



**Town of Cohasset
Planning Board
41 Highland Avenue
Cohasset, MA 02025
Tel: (781) 383-4100 ext. 5128**

DEFINITIVE PLAN APPLICATION PACKET

THE FILING OF A DEFINITIVE PLAN INVOLVES A FORMAL PUBLIC HEARING. ABUTTERS WILL BE NOTIFIED OF THE FILING AND THE DATE AND TIME THE PLANNING BOARD WILL CONDUCT THE PUBLIC HEARING FOR THE DEFINITIVE SUBDIVISION.

IF A PRELIMINARY PLAN HAD BEEN FILED, A DECISION MUST BE FILED WITH THE TOWN CLERK WITHIN 90 DAYS OF THE FILING OF THE DEFINITIVE PLAN FOR THE SUBDIVISION.

IF A PRELIMINARY PLAN HAD NOT BEEN FILED, A DECISION MUST BE FILED WITH THE TOWN CLERK WITHIN 135 DAYS OF THE FILING OF THE DEFINITIVE PLAN FOR THE SUBDIVISION.

TO SUBMIT A DEFINITIVE PLAN FOR A SUBDIVISION, THE APPLICANT MUST COMPLETE AND SUBMIT THE ATTACHED FORMS AS WELL AS ALL OTHER DOCUMENTATION REQUESTED.

TO GUIDE YOU THROUGH THE DEFINITIVE PLAN APPLICATION PROCESS, THIS PACKET CONTAINS THE FOLLOWING:

- 1. DEFINITIVE SUBDIVISION PLANS APPLICATION PROCEDURES**
- 2. FORM 4 – APPLICATION FOR APPROVAL OF DEFINITIVE PLAN**
- 3. STATEMENT OF LITIGATION POLICY**
- 4. FORM 13- BOARD OF HEALTH SUBDIVISION SUBMISSION RECIEPT**
- 5. FORM 5 – COVENANT**
- 6. FORM 6 – CERTIFICATE OF RELEASE OF LOTS**
- 7. DEFINITIVE SUBDIVISION PLAN CHECKLIST**
- 8. FEE & DEPOSIT SCHEDULE**



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PRELIMINARY PLAN SUBDIVISION PROCEDURES

1. Complete and submit **three copies** of Form 3 – Notice of Submission of Preliminary Plan to the Town Clerk’s Office to be date stamped by the Town Clerk. The Town Clerk will keep one copy and return two (2) copies to you.

2. Submit to the Board of Health:
 - One copy of the application and plans
 - One copy of Form 3, date stamped by the Town Clerk in step #1 above
 - Obtain receipt of this submission from the Board of Health (Form 13)

3. Submit to the Planning Board Office:
 - One copy of Form 3, date stamped by the Town Clerk in step #1 above
 - Copy of receipt obtained from Board of Health submission in step #2 above
 - 3 copies** of appropriate Application Form – Form 4, signed by **both** the Applicant and Property Owner, including a signed litigation policy
 - 6 sets** of Preliminary Subdivision Plans (NOTE: **3 sets** at 11” x 17”; **3 sets** full size – no larger than 2’ x 3’)
 - PDF submission of all applications, plans, site plan and other documents submitted as part of the application
 - A **certified** Abutter’s list – obtain from the Assessors’ Office
 - Two sets of Abutter’s mailing labels** - obtain from the Assessors’ Office
 - Profile and **6 copies** of all supplementary materials under Section IV B. 2, **including** an Environmental Impact and Evaluation Statement regarding the physical environment, surface water and soils, subsurface conditions, town services, human environment, and general impact.

- The appropriate application fee, legal fee, and engineering fee (see attached schedule)
- The **original, signed** Planning Board Litigation Policy Statement signed by **both** the Applicant and the Property Owner.

NOTE: Under Section IV E, Rules and Regulations Governing the Subdivision of Land, the Planning Board has 14 days to determine if the submitted application materials are complete.

If items 1, 2,3 and 4 are found to be incomplete, the filing shall be rejected, and a written notification of rejection and the reasons shall be sent by registered mail to the applicant with copies to the Town Clerk and the Board of Health (Rules and Regulations Governing the Subdivision of Land, Section IV, E) and, time periods set forth in Chapter 41, Section 81-U of the General Laws for the review of the plan by the Board of Health or the Planning Board will not be triggered.

If items 1, 2, 3 and 4 are found to be complete, The Planning Board Office will:

- Set a date and time for the submission to be discussed/reviewed at a Planning Board meeting
- Post the meeting in the Town Clerk's Office
- Reserve the appropriate location for the public hearing
- Distribute the plans to the appropriate boards
- Notify abutters, by mail, of the date and time the submission will be discussed/reviewed by the Planning Board
- Distribute copy of the application **and** preliminary subdivision plans **and** all supplementary materials to the designated peer review agent



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FORM 4 – APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

DATE:

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of Property located in the Town of Cohasset for approval as a subdivision as allowed under the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the Town of Cohasset, Massachusetts.

1. Name of Record Owner: _____
Address: _____
Telephone Number: _____
2. Name of Applicant: _____
Address: _____
Telephone Number: _____
3. Name of Developer/Engineer: _____
Address: _____
Telephone Number: _____
4. Submission Date of Preliminary Plan:
5. Zoning Classification: _____
6. Assessor's Map: _____ Plot(s): _____
7. Location and Description of Property sufficient for identification: _____

8. The following are all the mortgages and other liens or encumbrances on the whole or any part of the above-described property:

9. Deed of Property recorded in Norfolk County Registry, in Book _____, Page _____

The undersigned hereby covenants and agrees with the Town of Cohasset upon approval of the Definitive Plan:

1. To construct the ways and install municipal services as finally approved by the Planning Board within twelve (12) months from the date of posting surety.
2. To install utilities in accordance with such rules of the Water and Sewerage Boards as are applicable to the installation of utilities within the limits of the ways, and to complete and construct the said ways in accordance with Land Subdivision Rules and Regulations of the Planning Board of the Town of Cohasset, Massachusetts. Said rules and regulations are herein made a part of this agreement.
3. At the laying out and acceptance by the Town of said ways, all rights for use as public way, all municipal services within the ways and other appurtenances pertaining to these municipal services will become the property of the Town of Cohasset at no cost to said Town, unless otherwise agreed upon.

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

Signature of Record Owner,
Applicant and/or Developer

- Notes: (1) This application must be accompanied by a **certified** list of abutters **and two sets of mailing labels matching the certified abutters list** which can be obtained from the Assessor's Office.
- (2) This application must be filed with the Town Clerk.
- (3) A submission shall not be deemed complete unless and until the applicant(s) has provided deposits for engineering and legal expenses.



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STATEMENT OF LITIGATION POLICY

THE APPLICANT AND LANDOWNER MUST READ AND ACKNOWLEDGE THE FOLLOWING POLICY OF THE PLANNING BOARD.

When an application has been approved by the Planning Board, either in whole or with conditions, Town Counsel will not primarily defend any appeal against such approval brought by parties claiming to be aggrieved, without the express written consent of both the Chairman of the Planning Board and the Town Manager.

The successful Applicant is the appropriate party to bear expenses associated with defending an approval, be it a Special Permit, Site Plan Review, Subdivision or, Form A – Approval Not Required (ANR).

SIGN FOR ACKNOWLEDGEMENT OF THE LITIGATION POLICY:

Date: _____
Signature(s) of Applicant(s) or Representatives, if any

Date: _____ **
Signature(s) of Owner(s)

I HAVE READ AND UNDERSTAND THE RULES OF PROCEDURE OF THE PLANNING BOARD:

Date: _____
Signature(s) of Applicant(s) or Representatives, if any

Date: _____ **
Signature(s) of Owner(s)

*****APPLICATION MUST BE SIGNED BY BOTH APPLICANT (OR REPRESENTATIVE) AND LANDOWNER.***



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FORM 13 – RECEIPT FOR SUBDIVISION SUBMISSION TO BOARD OF HEALTH

DATE:

To the Planning Board:

The Board of Health has received a copy of the Subdivision plan for:

Name of subdivision: _____

Assessor's Lot(s): _____

Street address: _____

The plan consists of _____ sheets.

The plan was designed by _____

Board of Health Office Manager



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FORM 5- COVENANT

The undersigned _____
of _____ County, Massachusetts, hereinafter called the "Covenantor,"
having submitted to the Cohasset Planning Board, a definitive plan of a subdivision, titled
_____, dated _____,
made by _____ does hereby covenant
and agree with said Planning Board and the successors in office of said Board, pursuant to G. L.
(Terr.Ed.) C. 41, Sec. 81U, as amended, that:

1. The Covenantor is the owner of record of the premises shown on said plan.
2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the Covenantor, and successors in title to the premises shown on said plan.
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Planning Board before such lot may be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell any such lot, subject only to that portion of this Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to serve such lot;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services.
5. This covenant shall take effect upon the approval of said plan.
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

The undersigned _____
wife, husband, of the Covenantor hereby agree that such interest as I, we, may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead, and other interest therein:

EXECUTED as a sealed instrument this _____ day of _____, 20____.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss. _____ 20 ____.

Then personally appeared _____ and
acknowledged the foregoing instrument to be _____ free act and deed before me.

Notary Public
My Commission Expires _____

NOTE: No lots will be released from this Covenant until the Book and Page of the recording of this Covenant have been submitted to the Planning Board by the Covenantor.



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FORM 6 – CERTIFICATE OF RELEASE OF LOTS

Date:

To: The Planning Board

WHEREAS the Planning Board of the Town of Cohasset has heretofore given its approval to the subdivision plan entitled: _____, dated _____, by _____ and recorded in Norfolk Registry of Deeds as Plan No. _____ and WHEREAS the covenant dated _____ is recorded in Norfolk Registry of Deeds in Book _____, Page _____, and WHEREAS _____ has posted satisfactory surety for the completion of _____ from Station _____ to Station _____, including _____, as shown on said plans:

NOW THEREFORE lots numbered _____, _____, _____, _____, and _____ are hereby released from the covenant and may be sold, mortgaged, or otherwise hypothecated.

COHASSET PLANNING BOARD

CC: Building Inspector



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DEFINITIVE PLAN SUBDIVISION APPROVAL CHECKLIST

The following checklist is a guide for the applicant to give sufficient information on the subdivision plan submitted with the application for definitive subdivision submissions under Section IV B of the Rules & Regulations Governing the Subdivision of Land.

Submitted Plans must contain the following information to be deemed complete.

A. Title Block

- Subdivision Name (Specific Name)
- Name and address of owner and/or agent
- Date of plan and/or revisions
- Land Surveyor, Engineer, address, stamp & signature
- Scale 1" = 40', Plans no larger than 2' x 3'
- Zone
- Monuments
- Space for Planning Board Signatures

B. Parcel of Property

- Property lines
- Dimensions of property lines to scale
- Area of property in square feet
- Existing structures shown
- Zone lines and zones
- Elevations, existing and proposed, Benchmark set

- Abutter's information including names, property lines and structures on property
- Easements - type
- Topography 2' contour intervals
- Adjacent streets
- Profiles streets and drains
- Access to adjoining property

C. Location

- Vicinity (map) on plan scale 1" = 200'
- Locus (map) on plan scale 1" = 1000' (either or both)
- North arrow on plan

D. Streets

- Abutting parcel frontage
- Pavement width – street width
- Curbing line
- Right-of-way lines
- Intersections within 50' of property limits

- Cross section
- Alignment
- Grades
- Lengths, bearings, radii, angles
- Proposed names and house numbers
- Temporary cul-de-sacs
- Site lines, center line, points of tangency
- Sketch, if possible, layout of adjacent land of owner

E. Lots

- Boundary lines
- Areas in square feet
- Dimensions
- Numerical designation

F. Utilities (show nearby and existing)

- Sewerage facilities ***NOTE: All sewerage facilities subject to Board of Health Approval***
 - On-site - location and size
 - Town system, size, and type of pipe (profiles)
 - S.M.H. (rim & invert elevations)
- Water
 - Location of service
 - Size and type of pipe
 - Gate valves
 - Hydrants

- Drains
 - Design Criteria
 - Location of catch basins, storm drains
 - Headwall details
 - Natural water courses and water bodies
 - Culverts (invert elevations) and size
 - Swales or ditches

- Electric (detail drawing – underground)
 - Power
 - Telephone
 - Street lighting
 - Fire alarm
 - E.M.H., transformers, pads, etc.

- Gas
 - Location

G. Major Site Features

- Site features
- Flood plain
- Watershed
- Public and/or common areas

H. Performance Guarantee

- Bonds, surety
- Covenants (to expire two years from date of endorsement)



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FEE & DEPOSIT SCHEDULE

Subdivisions, Clusters, RCDD Special Permit & Land Alteration Special Permit

\$1,000 Application Fee
\$ 250 Per Lot Fee (if applicable)
\$5,000 Engineering Cost Deposit
\$1,500 Legal Cost Deposit

Site Plan Review & Other Special Permits (VBD, HUBOD, Etc.)

\$1,000 Application Fee (5,000 sq.ft. or less)
\$2,000 Application Fee (5,000 – 10,000 sq.ft.)
\$1,000 Add for each addition 10,000 sq.ft. or part thereof

Engineering Costs Deposit:

\$ 1,000 1,000 sq.ft. or less
\$ 5,000 1,000 - 5,000 sq.ft.
\$ 7,500 5,000 - 20,000 sq.ft.
\$10,000 20,000 sq.ft. or more

Legal Cost Deposit:

\$ 500 1,000 sq.ft. or less
\$1,000 1,000 - 5,000 sq.ft.
\$1,500 5,000 - 20,000 sq.ft.
\$2,000 20,000 sq.ft. or more

Common Driveway & Scenic Roads

\$ 200 Application Fee
\$ 50 Per Residence served Fee
\$1,500 Engineering Cost Deposit
\$1,000 Legal Cost Deposit

Town Engineering and Legal costs are the responsibility of the Applicant and ***shall be brought up to the initial required amount when the balance goes below half the initial amount.*** Once a subdivision or cluster is complete and approved, any remaining balance of deposits will be returned to the Applicant upon approval of the Applicant's ***written*** request.

Form A - (Subdivision Approval Not Required – ANR)

\$100 Application Fee Per Plan
\$100 Fee for each new building lot shown

Large Home Review

\$ 400 Application Fee (3,500-5,000 sq. ft.)
\$1,000 Application Fee (over 5,000 sq.ft.)

***** Public Hearing Legal Advertisements – All Filings *****

Costs associated with legal advertisement for public hearings are the responsibility of the Applicant. Newspaper Advertising Departments will send invoices for legal advertisements directly to the Applicant and prepayment is required.