# ADMINISTRATION

## 7.1 Inspections

7.1.1 Inspections shall be carried out by the project engineer and the municipality’s designated engineering professional (to be paid for by the applicant) at appropriate times during the development of the subdivision when the following stages of progress have been reached:

7.1.1.1 Prior to the commencement of any work required and authorized by the approval of the Definitive Subdivision Plan, inspection of the erosion/sedimentation control facilities installed.

7.1.1.2 Before clearing and grubbing, the Tree Warden shall designate those trees which are to be preserved in the tree belt;

7.1.1.3 The roadway shall be inspected at the stages of sub-base, gravel base, binder course, surface course;

7.1.1.4 The sanitary and storm drainage systems before the backfilling of utility trenches and underground drainage or stormwater conveyance structures;

7.1.1.5 Inspections required in accordance with Stormwater Management Bylaws/Ordinances and in Appendix \_\_\_.

7.1.1.6 The water system and related accessories shall be inspected by the Water Department of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

7.1.1.7 Sidewalks shall be inspected upon completion of the sub-base, permanent binder and finish courses;

7.1.1.8 Curbs, loaming, and seeding operations may also be inspected by a Board appointed Engineer. At the completion of all improvements in the subdivision, the Board appointed Engineer shall make an inspection before final release of performance guarantee.

7.1.1.9 Inspections shall be made prior to backfilling of joints, bonds, couplings, etc.

7.1.1.10 Final Inspection when all work, including construction of stormwater management facilities and landscaping have been completed. Final inspection shall include a full, dated TV inspection of all stormwater pipes installed.

7.1.1.11 Requests for inspections shall be made at least 48 hours in advance.

7.1.1.12 Right of entry for inspection. When any new stormwater control or other facility is installed on private property, or when any new connection is made between private property and a public drainage control system or sanitary sewer, the filing of an application shall be deemed as the property owner's permission to the permit granting authority, or its agent, for the right to enter the property at reasonable times and in a reasonable manner for the purpose of

the inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this Bylaw is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this Bylaw.

7.1.2 The applicant shall provide the Planning Board with an inspection bond in an amount approved by the Planning Board sufficient to cover the municipality’s expenses for their designated engineering professional to undertake the required inspection process.

7.1.3 The Applicant shall provide the municipality’s designated engineering professional with an anticipated construction/inspection schedule.

7.1.4 The Board may make arrangements with a professional person or firm to carry out such inspections in behalf of the [Town/City] (See Section 8 and Appendix G.). The subdivider shall notify the proper inspector at least 48 hours before carrying out the above mentioned stages.

7.1.5 Construction of streets and installation of utilities may be phased provided that each section shall not be less than 500 feet.

7.1.6 Inspection (full-time during utility installation, at strategic times during overall construction) costs shall be borne by the subdivider and shall be computed by the Highway Superintendent.

7.1.7 Each specified construction stage should be completed to the satisfaction of the Inspector in writing before further work shall be done. Further work performed without this approval will result in returning the construction to the status necessary to perform the required inspection.

7.1.8 The developer has the responsibilities to ensure that the approved construction plans are implemented and construction qualities are met. Surveillance and field revisions by [Town/City] officials and inspectors cannot be construed as fulfilling this responsibility.

## 7.2 Waiver of Compliance

Strict compliance with the requirements of these rules and regulations may be waived when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Laws. Please refer to Appendix D for full waiver requirements. Waiver requests must be submitted in writing as part of the Definitive Subdivision Plan Submission.

## 7.3 Fees

The Board shall adopt reasonable fees to cover all administrative and review costs. The fee schedule may be amended by the Board when deemed necessary by the Board. See Section 8.0 for current fee schedule.

The Board has the right to hire “outside consultants” at the expense of the applicant in accordance with MGL Chapter 44, Section 53G (see Appendix G.).

## 7.4 Validity

The invalidity of any of the foregoing rules, regulations, and requirements shall not affect the validity of the remainder. Any part of these Regulations subsequently invalidated by a new state law or modification of an existing state law shall automatically be brought into conformity with the new or amended law, and shall be deemed to be effective immediately.

## 7.5 Interpretation

Whenever these Rules and Regulations made under the authority hereof differ from those prescribed by any local bylaw/ordinance or other local regulation, the provision which imposes the greater restriction or the higher standard shall govern. The [Town/City] of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall not be held responsible for any individual interpretation of these rules and regulations.

## 7.6 Administrative Forms

Attached, as part of these regulations, are certain administrative forms, applications, and other documents associated with subdivisions. These forms may be changed from time to time by majority vote of the Board without notice to reflect changes in procedures or laws.

## 7.7 Appeals

Appeals may be taken to the Superior Court in accordance with MGL c. 4

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