



**Rules and Regulations for
Subdivision**

**as adopted by the
Planning Board of the City of Quincy, Massachusetts**

Amended through May 9, 2007

Effective Date: September 1, 2007

Internet Link to Planning Department: [Quincy Municipal Code](#)

Main phone number for Planning and Community Development: 617-376-1365



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Section 1. DEFINITIONS

*For the purpose of these regulations, certain words used herein are defined as follows:

Alley: A narrow strip of land or passageway between buildings, especially through the middle of a city block giving access to the rear of buildings and/or lots.

Board: the Planning Board of the City of Quincy

City: City of Quincy, Massachusetts

Sub-divider: A person or persons undertaking the subdivision of a tract of land

Subdivision: The division of a lot, tract or parcel of land into two or more lots, sites or other divisions of land for the purpose whether immediate or future, of sale or building development, in such a manner as to require provision for a way, public or private, to furnish access to one or more lots, sites or divisions.

The term "Subdivision" shall include resub-division and when appropriate to the context shall relate to the process of subdividing or to the land or territory subdivided.

Way: Shall be synonymous with the terms road, street, highway, and avenue and shall denote any such line or route for passage whether public or private. The width of a way shall be the width of the strip of land laid out, designated, acquired and/or dedicated for the use of such way. Such width includes the spaces for vehicular travel, sidewalks, edge stone and planting spaces where required.

Section 2. Limitation of One BUILDING Per Lot

Not more than one building designed or available for use as a dwelling or for dwelling purposes shall be erected or placed in use or converted to use as such on any lot in a subdivision or elsewhere in the City of Quincy without the consent of the Board. Such consent shall be conditional upon the providing of adequate ways furnishing access to each site for such building and upon compliance with the Zoning Ordinance.

Section 3. PROCEDURE

Every new subdivision within the City must carry the approval of the Planning Board before permits are issued for any construction on property therein. The Planning Board has established a procedure to facilitate the approval of subdivisions.

All subdivisions shall be submitted in two parts known as the Preliminary Plan and the Final Plan. Approval of the Preliminary Plan does not constitute approval of the subdivision but merely indicates that the Board is generally in accord with the layout.

Section 3-1 Preliminary Plan

1. Prior to submission of a Preliminary Plan, the sub-divider is invited to discuss his subdivision with the Planning Board or its staff.
2. The design of the subdivision shall be in accordance with the design standards in Section 3.
3. The Application for approval of the Preliminary Plan shall be accompanied by 15 copies of the plan.
4. The following shall be shown on the Preliminary Plan, at a scale of not more than 100 feet to one inch:
 - a) Proposed name of the subdivision, names and addresses of the owner or owners and of the technical author of the plan.
 - b) Bounds of the subdivision, including within such bounds proposed ways for which approval is requested.
 - c) Location of existing property lines, streets, buildings, watercourses, bench marks, and other physical features.
 - d) Approximate location on property immediately adjoining the subdivision of existing sewer, water-mains, culverts, drain pipes, electric lines and invert elevations of sewers at points of proposed connections, names of subdivisions immediately adjacent, streets and other public spaces on immediately adjoining properties.
 - e) Names, locations, and widths of proposed streets and roads, location of proposed easements, utilities, building lines, parks, and other open spaces.
 - f) Location and size of existing sewer and water mains within the subdivision, if any.
 - g) Lot lines, frontage, depths and areas.
 - h) Names of owners of abutting property.
 - i) Date, North point, and scale.
 - j) A contour map of the land to be subdivided if in the

opinion of the technical advisor of the Planning Board such a map appears necessary.

k) Proposed finished street grades at the intersection of the center-line of each street with the bounds of the subdivision

5) After the technical advisor of the Board has reported upon the extent of compliance of a Preliminary Plan with these regulations, the Board shall pass upon the plan as submitted or modified, and, if disapproved, shall express its reasons for so doing. The Board shall notify the sub-divider in writing of it's action.

Section 3-2 Final Plan

1. Application for approval of a Final Plan shall be in writing, carrying a description of the property to be subdivided, including within such property all proposed ways for which approval is requested. Such application shall be signed by the owner or owners of all property within the subdivision, and by the sub-divider if he is not an owner.

2. The Final Plan shall be prepared on tracing cloth in black waterproof ink, except as otherwise specified below, and shall show the same items required on the Preliminary Plan plus the following:

a) A profile of each proposed private way within the subdivision showing the existing grades on both sides of the right-of-way and at the center line, the proposed finished grade of the center line on the private way shown in red ink, and the grade of the finished private way expressed in per cent. Proposed elevations of the finished grade shall be shown every 50 feet and shall refer to the Quincy City Base.

b) Proposed surface drainage.

c) Length of all arcs, and, in red ink, the radii of such arcs.

d) Angles where necessary, shown in red ink.

e) Lot numbers.

f) Length and compass bearings of all street boundary lines, shown in red ink.

g) Space for the individual signatures of the five members of the Planning Board and for the date of approval of that Board. If the Final Plan consists of more than one sheet such space shall be on the first sheet.

3. Unless otherwise directed by the Planning Board, the Final Plan shall be drawn to scale of 40 feet to the inch.

4. All plans and profiles shall be submitted on sheets of uniform size. The following sizes may be used:

17" x 21"

21" x 34"

Under exceptional conditions, the technical advisor of the Board may specify that a larger sheet be used.

5. If the Final Plan consists of more than one sheet, all sheets shall be numbered thus: sheet 1 of 3, sheet 2 of 3, etc.

6. The Planning Board shall take no action upon the Final Plan until the sub-divider furnishes evidence of compliance with Section 81T of Chapter 41 of the General Laws of Massachusetts as amended, which reads in part as follows:

"Every person submitting a definitive plan (Final Plan) of land to the Planning Board of a city or town for its approval shall give written notice to the clerk of such city or town by delivery or by registered mail, postage prepaid, that he has submitted such a plan. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan was submitted and the name and address of the owner of such land; and the facts stated in such notice shall be taken by the city or town clerk as true, unless the contrary is made to appear."

Section 4. Design Standards

Section 4-1. General Requirements:

No subdivision shall be approved unless and until the Planning Board has been advised, in writing, that the Board of Health has approved the proposed method of providing for sanitary water supply, sewage disposal, and drainage.

Section 4-1-A Subdivision in a Flood Plain District

All subdivision proposals shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If any part of a subdivision proposal is located within a Flood Plain District, established under the Zoning Bylaw, it shall be reviewed to assure compliance with the following:

1. The proposal is designed consistent with the need to minimize flood damage.
2. All public utilities and facilities, such as sewer and water systems shall be located and constructed to minimize or eliminate flood damage.
3. Adequate drainage systems shall be provided to reduce exposure to flood hazards.

4. Base flood elevation (the level of the 100-year flood)data shall be provided for proposals greater than 50 lots or 5 acres, whichever is lesser, for that portion within the Flood Plain District.

Section 4-2. Streets

1. The arrangement of streets in a new subdivision shall make provision for the continuation of the principal existing streets in the adjoining subdivisions (or their proper projection when adjoining property is not subdivided) insofar as they may be necessary for public requirements.
2. Where the plan submitted covers only a part of the sub-divider's plot, a sketch of the proposed future street system of the un-submitted part shall be furnished and the street system of the part submitted shall be considered in the light of the proposal for the part not submitted.
3. No subdivision shall be approved showing any proposed way with a width less than forty (40) feet. The Board reserves the right to require additional width where, in its opinion, such additional width is necessary to serve the interests of the public.
4. No subdivision shall be approved showing a proposed way with a grade exceeding 10% or less than 1/2 of 1%. Transition from one grade to another shall be accomplished by means of a vertical curve.
5. Insofar as is practical, acute angles between streets at their intersections are to be avoided.
6. The property line at the intersection of two streets shall be rounded with a radius of not less than twenty (20) feet.
7. When the alignment of a way deviates from a straight line, the tangents shall be connected by means of a curve with a minimum centerline radius of 100 feet.
8. Streets designed to have one end permanently closed shall have a turning circle at the closed end unless such a requirement is wholly impractical because of existing physical conditions. Such turning circle shall permit an inside turning radius of not less than twenty-five (25) feet and a pavement width in addition of not less than twenty-two (22) feet. Such streets shall not extend beyond the centerlines of the nearest intersection for more than four hundred-fifty (450) feet. Where conformance to this provision results in lots longer than one hundred-fifty (150) feet at the end of a cul-de-sac, the maximum length of such streets may be increased to five hundred (500) feet. The property line at the intersection of the turnaround and the straight portion of the street shall be rounded at a radius of not less than twenty (20) feet.
9. Alleys will not be approved in subdivisions designated as residential under the Zoning Ordinance. The necessity for alleys to serve subdivisions devoted to business or industry will be determined upon their merit after discussion with the Board.

Section 4-3. Blocks

No block may be more than 1,320 feet in length between the center-lines of intersecting streets, except where, in the opinion of the Board, extraordinary conditions unquestionably justify a departure from this maximum. In blocks over six hundred (600) feet in length, the Board may require, at or near the middle of the block, a public way or easement of not less than ten (10) feet in width for use by pedestrians and/or an easement for public utilities.

Section 4-4. Lots

1. Lots with frontage on two parallel streets when less than 180 feet in depth are prohibited unless in the opinion of the Board exceptional conditions may be such as to render this requirement undesirable.

2. Minimum lot sizes are as follows:

The minimum width of any lot shall be 85 feet in a Residential "A" zone and 75 feet in a Residential "B" or "C" zone. The minimum area shall be 7,650 square feet in a Residential "A" zone and 6,750 square feet in a Residential "B" or "C" zone.

3. In all quadrangular lots and insofar as is practicable a all other lots, the side lot lines shall be at right angles to straight street lines and radial to curved street lines.

Section 4-5. Parks and Public Open Spaces

The Board may require the dedication of parks, playgrounds, or other public open spaces when it appears that the needs of the public warrant such dedication.

Section 4-6. Protection of Natural Features

The Board reserves the right to decline approval of a subdivision if due regard is not shown for the preservation of all natural features such as large trees, water courses, scenic points, historic spots, and similar community assets which, if preserved, will add attractiveness, stability and value to the property.

Section 5. Improvements Required

Section 5-1 Installation Prior to Approval

The Planning Board may indicate its approval of the design of a subdivision and its delineation of the Final Plan but will not sign such Final Plan until the following are completed:

1. Installation of sanitary sewer facilities to serve all building lots to be created by approval of the sub-division, such installation subject to inspection and approval of the City Engineer.
2. Installation of storm water drains in all proposed private ways, such installation subject to inspection and approval of the City Engineer.
3. Construction of all proposed private ways to proper sub-grade in accordance with the specifications of the Division of Engineering and in accordance with plans approved by the Planning Board.
4. Surfacing of all roadways and shoulders and construction of all sidewalks in accordance with the specifications of the Division of Engineering and in accordance with plans approved by the Planning Board.
5. Placing of monuments at all points of curvature and angles on at least one side of all proposed streets. Monuments shall be of a design approved by the City Engineer.

Section 5-2 Agreement in Lieu of Installation

A sub-divider not wishing, prior to the Planning Board endorsement of the definitive plan, to install the utilities and improvements shown on said plan, may provide a bond or covenant in lieu thereof. A bond may be a surety, cash, or savings account bond. It shall be of a form and amount satisfactory, in the opinion of the Planning Board, for completion of the installation of the required utilities and improvements, and it shall, when approved by the Planning Board, be posted in the office of the City Treasurer. The alternative, a covenant, executed and duly recorded by the owner of record, running with the land, shall specify that the required utilities and improvements will be provided for any lot before such a lot may be built upon or conveyed other than by mortgage deed. A covenant shall be of a form acceptable to the Planning Board and its existence shall be noted on the definitive plan prior to endorsement and recording of that plan.

Section 5-3. Waiver of Compliance

The Planning Board may take recourse to Section 81-R of Chapter 41 of the General Laws of Massachusetts, as amended, which reads as follows:

"A planning board may in any particular case, where such action is in the public interest and not inconsistent with the intent and purpose of the subdivision control law, waive strict compliance with its rules and regulations, and with the frontage or access requirements specified in said law, and may, where the ways are not otherwise deemed adequate, approve a plan on conditions limiting the lots upon which buildings may be erected and the number of buildings that may be erected on particular lots and the length of time for which particular buildings may be maintained without further consent by the planning board to the access provided. The planning board shall endorse such conditions on the plan to which they relate, or set them forth in a separate instrument attached thereto to which reference is made on such plan and which shall for the purpose of the subdivision control law be deemed to be a part of the plan."

APPENDIX A.

Below is a sample of a form that may be used in applying for final approval of a subdivision. The application will be covered by a performance bond that is further discussed in Appendix B.

APPLICATION AND AGREEMENT

DATE

Planning Board
City Hall
Quincy, Massachusetts

Gentlemen:

The undersigned desires to subdivide a parcel of land in the city of Quincy in accordance with the provisions of Chapter 41 of the General Laws of Massachusetts, sections 81K to 81T inclusive. Said parcel of land bears the title (Name of subdivision) and is described as follows:

(description or bounds of subdivision)

The undersigned hereby applies for approval of this subdivision by the Planning Board and hereby covenants and agrees with the City of Quincy upon approval of the subdivision the following:

1. To construct within one year of the above date storm water sewers in (private way in which storm water sewers are required) in accordance with the subdivision plan filed herewith, and with plans filed with and approved by the City Engineer, and with the specifications of the Division of Engineering relating to storm water sewers.
2. To construct within one year of the above date sanitary sewers in (private way in which sanitary sewers are required) in accordance with the subdivision plan filed herewith, and with plans filed with and approved by the City Engineer and with the specifications of the Division of Engineering relating to sanitary sewers.
3. To construct to finished grade within one year of the above date _____ (private way in which street construction is required) in accordance with the subdivision plan filed herewith and with the specifications of the Division of Engineering relating to sanitary sewers.
4. To place monuments or other approved markers at all points in the field at which such monuments are called for on the final subdivision plan.

This agreement shall be binding upon the heirs, executors, administrators, successors, assigns and grantees of the undersigned.

Witness the signature and seal of the undersigned the day and year first above written

Signature of Applicant

APPENDIX B

A performance bond covering an agreement as described in Appendix A may carry the statement below. The size of the bond will be determined by the Planning Board following submission to the Board of the Final Plan. Both application and agreement and the performance will be filed with the City Clerk of the City of Quincy following their execution.

KNOW ALL MEN BY THESE PRESENTS, THAT WE,
of _____, as Principal (hereafter
city and state
called Principal) and the _____, as Surety (hereafter
called the Surety) are holden and stand firmly bound unto the
City of Quincy, Massachusetts (hereafter called the Obligee) in
the full and just sum of _____, to the payment of which amount of bond
well and truly to be made, we hereby bind ourselves, our heirs,
executors, administrators, successors, and assigns, jointly and
severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that if the above
bounden shall abide by the covenants, conditions, and agreements
in the application and agreements dated _____ under which
approval of a certain subdivision known as _____ name of subdivision
has been granted, then this obligation shall be null and void, otherwise it shall remain in full force and
effect.

SIGNED, SEALED and dated _____ 19

Date

(signed)

Principal

Surety

By:



Department of Planning and Community Development

1305 Hancock Street, Quincy, Massachusetts 02169
Tel. (617) 376-1362 FAX (617) 376-1097



APPENDIX C

Reserved for Office of the City Clerk

FORM A

Application for Endorsement of a Plan Believed Not to Require Approval
(Pursuant to MGL c. 41, Section 81P)

DATE: _____

To the City of Quincy Planning Board:

The undersigned wishes to record the accompanying plan which is entitled: _____ and was prepared by _____ and is dated _____ (the "Plan"); and requests a determination and endorsement by the City of Quincy Planning Board that approval by it under the Subdivision Control Law is not required.

Each owner and applicant, must sign the application. The signature of each owner of every parcel within the application must be provided. If the applicant or owner is a corporation, trust, or other such entity, proof of signatory authority must be provided. The application will not be accepted without all required signatures, including the engineer/land surveyor responsible for completing the application.

1. Applicant(s): _____
Address: _____
Telephone: _____
2. Name of Owner(s): _____
Address: _____
Telephone: _____
3. Name of Engineer or Surveyor: _____
Address: _____
Telephone: _____
Registration Number: _____
4. Location of Property (Street Address): _____
5. Zoning District: _____

6. Assessor Map and Lot Numbers: _____

(Provide this information for all lots subject to this application. Also, attach portion of the Assessing Map showing the subject land and abutting parcels and ways.)

7. The owner's title to the land is derived under deed from _____, dated _____, 20____, and recorded in the Norfolk County Registry of Deeds, Book _____, Page _____ and/or Land Court Certificate of Title No. _____ registered in District Book _____, Page _____.
(Provide copy of most recently recorded deed for all lots subject to this application.)

8. Evidence of right of access over any private way that provides access and frontage.

9. Has a plan of this land been submitted to the Planning Board before? Yes ___ No ___ (check one), If yes, please provide the date of the plan, date of recording with the Registry of Deeds or the date of filing with the Land Court. Date of Plan ___ / ___ / ___ date of recording ___ / ___ / ___

10. Evidence of Qualification of Division of Land:

- a. Number of Existing Lots: _____
- b. Area of Existing Lots: _____
- c. Frontage of Existing Lots: _____
- d. Number of Proposed Lots: _____
- e. Area of Proposed Lot or Lots: _____
- f. Minimum Frontage of Proposed Lots: _____
- g. Minimum Width of Proposed Lots: _____
- h. Required Frontage: _____

Approval under the Subdivision Control Law is not required for the following reasons:

This section is to be completed by the Registered Land Surveyor or Engineer who prepared the plan:

I certify that no other conditions or limitations from prior plans apply to the plan of land submitted. I further certify that I prepared the Plan, that I have reviewed the City of Quincy applicable Rules and Regulations, that the Plan was prepared based upon a ground survey performed on dates: _____ by _____ and that to the best of my knowledge and belief, the Plan conforms to all of the requirements of the City of Quincy Planning Board Subdivision Rules and Regulations, regarding ANR Plan submissions.

SIGNED UNDER OATH AND SUBJECT TO THE PENALTIES OF PERJURY THIS _____ DAY OF _____, 200__.

(Signature of Engineer/Surveyor)

(Print Name)

I/We (circle one) hereby certify that the facts asserted above are true and accurate to the best of my/our (circle one) knowledge after having made a good faith investigation of the facts. I/We (circle one) hereby further certify that all the owners of record of the land shown on the Plan have assented to this application and have signed the application below.

SIGNED UNDER OATH AND SUBJECT TO THE PENALTIES OF PERJURY THIS _____ DAY OF _____, 200__.

(Signature of Applicant)

(Print Name of Applicant)

(Signature of Applicant)

(Print Name of Applicant)

I/We (circle one) hereby certify that I/We (circle one) are the record owners of the subject property shown on the Plan and the I/We (circle one) hereby assent to this application.

SIGNED UNDER OATH AND SUBJECT TO THE PENALTIES OF PERJURY THIS _____ DAY OF _____, 200__.

(Signature of Owner)

(Print Name of Owner)

(Signature of Owner)

(Print Name of Owner)



Department of Planning and Community Development

1305 Hancock Street, Quincy, Massachusetts 02169
Tel. (617) 376-1362 FAX (617) 376-1097



APPENDIX D

**FORM A – Approval Not Required (ANR)
Procedures Checklist**

Please use this checklist of procedures to ensure that your Endorsement of a Plan Believed Not to Require Approval Under the Subdivision Control Law application (Form A) and accompanying plan are filed properly. Incomplete submissions may be rejected. A copy of the application and the plan must be filed with the City Clerk. In the case that a submitted plan is determined to be incomplete, it may be denied.

- ❑ Submit the mylar as well as 8 copies of the mylar and 8 copies of the application to the City Clerk's Office to date stamp them in "RECEIVED"
- ❑ The City Clerk will keep one copy of the application and plan for his files.
- ❑ Bring the date stamped mylar and copies of the above to the Planning Department.
- ❑ Submit the application fee, application and copies of the Plan to the Planning Board secretary (see attached Fee Regulations and Schedule –Appendix F).
- ❑ The Planning Board secretary will forward the Form A to the Planning Director for his review.
- ❑ If the Planning Director determines that the Board should also review the Form A the Planning Board secretary will schedule a date and time for the Board's review of the Form A. The Board generally meets on the second Wednesday of the month;
- ❑ If the plan is to be reviewed at a Planning Board meeting, a representative for the application should attend to answer questions.
- ❑ If the Planning Director or Board determines that the plan does not require approval under the Subdivision Control Law, the mylar will be signed and returned to the applicant for filing at the Norfolk County Registry of Deeds and/or the Massachusetts Land Court, as the case may be.
- ❑ If the Planning Director or Board determines that the plan does require approval under the Subdivision Control Law, he or they shall, within twenty-one (21) days of the submission of the plan, give written notice of its determination to the City Clerk and via certified mail to the applicant and return the plan without endorsement. The applicant may submit the plan for approval as provided by the law or the City of Quincy's Subdivision Regulations as amended through May 9, 2007, or may appeal from the determination in the manner provided under MGL Chapter 41, Section 81BB.



Department of Planning and Community Development

1305 Hancock Street, Quincy, Massachusetts 02169
Tel. (617) 376-1362 FAX (617) 376-1097



APPENDIX E

FORM A – Approval Not Required (ANR) Plan Content Checklist

Please use this checklist of plan contents to ensure that your Endorsement of a Plan Believed Not to Require Approval Under the Subdivision Control Law application (Form A) and accompanying plan are filed properly. Incomplete submissions may be rejected. A copy of the application and the plan must be filed with the City Clerk. In the case that a submitted plan is determined to be incomplete, it may be denied.

Plan Contents

The plan shall be prepared by a Registered Professional Engineer and Registered Landscape Surveyor and show the following:

- Name and address of owner(s), applicant(s) and Registered Land Surveyor
- Date, north arrow, revision block, and scale (1 inch equals 40 feet preferred)
- Locus Map at a scale of 1" = 1,000'
- Zoning district(s) noted
- Deed reference(s) and/or land court certificate number(s) noted
- Date of survey and/or source of information
- The statement "Approval not Required Under the Subdivision Control Law" and space thereunder for date and signatures of all members of the Board.
- Location of all existing structures on affected lot(s) including front, side, rear setbacks and street address
- Direct abutters, as they appear on the most recent tax list, noted by name and parcel number
- Location and width of streets, ways and easements: legal status, name and pavement widths. Type of surface of way which gives frontage.
- Delineation and area of each lot (square feet and/or acres)
- Existing and proposed boundary lines, including dimensions and area of all lots shown.
- Notation, if needed "Lots are created for conveyance purposes only"
- Notation: "No determination of wetlands has been made or intended by Planning Board endorsement."
- Notation: "No determination as to compliance with Zoning Ordinance requirements has been made or intended by Planning Board endorsement."
- Notation in the event a lot created does not meet area or frontage requirements: "Not a buildable lot."
- Notice of any decisions of the Zoning Board of Appeals including but not limited to variances and exceptions regarding the land or any building thereon.
- Any other information necessary for the Board's determination.

Other Submission Requirements

- DWG file of the plan in AutoCad 2004 or earlier version

APPENDIX F

Quincy Planning Board

Regulations Governing Subdivision Fees and Fee Schedules

Adopted May 9, 2007

SECTION 1. INTRODUCTION

1.1 Procedural History. On May 9, 2007 the Planning Board held a public hearing, pursuant to GL c. 41, s. 81Q to consider proposed regulations governing fees. At the close of the public hearing, the Planning Board voted to adopt regulations governing fees and a new schedule of fees for review conducted by the Planning Board and its consultants on the Subdivision applications which come before it. This document, subject to revision from time to time in a manner spelled out herein, constitutes the Planning Board's rules governing the imposition of fees and its current fee schedules.

1.2 Purpose. These regulations and fee schedules have been adopted to produce a more equitable schedule of fees which more accurately reflects the costs of technical and legal review of applications to the Planning Board; to take advantage of the procedures offered by GL c. 44, s. 53G; to establish a review procedure in the selection of consultants; and to promote more informed decision making by the Planning Board.

SECTION 2. FEE STRUCTURES AND REGULATIONS

2.1 General. The Planning Board shall impose reasonable fees for the review of applications which come before it. The Planning Board may impose Administrative Fees and Project Review Fees as may be applicable to the types of applications set forth below.

SECTION 3. ADMINISTRATIVE FEES

3.1 Applicability. An Administrative Fee shall be assessed to offset the expense of review by the Planning Board and its office with regard to all applications set forth in Section 3.3 below.

3.2 Submittal. Administrative Fees shall be submitted at the time of the submittal of the application. Any application filed without fees shall be deemed incomplete and no review work shall commence until the fee has been paid in full.

3.3 Schedule of Administrative Fees. The following schedule applies to the types of applications to the Planning Board set forth below. This schedule supercedes all previous schedules as these may have appeared in the Zoning Ordinance, Subdivision Regulations and any listings that may have been compiled from time to time for the benefit of applicants.

- A. Approval Not Required (ANR) Plans -- \$250
- B. Preliminary Subdivision Plans -- \$1,500
- C. Definitive Subdivision Plans -- \$2,000 (\$500 if Preliminary Plan is filed)
- D. Modification of a Preliminary Plan -- \$500 plus \$50 for each lot affected; add \$50 fee for modification of a drainage structure
- E. Modification of a Definitive Plan -- \$750 plus \$75 for each lot affected; add \$50 fee for modification of a drainage structure

3.4 Fee Waivers. The Planning Board may waive or reduce any Administrative Fee, if, in the opinion of the Board, unusual circumstances exist regarding the subject property or the applicant.

3.5 Refund. Once the review process has been commenced, the Planning Board shall not refund Administrative Fees, including in the case of withdrawal of the application by the applicant, except if the number of lots decreases. In this case, a refund proportionate to the reduction in number of lots shall be granted only if the Board determines that no cost associated with the review of those lots has been incurred.

SECTION 4. PROJECT REVIEW FEES.

4.1 Applicability. In addition to an Administrative Fee, the Planning Board shall impose a Project Review Fee on those applications which require, in the judgment of the Planning Board, review by outside consultants due to the size, scale or complexity of a proposed project, the projects potential impacts or because the City lacks the necessary expertise to perform the review work related to the permit or approval. In hiring outside consultants, the Board may engage engineers, planners, lawyers, designers or other appropriate professionals able to assist the Board and to ensure compliance with all relevant laws, ordinances and regulations. Such assistance may include but is not limited to analyzing an application, monitoring or inspecting a project or site for compliance with the Board’s decisions or regulations, or inspecting a project during construction or implementation.

4.2 Submittal. Project Review Fees shall be submitted at the time of the submittal of the application for deposit in an account established pursuant to GL s. 44, ch.53G (53G Account). Any application filed without this fee shall be deemed to be incomplete and no review work shall commence until the fee has been paid in full.

4.3 Schedule of Project Review Fees. The following schedule applies to the types of applications to the Planning Board set forth below. This schedule supercedes all previous schedules as these may have appeared in the Zoning Ordinance, Subdivision Regulations and any listings that may have been compiled from time to time for the benefit of applicants. If and when the Board establishes that the initial Project Review Fee is inadequate based on, but not limited to, the size or complexity of the project, the Board may require a higher initial Project Review Fee deposit.

- | | |
|--|--|
| A. Approval Not Required (ANR) Plan: | Project review fees, if necessary, are the responsibility of the applicant |
| B. Preliminary Plan, Modification of Preliminary Plan: | \$2,500 |
| C. Definitive Plan, Modification of Definitive Plan: | \$5,000 |

4.4 Fee Waivers. The Planning Board may waive or reduce any Project Review Fee, if, in the opinion of the Board, unusual circumstances exist regarding the subject property or the applicant.

4.5 Replenishment. When the balance in an applicant’s 53G account falls below half the initial amount, the account shall be brought up to the initial amount.

4.6 Inspection Phase. After granting Definitive Plan approval, the Planning Board may require a Supplemental Project Review Fee for the purpose of ensuring the availability of funds during the inspection phase of the review process.

4.7 Handling of Project Review Fees. The Project Review Fee is to be deposited into a special account as set forth in GL C. 44, S 53G.

- A. Outside consultants retained by the Planning Board to assist in to the review of an application shall be paid from this account..
- B. An accounting of an applicant’s funds held in a 53G account may be requested by the applicant at any time. The Planning Board shall respond to the request in a timely fashion. This accounting shall include the following information: A statement of principal and interest, prepared by the Planning Board office, based on the latest statement from the banking institution; and, a report of all checks authorized for issuance since that last banking statement.
- C. An applicant may request an estimate of bills pending from consultants for work completed, or in progress, but not yet invoiced.
- D. Any remaining balance of deposits will be returned to the applicant upon approval of the applicant’s written request when one of the following occurs: 1) the approval or disapproval of a Preliminary Subdivision Plan; 2) with the disapproval of a Definitive Subdivision Plan; or 3) with

the release of the performance bond at the end of construction of an approved Definitive Subdivision Plan.

4.8 Appeal. The Choice of a consultant selected by the Planning Board for the review of an application may be appealed in writing to the City Council by the applicant, provided the appeal is initiated within two weeks of the initial selection as per the appeal process pursuant to GL c. 44, s. 53G.

SECTION 5. SELECTION OF CONSULTANTS

5.1 Pre-Qualification. The Planning Board shall keep and annually update a list of pre-qualified consultants. The Board shall issue a Request for Qualifications for a range of technical review services. Consultants will be asked to meet minimum criteria that includes but is not limited to evidence of at least three or more years practice in the field at issue or an educational degree in or related to the field at issue and such other qualifications and criteria as the Board may establish.

SECTION 6. PUBLICATION FEE

6.1 General. The applicant is required to pay for the legal advertisement in the local newspaper

SECTION 7. REVISION OF FEE SCHEDULES AND REGULATIONS GOVERNING FEES

7.1 Amendment. The Planning Board may review and revise its regulations and fee schedules from time to time as it sees fit.

- A. Amendments shall be preceded by a public hearing
- B. Any new regulations or alterations to the fee schedule shall take effect upon filing a new copy of the amendments with the City Clerk
- C. The Planning Board will review its regulations and fee shedule on an annual basis. The Board may waive this provision in any year with a motion carried by a majority of the Board members.