

Notice to APPLICANT/TOWN CLERK and Certification of Action of Planning Board on Definitive Subdivision Plan entitled: \_\_\_\_\_

Woodland Estates; North Andover, MA

By: Hayes Engineering, Inc. dated August 14, 1992, 19\_\_

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The North Andover Planning Board has voted to APPROVE said plan, subject to the following conditions:

1. That the record owners of the subject land forthwith execute and record a "covenant running with the land", or otherwise provide security for the construction of ways and the installation of municipal services within said subdivision, all as provided by G.L. c. 41, S. 81-U.
2. That all such construction and installations shall in all respects conform to the governing rules and regulations of this Board.
3. That, as required by the North Andover Board of Health in its report this Board, no building or other structure shall be built or placed upon Lots No. \_\_\_\_\_ as shown on said Plan without the prior consent of said Board of Health.
4. Other conditions:

SEE ATTACHED

ATTEST:  
A True Copy  
*Joyce A. Condit*  
Town Clerk

Essex Registry of Deeds  
North District

9874 JAN 19 3 16 PM '93

In the event that no appeal shall have been taken from said approval within twenty days from this date, the North Andover Planning Board will forthwith thereafter endorse its formal approval upon said plan.

\*\*\*\*\*  
The North Andover Planning Board has DISAPPROVED said plan, for the following reasons:

LATHAM & LATHAM, PC  
643 MAIN ST  
READING, MA 01867

Date: January 19, 1993

NORTH ANDOVER PLANNING BOARD  
*George Perna*  
By: George Perna, Chairman

MAY 16 12 03 PM '93

ATTEST:  
A True Copy  
*Joyce A. Cundick*  
Town Clerk

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

September 7, 1992

To the Planning Board of the Town of North Andover:

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled Woodland Estates; North Andover, MA

RECEIVED  
DANIEL LONG  
TOWN CLERK  
NORTH ANDOVER  
SEP 11 2 57 PM '92

by Hayes Engineering, Inc. dated August 14, 1992

being land bounded as follows: Northeasterly by Salem Turnpike (Rte. 114); southerly by Comm. of MA, Dept. of Environmental Management, et al; westerly by Gauthier-Abbot, J.V.; and northerly by Comm. of MA, Dept. of Environmental Management, et al.

hereby submits said plan as a DEFINITIVE plan in accordance with the Rules and Regulations of the North Andover Planning Board and makes application to the Board for approval of said plan.

Title Reference: North Essex Deeds, Book 3375, Page 227; or Certificate of Title No.       , Registration Book       , page       ; or Other:

Said plan has  has not ( ) evolved from a preliminary plan submitted to the Board of Nov. 14, 1991 and approved (with modifications) ( ) disapproved (X) on Jan. 9, 1992.

The undersigned hereby applies for the approval of said DEFINITIVE plan by the Board, and in furtherance thereof hereby agrees to abide by the Board's Rules and Regulations. The undersigned hereby further covenants and agrees with the Town of North Andover, upon approval of said DEFINITIVE plan by the Board:

1. To install utilities in accordance with the rules and regulations of the Planning Board, the Public Works Department, the Highway Surveyor, the Board of Health, and all general as well as zoning by-laws of said Town, as are applicable to the installation of utilities within the limits of ways and streets;
2. To complete and construct the streets or ways and other improvements shown thereon in accordance with Sections IV and V of the Rules and Regulations of the Planning Board and the approved DEFINITIVE plan, profiles and cross sections of the same. Said plan, profiles, cross sections and construction specifications are specifically, by reference, incorporated herein and made a part of this application. This application and the covenants and agreements herein shall be binding upon all heirs, executors, administrators, successors, grantees of the whole or part of said land, and assigns of the undersigned; and
3. To complete the aforesaid installations and construction within two (2) years from the date hereof.

Received by Town Clerk:

Date: September 11, 1992

Time: 2:57 PM

Signature: [Signature]

*Aurele Cormier Pres.*  
Signature of Applicant

A.C. Builders, Inc.; Aurele Cormier, President.

2 Evergreen Lane, Andover, MA 01810

Address

Woodland Estates  
Definitive Subdivision  
Conditional Approval

The Planning Board herein approves the Definitive Subdivision requested by A.C. Builders, dated September 24, 1992. The Planning Board makes the following findings as required by the Rules and regulations Governing the Subdivision of Land:

- A. The Definitive Plan include all of the information indicated in Section 3 of the Rules and Regulations concerning the procedure for the submission of plans.
- B. The Definitive Plan adheres to all of the design standards as indicated in Section 7 of the Rules and Regulations.
- C. The Definitive Plan is in conformance with the purpose and intent of the Subdivision Control Law.
- D. The Definitive Plan complies with all of the review comments submitted by various town departments in order to comply with state law, town by-laws and insure the public health, safety, and welfare of the town.

Finally, the Planning Board finds that the Definitive Subdivision complies with Town Bylaw requirements so long as the following conditions are complied with:

1. Prior to endorsement of the record plans by the Planning Board and recording with the North Essex Registry of Deeds the applicant shall adhere to the following:
  - A. The applicant must schedule a meeting with the Town Planner in order to ensure that the plans conform with the Board's Decision.
  - B. A covenant (Form I), securing all lots within the subdivision for construction of ways and municipal services must be submitted to the Planning Board. Said lots may be released from the covenant upon posting of a bond as required in condition # 2(B).
  - C. Right of Way dedication easements for the proposed roadway, shall be prepared at the applicant's expense and provided to the Planning Office.
  - D. All drainage and sewage facilities shall be approved by the North Andover Division of Public Works.
  - E. All conditions listed herein shall be placed on the cover sheet of the Record Plans which will be presented for endorsement by the Planning Board.

*Joyce A. Coadshaw*  
Town Clerk

- F. The applicant must submit to the Town Planner a FORM M for all of the utilities and easements placed on the subdivision. The Board will sign the document and it must be filed with the Registry of Deeds.
- G. The applicant must review roadway names with the E-911 Coordinator and submit proof of acceptance to the Board.
- H. An approximate schedule for construction in Route 114 must be submitted to the Town Planner for review and approval. This should include the drainage lines and all utilities which will require openings in the roadway for tie-ins. The schedule shall be part of this decision.
- I. Construction details of the sidewalks within the R.O.W., and driveways to the individual dwellings shall be included on the record plans.
- J. The appropriate permits from the State Highway Department must be obtained.
- K. The applicant must apply for and obtain a special permit for the construction of common driveways as shown on the plans.
- L. A detailed phased development plan shall be submitted as part of the record plans, and recorded at the North Essex Registry of Deeds.

All documents shall be prepared at the expense of the applicant, and shall have proper metes and bounds as required by the Planning Boards Rules and Regulations Governing the Subdivision of Land.

- 2. Prior to any lots being released from the statutory covenants:
  - A. The applicant must submit a lot release FORM J to the Planning Board for signing.
  - B. A performance bond in an amount to be determined by the Planning Board shall be posted to ensure completion of the work in accordance with Plans approved as part of the Special Permit. Items covered include, but are not limited to:
    - 1. as-built drawings

2. sewers
  3. roadways
  4. drainage
  5. site screening
  6. lot erosion control
  7. site restoration
  8. final cleanup of site
- C. All proper documents and easements required through Condition # 1 shall be in place.
3. Prior to a Building Permit being issued (FORM U signed) for an individual lot, the following information shall be required by the Planning Department:
- A. The applicant must submit to the Town Planner proof that the FORM M referred to in Condition 1(F) above, was filed with the Registry of Deeds Office.
  - B. Three (3) complete copies of plans and two (2) copies of all documents containing the Registry of Deeds stamp must be submitted to the Town Planner as proof of filing.
  - C. A plot plan must be submitted, which consists at a minimum of the following information: (a) location of the structure, (b) location of the driveways, (c) location of the septic systems if applicable, (d) location of all water and sewer lines, (e) location of wetlands and any site improvements required under a NACC order of condition, (f) any grading called for on the lot, and (g) all required zoning setbacks must be shown.
  - D. All appropriate erosion control measures shall be in place. Final determination of appropriate measures shall be made by the Planning Board or Staff.
  - E. All catch basins shall be protected and maintained with hay bales to prevent siltation into the drain lines during construction.
  - F. The lot in question shall be staked in the field to show the location of the proposed dwelling and the limit of clearing associated with construction. The Town Planner shall verify this information in the field.
4. Prior to Construction the applicant must complete the following:
- A. Lot numbers must be placed on all lots and be visible

from the street.

- B. The applicant must submit to the Planning Staff a copy of the final subdivision plan and a copy of all required documents filed with the Registry of Deeds office.
  - C. All necessary permits and approvals for the lot in question must be secured from the Department of Public Works, the North Andover Board of Health, the Conservation Commission and any State approvals as required.
5. Prior to a Certificate of Occupancy being issued for an individual lot, the following shall be required:
- A. All necessary permits and approvals for the lot in question shall be secured from the North Andover Board of Health, and Conservation Commission.
  - B. As-built plans of the individual lots showing location and final grades for all structures and septic systems must be submitted to the Planning Staff.
  - C. Permanent house numbers must be posted on dwellings and be visible from the road.
  - D. An interim as-built, certified by the design engineer, verifying that all utilities have been installed in accordance with the plans and profile shall be submitted prior to the application of the binder coat of pavement. In addition, all required inspection and testing of water, and drainage facilities shall be completed prior to binder course paving.
  - E. The roadway must be constructed to at least binder coat of pavement to properly access the lot in question.
  - F. All slopes on the lot in question shall be properly stabilized.
  - G. There shall be no driveways placed where stone bound monuments and/or catch basins are to be set. It shall be the developers responsibility to assure the proper placement of the driveways regardless of whether individual lots are sold. The Planning Board shall require any driveway to be moved at the owners expense if such driveway is at a catch basin or stone bound position.

Certification by a Registered Professional Engineer will be required prior to the issuance of a Certificate

ATTEST:  
A True Copy*Joyce A. Cavanaugh*  
Town Clerk

of Occupancy.

6. Prior to the final release of any bond money, the following shall be completed by the applicant.
  - A. An as-built plan and profile shall be submitted for review and approval.
  - B. The applicant shall petition Town Meeting for public acceptance of all streets. Prior to submitting a warrant article for such petition the applicant shall review the subdivision and all remaining work with the Town Planner and the Division of Public Works. The Planning Board shall hold a portion of the subdivision bond for continued maintenance and operations until such time as Town Meeting has accepted (or rejected in favor of private ownership) the roadways. It shall be the developers responsibility to insure that all proper easements have been recorded with the N.E.R.D..
7. Any changes on the plans required by the North Andover Conservation Commission may be subject to Modification under Chapter 41 by the Planning Board.
8. The applicant shall comply with all North Andover Department of Public Works Rules and Regulations and specifically adhere to the following requirements:
  - A. The Right of Way width throughout the subdivision should be 50 feet, with cutting limited to 40 feet wherever feasible..
  - B. All sidewalks shall be 4 feet in width along one side as shown on the plans.
  - C. Copies of erosion and sedimentation control plans shall be provided to this office.
  - D. Sub-drainage to eliminate drainage problems may be required in areas of steep cuts as determined by the Department of Public Works staff.
  - E. Permits for connections to Town utilities will not be granted by the Division of Public Works until a complete set of signed plans, a copy of the Planning Board decision, and the Conservation Commission Order of Conditions are on file in their office.
  - F. The minimum width of pavement for the through streets shall be 26'. The minimum width of pavement for the cul de sac street shall be 24'. The cul de sac turnaround

with the island shall have a minimum pavement width of 30'.

- G. The applicant agrees to construct the roadway and utilities required between Old Cart Way and Woodland Estates. The applicant must work with the Department of Public Works in coordinating the timing of this construction.
- H. The watermain shall be designed to pass over the culverts at Station 7+30 Woodland Drive and Station 1+60 Oxbow Circle. The proposed hydrant on Oxbow Circle shall be installed at the end of the proposed eight inch branch toward the future roadway. The proposed stub to Station 6+10 should be eliminated and the water services relocated accordingly.
9. The applicant shall adhere to the following requirements of the Fire Department:
- A. Open burning is allowed by permit only after consultation with the Fire Department.
  - B. Underground fuel storage will only be allowed in accordance with Town Bylaws and State Statute and only with the review and approval of the Fire Department and Conservation Commission.
  - C. Lot numbers are to be posted clearly during construction and permanent house numbers marked prior to occupancy.
  - E. The water main should be looped through to Wagon Wheel Estates.
  - F. The Street names must be reviewed and approved by the Dispatch Supervisor in order to facilitate implementation of E-911.
10. The applicant shall adhere to the following requirements of the Police Department:
- A. Adequate site distance shall be maintained at the exit of the project onto Route 114.
  - B. Appropriate signs shall be placed on Route 114 informing motorists of the intersection during the period of construction activity.
  - C. A "STOP" sign shall be placed as the proposed roadway exits onto Route 114.



11. The applicant shall adhere to the following conditions:
  - A. There will be a 20 foot no-cut zone imposed along the rear lot lines of lots 3, 4, 5 and 6 which will run with the land in subsequent deeds. The Planning Board agrees to waive the 50' buffer requirement along these lots.
  - B. Not less than a 50 foot wide 'no-cut zone' shall be created as part of the open space along the rear lot lines of the remaining lots and along the remainder of the boundary with Harold Parker State Forest, excluding the area along the Eastern open space which has been designated as an easement for a future roadway.
  - C. The developer shall stipulate within the open space deed that the existing trails shall be for public non-mechanized access to the state forest.
  - D. Where the northwest branch of the trail needs to be relocated the developer will link back into the trail system and provide a uniform 12' wide gravel pack base over the reconstructed portion as shown on the plans. Where a relocation of the access from Rt. 114 may be required the trail must also be relocated.
  - E. A gate will be constructed at entry points to the existing trail system as designated on the plans
12. The applicant shall comply with all North Andover Conservation Commission Rules and Regulations.
13. Any action by a Town Board, Commission or Department which requires changes in the roadway alignment, placement of any easements or utilities, drainage facilities, grading or no cut lines, may be subject to modification by the Planning Board.
16. There shall be no burying or dumping of construction material on the site.
17. Any signs utilized for this project must obtain a sign permit as required by Section 6 of the Bylaw and will be reviewed by the Town Planner.
18. The contractor shall contact Dig Safe at least 72 hours prior to commencing any excavation.
19. Gas, Telephone, Cable and Electric utilities shall be installed as specified by the respective utility companies.
20. An as-built plan and profile shall be submitted for review

*Jane A. Cresswell*

Town Clerk

and approval. A certified interim as-built verifying that all utilities have been installed in accordance with the plans and profile shall be submitted prior to the application of the binder coat of pavement. In addition, all required inspection and testing of water, sewer, and drainage facilities shall be completed prior to binder course paving.

21. Tree cutting shall be kept to a minimum throughout the project in order to minimize erosion and preserve the natural features of the site. The developer shall inform the Tree Warden when tree cutting is to occur.
22. Tree cutting on slopes will be kept to a minimum and trees to be cut will be pre-approved by the Tree Warden.
24. All construction shall commence within two (2) years from the date of this approval and shall be completed within five (5) year from the date of this approval.
25. The provisions of this conditional approval shall apply to and be binding upon the applicant, it's employees and all successors and assigns in interest or control.
27. The following waivers to the Planning Board's "Rules and Regulations Governing the Subdivision of Land" have been granted through this approval:
  - a. Section 7(A)(3)(a) Grade: Grades from station 15+75 to Station 17+25 exceed 6% maximum grade as shown on Profile Sheet 2.
  - b. Section 7(A)(4)(a) Dead-End Streets: Dead end street extended to 635 feet as shown on Profile Sheet 3.
  - c. Section 7(B)(4) Streets and Roadways: Distance between crest and catch basins exceeds 400 feet, between Station 13+43 and Station 18+32 as shown on Profile Sheet 2.
  - d. Section 3(C)(4) Statement of Environmental Impact
  - e. Section(A)(2)(d) Cul de sac turnaround with island.
28. The following information shall be considered as part of this decision:

Performance Bond Worksheet.

Plans entitled: Definitive Plan  
Woodland Estates, North Andover, MASS.

*Jane A. Conahan*  
Town Clerk

Dated: August 14, 1992  
 Scale: 1" = 40'  
 Sheets: 1 through 3  
 Prepared By: Hayes Engineering, Inc.  
 603 Salem Street  
 Wakefield, MASS 01880

Plans entitled: Definitive Plan & Profile  
 Woodland Estates, North Andover, MASS  
 Dated: August 14, 1992  
 Scale: 1" = 40' (HOR) & 4' (VERT)  
 Sheet: 1 through 4  
 Prepared By: Hayes Engineering, Inc.  
 603 Salem Street  
 Wakefield, MASS 01880

Plans entitled: Topographic Plan  
 Woodland Estates, North Andover, MASS  
 Dated: August 14, 1992  
 Scale: 1" = 40'  
 Prepared By: Hayes Engineering, Inc.  
 603 Salem Street  
 Wakefield, MASS 01880

cc: Conservation Administrator  
 Director of Public Works  
 Health Administrator  
 Building Inspector  
 Police Chief  
 Fire Chief  
 Assessors  
 Applicant  
 Engineer  
 File

WOODLAND.3