in duplicate. (Section 81 U, Chapter 41, G.L.)
 - (a) The applicant shall cause the Covenant to be recorded and shall inscribe the said Covenant so that, after recording, it shall be forwarded to the Planning Board by the Registry of Deeds.
- b. In accordance with Section 7 of Chapter 20 of the 1963 Revised Ordinances of the City of Springfield, the applicant shall cause to be executed a Quitclaim Deed (Form H) in a form satisfactory to the Law Department of the City of Springfield and with a description satisfactory to the Engineering Department, for all sewers and drains installed by him, in his subdivision, which are connected to a public sewer or drain.

2. Reduction of Bond

Upon written application, by the applicant to the Planning Board, the penal sum of any bond or deposit of money or security, held under subparagraphs (1), (2), or (3) above, may be reduced, in whole or in part, by the Planning Board, (Section 81 U, Chapter 41, G.L.)

3. Substitution of Bond or Covenant

When the applicant wished to substitute the form of a guarantee given to the Planning Board, he shall give a Substitution Agreement (Form F) to the said Board and comply with all of the pertinent provisions of subparagraph 1 of this section.

4. Release of Covenant

Upon completion of the requirements set forth in the Performance Agreement or Substitution Agreement, the applicant shall send Certified Mail to the

- a. Planning Board and the

b. City Clerk

A written statement that the work required for in the Performance Guarantee or Substitution Agreement and the applicable Subdivision Rules and Regulations of the Springfield Planning Board have been performed, and requesting that the bond, deposit of money, securities, or Covenant, held by the said Board, be released.

- (1) A Certificate (Form G) is signed by the applicant's engineer and/or surveyor shall be attached with the above statement to the Planning Board.

E. Easements

Before endorsement of a Definitive Plan the applicant shall cause to be executed

1. Deed(s), (Form I), in a form acceptable to the City Solicitor of the City of Springfield, for any easement(s) shown on the approved plan which are intended to be granted to the City of Springfield for sanitary lines, water lines, storm water lines, natural drainage channels, water courses, temporary roadway turnarounds, or for any other specific purpose deemed necessary by the Planning Board.

F. Recording of Plans

Following endorsement of an approved Definitive Plan the applicant shall cause to be executed

1. Two (2) copies of the land or Plot Plan of the Definitive Plan shall be furnished the applicant. One (1) copy may be used for purposes of recording in the Hampden County Registry of Deeds.
 - a. In the case of plans to be submitted to the Land Court, the provisions of Section V, A, 3, (a) shall apply.
2. If, by failure of the applicant to cause his Definitive Plan or Non-Subdivision plan to be recorded in the Registry of Deeds or the Land Court, a Certificate of No Change is needed from the Planning Board. It shall be so endorsed upon the plan, upon payment of a ten dollar (\$10.00) fee to the City of Springfield. (Sections 81-U and X of Chapter 41, G.L.)

G. Amendment or Rescission

1. The location and width of any way shown on any Definitive Plan, or any way subject to the Subdivision Control Law, shall not be changed unless and until any such plan is amended and approved by the Planning Board, in conformance with the

said Subdivision Control Law. All of the applicable provisions of the said law and of these Rules and Regulations shall apply. (Section 81-O, Chapter 41, G.L.)

2. Deviations from Approved Plans

- a. Whenever the applicant wishes to
 - (1) Alter or change the grade of a street;
 - (2) Change the size, location or layout of a storm water or sanitary pipe line, he shall forward a written request for such alteration or change to the Planning Board, along with the proposed changes clearly defined on said copies by the use of a red pencil.
- b. No deviation shall be permitted unless and until after such deviation has been approved by the Planning Board.
- c. After approval of a modification, the applicant shall cause the original plans so affected to be corrected to the satisfaction of the Department of Streets and Engineering.

3. Deviation from Specifications

Deviations from material and construction specifications, called for within these Rules and Regulations, shall not be allowed **EXCEPT** as specifically authorized by the Director of Public Works or his assigned Resident Engineer.

SECTION IX

ADMINISTRATION

A. **Building Permit**

No building permit shall be issued by the Building Commissioner of the City of Springfield until

- 1. First satisfied that the lot on which the building is to be erected is not within a subdivision, or
- 2. That a way furnishing the access to such lots, or as required by the Subdivision Control Law, is shown on a plan recorded or entitled to be recorded under Section 81 X of Chapter 41 of the General Laws, and that
- 3. Any condition endorsed thereon, limiting the right to erect or maintain buildings on

such lot, have been satisfied or waived by the Planning Board, and

4. That approval of the Planning Board, permitting the erection placing or conversion to use for dwelling purposes of more than one (1) building on a single lot, has been obtained under the provisions of Section III, C of these regulations has been obtained or waived. (Section 81 Y, of Chapter 41, G.L.)

B. Validity

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

C. Reference

For matters not covered by these Rules and Regulations, reference is made to

1. Sections 81-K through 81-GG, inclusive, and as amended, of Chapter 41 of the General Laws, and
2. The 1963 Revised Ordinances of the City of Springfield, Massachusetts, as amended.
3. The Building Code of the City of Springfield, as amended,
4. Chapters 21 and 131 of the General Laws, as amended.
5. 1967 edition of Standard Specifications for Highways, Bridges and Waterways of the Massachusetts Department of Public Works, as amended.
6. 1966 edition of the Massachusetts Department of Public Works Construction Manual, Construction Standards, Part III, as amended.

APPENDIX A

SANITARY SEWER STANDARDS

All work to be done on sanitary sewer systems shall be in conformance with

1. The 1967 Standard Specifications for Highways, Bridges and Waterways of the Massachusetts Department of Public Works, hereinafter referred to as Standard Specifications, whenever applicable, and
2. To the specifications described hereinafter.

1. **Manholes**

All manholes shall conform to Section 201 of Division II of the Standard Specifications and the following:

- a. Manhole shall be constructed of barrel blocks or precast reinforced concrete sections. The precast reinforced concrete sections shall conform to specifications as shown on the plans. The barrel blocks shall conform to Subsection M4.051 of Division III of the Standard Specifications, EXCEPT that the blocks shall be not less than eight (8) inches in width for manholes nine (9) feet or less in depth. At depths greater than nine (9) feet, the thickness of the manhole wall shall be increased to ten (10) inches by adding a row of brick to the concrete block, alternating the brick inside and outside with each alternate layer of block.
- b. Where manholes are built to a depth greater than nine (9) feet, precast concrete bottom plates will not be allowed. A class "A" concrete masonry base shall be poured in place, as shown on the plans.
- c. Class "A" concrete for bases shall conform to Subsection M4.0.0 through M4.02.15 of Division III of the Standard Specification. Cement shall be Type II Portland cement.
- d. Domes of precast tapered sections will not be allowed. A uniform section will be maintained for the full height of all precast manholes. Care will be exercised so that step in precast manhole sections shall be properly aligned. Precast reinforced concrete covers shall be used on all manholes constructed of precast sections. The top of the concrete cover shall be set at approximately the level of the gravel subgrade or as directed by the Engineer. Not more than twelve (12) inches of brick masonry will be allowed to bring the cast iron frame and cover to finish grade. Domes of manholes constructed of barrel blocks shall be formed using taper blocks of uniform section according to plan or as directed by the Engineer.

- e. The outside faces of all sanitary sewer manholes shall be given two (2) coats of bituminous waterproofing material. The material shall be "450 Heavy Themecol" as made by Themac Company, Inc., North Kansas City, Missouri; "Minwax Fibrous Brush Coat" as made by Minwax Company, Cleveland, Ohio; "Inertol #7" as made by Inertol Company, Newark, New Jersey; or approved equal. The Waterproofing material shall be applied by brush or spray and in accordance with the instructions of the manufacturer. Time shall be allowed between coats to permit sufficient drying so that the application of the second coat has no effect on the first coat.
- f. The Subdivider shall furnish and install cast-iron manhole steps as indicated on the plans. The cast-iron steps shall be of good quality, strong, tough, even-grained cast-iron, smooth, free from scale, lumps, blisters, sand holes and defects of every nature which would render them unfit for the service for which they are intended. Cast-iron shall conform to ASTM Designation A48, Class 25. Before shipment from the foundry, the steps shall be thoroughly cleaned and given one
 - (1) coat of coal-tar pitch varnish.
 - (1) At the option of the Subdivider, manhole steps shall not be coated.

2. **Vitrified Clay Pipe**

Material shall conform to Subsection M5.01.0 of Division III, and construction shall conform to Section 230 of Division II of Standard Specifications, **EXCEPT AS FOLLOWS:**

- a. Pipe and fittings shall be extra-strength clay pipe and fittings conforming to A.S.T.M. Designation C-200, as amended. All sizes of pipe required shall be furnished in lengths of not less than three (3) feet; laying lengths of fittings shall be in accordance with A.S.T.M. Designations C-200, as amended.
- b. Pipes and fittings shall be subject to thorough inspection and tests, the right being reserved to the Engineer to apply such of the tests specified as he may from time to time consider desirable. Tests shall be made in accordance with the methods prescribed by, and the acceptance or rejection shall be based on, A.S.T.M. Designation C-301.
- c. Proper line and grade shall be attained by the use of batter boards. At least three batter boards. At least three batter boards shall be used during all pipe laying operations. Hand levels will not be permitted.
- d. Section 230.61 of Division II of Standard Specifications is amended as follows:
 - (1) If directed by the Engineer, pipe shall be supported with compacted screened gravel to obtain a substantially unyielding bed. Screened gravel shall

conform to the requirements of designation C-2 of Subsection M4.02.03 of Division III of Standard Specifications.

- e. The present text of Section 230.62 of Division II of Standard Specifications is deleted and the following substituted.
 - (1) Vitrified clay pipe shall be jointed by the use of factory-fabricated connections conforming to A.S.T.M. Designation C425, Types I, II, and III.
 - (2) Joints shall be "Wedge-Lock Type O" as made by the Robinson Clay Products Co.; "Amvit Joint" as made by American Vitrified Clay Products Co.; "Pomo-O-Lock" as made by the Pomona Terra-Cotta Company; or approved equal.
 - (3) If the Subdivider desires to use a method of pipe jointing other than that described herein, he shall submit a detailed specification and drawing describing the alternate method to the Engineer for approval.
 - (4) No such alternate method of jointing the pipe shall be used UNLESS the method has been approved by the Engineer in writing.

3. Asbestos Cement Pipe

- a. The Subdivider shall furnish, lay and joint asbestos-cement pipe, including the necessary collars and rubber rings. The pipe shall be laid on a firm undisturbed bedding as shown on the plans and as directed.
- b. Asbestos-cement sewer pipe shall conform to Federal specification SS-P-2331a, with the following exceptions
 - (1) Asbestos-cement sewer pipe shall be furnished in strength Class 2400, 3300, 4000 or 5000. The class designation number is the minimum strength requirement in pounds per lineal foot of pipe under the A.S.T.M. three-edge-bearing method of load testing.
- c. Asbestos cement sewer pipe and the sleeves of the couplings shall be composed of an intimate mixture of cement and asbestos fiber and shall be free from organic substance.
- d. The standard nominal laying length of pipe shall be thirteen (13) feet. A maximum of fifteen percent (15%) of the pipe furnished may be in lengths less than thirteen (13) feet, but not less than six (6) feet. These shorter lengths, ordered to make connections with manholes or other rigid structures, shall not exceed six (6) feet, the standard length for 6-inch diameter and 8-inch diameter pipe.

- e. Each pipe shall be properly machined on each end to allow the pipe sections to be jointed without causing damage to or displacement of the rubber gaskets.
- f. One coupling consisting of an asbestos-cement sleeve and two (2) rubber rings shall be furnished with each standard, random or short length of pipe. The rings shall consist of a molded and vulcanized rubber compound.
- g. The alkalinity of the asbestos-cement sewer pipe and sleeves shall not be more than sixty (60) when expressed as milligrams of KOH per gram of sample, when tested in accordance with the Western Electric Method.
- h. The quality of the pipe furnished shall be subject to the inspection and approval of the engineer either at the place of manufacture or on the job site, or both, and the pipe shall be subject to rejection at anytime on account of failure to meet these specification requirements, even though sample pipes may have been accepted as satisfactory at the place of manufacture.
- i. The Engineer may require the manufacturer to furnish a certification that the pipe has been tested as provided herein and that it conforms in all respects to the requirements of these specifications.
- j. The pipe shall be tested in the United States in accordance with these specifications.
- k. All asbestos-cement pipe shall be laid in accordance with the manufacturer's requirements for the type of pipe being laid.
- l. Each pipe shall be laid true to line and grade and care shall be taken to secure closeness of joints and smoothness and continuity of invert. At least three (3) batter boards shall be used during all pipe laying operations. Hand levels will not be permitted. If the asbestos-cement pipe is laid upon wood blocks, each length of pipe must be supported on two (2) blocks placed thirty-two and one-half (32 1/2) inches from each end of each thirteen (13) foot length. The supporting soil or gravel cradle shall be well tamped and compacted under the blocks and the blocks brought to proper grade before the pipe is laid upon them.
- m. If directed by the Engineer, pipe shall be supported with compacted screened gravel to obtain a substantially unyielding bed. Screened gravel shall conform to the requirements of designation C-2 of Subsection 4.02.03 of Division III of Standard Specifications.

4. Branch Fittings

Branch fittings shall be furnished and set in all sanitary sewer lines at the location of all contemplated connections. The fittings shall be either 45 degree or 90 degree wyes or tees, and shall conform to the strength class of the pipe line into which they are inserted. All

fittings shall contain the same type of joint or couplings and rings equivalent to those used in the pipe line.

5. Testing of Line

Upon completion of the sewer, the Subdivider shall unwater the pipe line and conduct a satisfactory test to measure the infiltration for at least twenty-four (24) hours. This amount of infiltration shall not exceed 10,000 gallons per mile of pipe line per twenty-four (24) hour day.

The Subdivider will be held responsible for the satisfactorily water-tightness of the entire sewer satisfactorily repair all joints or other locations not sufficiently water-tight. If the infiltration exceeds the specified rate, the Subdivider shall repair the joints or relay the pipe, if required.

(On applicant's letterhead, if available)

Date: _____

Springfield Planning Board
City Hall
36 Court Street
Springfield, Massachusetts 01103

The undersigned, believing that the accompanying plan of his property in the City of Springfield does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that the 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 _____ Registry of Deeds,

Book _____ Page _____

4. Location and Description of Property

Street and Parcel Number(s): _____

5. Was land, shown on plan submitted, part of an abutting parcel of land?

If so, identify such abutting parcel and ownership:

**I hereby certify that I am the owner or
that I am acting on behalf of the owner.**

Owner/Agent: _____

Address: _____

Application fee is \$75.00 (check made payable to the City of Springfield). Please submit two (2) plans drawn as specified in Section V.A.2 of the Subdivision Regulations and three (3) paper copies. In addition the applicant shall furnish a digital copy of the plan. The digital copy shall be in AutoCad.dxf format. Other digital formats, such as those compatible with E.S.R.I's ArcInfo software, are acceptable subject to approval. The Planning Board encourages the coordinate system to be Mass Stateplane Feet and the plans projection to be NAD 83.

Relevant Section of the Subdivision Regulations of the Springfield Planning Board

Section V - Submission of Plans

A. Non-Subdivision Plans

1. Submission

- a. By delivery at a meeting of said Board, or
- b. By certified mail in care of the City Clerk which shall, in either case, be accompanied by
 - (1) A completed Form A, and
 - (2) A check in the amount of fifty dollars (\$50.00), made out to the City of Springfield.

2. Plan and Contents

Non-subdivision plans submitted to the Planning Board shall

- a. Be drawn by a registered surveyor;
- b. On tracing cloth or Mylar film, with India ink, at a scale adequate to ensure readability and clarity, and shall show
- c. Items (a), (b), (c) and (g) of paragraph B of Section IV of these regulations as are appropriate.
- d. Plan sizes shall be 8-1/2" x 11", 17" x 22" or 22" x 34", with a one-quarter (1/4) inch border.
 - (1) Plans drawn for Land Court submission shall conform to size standards of the Land Court.

3. Endorsed Plans

Tracing of non-subdivision plans shall remain in the possession of the Planning Board. Therefore,

- a. In the case of plans to be submitted to the Land Court, the original and a cloth or Mylar film reproducible shall be submitted to the Planning Board. When endorsed, the original tracing shall be returned to the applicant.
- b. In all other cases the applicant may submit two (2) tracings, as above. If only one (1) tracing is submitted, four (4) copies shall be furnished the applicant following endorsement of the plan.

(On applicant's letterhead)

Date: _____

Springfield Planning Board
City Hall
36 Court Street
Springfield, Massachusetts 01103

The undersigned herewith submits the accompanying Preliminary Plan of property located in the City of Springfield for approval under the requirements of the Subdivision Control Law and the Rules and Regulations governing the Subdivision of Land of the Planning Board of the City of Springfield.

1. Name of Subdivider: _____

Address: _____

2. Name of Engineer or Surveyor: _____

Address: _____

3. Deed of Property recorded in _____ Registry,

Book _____

Page _____

4. Location and Description of Property

Street and Parcel Number(s): _____

**I hereby certify that I am the owner or
that I am acting on behalf of the owner.**

Owner/Agent: _____

Address: _____

(On applicant's letterhead)

Date: _____

Springfield Planning Board
City Hall
36 Court Street
Springfield, Massachusetts 01103

The undersigned herewith submits the accompanying Definitive Plan of property located in the City of Springfield for approval of a subdivision, under the requirements of the Subdivision Control Law and the Rules and Regulations governing the Subdivision of Land of the Planning Board of the City of Springfield.

1. Name of Subdivider: _____

Address: _____

2. Name of Engineer or Surveyor: _____

Address: _____

3. Deed of Property recorded in _____ Registry,

Book _____

Page _____

4. Location and Description of Property

Street and Parcel Number(s): _____

**I hereby certify that I am the owner or
that I am acting on behalf of the owner.**

Owner/Agent: _____

Address: _____

(Attach a list of names and mailing addresses of the abutters of the subdivision.)

PERFORMANCE AGREEMENT

THIS AGREEMENT made this _____ day of _____ at Springfield in the County of Hampden and Commonwealth of Massachusetts by and between

_____, hereinafter called the Subdivider and THE CITY OF SPRINGFIELD, a municipal corporation located within said County of Hampden, acting through its Planning Board, hereinafter called the City.

WITNESSETH:

WHEREAS the subdivider has petitioned the City for improvement of certain private ways designated as shown on a plan and profile entitled:

Engineer:

Scale:

Date:

which plan and profile has been submitted to the City Planning Board and is on file in the office of said Board, NOW, THEREFORE, in consideration of the approval of said plan and profile by the Planning Board of said City, the Subdivider agrees with the City to complete all items in this Performance Agreement, as set forth in the Rules and Regulations for the Development of Subdivisions, under the date of May, 1997, within a two (2) year period from the date of this instrument, as follows:

1. Inspection of construction shall be in accordance with paragraph B of Section VII of the aforementioned Rules and Regulations.
2. Preparation of roadway shall be in accordance with paragraph C of Section VII of the aforementioned Rules and Regulations.
3. Utilities shall be installed or constructed in accordance with paragraph D of Section VII of the aforementioned Rules and Regulations.
4. Subbases shall be primed and pavement shall be laid in accordance with paragraph F of Section VII of the aforementioned Rules and Regulations.
5. Sidewalks, if shown on the aforementioned Definitive Plan, shall be constructed in accordance with paragraph G of Section VII of the aforementioned Rules and Regulations.
6. Driveway aprons shall be constructed in accordance with paragraph H of Section VII of the aforementioned Rules and Regulations.
7. Street and traffic signs shall be secured, furnished and/or installed or caused to be installed in accordance with paragraph I of Section VII of the aforementioned Rules and Regulations.
8. Unpaved areas shall be graded, loamed and seeded in accordance with paragraph J of Section VII of the

aforementioned Rules and Regulations.

9. Monuments or bounds shall be installed in accordance with paragraph K of Section VII of the aforementioned Rules and Regulations.
10. All rights-of-way shall be cleared in accordance with paragraph L of Section VII of the aforementioned Rules and Regulations.
11. SPECIAL CONDITIONS:
12. Street curbs shall be constructed in accordance with paragraph E of Section VII of the aforementioned Rules and Regulations.
13. All construction will be in conformance to the following specifications and regulations: The Massachusetts Department of Public Works Standard Specifications for Highways, Bridges and Waterways, 1973 Ed.; the Massachusetts Department of Public Works Construction Manual, Part 3, dated May 1966; the Revised Ordinances of the City of Springfield, 1963; the Subdivision Regulations of Springfield, April 1968; the Design Standards of the Springfield Department of Public Works; and any revisions, additions, or amendments to the aforementioned specifications and regulations.
14. Upon completion of all items specified in paragraphs one (1) through twelve (12), the Subdivider shall file with the Planning Board an Engineer=s Certificate (SPB-Form G) attesting to the satisfactory performance and completion of all items set forth within this Agreement and the Rules and Regulations for the Development of Subdivision of the Springfield Planning Board, as adopted under date of May 1997.
15. In the event the ways described in this Performance Agreement are laid out as public ways subsequent to the date of that Agreement, the Subdivider agrees to complete the work required by the Performance Agreement nevertheless, first complying with Section 45 of Chapter 22 of the Revised Ordinances of the City of Springfield.
16. To furnish the Planning Board with a performance in the construction of _____ to secure the Subdivider=s

If the subdivider neglects or refuses to perform all of the undertakings herein required within the time specified, or any extension thereof, the City, by written notice to the Subdivider, may terminate the latter=s right to proceed with such undertakings. In such event, the City may cause such unfinished work to be completed and thereafter deduct the cost thereof from the security deposited hereunder.

If the Subdivider recognizes the right of the Planning Board, the Director of Public Works and/or their authorized agents to issue a cease and desist order if construction is found out not to be in accordance with this Agreement.

17. If, by the expiration date of this Performance Agreement, the ways and utilities have not been properly constructed, then the Planning Board reserves the right to exercise any one of the following options:
 - A. Grant the Subdivider an additional specified time extension to complete the necessary work under the terms of this Performance Agreement.
 - B. Renegotiate a new Performance Agreement which may contain a new time limit and a new bonding amount which, in part, will reflect any new costs of materials or labor which have occurred during the time period of the original Performance Agreement. In addition, the Planning Board may adjust

the percentage of work which the new bonding amount is intended to cover.

- C. Refuse further time extensions and utilize the bond (if any) for the completion of the work specified in the Performance Agreement. In instances when the bonding amount is insufficient for the amount of work left to do, the City of Springfield or its agent shall complete the work and bill the Subdivider for the costs in excess of the bond.

IN WITNESS WHEREOF the said parties have caused these presents to be signed, sealed, and delivered the day and year first above written.

SUBDIVIDER

BY _____

**PLANNING BOARD
SPRINGFIELD, MASSACHUSETTS**

BY _____

Approved as to form:

Approved:

Associate City Solicitor

MAYOR

Receipt of original hereof, together with

BY _____
City Planning Department

COVENANT

The undersigned, _____, owners of a definitive plan of a subdivision entitled Definitive Subdivision Plan, _____, Springfield, Massachusetts, dated _____, Scale _____, does hereby covenant and agree with the Springfield Planning Board and the successors in the office of said Board, pursuant to G. L. (Ter. Ed.) C41, Sec. 810, as amended, that:

Covenant applies to _____ in its entirety.

1. The covenantor is the owner of record of the premises shown on said plan;
2. This covenant shall run with the land and be binding upon the executors, administration, heirs, assigns of the covenantor, and their successors in title to the premises shown on said plan;
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Board before such lot may be built upon or conveyed;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

EXECUTED this _____ day of _____

(owner/corporation name)

BY: _____

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss. _____ Springfield _____

Then personally appeared _____ and acknowledged the foregoing instrument to be his free act and deed, before me

Notary Public

My Commission expires: _____

SUBSTITUTION AGREEMENT

AGREEMENT made this _____ day of _____ at Spring-
field in the County of Hampden and Commonwealth of Massachusetts, by and between
_____ hereinafter called the SUBDIVIDER and the CITY OF SPRINGFIELD, a municipal
corporation located within said County acting through its Planning Board, hereinafter called the CITY.

WITNESSETH:

WHEREAS on _____ the Planning Board approved a certain Definitive Plan of the
Subdivider in return for which the Subdivider executed a certain Performance Agreement, dated _____ the
performance was secured by the Covenant of the Subdivider, duly recorded in Hampden County Registry of
Deeds,

Book _____ Page _____

WHEREAS the Subdivider now desires to have certain lots released from the operation of said Covenant and
offers to provide other security for the faithful performance of said Agreement.

NOW THEREFORE, the parties, in consideration of their mutual undertakings, agree as follows:

1. The Subdivider deposits with the City hereunder the following collateral:

in the amount of \$ _____ with payment order in the name of the City of Springfield to
insure the true and faithful performance of all of the requirements of said Performance Agreement as they
relate to _____ Street in its entirety, and
_____ Street for a distance of _____ feet easterly from the end of the present public way.
2. In the event the ways described in the Performance Agreement are laid out as public ways subsequent to
the date of that Agreement, the Subdivision agrees to complete the work required by the Performance
Agreement nevertheless, first complying with Revised Ordinances, Section 22-45.
3. The City will deliver forthwith to the Subdivider its formal Release (from the aforesaid Covenant) as to
lots _____ through _____, inclusive, on Subdivider=s Definitive Plan.

IN WITNESS WHEREOF the said parties have caused these presents to be signed, sealed, and delivered the
day and year first above written.

OWNER: _____

Approved as to Form:

Approved:

Associate City Solicitor

MAYOR

RECEIPT of original hereof, together with is acknowledged.

BY: _____
Planning Board - Department

Date: _____

ENGINEER'S CERTIFICATE

I hereby certify that the Definitive Plan entitled

is correct; that it is a subdivision of (part or all of) the lands conveyed

by _____ to

by deed dated _____, and recorded in Hampden County Registry,

Book _____ Page _____; that all streets and ways have been graded and sur-

faced as required; that all utilities and other improvements required have been installed; that monuments have been set as indicated on the Definitive Plan, all in accordance with the approved Definitive Plan and the Regulations for the development of Subdivisions of the Springfield Planning Board.

Date: _____

Engineer or Surveyor

Mass. State Registration No. _____

QUITCLAIM DEED (CORPORATION)
(S A M P L E)

Raritan & Sons, Inc.

a corporation duly established under the laws of Massachusetts and having its usual place of business at 40 Bellweather Road in Springfield, Hampden County, Massachusetts, for consideration paid, grants to the City of Springfield, a municipal corporation located in said County of Hampden,

with quitclaim covenants

(Description and encumbrances, if any)

sanitary sewer in Hollis Road from Jack Street to Old Street. Beginning at a sanitary sewer manhole at the intersection of Jack Street and Hollis Road and running thence southerly in Hollis Road about 2,393.00'. This sewer consists of 2,393.00 linear feet of ten (10) inch diameter vitrified clay pipe.

All as shown on plans entitled, ASpringfield, Mass., Department of Streets and Engineering, Hollis Road, Sanitary Sewer - Jack Street to Old Street, Stormwater Drain - Holly Road to Old Street, Scale 1" = 40', April, 1962", consisting of three (3) sheets, said plans being now on file in the office of the Engineering Division of said Department of Streets and Engineering. Together with the right to enter upon the aforesaid streets, courts, or ways, and dig up the same so far as necessary for repairing, maintaining, controlling or replacing such sewer, and making connections therewith, for which no sewer entrance fees shall be required from the Covenantor and/or sewer assessments levied. This instrument shall take effect upon completion of all work called for in a certain Performance Agreement, dated August 3, 1967, entered into by Raritan & Sons, Inc. with the Springfield Planning Board.

IN WITNESS WHEREOF, the said Raritan & Sons, Inc., has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by its President and Treasurer hereto duly authorized this _____ day of March in the year One Thousand Nine Hundred and Sixty-seven.

Signed and sealed in presence of

Raritan & Sons, Inc.

President

Treasurer

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

March 1967

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be free act and deed of the before me.

Notary Public

(S A M P L E)

EASEMENT⁹
(S A M P L E)

KNOW ALL MEN BY THESE PRESENTS that East Manor, Inc., a corporation duly established under the laws of Massachusetts and having its usual place of business at Springfield, Hampden County, Massachusetts for consideration paid, grants to CITY OF SPRINGFIELD, a municipal corporation located in the County of Hampden, an easement to lay, repair and maintain a storm sewer over land of the Grantor, which easement is as shown on a plan entitled: A Definitive Plan of East Manor, Owner: A. B. C. Realty Company, Subdivider: East Manor Construction Co., Inc., Engineer: Engineering Landscape Collaborative, Scale: 1" = 40', Date: January 18, 1967, Revised March 13, 1967", recorded herewith and more particularly described on said plan as follows:

Beginning at a point on the easterly street line of proposed East Manor Road said point being opposite center line section 11 + 52.80;

Thence S 67 degrees 53' 52" E 254.41 feet to a point, bounded northerly by land of A.B.C. Realty Co.;

Thence S 16 degrees 51' 50" W 905.82 feet to a point, bounded easterly by land now or formerly of Hyman Friedland and Moses L. Rose;

Thence N 37 degrees 08' 10" W 86.61 feet to a point;

Thence S 25 degrees 04' 53" W 135.29 feet to a point;

Thence S 32 degrees 22' 50" W 129.40 feet to a point;

Thence N 84 degrees 53' 07" W 56.26 feet to a point; the last four lines bounding southerly and easterly on land of said A. B. C. Realty Co.;

Thence northeasterly along the arc of a curve to the left with a radius of 62.00 feet, a distance of 12.76 feet to a point, bounding westerly by a cul-de-sac at the end of East Manor Rd.;

Thence S 84 degrees 53' 07" E 44.61 feet to a point;

Thence N 32 degrees 22' 50" E 121.37 feet to a point;

Thence N 25 degrees 04' 53" E 244.82 feet to a point;

Thence S 73 degrees 08' 10" E 72.00 feet to a point;

Thence N 19 degrees 09' 07" E 225.43 feet to a point;

Thence 16 degrees 51' 50" E 559.00 feet to a point;

Thence N 04 degrees 11' 55" E 102.59 feet to a point;

Thence N 67 degrees 53' 52" W 109.85 feet to a point, on the easterly, northerly, westerly and southerly on lands of said A.B.C. Realty Co.;

Thence northerly along the arc of a curve to the left with a radius of 262.00 feet a distance of 13.79 feet to the point of beginning, the last line bounding westerly on the easterly street line of East Manor Road.

IN WITNESS WHEREOF, the said East Manor, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Neil H. Laucy its President this 18th day of July in the year One Thousand Nine Hundred Sixty-seven.

Signed and sealed in the presence of:

EAST MANOR, INC.

Its President

Date: -----

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss

Springfield -----

Then personally appeared the above named Neil H. Laucy and acknowledged the foregoing instrument to be the free act and deed of the East Manor, Inc., before me.

Notary Public

My Commission Expires:
