

TOWN OF WARE

Planning & Community Development
126 Main Street, Ware, Massachusetts 01082
(413) 967-9648 ext. 120

PLANNING BOARD

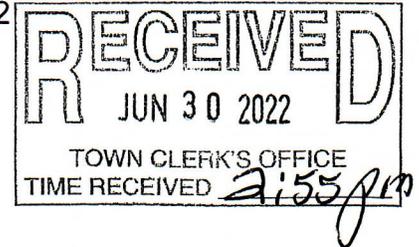
MEETING AGENDA

Location: Board of Selectmen's Meeting Room
Town Hall, 126 Main Street, Ware, MA 01082

Date & Time: Thursday, July 7th, 2022 @ 7:00 PM

Digital Participation:

Phone number: 929-205-6099
Meeting ID: 784 604 1861
Passcode: 01082



Instructions for call-in option: at or before 7pm call the phone number above and when prompted enter the Meeting ID number. The platform is Zoom Meetings. Join online: <https://zoom.us/join>

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- Pledge of Allegiance
 - Administrative
 - Approval of minutes from June 16th, 2022
 - Scheduled Appearances
 - Minor Site Plan Review – McDonald's USA, LLC (117-119 West Street)
 - Applicant is seeking minor site plan approval to reconfigure the existing single lane drive-thru to include two lanes, two order points/digital menu boards, and two digital pre-browse boards.
 - Public Hearings
 - CONTINUED – Permit Fee Schedule Hearing
 - The purpose of this hearing is to review, discuss, and possibly amend the current permit fee schedule for applications pertaining to the Planning Board.
 - New Business
 - Review of Newly Proposed Subdivision Regulations
 - The "Authority", "Purpose", "Definitions", section 1 (general), and section 2 (procedure for the submission and approval of plans) will be reviewed (pages 4-18).
 - *Any matters that are brought up that the Chair did not anticipate including on the agenda prior to this meeting.*
 - Town Planner Update

The next Planning Board meeting will be held July 21st, 2022.



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082
t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, June 16th, 2022

Board of Selectmen's Meeting Room, Town Hall

Planning Board Members in Attendance:

Rick Starodoj, Chairman
Ed Murphy, Vice-Chairman (remote)
Kenneth Crosby (remote)
Elizabeth Hancock, Alternate

Board Members Absent:

Joseph Knight

Staff Members in Attendance:

Nancy Talbot, Clerk
Stuart Beckley, Town Manager (remote)
Rob Watchilla, PCD Dept. Director
Laura White, Admin. Assistant to PCD Dept. (remote)

Members of the Public in Attendance:

Jodie Chartier
Claudia Kadra
John Soper
Richard Roznoy
Elio Qorri (remote)
"Bob"

PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 7:00pm and led the Pledge of Allegiance.

ADMINISTRATIVE

Approval of Minutes from Planning Board meeting on Thursday, June 2nd, 2022.

Motion made by E. Murphy to approve the minutes from June 2nd. Seconded by K. Crosby. No additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Absent
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 3/0/2.

R. Watchilla suggested E. Hancock be appointed as a voting member for the Definitive Subdivision Review.

E. Hancock informed to Board she was told by S. Beckley Alternates are only able to vote on Special Permits.

ANR-2022-05: Greenwich Plains Road

R. Watchilla informed the Board of the proposed ANR (Approval Not Required), stating the property complies with the dimensional regulations in its zoning district and the house complies with the required setbacks.

Motion made by E. Murphy to approve ANR-2022-05. Seconded by K. Crosby. No additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Absent
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 3/0/2.

OLD BUSINESS

Fieldstone Commons (Definitive Subdivision Review)

R. Watchilla informed the Board of comments submitted by the Director of Public Health, Andrea Crete, which stated no concerns regarding the proposed subdivision.

R. Watchilla read the waivers requested for the Preliminary Subdivision, confirming with E. Qorri, of Bertin Engineering, which waivers were still being requested.

The following waivers were removed, as they are no longer applicable to the proposed subdivision:

- A right of way of forty (40) feet.
- A street length of six hundred fifty-five (655) feet.

The following waivers were still being requested as part of the Definitive Subdivision:

- Storm-water facilities are not needed.
- Sanitary facilities are not needed.
- Water facilities are not needed.
- Sidewalks are required, No sidewalks are present on the referenced street.

The Board agreed with the conditions and waivers of the Definitive Subdivision Plans.

J. Chartier inquired about access to Howard Road, which runs through the property.

R. Watchilla stated he would add a condition to the Definitive Subdivision Decision Document regarding access to Howard Road. The Town maintains this road.

Motion made by K. Crosby to approve the Definitive Subdivision with the conditions and waivers discussed by the Board. Seconded by E. Murphy. No additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Absent
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 3/0/2.

R. Watchilla informed the applicant of the appeal period.

J. Soper stated he would like to expedite the recording process to be fair to the people buying the house on his property.

R. Starodoj stated nothing can be done to expedite the process and advised the applicant anything done within the appeal period would be done at his own risk.

The applicant thanked the Board and left the meeting.

PUBLIC HEARINGS

Permit Fee Schedule Hearing (continued discussion)

R. Starodoj requested to review the comparison of fees between Ware and surrounding towns.

R. Watchilla recommended raising the level 1 Special Permit fee from \$250 to \$275 to cover the cost of advertising. He also recommended adding an additional fee of \$0.67 per abutter.

R. Starodoj stated the application fee should not include the advertisement cost, the applicant should be responsible for the advertisement costs.

K. Crosby stated the application fee could be lowered, but the advertisement costs should be the responsibility of the applicant, as the cost varies too frequently for the Board to continue to review and amend.

E. Murphy suggested changing the application fee to \$150 and adding the additional fee per abutter.

The Board discussed having three tiers instead of the two currently in place. The first tier would be for Accessory Uses, the next would be for everything currently covered under the level one fee, and the last would be for everything currently covered under the level two fee.

The Board discussed creating a list of Accessory Uses that would be covered under the new fee tier. The Board also discussed possible fees for each tier.

R. Starodoj suggested consulting with the Ware Business and Civic Association.

R. Watchilla suggested raising the fee for Definitive Subdivisions.

R. Starodoj asked what is covered by these fees.

K. Crosby asked if the fees of other towns cover the cost of an engineering review by a town engineer.

R. Starodoj stated those fees are usually separate.

The Board discussed the current fees.

E. Hancock stated the Special Permit Procedures should be changed to say the Town is mailing postcards now and not Certified Mail.

R. Watchilla stated the law now states the Town cannot force the applicant to pay for Certified Mail.

The Board discussed how to prove postcards are mailed to abutters.

E. Hancock suggested also adding to the Procedures that postcards must be mailed at least two weeks prior to Public Hearings to give enough time for all abutters to receive them.

R. Watchilla stated any changes would require a Public Hearing.

Motion made by K. Crosby to continue the Public Hearing on the Permit Fee Schedule at the next meeting on Thursday, July 7th, 2022. Seconded by E. Murphy.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Absent
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 3/0/2.

NEW BUSINESS

Discussion on future zoning amendments and bylaws to be considered for Fall Special Town Meeting

Scenic Road Bylaw

R. Watchilla reminded the Board they are planning to meet with the Historical Commission at the July 21st, 2022 meeting.

Right to Farm Bylaw

R. Watchilla stated there were no updates regarding the Right to Farm Bylaw, as there did not seem to be much interest from the Board of Selectmen.

R. Starodoj requested R. Watchilla discuss it with the Board of Selectmen again.

Tractor Supply Zoning Change

R. Watchilla informed the Board the representative for Tractor Supply was sent a copy of the petition against using the location, but he has not heard back from the representative yet.

Subdivision Roads

R. Starodoj asked if any Subdivision Roads have been accepted by the Town.

R. Watchilla stated he would speak with the Town Manager regarding these roads.

Marijuana Social Consumption

R. Starodoj stated it may be too complicated to get on Town Meeting this early.

Urban Fill

R. Watchilla suggested prohibiting Urban Fill in the Aquifer Protection and Wetland Protection Overlay Districts.

R. Starodoj also suggested not allowing it in any area not serviced by the municipal water supply.

R. Watchilla stated he would do more research on this topic.

Marijuana Delivery

R. Watchilla informed the Board the Town Attorney recommended adding language regarding Courier Services to the Marijuana section of the Bylaw.

Large-Scale Battery Storage Moratorium

R. Watchilla informed the Board the Town recently applied for a grant through the Pioneer Valley Planning Commission to fund planning assistance for a study to gather feedback from surrounding towns to create draft zoning bylaw language for the Town. This will most likely start in the Fall, so it may not make it onto the Fall Special Town Meeting.

TOWN PLANNER UPDATE

Bank Street Reconstruction Project

R. Watchilla informed the Board the Bank Street Reconstruction Project is now 75% complete.

The paving has concluded as the sidewalk work continues. The sewer main on Park Avenue, from Bank Street to North Street, is being replaced and will be covered with a new topcoat. The project is set to be completed on July 1st, 2022.

West Street Corridor Study

R. Watchilla stated the Pare Corporation will be presenting their findings from the West Street Corridor Study to the Board of Selectmen on Tuesday, June 21st, 2022. All Planning Board members and members of the public are encouraged to attend. R. Watchilla also added there will be a technical memo provided by the consultants in the coming weeks, which he will present to the Board at a future meeting, along with updates on the major findings of the study. This project has satisfied the grant conditions in terms of being implemented by June 30th, 2022.

R. Starodoj suggested looking into what will be done with the parking lot at the Country Bank building, which was recently purchased by the Town. He asked if it would remain public parking or if the plan was to use it for police officer parking only.

R. Starodoj asked about what grants are available for residents looking for fuel assistance, stating fuel prices could cause major problems for heating bills this winter.

R. Watchilla stated National Grid has an assistance program, as well as Community Action Pioneer Valley.

ADJOURN

Motion made by E. Murphy to adjourn the meeting at 8:09pm. Seconded by K. Crosby.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Absent
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 3/0/2.

NEXT PLANNING BOARD MEETING DATE:

Thursday, July 7th, at 7:00pm.

Minutes from June 16th, 2022

Respectfully submitted by,

Laura White
Administrative Assistant
Planning & Community Development

Minutes Approved on: _____
Starodoj _____
Murphy _____
Talbot _____
Knight _____
Crosby _____

GENERAL NOTES

- CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THE NOTES AND SPECIFICATIONS CONTAINED HEREIN. CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL SUBCONTRACTORS FULLY AND COMPLETELY CONFORM TO AND COMPLY WITH THESE REQUIREMENTS.
1. THE FOLLOWING DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS SITE PLAN
• BOUNDARY & TOPOGRAPHIC SURVEY... PREPARED BY CONTROL POINT ASSOCIATES INC. DATED 2/12/2018, REVISED 6/13/2018
• 'SITE DEVELOPMENT PLANS' PREPARED BY BOHLER ENGINEERING, DATED 6/6/2018, REVISED 10/10/2018
2. ALL ACCESSIBLE (AKA ADA) PARKING SPACES MUST BE CONSTRUCTED TO MEET AT A MINIMUM THE MORE STRINGENT OF THE REQUIREMENTS OF THE 'AMERICANS WITH DISABILITIES ACT' (ADA) CODE 42 U.S.C. § 12101 et seq. AND 28 C.F.R. § 41.116 (b) (7) (i) OR THE REQUIREMENTS OF THE JURISDICTION WHERE THE PROJECT IS TO BE CONSTRUCTED, AND ANY AND ALL AMENDMENTS TO BOTH WHICH ARE IN EFFECT WHEN THESE PLANS ARE COMPLETED.
3. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED THE COMMENTS TO ALL PLANS AND OTHER DOCUMENTS REVISED AND APPROVED BY THE PERMITTING AGENCIES AND CONFIRMED THAT ALL NECESSARY OR REQUIRED PERMITS HAVE BEEN OBTAINED. CONTRACTOR MUST HAVE COPIES OF ALL PERMITS AND APPROVALS ON SITE AT ALL TIMES.
4. THE OWNER/CONTRACTOR MUST BE FAMILIAR WITH AND RESPONSIBLE FOR THE PROCUREMENT OF ANY AND ALL CERTIFICATIONS REQUIRED FOR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
5. ALL WORK MUST BE PERFORMED IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS AND CONDITIONS OF APPROVAL, AND ALL APPLICABLE REQUIREMENTS, RULES, REGULATIONS, STATUTORY REQUIREMENTS, CODES, LAWS AND STANDARDS OF ALL GOVERNMENTAL ENTITIES WITH JURISDICTION OVER THIS PROJECT.
6. THE GEOTECHNICAL REPORT AND RECOMMENDATIONS SET FORTH HEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND, IN CASE OF CONFLICT, DISCREPANCY OR AMBIGUITY, THE MORE STRINGENT REQUIREMENTS AND/OR RECOMMENDATIONS CONTAINED IN THE PLANS AND THE GEOTECHNICAL REPORT AND RECOMMENDATIONS SHALL TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR MUST NOTIFY THE ENGINEER IN WRITING, OF ANY SUCH CONFLICT, DISCREPANCY OR AMBIGUITY BETWEEN THE GEOTECHNICAL REPORTS AND PLANS AND SPECIFICATIONS PRIOR TO PROCEEDING WITH ANY FURTHER WORK.
7. THESE PLANS ARE BASED ON INFORMATION PROVIDED TO BOHLER ENGINEERING BY THE OWNER AND OTHERS PRIOR TO THE TIME OF PLAN PREPARATION. CONTRACTOR MUST FIELD VERIFY EXISTING CONDITIONS AND NOTIFY BOHLER ENGINEERING, IN WRITING, IMMEDIATELY IF ACTUAL SITE CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLAN, OR IF THE PROPOSED WORK CONFLICTS WITH ANY OTHER SITE DATA.
8. ALL DIMENSIONS SHOWN ON THE PLANS MUST BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR MUST NOTIFY ENGINEER, IN WRITING, IF ANY CONFLICTS, DISCREPANCIES, OR AMBIGUITIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION. NO EXTRA COMPENSATION PLANS PRIOR TO CONTRACTOR OBTAINING WRITTEN NOTIFICATION OF SAME AND ENGINEER, THEREAFTER, PROVIDING CONTRACTOR WITH WRITTEN AUTHORIZATION TO PROCEED WITH SUCH ADDITIONAL WORK.
9. CONTRACTOR MUST REFER TO THE ARCHITECTURAL/BUILDING PLANS 'OF RECORD' FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRY/EXIT POINTS, ELEVATIONS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY LOCATIONS.
10. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR MUST COORDINATE THE BUILDING LAYOUT BY CAREFUL REVIEW OF THE ENTIRE SITE PLAN AND THE LATEST ARCHITECTURAL PLANS INCLUDING, BUT NOT LIMITED TO, STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING AND FIRE SUPPRESSION PLAN, WHERE APPLICABLE. CONTRACTOR MUST IMMEDIATELY NOTIFY OWNER, ARCHITECT AND SITE ENGINEER, IN WRITING, OF ANY CONFLICTS, DISCREPANCIES OR AMBIGUITIES WHICH EXIST.
11. DEBRIS MUST NOT BE BURIED ON THE SUBJECT SITE AND ALL UNSUITABLE EXCAVATED MATERIAL AND DEBRIS (SOLID WASTE) MUST BE DISPOSED OF IN ACCORDANCE WITH THE REQUIREMENTS OF ANY AND ALL GOVERNMENTAL AUTHORITIES WHICH HAVE JURISDICTION OVER THIS PROJECT OR OVER CONSTRUCTION.
12. THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING WHEN SHORING IS REQUIRED AND FOR INSTALLING ALL SHORING REQUIRED DURING EXCAVATION (TO BE PERFORMED IN ACCORDANCE WITH CURRENT OSHA STANDARDS) AND ANY ADDITIONAL PRECAUTIONS TO BE TAKEN TO ASSURE THE STABILITY OF ADJACENT, NEARBY AND CONTIGUOUS STRUCTURES.
13. THE CONTRACTOR IS TO EXERCISE EXTREME CARE WHEN PERFORMING ANY WORK ACTIVITIES ADJACENT TO PAVEMENT, STRUCTURES, ETC. WHICH ARE TO REMAIN EITHER FOR AN INITIAL PHASE OF THE PROJECT OR AS PART OF THE FINAL CONDITION. CONTRACTOR IS RESPONSIBLE FOR TAKING ALL APPROPRIATE MEASURES REQUIRED TO ENSURE THE STRUCTURAL STABILITY OF SIDEWALKS AND PAVEMENT UTILITIES, BUILDINGS, AND INFRASTRUCTURE WHICH ARE TO REMAIN, AND TO PROVIDE PROTECTION FOR THIRD PARTIES, PEDESTRIANS AND ANYONE INVOLVED WITH THE PROJECT.
14. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO ANY NEW OR EXISTING CONSTRUCTION OR PROPERTY DURING THE COURSE OF CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO, REDESIGN, RE-SURVEY, RE-APPOINTMENT AND CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR AND MUST REPAIR ALL SIGNAL INTERSECTIONS, SIDEWALKS, CURBS, AND ANY UNDERGROUND ACCESSORY EQUIPMENT DAMAGED DURING CONSTRUCTION AND MUST BEAR ALL COSTS ASSOCIATED WITH SAME. THE REPAIR OF ANY SUCH NEW OR EXISTING CONSTRUCTION OR PROPERTY MUST RESTORE SUCH CONSTRUCTION OR PROPERTY TO A CONDITION EQUIVALENT TO OR BETTER THAN THE CONDITIONS PRIOR TO COMMENCEMENT OF THE CONSTRUCTION, AND IN CONFORMANCE WITH APPLICABLE CODES, LAWS, REGULATIONS, STATUTORY REQUIREMENTS AND STANDARDS. CONTRACTOR MUST BEAR ALL COSTS ASSOCIATED WITH SAME. CONTRACTOR IS RESPONSIBLE TO DOCUMENT ALL EXISTING DAMAGE AND TO NOTIFY THE OWNER AND THE CONSTRUCTION MANAGER PRIOR TO THE START OF CONSTRUCTION.
15. ALL CONCRETE MUST BE AIR ENTRAINED AND HAVE THE MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS UNLESS OTHERWISE NOTED ON THE PLANS, DETAILS AND/OR GEOTECHNICAL REPORT.
16. THE ENGINEER IS NOT RESPONSIBLE FOR CONSTRUCTION METHODS, MEANS, TECHNIQUES OR PROCEDURES, GENERALLY OR FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES OR PROCEDURES FOR COMPLETION OF THE WORK DEPICTED BOTH ON THESE PLANS AND FOR ANY CONFLICTS/SCOPE REVISIONS WHICH RESULT FROM SAME. CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE METHODS/MEANS FOR COMPLETION OF THE WORK PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
17. THE ENGINEER OF RECORD IS NOT RESPONSIBLE FOR JOB SITE SAFETY. THE ENGINEER OF RECORD HAS NOT BEEN RETAINED TO PERFORM OR BE RESPONSIBLE FOR JOB SITE SAFETY, INCLUDING PROVIDING WHOLLY OUTSIDE OF ENGINEER'S SERVICES AS RELATED TO THE PROJECT. THE ENGINEER OF RECORD IS NOT RESPONSIBLE TO IDENTIFY OR REPORT ANY JOB SITE SAFETY ISSUES, AT ANY TIME.
18. ALL CONTRACTORS MUST CARRY THE SPECIFIED STATUTORY WORKERS COMPENSATION INSURANCE, EMPLOYER'S LIABILITY INSURANCE AND LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE (CGL). ALL CONTRACTORS MUST HAVE THEIR CGL POLICIES ENDORSED TO NAME BOHLER ENGINEERING, AND ITS PAST, PRESENT AND FUTURE OWNERS, OFFICERS, DIRECTORS, PARTNERS, SHAREHOLDERS, MEMBERS, PRINCIPALS, COMMISSIONERS, AGENTS, SERVANTS, EMPLOYEES, AFFILIATES, SUBSIDIARIES AND RELATED ENTITIES, AND ITS SUBCONTRACTORS AND SUBCONSULTANTS AS ADDITIONAL NAMED INSURED AND TO PROVIDE CONTRACTUAL LIABILITY COVERAGE SUFFICIENT TO INSURE THIS HOLD HARMLESS AND INDEMNITY OBLIGATIONS ASSUMED BY THE CONTRACTORS. ALL CONTRACTORS MUST CARRY BOHLER ENGINEERING WITH CERTIFICATIONS OF INSURANCE AS EVIDENCE OF THE REQUIRED INSURANCE PRIOR TO COMMENCING WORK AND UPON RECEIVAL OF EACH POLICY DURING THE ENTIRE PERIOD OF CONSTRUCTION AND FOR ONE YEAR AFTER THE COMPLETION OF CONSTRUCTION. IN ADDITION, ALL CONTRACTORS WILL, TO THE FULLEST EXTENT PERMITTED UNDER THE LAW, INDEMNIFY, DEFEND AND HOLD HARMLESS BOHLER ENGINEERING AND ITS PAST, PRESENT AND FUTURE OWNERS, OFFICERS, DIRECTORS, PARTNERS, SHAREHOLDERS, MEMBERS, PRINCIPALS, COMMISSIONERS, AGENTS, SERVANTS, EMPLOYEES, AFFILIATES, SUBSIDIARIES, AND RELATED ENTITIES, AND ITS SUBCONTRACTORS AND SUBCONSULTANTS FROM AND AGAINST ANY DAMAGES, INJURIES, CLAIMS ACTIONS, PENALTIES, EXPENSES, PUNITIVE DAMAGES, TORT DAMAGES, STATUTORY CLAIMS, STATUTORY CAUSES OF ACTION, LOSSES, DAMAGES OF ACTION, LIABILITIES OR COSTS, INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEY'S FEES AND DEFENSE COSTS, ARISING OUT OF OR IN ANY WAY CONNECTED WITH OR TO THE PROJECT, INCLUDING ALL CLAIMS BY EMPLOYEES OF THE CONTRACTORS, ALL CLAIMS BY THIRD PARTIES AND ALL CLAIMS RELATED TO THE PROJECT. CONTRACTOR MUST NOTIFY ENGINEER, IN WRITING, AT LEAST THIRTY (30) DAYS PRIOR TO ANY TERMINATION, SUSPENSION OR CHANGE OF ITS INSURANCE HEREUNDER.
19. BOHLER ENGINEERING WILL REVIEW OR TAKE OTHER APPROPRIATE ACTION ON THE CONTRACTOR SUBMITTALS, SUCH AS SHOP DRAWINGS, PRODUCT DATA, SAMPLES AND OTHER DATA, WHICH THE CONTRACTOR IS REQUIRED TO SUBMIT, BUT ONLY FOR THE LIMITED PURPOSE OF CHECKING FOR CONFORMANCE WITH THE DESIGN INTENT AND THE INFORMATION SHOWN IN THE CONSTRUCTION CONTRACT DOCUMENTS. CONSTRUCTION MEANS AND/OR METHODS AND/OR TECHNIQUES OR PROCEDURES, COORDINATION OF THE WORK WITH OTHER TRADES AND CONSTRUCTION SAFETY PRECAUTIONS ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND BOHLER HAS NO RESPONSIBILITY OR LIABILITY FOR SAME HEREUNDER. BOHLER ENGINEERING'S SHOP DRAWING REVIEW WILL BE CONDUCTED WITH REASONABLE PROMPTNESS WHILE ALLOWING SUFFICIENT TIME TO PERMIT ADDED REVIEW. REVIEW OF A SPECIFIC ITEM MUST NOT INDICATE THAT BOHLER ENGINEERING HAS REVIEWED THE ENTIRE ASSEMBLY. THE ITEM IS A COMPONENT OF BOHLER ENGINEERING WILL NOT BE RESPONSIBLE FOR ANY DEVIATIONS FROM THE CONSTRUCTION DOCUMENTS NOT PROMPTLY AND IMMEDIATELY BROUGHT TO HIS ATTENTION, IN WRITING, BY THE CONTRACTOR. BOHLER ENGINEERING WILL NOT BE REQUIRED TO REVIEW PARTIAL SUBMISSIONS OR THOSE FOR WHICH SUBMISSIONS OF CORRELATED ITEMS HAVE NOT BEEN RECEIVED.
20. NEITHER THE PROFESSIONAL ACTIVITIES OF BOHLER ENGINEERING NOR THE PRESENCE OF BOHLER ENGINEERING AND/OR ITS PAST, PRESENT AND FUTURE OWNERS, OFFICERS, DIRECTORS, PARTNERS, SHAREHOLDERS, MEMBERS, PRINCIPALS, COMMISSIONERS, AGENTS, SERVANTS, EMPLOYEES, AFFILIATES, SUBSIDIARIES AND RELATED ENTITIES, AND ITS SUBCONTRACTORS AND SUBCONSULTANTS AT A CONSTRUCTION PROJECT SITE, SHALL RELIEVE THE GENERAL CONTRACTOR OF ITS OBLIGATIONS, DUTIES AND RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION MEANS, METHODS, SEQUENCING, TECHNIQUES OR PROCEDURES NECESSARY FOR PERFORMING, OVERSEEING, SUPERINTENDING AND COORDINATING THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND COMPLIANCE WITH ANY HEALTH OR SAFETY PRECAUTIONS REQUIRED BY ANY REGULATORY AGENCIES WITH JURISDICTION OVER THE PROJECT AND/OR PROPERTY. BOHLER ENGINEERING AND ITS PERSONNEL HAVE NO AUTHORITY TO EXERCISE ANY CONTROL OVER ANY CONSTRUCTION CONTRACTOR OR ITS EMPLOYEES IN CONNECTION WITH THEIR WORK OR ANY HEALTH OR SAFETY PROGRAMS OR PROCEDURES. THE GENERAL CONTRACTOR IS SOLELY RESPONSIBLE FOR JOB SITE SAFETY. BOHLER ENGINEERING SHALL BE INDEMNIFIED BY THE GENERAL CONTRACTOR AND MUST BE NAMED AN ADDITIONAL INSURED UNDER THE GENERAL CONTRACTOR'S POLICIES OF GENERAL LIABILITY INSURANCE AS DESCRIBED ABOVE IN NOTE 19 FOR JOB SITE SAFETY.
21. IF THE CONTRACTOR DEVIATES FROM THE PLANS AND SPECIFICATIONS, INCLUDING THE NOTES CONTAINED HEREIN, WITHOUT FIRST OBTAINING THE PRIOR WRITTEN AUTHORIZATION OF THE ENGINEER FOR SUCH DEVIATIONS, THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE PAYMENT OF ALL COSTS INCURRED IN CORRECTING ANY WORK DONE WHICH DEVIATES FROM THE PLANS. ALL FINES AND PENALTIES ASSESSED WITH RESPECT THERETO AND ALL COMPENSATORY OR PUNITIVE DAMAGES RESULTING THEREFROM AND, FURTHER, SHALL BE DEPOSITED, INDEMNIFY AND HOLD HARMLESS THE ENGINEER, TO THE FULLEST EXTENT PERMITTED UNDER THE LAW, IN ACCORDANCE WITH PARAGRAPH 19 HEREIN, FOR AND FROM ALL FEES, ATTORNEYS' FEES, DAMAGES, COSTS, JUDGMENTS, PENALTIES AND THE LIKE RELATED TO SAME.
22. CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE AND PROTECTION OF TRAFFIC PLAN FOR ALL WORK THAT AFFECTS PUBLIC TRAVEL EITHER IN THE R.O.W. OR ON SITE. THE COST FOR THIS ITEM MUST BE INCLUDED IN THE CONTRACTOR'S PRICE.
23. ALL SIGNING AND PAVEMENT STRIPING MUST CONFORM TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES OR LOCALLY APPROVED SUPPLEMENT.
24. ENGINEER IS NOT RESPONSIBLE FOR ANY INJURY OR DAMAGES RESULTING FROM CONTRACTOR'S FAILURE TO BUILD OR CONSTRUCT IN STRICT ACCORDANCE WITH THE APPROVED PLANS. IF CONTRACTOR AND/OR OWNER FAIL TO BUILD OR CONSTRUCT IN STRICT ACCORDANCE WITH APPROVED PLANS, THEY AGREE TO JOINTLY AND SEVERALLY INDEMNIFY AND HOLD ENGINEER HARMLESS FOR ALL INJURIES AND DAMAGES THAT ENGINEER SUFFERS AND COSTS THAT ENGINEER INCURS AS A RESULT OF SAID FAILURE.
25. OWNER MUST MAINTAIN AND PRESERVE ALL PHYSICAL, SITE FEATURES AND DESIGN FEATURES DEPICTED ON THE PLANS AND RELATED DOCUMENTS, IN STRICT ACCORDANCE WITH THE APPROVED PLANS AND DESIGN AND, FURTHER, ENGINEER IS NOT RESPONSIBLE FOR ANY FAILURE TO SO MAINTAIN OR PRESERVE SITE AND/OR DESIGN FEATURES. IF OWNER FAILS TO MAINTAIN AND/OR PRESERVE ALL PHYSICAL SITE FEATURES AND/OR DESIGN FEATURES DEPICTED ON THE PLANS AND RELATED DOCUMENTS, OWNER AGREES TO INDEMNIFY AND HOLD ENGINEER HARMLESS FOR ALL INJURIES AND DAMAGES THAT ENGINEER SUFFERS AND COSTS THAT ENGINEER INCURS AS A RESULT OF SAID FAILURE.
26. ALL DIMENSIONS MUST BE TO FACE OF CURB, EDGE OF PAVEMENT, OR EDGE OF BUILDING, UNLESS NOTED OTHERWISE.
27. ALL CONSTRUCTION AND MATERIALS MUST COMPLY WITH AND CONFORM TO APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, LAWS, ORDINANCES, RULES AND CODES, AND ALL APPLICABLE OSHA REQUIREMENTS.
28. CONTRACTOR AND OWNER MUST INSTALL ALL ELEMENTS AND COMPONENTS IN STRICT COMPLIANCE WITH AND ACCORDANCE WITH MANUFACTURERS' STANDARDS AND RECOMMENDED INSTALLATION CRITERIA AND SPECIFICATIONS. IF CONTRACTOR AND/OR OWNER FAIL TO DO SO, THEY AGREE TO JOINTLY AND SEVERALLY INDEMNIFY AND HOLD ENGINEER HARMLESS FOR ALL INJURIES AND DAMAGES THAT ENGINEER SUFFERS AND COSTS THAT ENGINEER INCURS AS A RESULT OF SAID FAILURE.
29. CONTRACTOR IS RESPONSIBLE TO MAINTAIN ON-SITE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) IN COMPLIANCE WITH EPA REQUIREMENTS FOR SITES WHERE ONE (1) ACRE OR MORE (UNLESS THE LOCAL JURISDICTION REQUIRES FEWER) IS DISTURBED BY CONSTRUCTION ACTIVITIES. CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL ACTIVITIES, INCLUDING THOSE OF SUBCONTRACTORS, ARE IN COMPLIANCE WITH THE SWPPP, INCLUDING BUT NOT LIMITED TO LOGGING ACTIVITIES (MINIMUM ONCE PER WEEK AND AFTER RAINFALL EVENTS) AND CORRECTIVE MEASURES, AS APPROPRIATE.
30. AS CONTAINED IN THESE DRAWINGS AND ASSOCIATED APPLICATION DOCUMENTS PREPARED BY THE SIGNATORY PROFESSIONAL ENGINEER, THE USE OF THE WORDS 'CERTIFY' OR 'CERTIFICATION' CONVEY AN EXPRESSED 'PROFESSIONAL OPINION' REGARDING THE INFORMATION WHICH IS THE SUBJECT OF THE UNDERSIGNED PROFESSIONAL'S KNOWLEDGE OR BELIEF AND IN ACCORDANCE WITH COMMON ACCEPTED PROCEDURE CONSISTENT WITH THE APPLICABLE STANDARDS OF PRACTICE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

GENERAL GRADING & UTILITY PLAN NOTES

- 1. LOCATIONS OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND MUST BE INDEPENDENTLY CONFIRMED WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION. SANITARY SEWER AND ALL OTHER UTILITY SERVICE CONNECTION POINTS MUST BE INDEPENDENTLY CONFIRMED BY THE CONTRACTOR IN THE BEGINNING AT THE LOWEST INVERT (POINT OF CONNECTION) AND PROGRESS UP GRADIENT. PROPOSED INTERFACE POINTS (CROSSINGS) WITH EXISTING UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. CONTRACTOR MUST VERTICALLY AND HORIZONTALLY LOCATE ALL UTILITIES AND SERVICES INCLUDING, BUT NOT LIMITED TO, GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN THE LIMITS OF DISTURBANCE OR WORK SPACE, WHICHEVER IS GREATER. THE CONTRACTOR MUST USE, REFER TO AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION, AT NO COST TO THE OWNER. CONTRACTOR SHALL BEAR ALL COSTS ASSOCIATED WITH DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION.
3. CONTRACTOR MUST REVIEW ALL CONSTRUCTION CONTRACT DOCUMENTS INCLUDING, BUT NOT LIMITED TO, ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE INITIATION AND COMMENCEMENT OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT AND/OR DISCREPANCY BETWEEN THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, REGULATIONS, LAWS, RULES, STATUTES AND/OR ORDINANCES, IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD, IN WRITING, OF SAID CONFLICT AND/OR DISCREPANCY PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR'S FAILURE TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE CONTRACTOR'S FULL AND COMPLETE ACCEPTANCE OF ALL RESPONSIBILITY TO CORRECT THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS, LAWS, STATUTES, ORDINANCES AND CODES AND, FURTHER, CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH SAME.
4. THE CONTRACTOR MUST LOCATE AND CLEARLY AND UNAMBIGUOUSLY DEFINE VERTICALLY AND HORIZONTALLY ALL ACTIVE AND INACTIVE UTILITY AND/OR SERVICE SYSTEMS THAT ARE TO BE REMOVED. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND MAINTAIN ALL ACTIVE AND INACTIVE SYSTEMS THAT ARE NOT BEING REMOVED/RELOCATED DURING THE PROJECT.
5. THE CONTRACTOR MUST FAMILIARIZE ITSELF WITH THE APPLICABLE UTILITY SERVICE PROVIDER REQUIREMENTS AND IS RESPONSIBLE FOR ALL COORDINATION REGARDING UTILITY DEMOLITION AS IDENTIFIED OR REQUESTED FOR THE PROJECT. THE CONTRACTOR MUST PROVIDE THE OWNER WITH WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH THE JURISDICTION AND UTILITY COMPANY REQUIREMENTS AND ALL OTHER APPLICABLE REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES.
6. THE CONTRACTOR MUST INSTALL ALL STORM SEWER AND SANITARY SEWER COMPONENTS WHICH FUNCTION BY GRAVITY PRIOR TO THE INSTALLATION OF ALL OTHER UTILITIES.
7. CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF SITE PLAN DOCUMENTS AND ARCHITECTURAL DESIGN FOR EXACT BUILDING UTILITY CONNECTION LOCATIONS, GREASE TRAP REQUIREMENTS/DETAILS, DOOR ACCESS, AND EXTERIOR GRADING. THE ARCHITECT WILL DETERMINE THE UTILITY SERVICE SIZES. THE CONTRACTOR MUST COORDINATE INSTALLATION OF UTILITIES/SERVICES WITH THE INDIVIDUAL COMPANIES, TO AVOID CONFLICTS AND TO ENSURE THAT PROPER DEPTHS ARE MAINTAINED. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT INSTALLATION OF ALL IMPROVEMENTS COMPLIES WITH ALL UTILITY REQUIREMENTS WITH JURISDICTION AND/OR CONTROL OF THE SITE, AND ALL OTHER APPLICABLE REPORTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES AND, FURTHER, IS RESPONSIBLE FOR COORDINATING THE UTILITY 'INS-CONNECTIONS' PRIOR TO CONNECTING TO THE EXISTING UTILITY SERVICE, WHERE A CONFLICT EXISTS BETWEEN THESE SITE PLANS AND THE ARCHITECTURAL PLANS, OR WHERE ARCHITECTURAL PLAN UTILITY CONNECTION POINTS DIFFER, THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER, IN WRITING, AND PRIOR TO CONSTRUCTION, RESOLVE SAME.
8. WATER SERVICE FEATURES, BURIAL DEPTH, AND COVER REQUIREMENTS MUST BE SPECIFIED BY THE LOCAL UTILITY COMPANY. CONTRACTOR'S PRICE FOR WATER SERVICE MUST INCLUDE ALL FEES, COSTS AND APPURTENANCES REQUIRED BY THE UTILITY TO PROVIDE FULL AND COMPLETE WORKING SERVICE. CONTRACTOR MUST CONTACT THE APPLICABLE MUNICIPAL UTILITY COMPANY TO OBTAIN THE PROPER WATER METER AND VALVE, PRIOR TO COMMENCING CONSTRUCTION.
9. ALL NEW UTILITIES/SERVICES, INCLUDING ELECTRIC, TELEPHONE, CABLE TV, ETC. ARE TO BE INSTALLED UNDERGROUND. ALL NEW UTILITIES/SERVICES MUST BE INSTALLED IN ACCORDANCE WITH THE UTILITY/SERVICE PROVIDER INSTALLATION SPECIFICATIONS AND STANDARDS.
10. SITE GRADING MUST BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT REFERENCED IN THIS PLAN SET. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING AND REPLACING UNSUITABLE MATERIALS WITH SUITABLE MATERIALS AS SPECIFIED IN THE GEOTECHNICAL REPORT. UNDESIRABLE AREAS MUST BE COMPACTED AS OUTLINED IN THE GEOTECHNICAL REPORT. MOISTURE CONTENT AT TIME OF PLACEMENT MUST BE SUBMITTED IN REPORT TO THE GEOTECHNICAL REPORT AND AN ENGINEER REGISTERED WITH THE STATE WHERE THE WORK IS PERFORMED, VERIFYING THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PAVED HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS AND THE SUBGRADE MATERIAL FOR SIDEWALKS, CURB, OR ASPHALT MUST BE FREE OF ORGANICS AND OTHER UNSUITABLE MATERIALS. SHOULD SUBGRADE BE DETERMINED UNSUITABLE BY OWNER/DEVELOPER OR OWNER/DEVELOPER'S REPRESENTATIVE, SUBGRADE IS TO BE REMOVED AND FILLED WITH APPROVED FILL MATERIAL COMPACTED AS DIRECTED BY THE GEOTECHNICAL REPORT AND APPLICABLE REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES. EARTHWORK ACTIVITIES MUST COMPLY WITH THE STANDARD STATE DOT SPECIFICATIONS FOR ROADWAY CONSTRUCTION (LATEST EDITION) AND ANY AMENDMENTS OR REVISIONS THERETO.
11. ALL FILL, COMPACTION, AND BACKFILL MATERIALS REQUIRED FOR UTILITY INSTALLATION MUST BE AS PER THE RECOMMENDATIONS PROVIDED IN THE GEOTECHNICAL REPORT AND MUST BE COORDINATED WITH THE APPLICABLE UTILITY COMPANY/SPECIFICATIONS. WHEN THE PROJECT DOES NOT HAVE GEOTECHNICAL RECOMMENDATIONS, FILL AND COMPACTION MUST, AT A MINIMUM, COMPLY WITH THE STATE DOT REQUIREMENTS AND SPECIFICATIONS AND CONSULTANT SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR OR AS RELATED TO FILL, COMPACTION AND BACKFILL. FURTHER, CONTRACTOR IS FULLY RESPONSIBLE FOR EARTHWORK BACKFILL.
12. THE CONTRACTOR MUST COMPLY, TO THE FULLEST EXTENT, WITH THE LATEST OSHA STANDARDS AND REGULATIONS, AND/OR ANY OTHER AGENCY WITH JURISDICTION OVER EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE 'MEANS AND METHODS' REQUIRED TO MEET THE INTENT AND PERFORMANCE CRITERIA OF OSHA AS WELL AS ANY OTHER ENTITY THAT HAS JURISDICTION OVER EXCAVATION AND TRENCHING PROCEDURES AND CONSULTANT SHALL HAVE NO RESPONSIBILITY FOR OR AS RELATED FOR OR AS RELATED TO EXCAVATION AND TRENCHING PROCEDURES.
13. PAVEMENT MUST BE SAW CUT IN STRAIGHT LINES, AND EXCEPT FOR EDGE OF BUILT JOINTS, MUST EXTEND TO THE FULL DEPTH OF THE EXISTING PAVEMENT. ALL DEBRIS FROM REMOVAL OPERATIONS MUST BE STRIPPED FROM THE SITE AT THE TIME OF EXCAVATION. STOCKPILING OF DEBRIS WILL NOT BE PERMITTED.
14. THE TOPS OF EXISTING MANHOLES, INLET STRUCTURES, AND SANITARY CLEANOUT TAPS MUST BE ADJUSTED, AS NECESSARY, TO MATCH PROPOSED GRADES IN ACCORDANCE WITH ALL APPLICABLE STANDARDS, REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES.
15. DURING THE INSTALLATION OF SANITARY SEWER, STORM SEWER, AND ALL UTILITIES, THE CONTRACTOR MUST MAINTAIN A CONTEMPORANEOUS AND THOROUGH RECORD OF CONSTRUCTION TO IDENTIFY THE AS-INSTALLED LOCATION OF ALL UNDERGROUND INFRASTRUCTURE. THE CONTRACTOR MUST CAREFULLY NOTE ANY INSTALLATIONS THAT DEVIATE FROM THE INFORMATION CONTAINED IN THE UTILITY PLAN. THIS RECORD MUST BE KEPT ON A CLEAN COPY OF THE DRAINAGE OR UTILITY PLAN, WHICH CONTRACTOR MUST PROMPTLY PROVIDE TO THE OWNER AT THE COMPLETION OF WORK.
16. WHEN THE SITE IMPROVEMENT PLANS INVOLVE MULTIPLE BUILDINGS, SOME OF WHICH MAY BE BUILT AT A LATER DATE, THE CONTRACTOR MUST EXTEND ALL LINES, INCLUDING BUT NOT LIMITED TO, SANITARY SEWER, UTILITY AND IRRIGATION LINES, TO A POINT AT LEAST FIVE (5) FEET BEYOND THE PAVED AREAS FOR WHICH THE CONTRACTOR IS RESPONSIBLE. CONTRACTOR MUST CAP ENDS AS APPROPRIATE, MARK LOCATIONS WITH A 2X4, AND MUST NOTE THE LOCATION OF ALL OF THE ABOVE ON A CLEAN COPY OF THE DRAINAGE OR UTILITY PLAN, WHICH CONTRACTOR MUST PROMPTLY PROVIDE TO THE OWNER UPON COMPLETION OF THE WORK.
17. THE CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFICATION OF EXISTING TOPOGRAPHIC INFORMATION AND UTILITY INVERT ELEVATIONS PRIOR TO COMMENCING ANY CONSTRUCTION, EXCEPT WHERE ADA REQUIREMENTS OR EXISTING TOPOGRAPHIC INFORMATION, INDEMNIFY, DEFEND AND HOLD HARMLESS THE DESIGN ENGINEER FOR ANY DAMAGES, COSTS, INJURIES ATTORNEY'S FEES AND THE LIKE WHICH RESULT FROM SAME.
18. PROPOSED TOP OF CURB ELEVATIONS ARE GENERALLY 6' ABOVE EXISTING LOCAL ASPHALT GRADE UNLESS OTHERWISE NOTED. FIELD ADJUST TO CREATE A MINIMUM OF 0.75% UTILITY GRADE ALONG CURB CURVE FACE. IT IS CONTRACTOR'S OBLIGATION TO ENSURE THAT DESIGN ENGINEER APPROVES FINAL CURBING CUT SHEETS PRIOR TO INSTALLATION OF SAME.
19. IN THE EVENT OF DISCREPANCIES AND/OR CONFLICTS BETWEEN PLANS OR RELATIVE TO OTHER PLANS, THE SITE PLAN WILL TAKE PRECEDENCE AND CONTROL. CONTRACTOR MUST IMMEDIATELY NOTIFY THE DESIGN ENGINEER, IN WRITING, OF ANY DISCREPANCIES AND/OR CONFLICTS.
20. CONTRACTOR IS REQUIRED TO SECURE ALL NECESSARY AND/OR REQUIRED PERMITS AND APPROVALS FOR ALL OFF SITE MATERIAL SOURCES AND DISPOSAL FACILITIES. CONTRACTOR MUST SUPPLY A COPY OF APPROVALS TO ENGINEER AND OWNER PRIOR TO INITIATING ANY WORK.
21. WHERE RETAINING WALLS (WHETHER OR NOT THEY MEET THE JURISDICTIONAL DEFINITION) ARE IDENTIFIED ON PLANS, ELEVATIONS IDENTIFIED ARE FOR THE EXPOSED PORTION OF THE WALL. WALL FOOTINGS/FOUNDATION ELEVATIONS ARE NOT IDENTIFIED HEREIN AND ARE TO BE DETERMINED BY THE CONTRACTOR BASED ON FINAL STRUCTURAL DESIGN SHOP DRAWINGS PREPARED BY THE APPROPRIATE PROFESSIONAL LICENSED IN THE STATE WHERE THE CONSTRUCTION OCCURS.
22. STORM DRAINAGE PIPE UNLESS INDICATED OTHERWISE, ALL STORM SEWER PIPE MUST BE REINFORCED CONCRETE PIPE (RCCP) CLASS III WITH SALT JOINTS, WHEN HIGH-DENSITY POLYETHYLENE PIPE (HDPE) IS CALLED FOR ON THE PLANS, IT MUST CONFORM TO AASHTO M234 AND TYPE S (SMOOTH INTERIOR WITH ANGULAR CORROSION) WITH GASKET FOR SLIT JOINT. JOINT. PVC PIPE FOR ROOF DRAIN CONNECTION MUST BE SDR 20 OR SCHEDULE 40 UNLESS INDICATED OTHERWISE.
23. UNLESS INDICATED OTHERWISE ON THE DRAWINGS, SANITARY SEWER PIPE SHALL AS FOLLOWS:
• FOR PIPES LESS THAN 12 FT. DEEP: POLYVINYL CHLORIDE (PVC) SDR 35 PER ASTM D3034
• FOR PIPES MORE THAN 12 FT. DEEP: POLYVINYL CHLORIDE (PVC) SDR 35 PER ASTM D3034
• FOR PIPE WITH 10 FT. OF BUILDING PIPE MATERIAL SHALL COMPLY WITH APPLICABLE BUILDING AND PLUMBING CODES. CONTRACTOR TO VERIFY WITH LOCAL OFFICIALS.
24. STORM AND SANITARY SEWER PIPE LENGTHS INDICATED ARE NOMINAL AND MEASURED CENTER OF INLET AND/OR MANHOLES STRUCTURE TO CENTER OF STRUCTURE.
25. STORMWATER ROOF DRAIN LOCATIONS ARE BASED ON PRELIMINARY ARCHITECTURAL PLANS. CONTRACTOR IS RESPONSIBLE TO AND FOR VERIFYING LOCATIONS OF SAME BASED ON FINAL ARCHITECTURAL PLANS.
26. SEWERS CROSSING STREAMS AND/OR LOCATION WITHIN 10 FEET OF THE STREAM EMBANKMENT, OR WHERE SITE CONDITIONS SO INDICATE, MUST BE CONSTRUCTED OF STEEL REINFORCED CONCRETE, DUCTILE IRON OR OTHER SUITABLE MATERIAL. SEWERS CONVEYING SANITARY FLOW COMBINED SANITARY AND STORMWATER FLOW OR INDUSTRIAL FLOW MUST BE SEPARATED FROM WATER MAINS BY A DISTANCE OF AT LEAST 10 FEET HORIZONTALLY. IF SUCH LATERAL SEPARATION IS NOT POSSIBLE, THE PIPES MUST BE SEPARATE TRENCHES WITH THE SEWER AT LEAST 18 INCHES BELOW THE BOTTOM OF THE WATER MAIN, OR SUCH OTHER SEPARATION AS APPROVED BY THE GOVERNMENT AGENCY WITH JURISDICTION OVER SAME.
• WHERE APPROPRIATE SEPARATION FROM A WATER MAIN IS NOT POSSIBLE, THE SEWER MUST BE ENCASED IN CONCRETE, OR CONSTRUCTED OF DUCTILE IRON PIPE USING CORRECTING WORK WITH VENEER AT A DISTANCE OF AT LEAST 18 INCHES FROM THE WATER MAIN. THE PIPES MUST BE SEPARATE TRENCHES WITH THE SEWER AT LEAST 18 INCHES BELOW THE BOTTOM OF THE WATER MAIN, OR SUCH OTHER SEPARATION AS APPROVED BY THE GOVERNMENT AGENCY WITH JURISDICTION OVER SAME.
27. WATER MAIN PIPING MUST BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE LOCAL WATER PURVEYOR. IN THE ABSENCE OF SUCH REQUIREMENTS, WATER MAIN PIPING MUST BE CEMENT-LINED DUCTILE IRON (CIP) MINIMUM CLASS 52 THICKNESS. ALL PIPE AND APPURTENANCES MUST COMPLY WITH THE APPLICABLE AWWA STANDARDS IN EFFECT AT THE TIME OF APPLICATION.
28. CONTRACTOR MUST ENSURE THAT ALL UTILITY TRENCHES LOCATED IN EXISTING PAVED ROADWAYS INCLUDING SEWER, WATER AND STORM SYSTEMS, MUST BE REPAIRED IN ACCORDANCE WITH REFERENCED MUNICIPAL, COUNTY AND/OR DETAIL AS APPLICABLE. CONTRACTOR MUST COORDINATE INSPECTION AND APPROVAL OF COMPLETED WORK WITH THE AGENCY WITH JURISDICTION OVER SAME.
29. LOCATION OF PROPOSED UTILITY POLE RELOCATION IS AT THE SOLE DISCRETION OF UTILITY COMPANY.
30. CONSULTANT IS NEITHER LIABLE NOR RESPONSIBLE FOR ANY SUBSURFACE CONDITIONS AND FURTHER, SHALL HAVE NO LIABILITY FOR ANY HAZARDOUS MATERIALS, HAZARDOUS SUBSTANCES, OR POLLUTANTS ON, ABOUT OR UNDER THE PROPERTY.

GENERAL DEMOLITION NOTES

- 1. THIS PLAN REFERENCES DOCUMENTS AND INFORMATION BY:
• BOUNDARY & TOPOGRAPHIC SURVEY, PREPARED BY CONTROL POINT ASSOCIATES INC., DATED 2/12/2018, REVISED 6/13/2018
• 'SITE DEVELOPMENT PLANS' PREPARED BY BOHLER ENGINEERING, DATED 6/6/2018, REVISED 10/10/2018
2. CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, (29 U.S.C. 651 et seq.), AS AMENDED AND ANY REGULATIONS, AMENDMENTS OR REVISIONS THERETO.
3. BOHLER ENGINEERING HAS NO CONTRACTUAL, LEGAL, OR OTHER RESPONSIBILITY FOR JOB SITE SAFETY OR JOB SITE SUPERVISION, OR ANYTHING RELATED TO SAME.
4. THE DEMOLITION PLAN IS INTENDED TO PROVIDE GENERAL INFORMATION, ONLY, REGARDING ITEMS TO BE DEMOLISHED AND/OR REMOVED. THE CONTRACTOR MUST ALSO REVIEW THE OTHER SITE PLAN DRAWINGS AND INCLUDE IN DEMOLITION ACTIVITIES ALL INCIDENTAL WORK NECESSARY FOR THE CONSTRUCTION OF THE NEW SITE IMPROVEMENTS.
5. CONTRACTOR MUST RAISE ANY QUESTIONS CONCERNING THE ACCURACY OR INTENT OF THESE PLANS OR SPECIFICATIONS, CONCERNS REGARDING THE APPLICABLE SAFETY STANDARDS, OR THE SAFETY OF THE CONTRACTOR OR THIRD PARTIES IN PERFORMING THE WORK ON THIS PROJECT, WITH BOHLER ENGINEERING, IN WRITING, AND RESPONDED TO BY BOHLER, IN WRITING, PRIOR TO THE INITIATION OF ANY DEMOLITION ACTIVITY. ALL DEMOLITION ACTIVITIES MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS AND SPECIFICATIONS AND ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, RULES.
6. PRIOR TO STARTING ANY DEMOLITION, CONTRACTOR IS RESPONSIBLE FOR:
A. OBTAINING ALL REQUIRED PERMITS AND MAINTAINING THE SAME ON SITE FOR REVIEW BY THE ENGINEER AND OTHER PUBLIC AGENCIES WITH JURISDICTION THROUGHOUT THE DURATION OF THE PROJECT, SITE WORK AND DEMOLITION WORK.
B. NOTIFYING, AT A MINIMUM, THE MUNICIPAL ENGINEER, DESIGN ENGINEER, AND LOCAL SOIL CONSERVATION DISTRICT, 72 HOURS PRIOR TO THE START OF WORK.
C. INSTALLING THE REQUIRED SOIL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO SITE DISTURBANCE.
D. IN ACCORDANCE WITH STATE LAW, THE CONTRACTOR MUST CALL THE STATE ONE-CALL DAMAGE PROTECTION SYSTEM FOR UTILITY MARKOUT, IN ADVANCE OF ANY EXCAVATION.
E. LOCATING AND PROTECTING ALL UTILITIES AND SERVICES, INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN AND ADJACENT TO THE PROJECT LIMITS. THE CONTRACTOR MUST USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES.
F. PROTECTING AND MAINTAINING IN OPERATION, ALL ACTIVE UTILITIES AND SYSTEMS THAT ARE NOT BEING REMOVED DURING ALL DEMOLITION ACTIVITIES.
G. GRADING FOR AND COORDINATING WITH THE APPLICABLE UTILITY SERVICE PROVIDER(S) FOR THE TEMPORARY OR PERMANENT TERMINATION OF SERVICE REQUIRED BY THE PROJECT PLANS AND SPECIFICATIONS. THE CONTRACTOR MUST PROVIDE THE UTILITY ENGINEER AND OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTIONAL AND UTILITY COMPANY REQUIREMENTS.
H. COORDINATION WITH UTILITY COMPANIES REGARDING WORKING 'OFF-PEAK' HOURS OR ON WEEKENDS AS MAY BE REQUIRED TO MINIMIZE THE IMPACT ON THE AFFECTED PARTIES. WORK REQUIRED TO BE DONE 'OFF-PEAK' MUST BE DONE AT AN ADDITIONAL COST TO THE OWNER.
I. IN THE EVENT THE CONTRACTOR DISCOVERS ANY HAZARDOUS MATERIAL, THE REMOVAL OF WHICH IS NOT ADDRESSED IN THE PROJECT PLANS AND SPECIFICATIONS, THE CONTRACTOR MUST IMMEDIATELY CEASE ALL WORK AND IMMEDIATELY NOTIFY THE OWNER AND ENGINEER OF THE DISCOVERY OF SUCH MATERIALS. THE CONTRACTOR MUST IMMEDIATELY CEASE ALL WORK AND IMMEDIATELY NOTIFY THE OWNER AND ENGINEER OF THE DISCOVERY OF SUCH MATERIALS.
7. THE FIRM OR ENGINEER OF RECORD IS NOT RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION. CONTRACTOR MUST PROCEED WITH THE DEMOLITION IN A SYSTEMATIC AND SAFE MANNER, FOLLOWING ALL THE OSHA REQUIREMENTS, TO ENSURE PUBLIC AND CONTRACTOR SAFETY.
8. CONTRACTOR MUST PROVIDE ALL 'MEANS AND METHODS' NECESSARY TO PREVENT MOVEMENT, SETTLEMENT, OR COLLAPSE OF EXISTING STRUCTURES, AND ANY OTHER ACTIVITIES INCLUDING, BUT NOT LIMITED TO, EXCAVATION, BACKFILL, AND CONTRACTING MUST COMPLY WITH THE RECOMMENDATIONS IN THE GEOTECHNICAL REPORT AND APPLICABLE REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES. EARTHWORK ACTIVITIES MUST COMPLY WITH THE STANDARD STATE DOT SPECIFICATIONS FOR ROADWAY CONSTRUCTION (LATEST EDITION) AND ANY AMENDMENTS OR REVISIONS THERETO.
9. THE CONTRACTOR MUST NOT PERFORM ANY EARTH MOVEMENT ACTIVITIES, DEMOLITION OR REMOVAL OF FOUNDATION WALLS, FOOTINGS, OR OTHER MATERIALS WITHIN THE LIMITS OF DISTURBANCE UNLESS SAME IS IN STRICT ACCORDANCE AND CONFORMANCE WITH THE PROJECT PLANS AND SPECIFICATIONS, AND/OR UNDER THE WRITTEN DIRECTION OF THE OWNER'S STRUCTURAL OR GEOTECHNICAL ENGINEER.
10. CONTRACTOR MUST BACKFILL ALL EXCAVATION RESULTING FROM, OR INCIDENTAL TO, DEMOLITION ACTIVITIES. BACKFILL MUST BE ACCOMPLISHED WITH APPROVED ALL SOIL TREATMENT AND BACKFILLING PROCEDURES AND PERFORMED IN COMPLIANCE WITH THE RECOMMENDATIONS AND SPECIFICATIONS SET FORTH IN THE GEOTECHNICAL REPORT. BACKFILLING MUST OCCUR IMMEDIATELY AFTER DEMOLITION ACTIVITIES, AND MUST BE DONE SO AS TO PREVENT WATER ENTERING THE EXCAVATION. FINISHED SURFACES MUST BE GRADED TO PROMOTE POSITIVE DRAINAGE.
11. EXPLOSIVES MUST NOT BE USED WITHOUT PRIOR WRITTEN CONSENT OF BOTH THE OWNER AND ALL APPLICABLE GOVERNMENTAL AUTHORITIES. ALL THE REQUIRED PERMITS AND EXPLOSIVE CONTROL MEASURES THAT ARE REQUIRED BY THE FEDERAL, STATE, AND LOCAL GOVERNMENTS MUST BE IN PLACE PRIOR TO CONTRACTOR STARTING AN EXPLOSIVE PROGRAM AND/OR DEMOLITION. THE CONTRACTOR IS ALSO RESPONSIBLE FOR ALL INSPECTION AND SEISMIC VIBRATION TESTING THAT IS REQUIRED TO MONITOR THE EFFECTS ON ALL LOCAL STRUCTURES.
12. CONTRACTOR MUST PROVIDE TRAFFIC CONTROL AND GENERALLY ACCEPTED SAFE PRACTICES IN CONFORMANCE WITH THE CURRENT FHWA 'MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES' (MUTCD), AND THE FEDERAL, STATE, AND LOCAL REGULATIONS WHEN DEMOLITION RELATED ACTIVITIES IMPACT ROADWAYS AND/OR ROADWAY RIGHT-OF-WAY.
13. CONTRACTOR MUST CONDUCT DEMOLITION ACTIVITIES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, SIDEWALKS, WALKWAYS, AND OTHER ADJACENT FACILITIES. STREET CLOSURE PERMITS MUST BE RECEIVED FROM THE APPROPRIATE GOVERNMENTAL AUTHORITY PRIOR TO THE COMMENCEMENT OF ANY ROAD OPENING OR DEMOLITION ACTIVITIES OR ADJACENT TO THE RIGHT-OF-WAY.
14. DEMOLITION ACTIVITIES AND EQUIPMENT MUST NOT USE AREAS OUTSIDE THE DEFINED PROJECT LIMIT LINE, WITHOUT WRITTEN PERMISSION OF THE OWNER AND ALL GOVERNMENTAL AGENCIES WITH JURISDICTION.
15. THE CONTRACTOR MUST USE DUST CONTROL MEASURES TO LIMIT AIRBORNE DUST AND DIRT RISING AND SCATTERING IN THE AIR IN ACCORDANCE WITH FEDERAL, STATE, AND/OR LOCAL STANDARDS. AFTER THE DEMOLITION IS COMPLETE, CONTRACTOR MUST CLEAN ALL ADJACENT STRUCTURES AND IMPROVEMENTS TO REMOVE ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR RETURNING ALL ADJACENT AREAS TO THEIR 'PRE-DEMOLITION' CONDITION.
16. CONTRACTOR IS RESPONSIBLE TO SAFEGUARD THE SITE AS NECESSARY TO PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME.
17. CONTRACTOR IS RESPONSIBLE FOR JOB SITE SAFETY, WHICH MUST INCLUDE, BUT NOT BE LIMITED TO, THE INSTALLATION AND MAINTENANCE OF BARRIERS, FENCING AND OTHER APPROPRIATE SAFETY ITEMS NECESSARY TO PROTECT THE PUBLIC FROM AREAS OF CONSTRUCTION AND CONSTRUCTION ACTIVITY.
18. THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING ITEMS/CONDITIONS WHICH ARE TO BE REMOVED. IT IS NOT INTENDED TO PROVIDE DIRECTION AS TO THE MEANS, METHODS, SEQUENCING, TECHNIQUES AND PROCEDURES TO BE USED TO ACCOMPLISH THAT WORK. ALL MEANS, METHODS, SEQUENCING, TECHNIQUES AND PROCEDURES TO BE USED MUST BE IN STRICT ACCORDANCE WITH ALL STATE, FEDERAL, LOCAL, AND JURISDICTIONAL REQUIREMENTS. THE CONTRACTOR MUST COMPLY WITH ALL OSHA AND OTHER SAFETY PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK SITE.
19. DEBRIS MUST NOT BE BURIED ON THE SUBJECT SITE. ALL DEMOLITION WASTES AND DEBRIS (SOLID WASTE) MUST BE DISPOSED OF IN ACCORDANCE WITH ALL MUNICIPAL, COUNTY, STATE, AND FEDERAL, LAWS AND APPLICABLE CODES. THE CONTRACTOR MUST MAINTAIN RECORDS TO DEMONSTRATE PROPER DISPOSAL ACTIVITIES, TO BE PROMPTLY PROVIDED TO THE OWNER UPON REQUEST.
20. CONTRACTOR MUST MAINTAIN A RECORD SET OF PLANS UPON WHICH IS INDICATED THE LOCATION OF EXISTING UTILITIES THAT ARE CAPPED, ABANDONED IN PLACE, OR RELOCATED DUE TO DEMOLITION ACTIVITIES. THIS RECORD DOCUMENT MUST BE PREPARED IN A NEAT AND WORKMAN-LIKE MANNER, AND TURNED OVER TO THE OWNER/DEVELOPER UPON COMPLETION OF THE WORK.
21. PARKING SPACES AND PARKING AISLES - SLOPE SHALL NOT EXCEED 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) IN ANY DIRECTION.
22. CURB RAMPS - SLOPE MUST NOT EXCEED 1:12 (8 1/3" PER FOOT OR MAXIMUM OF SIX (6) FEET.
23. LANDINGS - MUST BE PROVIDED AT EACH END OF RAMPS, MUST PROVIDE POSITIVE DRAINAGE, AND MUST NOT EXCEED 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) IN ANY DIRECTION.
24. PATH OF TRAVEL ALONG ACCESSIBLE ROUTE - MUST PROVIDE A 36-INCH OR GREATER UNOBSTRUCTED WIDTH OF TRAVEL (CAR OVERHANGS AND/OR HANDRAILS CANNOT REDUCE THE MINIMUM WIDTH). THE SLOPE SHALL BE NOT GREATER THAN 1:20 (5.0%) IN THE DIRECTION OF TRAVEL, AND MUST NOT EXCEED 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) IN CROSS SLOPE. WHERE PATH OF TRAVEL WILL BE GREATER THAN 1:20 (5.0%), ADA RAMP MUST BE ADHERED TO. A MAXIMUM SLOPE OF 1:12 (8.3%), FOR A MAXIMUM RISE OF 2.5 FEET, MUST BE PROVIDED. THE RAMP MUST HAVE ADA HAND RAILS AND 'LEVEL' LANDINGS ON EACH END THAT ARE CROSS SLOPED NO MORE THAN 1:50 IN ANY DIRECTION (1/4" PER FOOT OR NOMINALLY 2.0%) FOR POSITIVE DRAINAGE.
25. DOORWAYS - MUST HAVE A 'LEVEL' LANDING AREA ON THE EXTERIOR SIDE OF THE DOOR THAT IS SLOPED AWAY FROM THE DOOR NO MORE THAN 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) FOR POSITIVE DRAINAGE. THIS LANDING AREA MUST BE NO LESS THAN 48 INCHES (5 FEET) LONG, EXCEPT WHERE OTHERWISE PERMITTED BY ADA STANDARDS FOR ALTERNATIVE DOORWAY OPENING CONDITIONS. (SEE ICCANS A117 - 2003 AND OTHER REFERENCE INCORPORATED BY CODE.)
26. WHEN THE PROPOSED CONSTRUCTION INVOLVES RECONSTRUCTION, MODIFICATION, REVISION OR EXTENSION OF OR TO ADA COMPONENTS FROM EXISTING DOORWAYS OR SURFACES, CONTRACTOR MUST VERIFY EXISTING ELEVATIONS SHOWN ON THE PLAN. NOTE THAT TABLE 405.2 OF THE DEPARTMENT OF JUSTICE'S ADA STANDARDS FOR ACCESSIBLE DESIGN ALLOWS FOR STEEPER RAMP SLOPES. IN RAISE CIRCUMSTANCES, THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE DESIGN ENGINEER OF ANY DISCREPANCIES AND/OR FIELD CONDITIONS THAT DIFFER IN ANY WAY OR ANY RESPECT FROM WHAT IS SHOWN ON THE PLANS, IN WRITING, BEFORE COMMENCEMENT OF CONSTRUCTION. IMPROVEMENTS MUST FALL WITHIN THE MAXIMUM AND MINIMUM LIMITATIONS IMPOSED BY THE BARRIER FREE REGULATIONS AND THE ADA REQUIREMENTS.
27. THE CONTRACTOR MUST VERIFY THE SLOPES OF CONTRACTOR'S FORMS PRIOR TO POURING CONCRETE. IF ANY NON-COMFORMANCE IS OBSERVED OR EXISTS, CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER PRIOR TO POURING CONCRETE. CONTRACTOR IS RESPONSIBLE FOR ALL COSTS TO REMOVE, REPAIR AND REPLACE NON-COMFORMING CONCRETE.
28. IT IS STRONGLY RECOMMENDED THAT THE CONTRACTOR REVIEW THE INTENDED CONSTRUCTION WITH THE LOCAL BUILDING CODE PRIOR TO COMMENCEMENT OF CONSTRUCTION.

TYPICAL ABBREVIATIONS

Table with 3 columns: KEY, DESCRIPTION, KEY, DESCRIPTION. Includes entries like BC BOTTOM CURB, TC TOP CURB, BOC BACK OF CURB, BW BOTTOM OF WALL GRADE, TW TOP OF WALL, EXIST EXISTING, BM BENCHMARK, EOP EDGE OF PAVEMENT, etc.

TYPICAL LEGEND

Table with 2 columns: EXISTING, PROPOSED. Includes symbols for PROPERTY LINE, SETBACK, EASEMENT, CURB, STORM MANHOLE, SEWER MANHOLE, CATCH BASIN, WETLAND FLAG, WETLAND LINE, SPOT ELEVATION, TOP & BOTTOM OF CURB, CONTOUR, FLOW ARROW, PAINTED ARROW, RIDGE LINE, GAS LINE, TELEPHONE LINE, ELECTRIC LINE, WATER LINE, OVERHEAD WIRE, STORM PIPE, SANITARY LINE, PARKING COUNT, SIGN, LIGHT POLE, GUIDE RAIL, UTILITY POLE.



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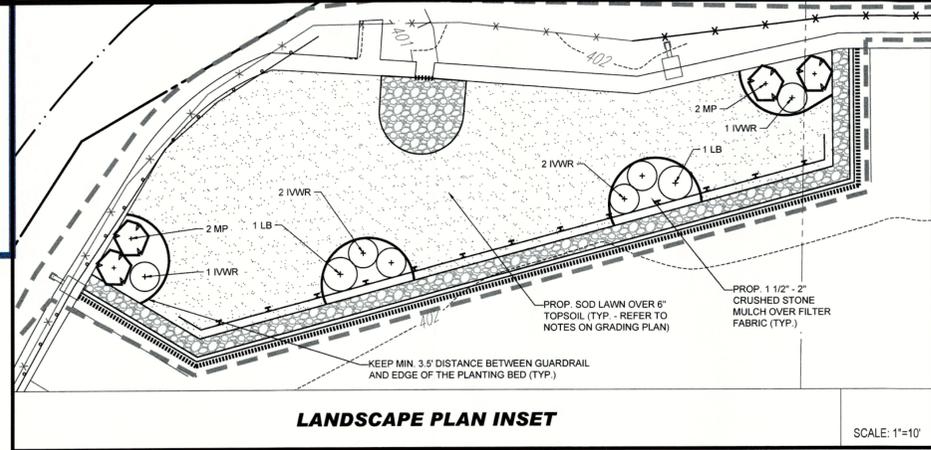
OFFICE ADDRESS: 110 N CARPENTER ST, CHICAGO, IL 60607

DATE: 02/04/22, BY: JAK, STATUS: DRAWN BY: 02/04/22, CSE, PLAN CHECKED: 02/04/22, AS-BUILT, SHEET NO. C-102

PLAN APPROVALS SIGNATURE: APPROVED MCDONALD'S AGENT, PLAN DESCRIPTION: GENERAL NOTES SHEET, OF 7

Bohler logo and contact information: SITE CIVIL AND CONSULTING ENGINEERING, LAND SURVEYING, PROGRAM MANAGEMENT, LANDSCAPE ARCHITECTURE, SUSTAINABLE DESIGN, PERMITTING SERVICES, TRANSPORTATION SERVICES. PROJECT NO.: W212039, CAD I.D. #: W212039-CVL-2.dwg

REFER TO SITE PLAN FOR ZONING ANALYSIS TABLE AND LAND USE ZONING INFORMATION & NOTES. REFER TO SOIL EROSION CONTROL NOTES & DETAILS SHEET FOR TYPICAL EROSION NOTES AND DETAILS.



LANDSCAPE PLAN INSET

SCALE: 1"=10'

SITE INFORMATION

- APPLICANT: MCDONALD'S USA, LLC
110 CARPENTER ST
CHICAGO, IL 60607
- OWNER: MCDONALD'S USA, LLC
110 CARPENTER ST
CHICAGO, IL 60607
- PARCEL: MAP 56 & LOT 111
117-119 WEST STREET
WARE, MA 01082

ZONING ANALYSIS TABLE

ZONING DISTRICT	OVERLAY DISTRICT	REQUIRED PERMIT	REQUIRED	EXISTING	PROPOSED
HIGHWAY COMMERCIAL (HC) <td>OVERLAY DISTRICT <td>PERMIT FROM DEPT. <td>20,000 SF <td>±52,542 SF <td>NO CHANGE</td> </td></td></td></td>	OVERLAY DISTRICT <td>PERMIT FROM DEPT. <td>20,000 SF <td>±52,542 SF <td>NO CHANGE</td> </td></td></td>	PERMIT FROM DEPT. <td>20,000 SF <td>±52,542 SF <td>NO CHANGE</td> </td></td>	20,000 SF <td>±52,542 SF <td>NO CHANGE</td> </td>	±52,542 SF <td>NO CHANGE</td>	NO CHANGE
MIN. LOT AREA			100'	±252'	NO CHANGE
MIN. BLDG COVERAGE			20%	8.4%	NO CHANGE
MIN. FRONT SETBACK			25'	26.1'	NO CHANGE
MIN. SIDE SETBACK			20'	83.6'	NO CHANGE
MIN. REAR SETBACK			30'	108.3'	NO CHANGE
MAX. BUILDING HEIGHT			30'	19'-4"	NO CHANGE
MAX. IMPER. COVERAGE			40%	72.0% (E)	68.7% (E)
PARKING SPACES			45	72	57
ACCESS: PARKING SPACES			3	3	NO CHANGE
PARKING STALL CRITERIA	USE/CATEGORY: EATING ESTABLISHMENT	REQUIRED PARKING:			
STANDARD: 8 FT x 20 FT		CALCULATION:			
COMPACT: 6 FT x 16 FT					

PAVEMENT STRIPING LEGEND

- 4"DSL = 4" DOUBLE YELLOW SOLID LINE
- 6"SYSL = 6" SINGLE YELLOW SOLID LINE
- 8"SYSL = 8" SINGLE YELLOW SOLID LINE
- 4"WSL = 4" SINGLE WHITE SOLID LINE

LANDSCAPE SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	CONT.
IVWR	8	ILEX VERTICILLATA 'WINTER RED'	WINTER RED WINTERBERRY HOLLY	30-36"	CONTAINER
LB	2	LINDERA BENZON	SPICEBUSH	30-36"	CONTAINER
MP	4	MYRTICA PENNSYLVANICA	NORTHERN BAYBERRY	30-36"	B-B
SUBTOTAL:	12				

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN THE AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN WILL DICATE.

METHODS AND MATERIALS

- CULTIVATED SOD IS PREFERRED OVER NATIVE OR PASTURE SOD. SPECIFY 'CERTIFIED SOD' OR OTHER HIGH QUALITY CULTIVATED SOD.
- SOD SHOULD BE FREE OF WEEDS AND UNDESIRABLE COARSE WEEDY GRASSES.
- SOD SHOULD BE OF UNIFORM THICKNESS, APPROXIMATELY 5/8 INCH, PLUS OR MINUS 1/4 INCH, AT TIME OF CUTTING. (EXCLUDES TOP GROWTH)
- SOD SHOULD BE VIGOROUS AND DENSE AND BE ABLE TO RETAIN ITS OWN SHAPE AND WEIGHT WHEN SUSPENDED VERTICALLY WITH A FIRM GRASP FROM THE UPPER 10 PERCENT OF THE STRIP. BROKEN PADS OR TORN AND UNEVEN ENDS WILL NOT BE ACCEPTABLE.
- FOR DRAUGHT SITES, A SOD OF KENTUCKY 31 TALL FESCUE AND BLUEGRASS IS PREFERRED OVER A STRAIGHT BLUEGRASS SOD.
- ONLY MOIST, FRESH, UNHEATED SOD SHOULD BE USED. SOD SHOULD BE HARVESTED, DELIVERED, AND INSTALLED WITHIN A PERIOD OF 36 HOURS.

I. SITE PREPARATION

- GRADE AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR LIMING, FERTILIZING, AND SOIL PREPARATION. ALL GRADING SHOULD BE DONE IN ACCORDANCE WITH STANDARD FOR LAND GRADING.
- INSTALL NEEDED EROSION CONTROL PRACTICES AND FACILITIES, SUCH AS INTERCEPTOR DITCHES, DIKES AND TERRACES, EROSION STOPS, AND DE-SILTING BASINS.

II. SOIL PREPARATION

- APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS SUCH AS THOSE OFFERED BY RUTGERS UNIVERSITY SOIL TESTING LABORATORY. SOIL SAMPLE MAILERS ARE AVAILABLE FROM THE LOCAL COOPERATIVE EXTENSION SERVICE OFFICE. IF SOIL TESTING IS NOT FEASIBLE ON SLOPE OR VARIABLE SITES, OR WHERE TIMING IS CRITICAL, FERTILIZER MAY BE APPLIED AT THE RATE OF 500 POUNDS PER ACRE OR 11 POUNDS PER 1,000 SQUARE FEET OF 10-20-10 OR EQUIVALENT. IN ADDITION, 300 POUNDS 38-0-0 PER ACRE OR EQUIVALENT OF SLOW RELEASE NITROGEN MAY BE USED IN LIEU OF TOP-DRESSING. APPLY LIMESTONE (EQUIVALENT TO 50 PERCENT CALCIUM PLUS MAGNESIUM OXIDES) AS FOLLOWS:

SOIL TEXTURE	TONS/ACRE	LBS/1000 SQ. FT.
CLAY, CLAY LOAM, AND HIGH ORGANIC SOIL	4	180
SANDY LOAM, LOAM, SILT LOAM	3	135
LOAMY SAND, SAND	2	90

- WORK LINE AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRING TOOTH HARROW, OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISCOING OPERATION SHOULD BE ON THE GENERAL COURSE. CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM, FINE SEEDBED IS PREPARED.
- REMOVE FROM THE SURFACE ALL OBJECTS THAT WOULD PREVENT GOOD SOD TO SOIL CONTACT AND REMOVE ALL OTHER DEBRIS, SUCH AS WIRE, CABLE, TREE ROOTS, PIECES OF CONCRETE, CLODS, LUMPS, OR OTHER UNSUITABLE MATERIAL.
- INSPECT SITE JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE RE-TILLED AND FIRMED AS ABOVE.

III. SOD PLACEMENT

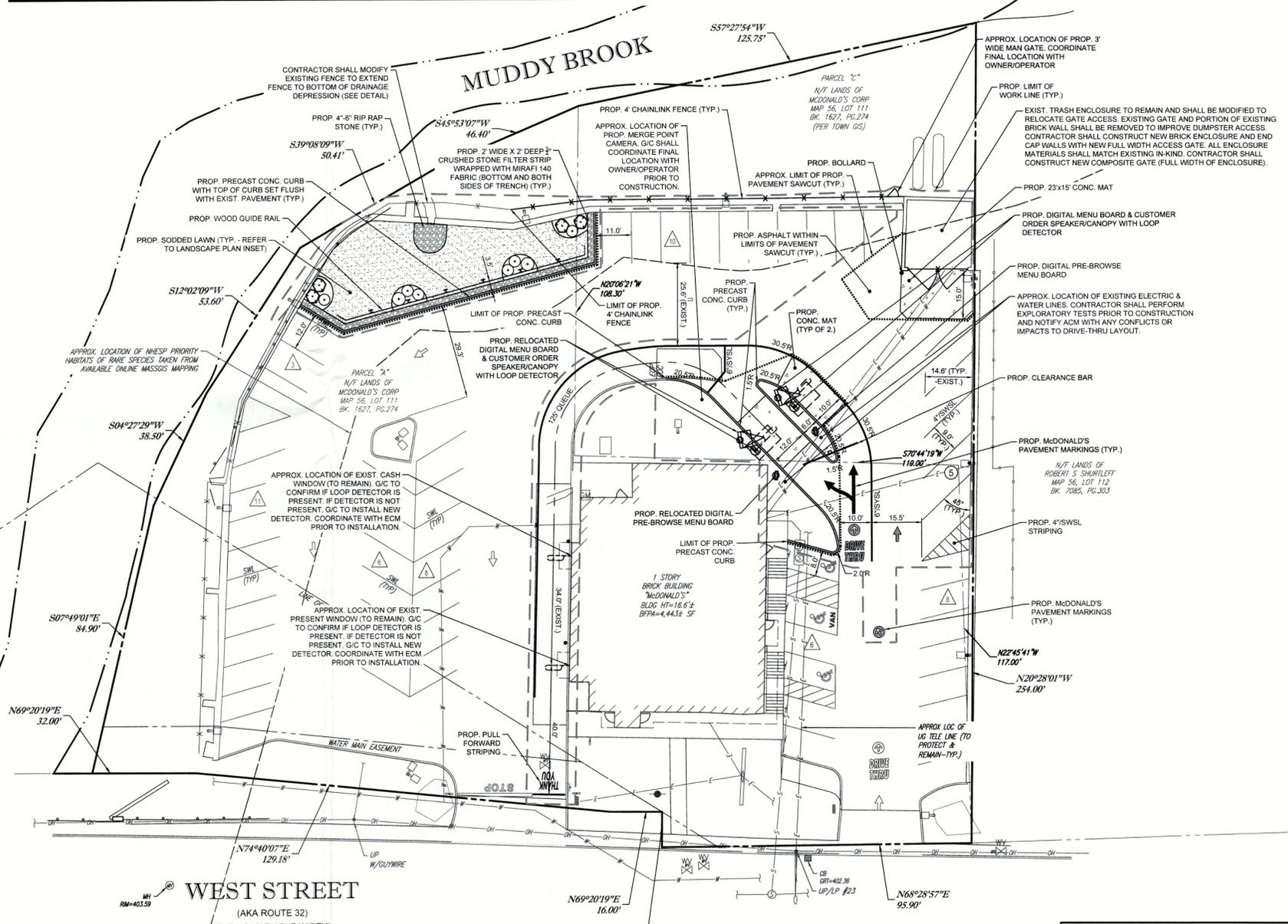
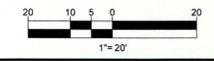
- SOD STRIPS SHOULD BE LAID ON THE CONTOUR, NEVER UP AND DOWN THE SLOPE, STARTING AT THE BOTTOM OF THE SLOPE AND WORKING UP. ON STEEP SLOPES, THE USE OF LADDERS WILL FACILITATE THE WORK AND PREVENT DAMAGE TO THE SOD. DURING PERIODS OF HIGH TEMPERATURE, LIGHTLY IRRIGATE THE SOIL IMMEDIATELY PRIOR TO LAYING THE SOD.
- PLACE SOD STRIPS WITH SNUG, EVEN JOINTS THAT ARE STAGGERED. OPEN SPACES INVITE EROSION.
- ROLL OR TAMP SOD IMMEDIATELY FOLLOWING PLACEMENT TO INSURE SOLID CONTACT OF ROOT MAT AND SOIL SURFACE. DO NOT OVERLAP SOD. JOINTS SHOULD BE BUTTED TIGHTLY IN ORDER TO PREVENT VOIDS WHICH WOULD CAUSE DRYING OF THE ROOTS.
- ON SLOPES GREATER THAN 3 TO 1, SECURE SOD TO SURFACE SOIL WITH WOOD PEGS, WIRE STAPLES, OR SPLIT SHINGLES (8 TO 10 INCHES LONG BY 3/4 INCH WIDE).
- SURFACE WATER CANNOT ALWAYS BE DIVERTED FROM FLOWING OVER THE FACE OF THE SLOPE, BUT A CAPPING STRIP OF HEAVY JUTE OR PLASTIC NETTING, PROPERLY SECURED, ALONG THE CROWN OF THE SLOPE AND EDGES WILL PROVIDE EXTRA PROTECTION AGAINST LIFTING AND UNDERCUTTING OF SOD. THE SAME TECHNIQUE CAN BE USED TO ANCHOR SOD IN WATER CARRYING CHANNELS AND OTHER CRITICAL AREAS. WIRE STAPLES MUST BE USED TO ANCHOR NETTING IN CHANNEL WORK.
- IMMEDIATELY FOLLOWING INSTALLATION, SOD SHOULD BE WATERED UNTIL MOISTURE PENETRATES THE SOIL LAYER BENEATH SOD TO A DEPTH OF 4 INCHES. MAINTAIN OPTIMUM MOISTURE FOR AT LEAST TWO WEEKS, AND CONTINUE IRRIGATION THROUGHOUT ENTIRE SEASON.

IV. TOP-DRESSING IF SLOW RELEASE NITROGEN (300 POUNDS 38-0-0 PER ACRE OR EQUIVALENT) IS USED IN ADDITION TO SUGGESTED FERTILIZER, THEN A FOLLOW-UP OF TOP DRESSING IS NOT MANDATORY.

- SPRING INSTALLATION OF SOD WILL REQUIRE AN APPLICATION OF FERTILIZER SUCH AS 10-20-10 OR EQUIVALENT AT 500 POUNDS PER ACRE OR 11 POUNDS PER 1,000 SQUARE FEET BETWEEN MARCH 15 AND APRIL 1.
- FALL INSTALLATION OF SOD WILL REQUIRE THE ABOVE BETWEEN SEPTEMBER 1 AND OCTOBER 15.

STANDARD FOR PERMANENT STABILIZATION WITH SOD

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY. REFER TO GENERAL NOTES SHEET FOR ADDITIONAL NOTES



WEST STREET
(AKA ROUTE 32)
(PUBLIC-VARIABLE WIDTH)



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.



SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

COMPLIANCE CHECK	DATE
CONSTRUCTION CHECK	DATE
CONSTRUCTION CHECK	DATE
PROJECT No.:	W212039
CAD I.D. #:	W212039-CVL-2.dwg

STREET ADDRESS		117-119 WEST STREET	
CITY	WARE	STATE	MA
COUNTY		HAMPSHIRE	
SITE I.D.	020-0107	PLAN DESCRIPTION	SITE LAYOUT PLAN

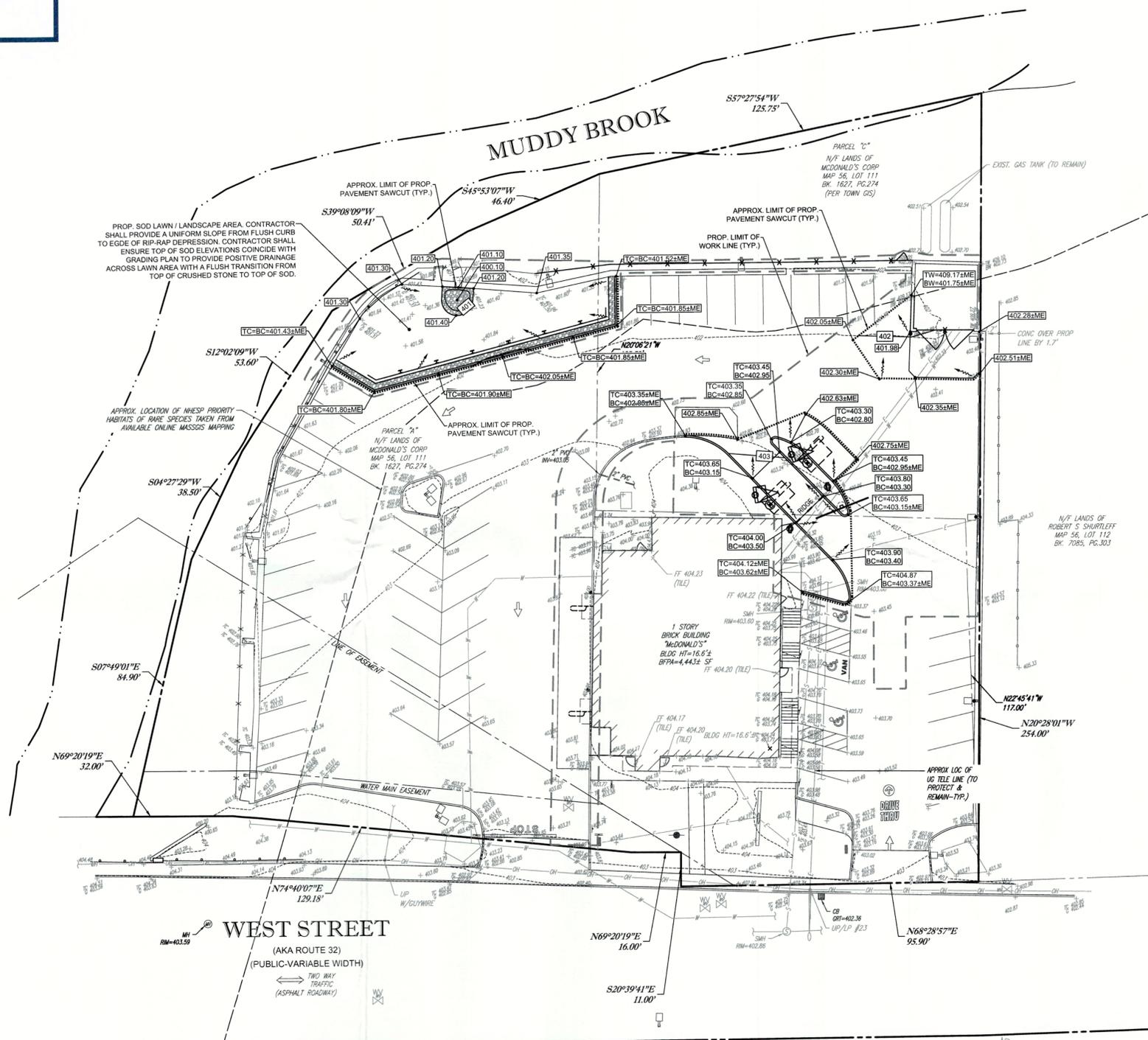
DATE	06/10/2022	REVISION	1	DESCRIPTION	REVISED PER CONSERVATION COMMISSION COMMENTS
DATE	06/09/2022	REVISION	2	DESCRIPTION	REVISED PER CONSERVATION COMMISSION COMMENTS

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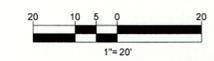
BOSTON REGION
110 N CARPENTER ST
CHICAGO, IL 60607

PLAN APPROVALS	SIGNATURE	DATE
APPROVED MCDONALD'S AGENT		

STATUS	DATE	BY
DRAWN BY:	02/04/22	CSE
PLAN CHECKED:	02/04/22	JAK
AS-BUILT		
SHEET NO.	C-301	
	OF 7	



THIS PLAN TO BE UTILIZED FOR SITE GRADING PURPOSES ONLY. REFER TO GENERAL NOTES SHEET FOR ADDITIONAL GRADING & UTILITY NOTES



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.



COMPLIANCE CHECK	DATE
CONSTRUCTION CHECK	DATE
CONSTRUCTION CHECK	DATE
PROJECT No.:	W212039
CAD I.D. #:	W212039-CVL-2.dwg

STREET ADDRESS		117-119 WEST STREET	
CITY	WARE	STATE	MA
COUNTY		HAMPSHIRE	
SITE I.D.	020-0107	PLAN DESCRIPTION	GRADING AND DRAINAGE PLAN

STATUS	DATE	BY
DRAWN BY:	02/04/22	CSE
PLAN CHECKED	02/04/22	JAK

AS-BUILT	SHEET NO.	C-401
		OF 7



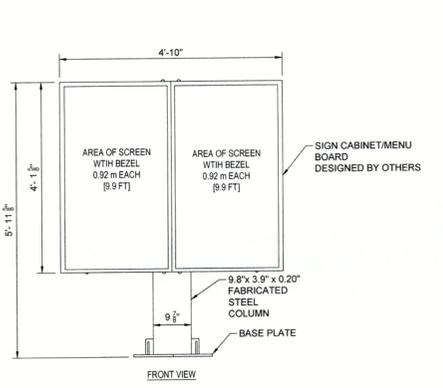
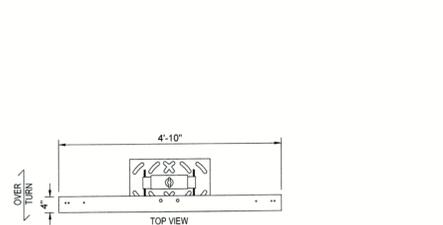
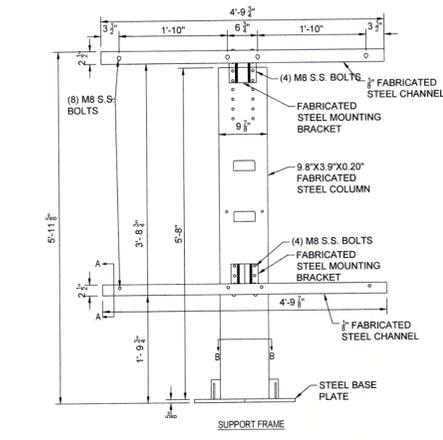
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BOSTON REGION
110 N CARPENTER ST
CHICAGO, IL 60607

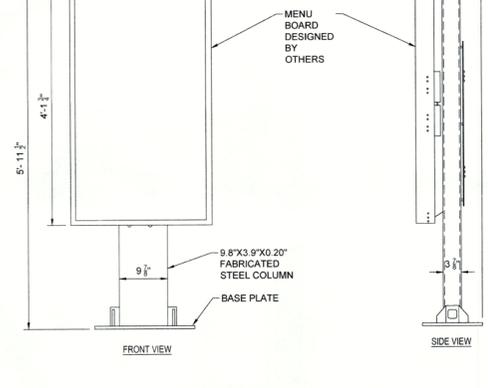
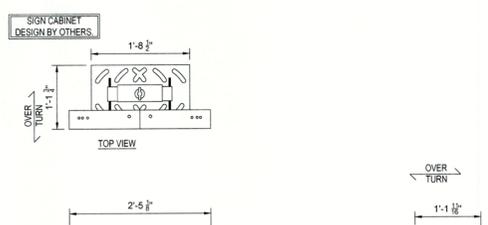
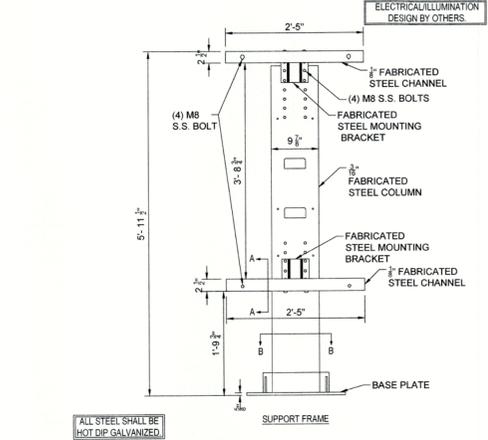
PLAN APPROVALS	DATE
SIGNATURE	
APPROVED McDONALD'S AGENT	

REV	DATE	DESCRIPTION
1	05/10/2022	REVISED PER CONSERVATION COMMISSION COMMENTS
2	08/09/2022	REVISED PER CONSERVATION COMMISSION COMMENTS



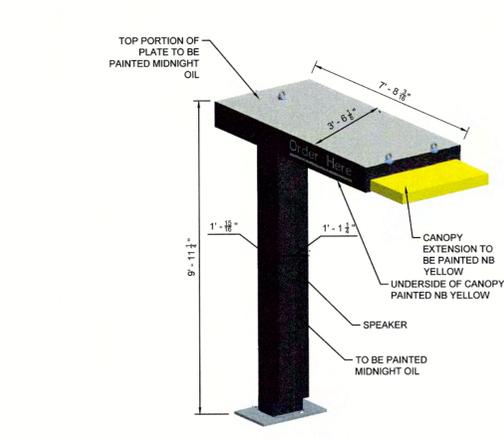
DIGITAL MENU BOARD DETAIL

N.T.S.



DIGITAL PRE-BROWSE BOARD DETAIL

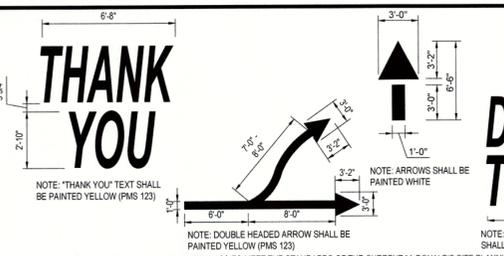
N.T.S.



(NOTE: FOUNDATION DESIGN TO BE PROVIDED BY CONTRACTOR. CONTRACTOR SHALL OBTAIN FINAL SPECIFICATIONS FROM SIGN VENDOR.)

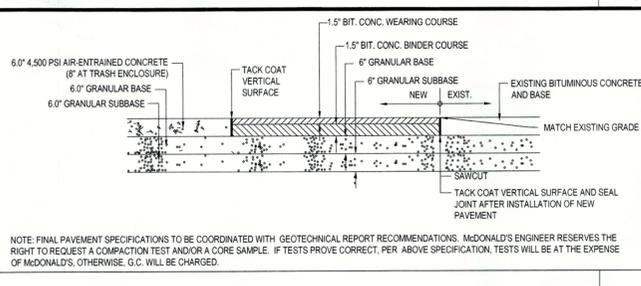
DRIVE-THRU CANOPY/SPEAKER DETAIL

N.T.S.



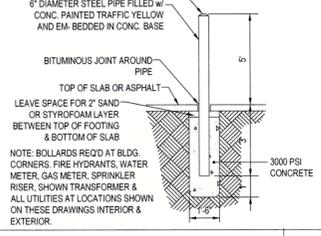
TYPICAL PAVEMENT MARKINGS

N.T.S.



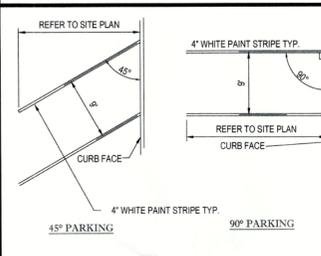
CONCRETE & BITUMINOUS CONCRETE PAVING DETAIL

N.T.S.



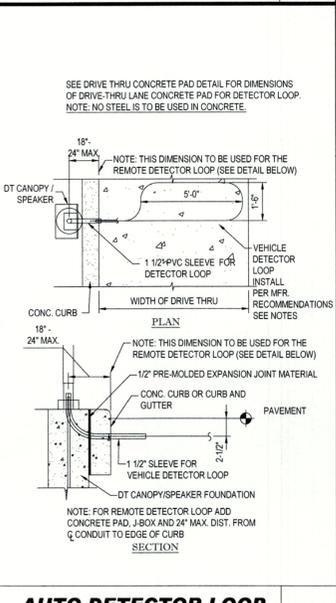
BOLLARD DETAIL

N.T.S.



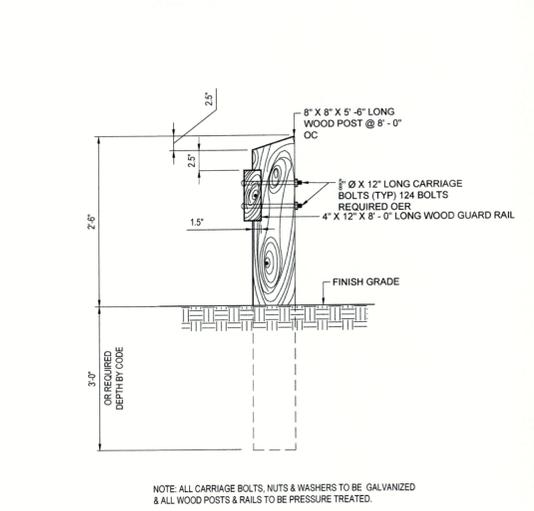
STALL STRIPING

N.T.S.



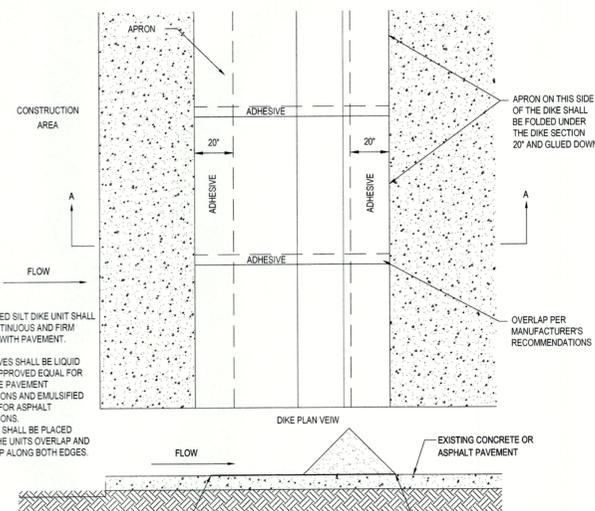
AUTO DETECTOR LOOP DETAIL

N.T.S.



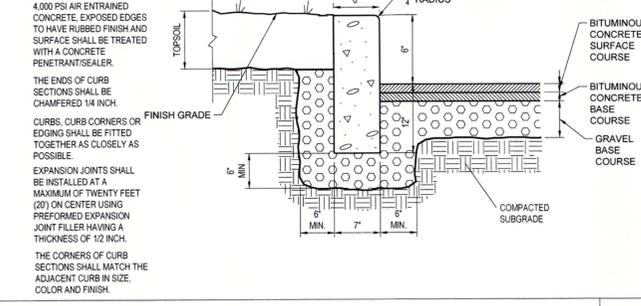
WOOD GUIDERAIL DETAIL

N.T.S.



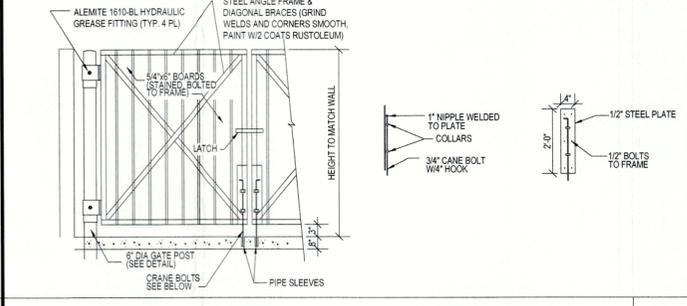
SILT DIKE (ON EXISTING PAVEMENT)

N.T.S.



PRECAST CONCRETE CURB DETAIL

N.T.S.



TRASH ENCLOSURE GATE & MOUNTING

N.T.S.

BOHLER //

SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 PERMITTING SERVICES
 TRANSPORTATION SERVICES

COMPLIANCE CHECK	DATE
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PROJECT No.:	W212039
CAD I.D. #:	W212039-CVL-2.dwg

STREET ADDRESS		117-119 WEST STREET	
CITY	STATE	DATE	BY
WARE	MA	02/04/22	CSE
COUNTY		HAMPSHIRE	
SITE I.D.	PLAN DESCRIPTION	AS-BUILT	SHEET NO.
020-0107	DETAIL SHEET		C-901

DATE	05/10/2022	REVISION	1	REVISION PER CONSERVATION COMMISSION COMMENTS
DATE	06/09/2022	REVISION	2	REVISION PER CONSERVATION COMMISSION COMMENTS

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BOSTON REGION
 110 N CARPENTER ST
 CHICAGO, IL 60607

OFFICE ADDRESS

DATE

APPROVED MCDONALD'S AGENT

PLAN APPROVALS

STATUS

DATE

BY

DRAWN BY:

02/04/22

CSE

PLAN CHECKED

02/04/22

JAK

AS-BUILT

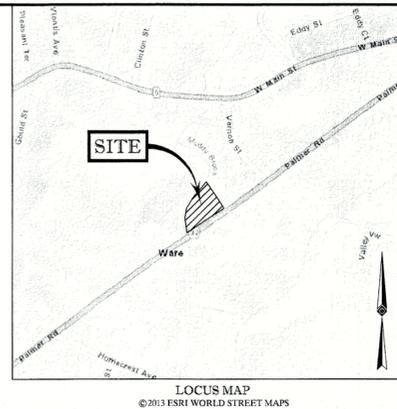
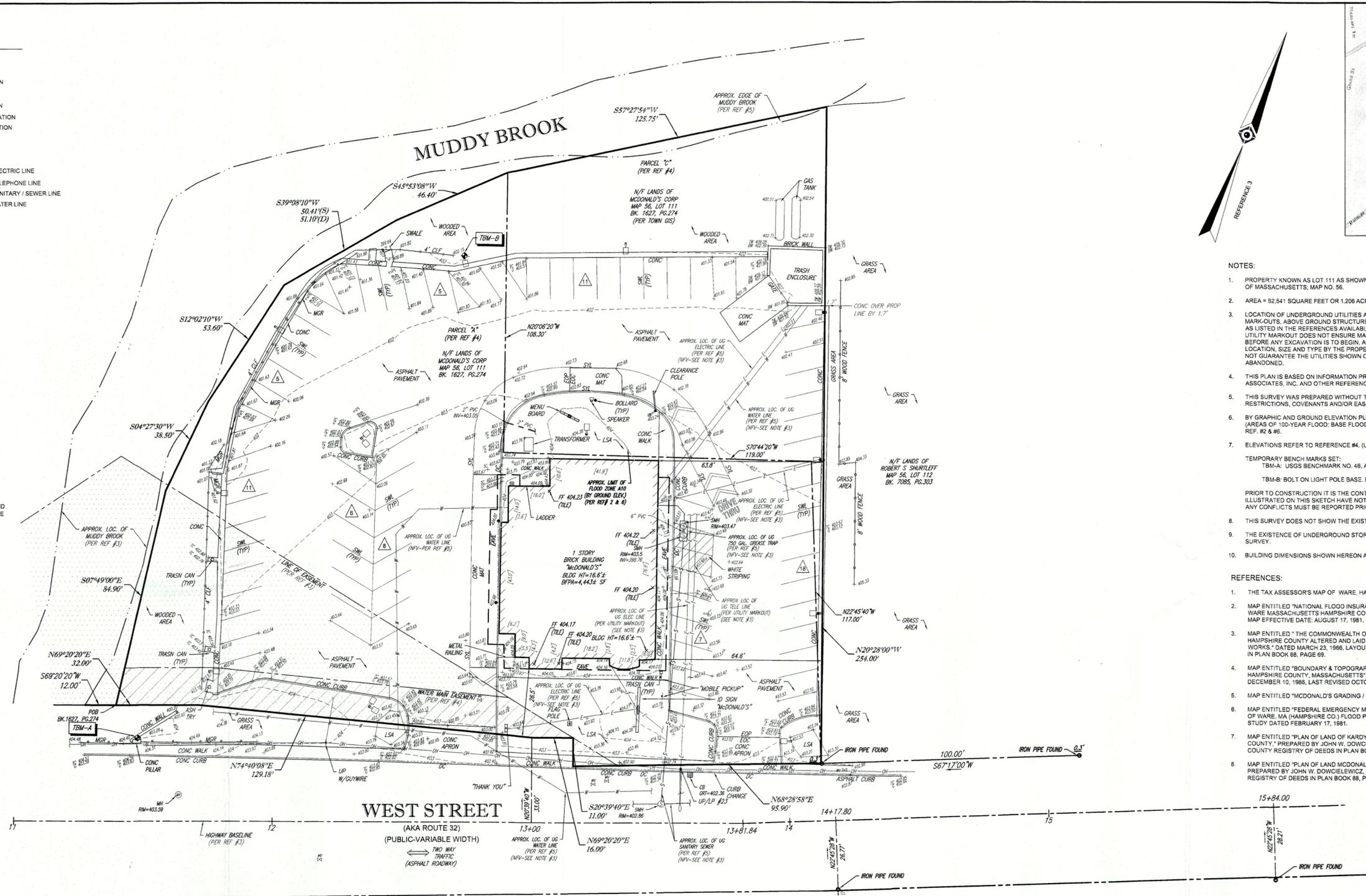
SHEET NO.

C-901

OF 7



LEGEND	
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
	EXISTING TOP OF CURB ELEVATION
	EXISTING GUTTER ELEVATION
	EXISTING TOP OF WALL ELEVATION
	EXISTING BOTTOM OF WALL ELEVATION
	EXISTING FINISHED FLOOR ELEVATION
	WATER VALVE
	GAS METER
	OVERHEAD WIRES
	APPROX. LOC. UNDERGROUND ELECTRIC LINE
	APPROX. LOC. UNDERGROUND TELEPHONE LINE
	APPROX. LOC. UNDERGROUND SANITARY / SEWER LINE
	APPROX. LOC. UNDERGROUND WATER LINE
	UTILITY POLE
	GUY WIRE
	AREA LIGHT
	SIGN
	BOLLARD
	METAL GUIDE RAIL
	PAINTED ARROWS
	CHAIN LINK FENCE
	LANDSCAPED AREA
	TYPICAL
	SANITARY/SEWER MANHOLE
	CATCH BASIN OR INLET
	PARKING SPACE COUNT
	DEPRESSED CURB
	SOLID WHITE LINE
	SOLID YELLOW LINE
	HEIGHT
	BUILDING
	BUILDING FOOTPRINT AREA
	POLYVINYL CHLORIDE PIPE
	INVERT ELEVATION
	GRATE ELEVATION
	BUILDING DIMENSION
	METAL GUIDE RAIL
	OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE



- NOTES:**
- PROPERTY KNOWN AS LOT 111 AS SHOWN ON THE TOWN OF WARE, HAMPSHIRE COUNTY, COMMONWEALTH OF MASSACHUSETTS; MAP NO. 56.
 - AREA = 52,541 SQUARE FEET OR 1.206 ACRES
 - LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE AS-BUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
 - THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
 - BY GRAPHIC AND GROUND ELEVATION PLOTTING PROPERTY IS LOCATED IN FLOOD HAZARD ZONE A10 (AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED) PER REF. #2 & #6.
 - ELEVATIONS REFER TO REFERENCE #4. (USGS NGVD29).
- TEMPORARY BENCH MARKS SET:
TBM-A: USGS BENCHMARK NO. 46, ASSUMED ELEVATION OF 402.39.
TBM-B: BOLT ON LIGHT POLE BASE. ELEVATION = 403.77.
- PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.
- THIS SURVEY DOES NOT SHOW THE EXISTENCE OF WETLANDS, IF ANY.
 - THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
 - BUILDING DIMENSIONS SHOWN HEREON ARE MEASURED AT GROUND LEVEL OF BUILDING EXTERIOR.

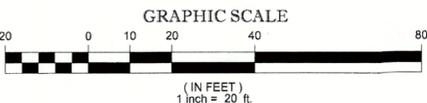
- REFERENCES:**
- THE TAX ASSESSOR'S MAP OF WARE, HAMPSHIRE COUNTY, MAP #56.
 - MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, TOWN OF WARE MASSACHUSETTS HAMPSHIRE COUNTY, PANEL 22 OF 30, COMMUNITY-PANEL NUMBER 280172 0022 B, MAP EFFECTIVE DATE: AUGUST 17, 1981.
 - MAP ENTITLED "THE COMMONWEALTH OF MASSACHUSETTS PLAN OF ROAD IN THE TOWN OF WARE, HAMPSHIRE COUNTY ALTERED AND LAID OUT AS A STATE HIGHWAY, BY THE DEPARTMENT OF PUBLIC WORKS, DATED MARCH 23, 1986, LAYOUT NO. 5566, RECORDED WITH THE HAMPSHIRE REGISTRY OF DEEDS IN PLAN BOOK 68, PAGE 69.
 - MAP ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY FOR MCDONALD'S, WEST STREET, TOWN OF WARE, HAMPSHIRE COUNTY, MASSACHUSETTS" PREPARED BY HOFFMAN ENGINEERS & SURVEYORS DATED DECEMBER 10, 1988, LAST REVISED OCTOBER 5, 1987.
 - MAP ENTITLED "MCDONALD'S GRADING / UTILITY PLAN SP-2" DATED JULY 23, 1987 DRAWN BY ADAM MAKAS.
 - MAP ENTITLED "FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION TOWN OF WARE, MA (HAMPSHIRE CO.) FLOOD PROFILES MUDDY BROOK" SHEET MAP OF THE FLOOD INSURANCE STUDY DATED FEBRUARY 17, 1981.
 - MAP ENTITLED "PLAN OF LAND OF KARDYS, 117 & 119 WEST STREET, WARE MASSACHUSETTS, HAMPSHIRE COUNTY," PREPARED BY JOHN W. DOWCIELEWICZ, DATED MARCH 4, 1972, RECORDED WITH THE HAMPSHIRE COUNTY REGISTRY OF DEEDS IN PLAN BOOK 81, PAGE 58.
 - MAP ENTITLED "PLAN OF LAND MCDONALD'S CORPORATION, WARE MASSACHUSETTS, HAMPSHIRE COUNTY," PREPARED BY JOHN W. DOWCIELEWICZ, DATED AUGUST 13, 1973, RECORDED WITH THE HAMPSHIRE COUNTY REGISTRY OF DEEDS IN PLAN BOOK 88, PAGE 75.

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY MASSACHUSETTS ONE-CALL SYSTEM (1-888-344-7233) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. REQUEST NUMBER(S): 20180201683

UTILITY COMPANY	PHONE NUMBER
AMERIGAS - PALMER	800-263-7442
COMCAST - SOUTH BURLINGTON	800-834-6488
NATIONAL GRID ELECTRIC-MASS ELEC	800-322-3223
OSTERMAN PROPANE	800-332-3353
VERIZON	800-922-0204
ON TARGET LOCATING	508-428-1022

THE COMMONWEALTH OF MASSACHUSETTS REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE COMMONWEALTH.



THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH RAISED IMPRESSION OR STAMPED WITH A BLUE INK SEAL.

GERRY L. HOLDRIGHT, PLS
MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #49211



REVISED PER ENGINEERS COMMENTS		E.L.O.C.	G.L.H.	6-13-18	
No.	DESCRIPTION OF REVISION	FIELD CREW	DRAWN	APPROVED	DATE
1					
FIELD DATE	1/31/18				
FIELD BOOK NO.	1-MA				
FIELD BOOK PG.	52				
FIELD CREW	A.S.P.				
DRAWN	PRIMA				
REVIEWED	R.D.N.				
APPROVED	G.L.H.				
DATE	2-12-18				
SCALE	1"=20'				
FILE NO.	03-170294-00				
DWG. NO.	1 OF 1				

McDonald's USA, LLC
117-119 WEST STREET
MAP 56, LOT 111
TOWN OF WARE
HAMPSHIRE COUNTY
COMMONWEALTH OF MASSACHUSETTS

CONTROL POINT ASSOCIATES, INC.
352 TURNPIKE ROAD
SOUTHBOROUGH, MA 01772
508.948.3000 • 508.948.3003 FAX
ALBANY, NY 5182179010
CHALFONTS, PA 2157128800
MANHATTAN, NY 6467800411
MT LAUREL, NJ 6098572099
WARREN, NJ 9086869099



TOWN OF WARE

Planning Department
 126 Main Street
 Ware, Massachusetts 01082
 t. 413-967-9648 ext. 118

PROPOSED FEE SCHEDULE

Planning Department Application Fees, 2020				
<i>Application</i>	<i>Current</i>		<i>Proposed</i>	
	<i>Fee</i>	<i>Deposit</i>	<i>Fee</i>	<i>Deposit</i>
ANR	\$50 + \$25/additional lot	none	\$50 + \$25/additional lot	none
Preliminary Subdivision	\$500	none	\$500	none
Definitive Subdivision	\$750 + \$50/lot	none	\$750 + \$50/lot + \$.67 per abutter	none
Subdivision Amendment	\$750	none	\$750 + \$.67 per abutter	none
Minor Site Plan Review	\$100	none	\$100	none
Major Site Plan Review	\$750 - up to 40,000 sf GFA \$750 + \$.02/sf GFA - anything larger	none	\$750 - up to 40,000 sf GFA \$750 + \$.02/sf GFA - anything larger	none
Special Permit - Level 1	\$250	none	\$150 + \$.67 per abutter	none
Special Permit - Level 1A	N/A	N/A	\$100 + \$.67 per abutter	none
Special Permit - Level 2	\$750	none	\$750 + \$.67 per abutter	none
Variance	\$250	none	\$250	none
Appeal (to ZBA)	\$250	none	\$250	none
Comprehensive Permit (40B)	\$750	\$5,000	\$750	\$5,000
Engineering Review	NA	\$1,500	N/A	\$1,500
Construction Inspection*	NA	\$1,000 or \$1.00/lf roadway, whichever is greater	NA	\$1,000 or \$1.00/lf roadway, whichever is greater

Notes:

Planning Board will require applicants to be billed directly for advertising costs (from Turley) averaging about \$250

Variations, Appeals, and Comprehensive Permits only apply to the Zoning Board of Appeals (cannot be voted upon by Planning Board)

* for new subdivision roads

Special Permit Fee Breakdown

Special Permit Type	Zoning Section	Fee Level	Notes
nonconformities	1.9	1	
"extension" of district	3.3.2	1	zoning district boundaries diving a parcel
use table	4.1	1 unless specific use is a level 2	
residential accessory uses (excluding accessory apartments)	4.4.1	1A	breeding of dogs or cats (4+); livestock, poultry; home business; customary home occupation; home based contractor
accessory apartments	4.4.1.E	1	
commercial/industrial accessory uses	4.4.2 / 4.4.3	1	business accessory uses; drive-up facilities in a bank or retail store; storage buildings; industrial accessory uses
temporary uses	4.5	1	housing unit on another parcel; occupancy of one housing unit on parcel where second is under construction
wireless communication	4.8.2	new tower or alteration of existing tower (structure only) is level 2, anything else is level 1	adding to existing tower; new tower
wind energy facilities	4.8.4	1	site plan required, will also pay that fee
earth removal	4.8.5	2	
adult entertainment	4.8.6	2	
floodplain overlay district	4.9.1	2	for certain uses and activities in the flood zone
aquifer protection	4.9.2	2	for certain uses and activities in the aquifer protection overlay district
detached accessory structures	5.2.2	1	to allow connection of detached accessory structure to primary structure that creates a nonconformity to setback requirements
exceed height	5.3.2	1	to allow a structure to exceed the height limits of table 5.3.1
common driveways	6.6	1	

RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

TOWN OF WARE, MASSACHUSETTS



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AUTHORITY

Under the authority vested in the Planning Board of the Town of Ware by Section 81-Q of Chapter 41 of the General Laws, as amended, and by all subsequent thereto, said Board hereby adopts these Rules and Regulations Governing the Subdivision of Land in the Town of Ware.

PURPOSE

These Subdivision Regulations for the Town of Ware have been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of Ware 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 the subdivisions and in proper cases parks and open areas. The powers of the Planning Board and of the Board of Appeals under these Regulations 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; will provide safe and convenient access for all users of all ages and abilities, by all modes of transportation including pedestrians, bicyclists, motorists, public transportation users, and delivery and emergency vehicle operators, for minimizing congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles or travel by foot, bus, bike or wheelchair; for securing safety in the case of fire, flood, panic and other emergencies; for ensuring compliance with the applicable Zoning Bylaws of the Town of Ware; for securing adequate provision for water, sewerage, drainage, underground utility service, street lighting, police, fire and other requirements where necessary in a subdivision; for coordinating the ways in a subdivision with each other, with the public ways in the Town of Ware and with the ways in neighboring subdivisions.

To the fullest extent reasonable and practicable, all subdivisions shall be designed and constructed to incorporate the most recent design standards, best practices, policies and design elements of the Town of Ware Zoning Bylaws, Town of Ware Complete Streets Policy, and the Wetlands Protection Act.

EFFECT OF THE SUBDIVISION CONTROL LAW

These rules and regulations shall include Section 81k to 81GG inclusive of Chapter 41 of the Commonwealth of Massachusetts General Laws as if these sections were set forth herein at length.

DEFINITIONS

For the purpose of these Rules and Regulations, unless a contrary intention clearly appears, the terms and words defined in Section 81-L of Chapter 41 of the General Laws shall have the meaning given therein. The following other terms and words shall have the following meaning:

ABUTTING OWNER: The owner(s) of property which is contiguous to the property being subdivided and the owner(s) of property with frontage immediately across a public way from the property being subdivided. This will be identified from the assessors' records at the time of application.

ACRE: A unit of land equal to 43,560 square feet.

AGRICULTURAL SOILS: Agricultural land with soils designated as prime or of statewide or local significance by the Natural Resources Conservation Service (NRCS) soil surveys.

APPLICANT: Either the owner of the land stated in the application for subdivision or all the owners where title is held jointly, in common, or in tenancy by the entirety, including corporations. An agent, representative, or his assigns may act for an owner, provided written evidence of such fact is submitted. Evidence in the form of a list of their officers and designated authority to sign legal documents shall be required for a corporation.

APPLICATION: The application for the approval of a proposed subdivision or resubdivision of land, preliminary or definitive, or for an endorsement of an "approval not required", or "ANR" plan" (Found on the Town of Ware Planning & Community Department Webpage).

APPROVAL NOT REQUIRED (ANR): Subdivisions that result in new parcels with frontage along existing roadways. This type of subdivision does not require approval from the Planning Board

APPROVED AND ENDORSED BY PLANNING BOARD: As applied to a plan or other instrument required or authorized by the subdivision control law to be recorded, shall mean, bearing a certification or endorsement signed by a majority of the members of a planning board, or by its chairman or clerk or any other person authorized by it to certify or endorse its approval or other action and named in a written statement to the register of deeds and recorder of the land court, signed by a majority of the board.

BOARD: The Planning Board of the Town of Ware.

CMR: The Code of Massachusetts Regulations.

COMPLETE STREETS: Roads that are designed for all modes of transit, including vehicles, public transportation, biking and walking, for people of all abilities. Design considerations include bike or bus lanes, road narrowing, sidewalks, crosswalks, and facilities such as covered bus stops or bicycle parking. Please reference the Town of Ware's Complete Streets Policy.

CONSULTANTS or CONSULTING SERVICES: Includes, but is not limited to, architects, biologists and other environmental experts, chemists, engineers, geologists, landscape architects, planners, lawyers, sanitarians, and surveyors.

DEAD END STREET (CUL-DE-SAC): A street which joins another street at only one end with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

DETENTION BASIN: An excavated basin for the short-term detention of stormwater runoff that allows a controlled release, typically through a combination of pipes and weirs sized to provide a certain discharge rate.

DEVELOPER: Not necessarily the owner of the land, but the person, persons, or corporation responsible for the subdivision application and development. This is interchangeable with APPLICANT and SUBDIVIDER. The developer may or may not be the original applicant, and may be a subsequent owner of the subdivision.

DEVELOPMENT: Any construction or grading activities conducted on real estate.

EASEMENT: A right to use or control real property owned by another for a specified purpose, and must be recorded at the Registry of Deeds.

ENGINEER: Any person who is currently registered by the Commonwealth of Massachusetts to perform professional civil engineering services.

GENERAL LAWS (MGL): The General Laws of Massachusetts. In case of a rearrangement of the General Laws, any citation of particular sections of the General Laws shall be applicable to the corresponding sections in the new codification.

IMPROVEMENT: Any change to the existing conditions of a subdivision site for the purpose of complying with these regulations or rendering the site suitable for development and habitation. As used in these regulations, improvements include, but are not limited to, construction and installation of roadways, paved streets, berms, gutters, sidewalks, utilities, street signs, monuments, shade trees, drainage facilities, erosion and sedimentation control measures, fire ponds, sewage and water systems, buildings, earth filling or removal, seeding, and grading.

LANDSCAPING: Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce a desired aesthetic effect appropriate to the site.

LOT: An area of land in one ownership, with definitive boundaries, used, or available for use, as the site of one or more buildings.

MAXIMUM EXTENT PRACTICABLE (MEP): Refers to the extent of efforts to comply with local post-construction stormwater management requirements. Elements of MEP indicate serious intent to comply and include selecting and implementing design elements to address site restrictions. MEP is defined as the following:

- Proponents of development/redevelopment projects have made all reasonable efforts to meet the applicable Massachusetts Stormwater Standards;
- They have made a complete evaluation of possible stormwater management measures stormwater BMPs, and environmentally sensitive site design that minimizes land disturbance and impervious surfaces; and,
- If not in full compliance with the applicable Standards, they are implementing the highest practicable level of stormwater management.

MUNICIPAL SERVICE: Public utilities furnished by the Town in which a subdivision is located, such as water, sewerage, gas, and electricity.

OPEN SPACE: Property within a subdivision designated to be deeded by the developer to the Town, homeowner's association or other approved agency, or to be maintained by the developer or owner in an undeveloped state in a manner approved by the Planning Board. Such open space is to be used for passive or active recreation, agriculture, forestry, rare and endangered species habitat, natural or scenic vistas, unique natural or cultural features, or greenways. Such open space shall be retained in substantially a natural, wild or open condition, or in a landscaped condition in such a manner as to allow to a significant extent the preservation of wildlife or other natural resources. Open space shall be contiguous areas containing a high ratio of interior area to edge area. Open space shall contain to the greatest extent possible soils uniquely suited to agricultural use and that further create greenway corridors to establish linkages in landscape. Such areas shall be of adequate size and configuration to accommodate the intended use, and shall not include narrow or irregular pieces of land which are remnants from the layout of lots, streets, or drainage structures. Open space does not include areas designated for sediment control, erosion control, or storm water control, nor does it include wetland resource areas. Such areas are considered part of the subdivision structure, and are not intended to be for recreation.

OWNER: The owner of record as shown at the Hampshire County Registry of Deeds, Land Court, or Probate Court.

PERFORMANCE GUARANTEE: A guarantee, in the form of a surety bond, cash, savings passbook, covenant, negotiable securities or lender's agreement, by the developer to be used to complete subdivision improvements if the developer does not complete the improvements as promised, as required by MGL c. 41, Section 81U.

PLAN, DEFINITIVE: A proposed plan of a subdivision submitted by the applicant to be recorded in the Hampshire County Registry of Deeds or Land Court when approved by the Planning Board.

PLAN, FINAL: A proposed plan showing all buildings (not more than one building to be used for dwelling purposes) per building lot, to be approved by the Planning Board as a prerequisite to obtaining building permits.

PLAN, PRELIMINARY: A plan of a subdivision submitted by the applicant showing sufficient information to form a clear basis for discussion and clarification of its general contents and for the preparation of a Definitive Plan.

POST CONSTRUCTION IMPERVIOUS SURFACE AREA: The final impervious cover on the SITE.

RECORDED: Recorded in the Registry of Deeds of Hampshire County except that, as affecting registered land, it shall mean filed with the Recorder of the Land Court.

REGISTER OF DEEDS: The Register of Deeds of Hampshire County and, when appropriate, shall include the Recorder of the Land Court.

REGISTRY OF DEEDS: The Registry of Deeds of Hampshire County and, when appropriate, the Land Court.

RETENTION BASIN: An excavated basin for the retention of stormwater runoff that is designed for infiltration or ponding and evaporation.

RIGHT-OF-WAY: That portion of land which is or is intended to be made available for the construction of roadways, ditches, drainage structures and utility lines and is to be conveyed to the Town in the case of a proposed Town road, or conveyed to an association charged with maintenance of such right-of-way in the case of a private road, including but not limited to the traveled portion and all adjacent land encumbered or intended to be encumbered by all necessary easements. The form and content of the instrument of conveyance shall be subject to the approval of the Town Counsel, at the option of the Planning Board.

ROADWAY: That portion of a way which is designed and constructed or intended to be constructed for vehicular travel, also known as the traveled portion of the way. See also STREET.

SITE: The area extent of construction activities, including but not limited to the creation of new impervious cover and improvement of existing impervious cover, excluding redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways as described under REDEVELOPMENT above.

SPECIAL FLOOD HAZARD AREA: The land in the floodplain subject to a one percent or greater chance of flooding in a given year. The special flood hazard area contains all Zones A and A1-A30 as determined from the most recently prepared Flood Insurance Rate Maps, and subsequent revisions, and contains all land within the Flood Plain Overlay District on the Official Zoning Map of the Town of Ware.

STABILIZATION: Structural or vegetative treatment applied to an area in order to prevent soil erosion.

STANDARD SPECIFICATIONS: Standard Specifications for Highways and Bridges, Massachusetts Department of Transportation, most current as amended/supplemented standard edition.

STORMWATER POLLUTION: Occurs when rain that falls on streets, parking lots and other land carries pollution into lakes, rivers, streams or other water bodies. Pollutants can include oil and fuel from vehicles, fertilizers and pesticides from yards or agricultural lands, pet waste, and soil picked by erosion.

STREET: A public or private way either shown on a plan approved in accordance with these rules and regulations or otherwise qualifying a lot for access and frontage under MGL c. 41, Section 81L.

STREET, COLLECTOR: A street designed to receive and distribute traffic from and to various sub-areas and neighborhoods, and which will carry a substantial volume of traffic generally, over 400 vehicles per day.

STREET, MINOR: A street which primarily provides access to adjacent land uses. It may be either a through-street or a cul-de-sac.

STREET, MAJOR: a street having the primary purpose of carrying through traffic and the secondary purpose of providing access to abutting property.

STREET, PRIMARY: A street which receives and distributes traffic from and to various subareas within a given region, and receives traffic from a given residential neighborhood or industrial area and carries it to an arterial highway. These roads run through developed areas or connect concentrations of development, and carry significant volumes of traffic.

STREET, SECONDARY: A street which primarily provides access to adjacent land uses and which serves to connect minor streets with major streets.

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 or the land or territory subdivided; provided however that the division of a tract of land in two or more lots shall not be deemed to constitute a subdivision within the meaning of

the subdivision control law if, at the time when it was made, every lot within the tract so divided has frontage on:

- A public way or a way which the Clerk of the Town of Ware certifies is maintained and used as a public way; or
- A way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law; or
- A way in existence when the Subdivision Control Law became effective in the Town of Ware, having, in the opinion of the Planning Board, sufficient construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.
- All of which have adequate Access from Public way

SUBDIVISION CONTROL LAW: Refers to Sections 81-K to 81 GG, inclusive of Chapter 41, of the General Laws of the Commonwealth of Massachusetts, entitled "Subdivision Control" as last amended.

SUBDIVISION TYPE I: A subdivision for residential uses.

SUBDIVISION TYPE II: A subdivision for commercial uses.

SUBDIVISION TYPE III: A subdivision for industrial uses

SURVEYOR: Currently Registered Land Surveyor in the Commonwealth of Massachusetts, and in good standing.

WARE: The Town of Ware, Commonwealth of Massachusetts.

UTILITIES: Public utilities furnished by off-site providers, such as water, sewer, gas, electricity, telephone, television, or other media.

WAY: A right-of-way or means of access to a lot. A public way is a way which has been accepted by, and the land owned by, the Town of Ware, or by other means created as a public street. Any other way (private way) is a way over land which is owned by a private party but which is set forth by deed covenant, deed description or by other means as a private way.

ZONING: No subdivision rule may affect the size, shape, width, frontage, or use of lots. All subdivisions will fully comply with the Town of Ware Zoning By-Law.

SECTION 1. GENERAL

1.1. Limitation of One Dwelling Unit per Lot

Not more than one building for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in the Town of Ware.

1.2. Compliance with Other Permits Required

- a) Zoning. Subdivisions shall meet the requirements pertaining to lot size, frontage, and all other requirements under existing zoning laws. No subdivision rules can dictate the size, shape, width, frontage or use of lots except that they shall be in compliance with all applicable zoning requirements.
- b) Wetlands Protection Act. All projects shall meet the requirements of the Ware Conservation Commission Local Wetlands Protection Bylaw as well as the state of Massachusetts Wetland Protection Act.
- c) Any other applicable municipal, state or federal required permits or approvals

1.3. Plan Believed Not to Require Approval (ANR)

1.3.1. Filing Procedure

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Laws may submit his plan and application (Found on Town Website) to the Board or to the Town Clerk accompanied by the necessary evidence to show that the plan does not require approval. Said plan shall be submitted either by delivery or by registered or certified mail. Receipt of the plan by the Town Clerk or Board shall constitute the date of submission. The applicant will also file the appropriate filing fee to cover the cost of handling reviews and public meeting expenses (contact the Planning & Community Development Department for current fee schedule).

If the Board determines that the plan does not require approval, it shall within twenty-one (21) days and without a public hearing endorse on the plan the words "Planning Board Approval under the Subdivision Control Law Not Required." If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within twenty-one (21) days of submission

of said plan so inform the applicant and return the reproducible original of the plan. The Board shall notify the Town Clerk of its action.

Electronic copies must be submitted in a digital format acceptable to the town.

a) The applicant shall:

- file with the Board:
- A fully completed ANR Application
- The required Filing Fee
- 1 mylar copy of said plan
- 4 paper copies of said plan
- give written notice to the Town Clerk by delivery or by registered mail, postage prepaid, that they have submitted such a plan with the Planning Board.

b) If the Board determines that the plan does not require approval under the Subdivision Control Law, the Board will vote to approve and endorse the plan.

c) After endorsement by the Board the applicant shall file the endorsed mylar with the Hampshire County Registry of Deeds.

d) If the Board determines that the plan does require approval, the Board will vote to deny the plan and file a written statement with the Town Clerk, and mail a copy to the applicant, of its determination including its reason for denial.

Before the Board makes its determination, it shall review or have a consultant review the correctness of all street information and compliance with the Town of Ware Zoning Bylaws. If, in the judgment of the Board, consulting services are necessary or appropriate, the applicant shall be responsible to cover the full cost of such services prior to the endorsement of the plan.

Where the physical condition or width of a public way, from which the lots shown on the plan have their access, is considered by the Board to be inadequate either to provide for emergency services or to carry the traffic which is expected, in the opinion of the Board, to be generated by such lots, the Board shall determine that the plan does require approval under the Subdivision Control Law.

Where the Board determines that in its opinion adequate access (as contemplated by section 81M of the Subdivision Control Law) does not exist, then the Board shall determine that the plan does require approval under the Subdivision Control Law.

If the Board fails to act upon a submitted plan within twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Laws is not required as certified by the Town Clerk.

1.3.2. Plan Contents

The plan shall be prepared by a Massachusetts Registered Land Surveyor in good standing, shall be clearly and legibly drawn with waterproof ink upon mylar at a scale not smaller than one (1) inch equals forty (40) feet or a scale appropriate to project proposed, with the sheet size not exceeding thirty-six (36) inches by twenty-four (24) inches, and shall contain the following information:

- a) North arrow, date, scale, legend, locus, and title, "Subdivision Approval Not Required".
- b) The names and addresses of the owner/s of record at the time of submission of the application, the applicant, and Land Surveyor (including the official seal).
- c) Locations, names, lines and widths of all existing streets, sidewalks, publicly owned trails and shared use paths, and any common or public areas.
- d) Location and setbacks of all existing structures on the proposed site.
- e) Location, dimensions and purpose of all easements, both existing and proposed, within and adjacent to the land in question.
- f) The plan shall show boundary lines, dimensions of all subject lots, sites of divisions, lot areas (in acres or square feet, as appropriate), with all lots designated numerically and in sequences.
- g) Location of all monuments properly identified as to whether existing or proposed.
- h) Frontage dimensions of all lots created and the dimensions of any frontage remaining on the original subdivided parcels, including the area of any subdivided parcels with a structure.
- i) Suitable space to record the action of the Board and the signatures of members.
- j) Book and page number from the Hampshire County Registry of Deeds or title reference of subject property.
- k) A notation reading "Endorsement of this Plan does not certify compliance with the zoning required for a building lot."
- l) Current Zoning District.
- m) Wetlands and uplands.

SECTION 2. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

2.1. Coordination of Plan Reviews with Other Required Approvals and Permits

It is strongly advised, where projects require additional approvals from other permitting authorities, that such approvals be obtained either prior to submitting applications to the Planning Board or are submitted to the other permitting authorities at the same time that applications are submitted to the Planning Board. It is important to note that other permitting authority's processes may have timelines that are not coterminous with the Planning Board's Subdivision Approval process.

2.2. Pre-Submission Review

Prior to investing in extensive professional design efforts for subdivision plans, it may be beneficial for the prospective applicant to discuss his/her ideas with the Planning and Community Development Staff. It may be useful in avoiding problems at a later stage of the subdivision review process.

Any person engaged in the process of pre-submission review is strongly recommended, but not required, to prepare a Voluntary Sketch Plan that will include the following:

- a) Existing Resources / Site Analysis Map: A map which identifies, locates, and describes noteworthy features to be designed around through sensitive subdivision layouts, such as vegetation, wetlands, steep slopes, agricultural soils, historic or cultural features, threatened or endangered species, unusual geological formations, and scenic views or viewsheds.
- b) Voluntary Sketch Plan: A simple and inexpensive drawing prepared by a professional landscape architect, architect, planner, site designer or engineer, which illustrates conceptual layouts of house lots, streets, stormwater management, conservation areas and other improvements. Ideally, this is based on the Existing Resources/Site Analysis Map and reflects comments received from Town officials.

Contact between the applicant and Planning Board outside of the formal plan submission process should be limited. Any meetings between applicants and Planning Board members must be conducted at a posted public meeting. It should be noted that any comments or suggestions made by the Board are purely advisory and they are not bound by them in their review and decisions on any subsequently submitted Preliminary or Definitive Plans.

2.3. Preliminary Plan

2.3.1 General

A Preliminary Plan of a Type I subdivision may be submitted by the applicant for discussion and action by the Board.

A preliminary plan must be submitted for Type II and Type III subdivisions. The submission of such a Preliminary Plan will enable the applicant, the Planning Board, or other municipal agencies, and owners of property abutting the subdivision to discuss and clarify any problems of such a subdivision before a Definitive Plan is prepared. It is strongly recommended that a Preliminary Plan be filed in all cases, except those cases where pre-submission review has adequately clarified all issues.

To the fullest extent reasonable and practicable, all subdivisions shall be designed and constructed to incorporate the most recent design standards, best practices, policies and design elements of the Town of Ware's Complete Streets Policy.

At the time of submission, the center line of the proposed roadway shall be adequately and accurately staked or flagged on the site, and the individual proposed lots shall be identified in some manner, sufficient for identification by the Planning Board members and Town officials when site visits are made

2.3.2 Filing Procedure

The procedure for filing a Preliminary Plan is as follows:

- a) Any person who submits a Preliminary Plan shall do so to the office of Planning & Community Development, or by certified or registered mail to the office of Planning & Community Development, postage prepaid. A notice filed with the Town Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted to the Planning Board. Planning & Community Development Department shall receive the filing fee and then deliver copies of the Preliminary Plan to the Board of Health and Town Clerk. Receipt of such plan by the Town Clerk shall constitute the date of submission. If mailed, the date of receipt (as shown on the returned registered mail receipt) shall be the date of submission of the plan. Such plan shall be accompanied by the completed Application for Approval of a Preliminary Plan (found on Town's Website) and a filing fee (Contact the Planning & Community Development Department for current fee schedule).
- b) The applicant shall file the original drawing (s) or suitable reproducible (s) and eight (8) copies with the Board and two (2) copies with the Board of Health. Said plan shall be prepared by a currently Registered

Massachusetts Engineer and currently Registered Massachusetts Land Surveyor in good standing. Seven (7) additional reduced scale copies on 11"x17" paper shall also be filed with the Planning Board.

- c) A list of anticipated requested waivers from the Subdivision Rules and Regulations (See Appendix E)
- d) In order to make application information available on the Town's web site, and for presentation purposes at public meetings/hearings, all applications (Application for Approval of a Preliminary Plan, Preliminary Development Impact Statement, Waiver Requests, Preliminary Engineering Plans, supportive information) shall also be submitted in a digital format and include:
 - text information shall be submitted in a format suitable for reading as a Microsoft Word document or PDF Adobe Acrobat file.
 - engineering plans shall be submitted in a PDF format.
 - other plans, drawings and photographs must be submitted in a similar format.
- e) Any additional expenses for outside consultants for professional review of the plans, survey, or inspections shall also be paid by applicant in accordance with the PLANNING BOARD RULES AND REGULATIONS and M.G.L. CHPT 44 SEC. 53G.

2.3.3 Contents

The Preliminary Plan shall be drawn at a scale of one inch to forty feet (1"=40') or such other scale as the Board may accept to show details clearly and adequately on a sheet of paper twenty-four by thirty-six inches (24" x 36"). The Plan shall include the following:

- a) The subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan"
- b) The names and addresses of the owners of record, the applicant and the engineer or surveyor.
- c) A locus plan overlaid on the most recent MassGIS orthophotos or other best available high-quality low-elevation air photos.
- d) Existing and proposed lines of streets, ways, sidewalks, trails, shared use paths, and easements and any public or common areas within the subdivision, in a general manner.

- e) The proposed system of drainage, including adjacent existing natural waterways, in a general manner.
- f) The proposed method of sanitary sewage disposal and system and water distribution system (including general soils information), in a general manner.
- g) The approximate boundary lines of proposed lots with approximate areas and dimensions.
- h) The names, approximate location and widths of adjacent streets.
- i) The topography of the land, in a general manner.
- j) Land subject to protection/permitting under the Wetlands Protection Act.
- k) An index plan at a scaled of one inch equals two hundred feet (1"=200'), when multiple sheets are used.
- l) A key plan at a scale of one inch equals one thousand feet (1"=1000').
- m) In the case of a subdivision covering less than all of the land owned by the subdivider, a plan showing in a general manner the proposed overall development of all said land.

2.3.4 Action by the Board

Within forty-five (45) days of submission of the Preliminary Plan, the Board shall take one of the following actions:

- a) Approve the plan as presented;
- b) Approve the plan with modifications;
- c) Disapprove the plan.

and shall file its decision with the Town Clerk and notify the applicant (certified mail). Failure of the Board to file its decision on a Preliminary Plan within 45 days after submission shall be deemed to constitute approval of such a plan. In the case of disapproval, the reasons why shall be stated. Approval of the plan does not constitute the approval of a subdivision and no Register of Deeds shall record a Preliminary Plan.

Approval of the Preliminary Plan by the Board does not constitute approval of a subdivision but does facilitate the procedure in securing approval of the Definitive Plan. In addition, such approval does not in any way authorize the owner to proceed with construction of roadways and/or other work in the subdivision.