Town of North Reading
Massachusetts

Community Planning

DETERMINATION OF ACCESS ON AN UNACCEPTED TREET APPLICATION PACKAGE

In order for an application to be considered "COMPLETE" all of the following items must be submitted:

1. Filing fee ($100.00) _____
2. Completed application form _____
3. Vicinity Ownership Map _____
4. Eight (8) copies of the plans _____
5. "PDF plan emailed to planning@northreadingma.gov" at time of filing. _____
6. Letter of authorization if applicant is other than owner _____
7. Evidence of filing with Town Clerk _____
   (To be provided by the CPC office at the time of submittal.)
8. A brief letter of explanation _____
9. Compete certified list of abutters _____
   (Obtainable from North Reading Assessing Office)
10. Proof of certified mailing of legal notice of public hearing sent to all abutters on certified abutters list with the certification sent back to the Planning Department. _____
11. One set of envelopes addressed to all abutters on certified abutters list with postage paid for mailing Notice of Decision. _____

NOTE: Other supporting documents including, but not limited to drainage calculations, traffic studies, the decisions of other boards, conditions, covenants or permits already in effect etc. may be included on a case-by-case basis. All costs incurred from legal advertisements and abutters notices will be borne by the applicants.

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MEMORANDUM

TO: **Applicants**

FROM: **North Reading Community Planning Commission**

SUBJECT: **Guideline for Processing Applications**

The Community Planning Commission wants to process applications as speedily as possible. We understand the Regulations are complex and often confusing. The Regulations are designed to deal with different situations from large scale developments to the construction of a single home. Therefore, not all the Regulations may be applicable to your application.

It is recommended that before you file your application, you discuss your proposal informally with the Planning Administrator. The Planning Administrator will review your project and advise you on procedures for obtaining approval. Call (978) 357-5250 for an appointment.

The key to receiving a prompt decision is to have all the necessary information in to the Planning Office before the Community Planning Commission board meeting. All applications MUST be submitted to the Planning Office at least twenty one (21) days prior to the Community Planning Commission meeting at which it will formally be reviewed due to the public notice requirements. The Planning Department will schedule you for a Public Hearing. In order to be scheduled, your application must be complete.

For your convenience, a copy of the relevant section of the Zoning Bylaw and a copy of the Department of Public Works recommended construction standards are attached to this package.

We recommend that you meet with the Planning Administrator when you submit your application to ensure that everything is in order.

This application form must be properly filled out. The application form is intended to be self-explanatory, but be sure that you show the following:

WHO owns the property? If the applicant is not he owner, this must be explained.

WHERE is the property located?

WHAT do you propose to do? Attach sketches, plot plans, pictures, construction plans or whatever may help explain the proposed use.

WHY does your proposed use require a Determination of access by the Community Planning Commission?

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WHY should the approval be granted?

Deliver the completed application, with all attachments to the Planning Office. A fee is charged sufficient to cover the cost of reviewing the application and all accompanying materials. Make check payable to the Town of North Reading and remit with your application.

The Community Planning Commission will schedule a public hearing within thirty (30) days of receipt of your properly completed application. Public notice of the hearing will be posted and printed in a newspaper, and notice will be mailed to you, to all property owners on the subject streets and to other parties whom the Community Planning Commission may deem to have an interest, at least five days before the date of the hearing. You and all other parties will be invited to appear in person or by agent or counsel to state reasons why the access should or should not be approved.

After the public hearing the Community Planning Commission will reach a decision. You will be provided with a copy of this decision.

If you believe the Commission's decision is wrong, you have the right to appeal. The Selectmen, or any party affected, have similar rights to appeal the decision to the North Reading Board of Appeals. The appeal must be made within 30 days of the Community Planning Commission's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

DEFINITIONS

ABUTTER LIST

A list of all property owners on the subject street. The six towns surrounding North Reading are also listed. This list is compiled and certified by the North Reading Assessor's Office.

VICINITY OWNERSHIP MAP

Drawn to scale at least 8½" x 11", showing all parcels in the vicinity adjacent to and surrounding the street. Each parcel shall be designated by number to correspond with the abutter list.

LETTER OF EXPLANATION

A separate statement explaining the nature and intent of the proposed access and any road improvements as well as reasons justifying the request. References to effects produced by the request upon surrounding neighborhoods, and the Town at large, should be included.

EIGHT COPIES OF THE PLANS

A preliminary sketch plan depicting the street's length, condition, construction materials, right-of-way, and any encumbrances. Cross section and/or plan and profile information may be required by the Community Planning Commission under certain circumstances.

Town of North Reading
Massachusetts

Community Planning

Zoning Bylaw

Unaccepted Streets - Adequate Access

1. Intent and Purpose:

   This by-law shall govern the use of unaccepted ways, excluding those ways approved under the Subdivision Control Law, for access to building lots in the Town of North Reading.

2. Unaccepted ways shall meet the Community Planning Commission's street standards in order to be judged adequate.

   1. The Community Planning Commission may grant a Certificate of Waiver from the standards in cases where the unaccepted way meets acceptable construction standards at the time of the occupancy permit application.

3. All new buildings, excluding accessory structures, additions and alterations, shall have frontage on ways which provide adequate access for the entire length of the way up to and including the minimum lot frontage required under zoning.

   1. No building permits shall be issued until plans for the construction or upgrading of the way have been approved by the Community Planning Commission.

   2. The way shall be improved from the nearest way in existence which meets standards acceptable to the Community Planning Commission.

4. The layout and design of the way shall be stamped by a Professional Engineer and shall demonstrate compliance with the Community Planning Commission street standards.

5. All necessary wetland approvals shall be obtained for road construction prior to issuance of any road opening permits as applicable.

6. No occupancy permit shall be issued until the way, which a lot fronts on is complete and in full compliance with the Community Planning Commission standards.

   1. A bond or other form of security cannot act as a substitute for completion of the way.

7. Ways approved under the Subdivision Control Law are exempt from Section 3.

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8. When exercising its powers of review under this General Bylaw, the North Reading Community Planning Commission shall hold a Public Hearing within 30 days of the submission of a complete application. Public Notice of said hearing shall be given at least seven and fourteen days prior to the date of the Public Hearing by posting said notice in a newspaper of general circulation and by a certified mailing to every property owner with frontage on the subject street. All expenses for notification shall be borne by the applicant.

9. If a request for a Certificate of Waiver is denied, the Community Planning Commission will issue a denial letter.

The following guidelines are recommended by the North Reading Department of Public Works. Whenever possible, applicants should try to meet these standards. In circumstances where the standards can not be met, applicants should be prepared to fully explain the reasons why.

MINIMUM CONSTRUCTION STANDARDS FOR UNACCEPTED STREETS REVISED AND ADOPTED 7/23/92

NOTE:

1. "Town Standards" shall mean the Rules and Regulations Governing the Subdivision of Land in North Reading.
2. No construction of any improvements shall be conducted between the dates of November 15, and March 15, of the year.

1. Width of right-of-way — Width of traveled way

Layout	Pavement
50 feet (new)	28 feet
40 feet (pre-existing)	24 feet
30 feet (pre-existing)	22 feet
20 feet (pre-existing)	18 feet
Less than 20 feet	Not safe and adequate for access or passing

2. Turnaround at End of Dead-End Street
A turn round shall be required for the last lot on an unaccepted street as constructed sufficient to accommodate school or emergency vehicles. Required turnaround area shall be 120 feet in diameter unless specifically revised by the Community Planning Commission.

3. Maximum Grade
Nine percent (9%) maximum grade with transition from existing grade per subdivision regulations for vertical curves. This assumes a paved surface a six percent (6%) grade is the maximum on non-paved roads.

4. Leveling Area (at approach to intersection)
75 feet with a maximum grade of three percent (3%)

5. Sub-base
8" lift of gravel borrow
M.1.0.3. (Mass DPW) plus 4" lift of dense graded stone M.2.0.1.7 (Mass DPW)
(III B.1.e.)

6. Sub-grade
All organic material and all stones over 6" diameter removed.

7. Cross-section
Crown or slope of at least 3/8" per foot

8. Pavement depths
Minimum 3" Bituminous Concrete includes 2" binder and 1" top course; 2 lifts per MDPW specifications.

To be installed for the full length of the lot frontage plus the turnaround commencing from the paved area of the nearest Public Way.

All existing bituminous concrete surfaces shall be butted with a 'V' cut.

9. Curbing
On the downhill side of the traveled way appropriate berm, curbing or shoulder will be utilized to control drainage/storm water runoff as determined by the DPW. Typically paved berms will be employed on existing traveled ways without any curbing and the applicant will be required to install curbing along the traveled way both proposed and existing as necessary to control drainage/storm water, subject to receiving permission in writing from abutters.

Where curbing is to be installed, granite will be used on all roundings.

In all cases berms, curbs and shoulders should be designed to match existing conditions.

10. Storm Drains
Post-development zero increase in rate of runoff shall be required and shall be so certified by applicant's registered professional engineer (RPE) or provision shall be made on applicant's lot to accommodate any increase.

Drainage design is to be in accordance with HIGHWAY DESIGN MANUAL OF THE MASS. DEPARTMENT OF PUBLIC WORKS July 1989 edition (refer to Chapter 10, "Drainage and Erosion Control Design".

11. Sidewalks
Case by case basis. General requirements will be to match existing conditions.

In all cases where sidewalks are to be installed, construction of sidewalks shall be in accordance with the Subdivision Rules and Regulations.

12. Slopes
- Sideslope 4 to 1 after 2 foot leveling area;
- Minimum one percent (1%) grade on center line;
- In ledge, 1 to 1 after 5 foot leveling area.

13. Water Service
- Class 152 CLDI minimum 8" (V C.2.a.1);
- Water main at least 8" diameter
- Minimum 5 foot cover over pipe
- Minimum hydrant spacing every 500 feet with additional dead-end hydrant required starting from the nearest hydrant on the roadway layout, said 500 feet to be determined by roadway layout feet.

A. Where maximum potential street construction length is less than 500 feet and, where no water main exists the sizing of service is to be in accordance with the AWWA (American Water Works Manual). For M-22 sizing of water service lines and meters refer to Chapters 4 & 5. All potential building lots are to be included in an applicant's calculations

B. Where maximum potential street construction length is greater than 500 feet, an 8" water main is required with hydrants every 500 feet. Approved locations per North Reading Fire Department and pressure and flow analysis approved by the DPW in accordance with current policy.

C. Looping of proposed dead end water mains is required wherever possible and will be reviewed by on a case by case basis.

14. Electrical & Telephone
If the proposed lot has access to either overhead telephone or overhead electrical utility lines such that the planned lines must be extended by less than 500 feet to reach any boundary of the lot, then overhead utility lines may be used. Otherwise, underground utility lines shall be used. The applicant shall bear the cost of installation.

15. Trees
Case by case basis.
When required, installation shall be in accordance with the Subdivision Rules and Regulations.

16. Layout Plan
Suitable for recording;
Drawn by Registered Land Surveyor;
Acceptance plan Standards

17.
Inspections
Inspections will be conducted per Section II-H of the North Reading Subdivision Rules and Regulations.

Town of North Reading
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Community Planning

UNACCEPTED STREETS
DETERMINATION OF ACCESS APPLICATION FORM

Filing Date: _____
Application Fee: $_____

PRINT LEGIBLY OR TYPE

1. Name of Legal Owner of Record: _____

   Address: _____

   Telephone: ( ) _____

2. Name of Applicant: _____

   Address: _____

   Telephone: ( ) _____

3. Relationship of applicant to property if other than owner: _____

   _____

   (Written permission from owner is required)

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4. Description of Property: _____

_____

Address: _____

Map(s) #: _____ Parcel(s) #: _____

Frontage _____ feet

Zoning District(s) _____

5. Description of Street: _____

_____

_____

6. Currently Existing Use and/or Situation: _____

_____

_____

7. Proposed Use and/or Situation: _____

_____

_____

8. List all Maps, Plans and Other Accompanying Materials Submitted with the Application:

A.

B.

C.

D.

9. Description of Development Proposal: _____

Type: ( ) Commercial ( ) Industrial ( ) Residential

Number of Units: _____

10. Deed Restrictions, easements, and/or Covenants that currently apply or are contemplated: (Yes/No). If YES, Attach Copy.

11. Name and profession of person designing plan:

Name: _____

Address: _____

Profession: _____ Telephone: ( ) _____

12. List all public improvements and utilities proposed: _____

_____

_____

13. Are any Waivers, Special permits, or Variances requested? (Yes/No) _____ If YES, List.

A.

B.

C.

D.

NOTE: It is the responsibility and obligation of the applicant to read the pertinent regulations and submit plans conforming to town requirements. Any Determination of Access by the Community Planning Commission shall be subject to adherence with all requirements of the Zoning Bylaws unless relief is specifically granted by the appropriate permit granting authority.

The applicants hereby reserve any pre-existing rights or privileges they may have on the subject property or over the subject unaccepted street.

Signature of Owner: _____

Signature of Applicant or Agent: _____