

C. Definitive Plan

1. General

Any person who submits a Definitive Plan of a subdivision (submitted Plan) to the Beverly Planning Board for approval shall file with the Board the following: All items required in paragraphs 1a, 1b, 2, and 3 of this section and the minimum filing fee (See Section II.E) shall be submitted for a Definitive Plan to be "duly submitted" in accord with the General Laws of Massachusetts (See Form O Document Control Sheet for the Distribution of Plan, Appendix O) by the Board and the subdivider.

- a. Twelve (12) prints size 24" x 36" and ten (10) prints size 11" x 17" upon application; one (1) original mylar and one (1) reproducible mylar copy of the final plans for signature following final approval; and one (1) print, size 24" x 36" of the final approved signed plans.
- b. A properly executed application Form C, Application for Approval of a Definitive Plan (Appendix C); Form D, Designer's Certificate (Appendix D); Form E, Certified List of Abutters (Appendix E); and proof of submission of plan to the Board of Health (see Section III.C.4.).

Approval of all plans shall be upon the condition that all ways shown thereon and public utilities required by the Board shall be completed and installed within the time so specified. The Board may decline to approve any plan unless the applicant agrees to complete the ways shown thereon and install the public utilities aforesaid within two (2) years of the date of approval. If the ways in any subdivision are not completed and the utilities aforesaid are not installed within the time so agreed to by the applicant or so required by the Board, no such way shall thereafter be laid out, constructed, completed or opened for public use unless and until a new application is filed with and approved by the Board. Ways or portions thereof not completed within two (2) years from the date of approval by the Board shall thereafter be completed in accordance with the then-in-force construction standards of the Beverly Planning Board.

The applicant shall file, by delivery or registered or certified mail, a notice with the City Clerk stating the date of submission for such approval and accompanied by a copy of the completed Form C, Application for Approval of Definitive Plan (Appendix C).

2. Contents

The Definitive Plan shall be prepared by a registered, professional engineer and land surveyor and shall be clearly and legibly drawn in black India ink upon mylar or tracing cloth. There shall be a locus plan at a 1":800' scale. The plan shall be at a scale of one inch (1") equals forty feet (40') or such other scale as the Beverly Planning Board may accept to show details clearly and adequately, and shall include plans and profiles of each individual street at a scale of one inch (1") equals forty feet (40') horizontal and one inch (1") equals four feet (4') vertical. All elevations shall be the National Geodetic Vertical Datum of 1988 (NAVD88). Sheet sizes shall be twenty-four by thirty-six inches (24" x 36") including a one-inch (1") border. All plans shall be accompanied by an index sheet at a scale of one inch (1") equals one-hundred feet (100') showing the entire subdivision and adjacent streets and dimensions of the lots and streets and lot numbers. This plan shall indicate the Assessor's Map and Parcel number of the land in question. All Engineers and Surveyors shall certify that they either personally performed or supervised the work shown on the drawings.

The Definitive Plan shall contain the following information:

- a. A title block, appearing in the lower right-hand corner of the plan, showing the name of the subdivision, if any, the date, scale, the names and addresses of the applicant, and the names of the designer, registered architect, engineer and surveyor who made the plan, their seals and signatures.
- b. North arrow, benchmark, and boundaries of the subdivision.
- c. Location and ownership of abutting property as it appears on Form E, Certified List of Abutters (Appendix E) unless the applicant shall have more recent knowledge of such abutters, including all abutting land owned by the applicant not presently being subdivided. A copy of the deed of the land in question shall also be submitted.

- d. Major features of the land, such as existing waterways, swamps, and water bodies, natural drainage courses, walls, fences, buildings, trees six inches (6") in caliper measured four feet (4') above the ground, wooded areas, outcroppings and ditches which exist on or near the site at the time of the survey.
- e. Lines of existing and proposed streets, ways, lots, lot numbers or other designation of each lot, easements, and public or common areas within the subdivision. If the subdivision consists of more than one section, all lot numbers shall be consecutive.
- f. Sufficient data to determine the location, direction, and length of every street and way line, lot line, and boundary line, and to establish these lines on the ground. This shall include the lengths and bearings of plan and boundary lines, of all subdivision lot lines including lot frontage on the streets, of the boundary lines of all streets and easements, and the length, radii, tangents, and central angles of all curves in lot lines and street lines. All angle points or intersections of tangents along the street lines shall be shown. Adjoining lands of the applicant not included in the subdivision will be shown.
- g. Location of all permanent monuments properly identified as whether existing or proposed.
- h. Location, names, and present widths of streets or private ways bounding, approaching, or within reasonable proximity of the subdivision, showing both roadway widths and rights-of-way widths.
- i. When existing roadways are improved upon or regraded in areas which abut existing homeowners, topographical details at sufficient distances from the roadway layout must be supplied to ensure proper drainage of abutting properties. Proof of slope easements shall be provided prior to plan approval.
- j. Indication of all easements, covenants, or restrictions applying to the land and their purposes, whether or not within the subdivision, including any decision on an appeal or variance or exception made by the Zoning Board of Appeals applicable to the subdivision of the land or any buildings thereon.
- k. If the property that comprises the subdivision or any part or boundary thereof has been examined, approved, and confirmed by the Massachusetts Land Court, such information shall be noted

on the plan with case numbers and other pertinent references to Land Court procedure, and the same requirement shall apply to any adjoining parcels of land of the applicant.

- l. Suitable space to record the action of the Beverly Planning Board and the signatures of the majority of the Board.
- m. Street address numbers for each lot on a Definitive Subdivision Plan.
- n. A notation that "should the rodent population be displaced (leave its natural habitat) because of land development, then the developer must bear the responsibility of retaining the services of a professional exterminating company to abate the rodent migration problem. This service must adequately solve the problem and must be completed at the expense of the developer."

(Items n through u may be submitted on the same sheet as the Definitive Plan, or on separate sheets.)

- o. Existing profiles of the exterior lines drawn in fine black line, dotted for left and dashed for right side, and proposed profile on the finished centerline drawn in fine black solid line of proposed streets at a horizontal scale of one inch (1") equals forty feet (40') and vertical scale of one inch (1") equals four feet (4'), or other such scale acceptable to the Beverly Planning Board. At least two (2) bench marks are to be shown on plans and profiles, and grade elevations at every fifty foot (50') station except in vertical curves which shall be at every twenty-five foot (25') station. All existing and proposed intersections and sidewalks shall be shown with all proposed grade elevations calculated. Sufficient subsoil information shall be indicated so as to ascertain soil conditions at proposed sub-base and highest known high water table. Elevations shall be to the national Geodetic Vertical Datum of 1988 (NAVD88). Gradients shall be shown by figures expressed in percent. Water bodies and their elevations shall be shown with the date of measurement.

- p. Existing and proposed topography at two foot (2') contour intervals and, by symbols, the highest known high water mark. There shall also be indicated by differentiating symbols, the contour line four feet (4') above said high water mark.
- q. Size and location of existing and proposed water supply mains and their appurtenances, hydrants, sewer pipes and their appurtenances and/or sewage disposal systems, storm drains and their appurtenances, and easements pertinent thereto, and dimensions of gutters, including data on borings and percolation tests made, and method of carrying water to the nearest watercourse or easements for drainage as needed, whether or not within the subdivision.
- If surface water drains will discharge onto adjacent existing streets or onto adjacent properties not owned by the applicant, he shall clearly indicate what course the discharge will take, and shall present evidence to the Board that the discharge is satisfactory and permitted by public or private ownership of adjacent street(s) or property and does not cause any detrimental effects to public or private property.
- r. Calculations prepared by a Registered Engineer to substantiate proposed drain pipe sizes. The computations shall be based on the current standard of design used by the City Engineer.
- s. Location and species of proposed street trees and location of trees to be retained with trunks over six inches (6") in diameter, measured four feet (4') above the finished ground level, located outside of the street right-of-way line of existing or proposed streets not closer than five feet (5') or more than ten feet (10') from said right-of-way line.
- t. Cross sections typical of each street, roadway and sidewalk to be constructed, including existing soil conditions and high ground water level.
- u. Location of proposed street lights and sidewalks, underground electric lines, and fire alarm systems.
- v. Conceptual design of each utility pump station, and a site plan at the scale of 1" = 20' which shows the layout of the proposed station.
- w. Necessary engineering calculations to provide information

to the Beverly Planning Board that fire protection, vehicular traffic flow, utilities and all other safety precautions are being provided. When deemed necessary, the Planning Board will require that the applicant commission a traffic study to assess the project's impact on the roads and traffic both within and surrounding the development. The City will approve the consulting firm selected by the developer, and the cost of the traffic study will be borne solely by the applicant. The Planning Board will also require, when deemed necessary, the submission of fire flow tests to insure adequate protection from fire."

- x. As a part of the Definitive Plans, there will be submitted an overall Drainage Plan with topographic details for the subdivision and all areas within the total drainage area plus the area of ultimate disposal drawn with India ink on tracing cloth (or other method suitable for reproduction). A separate plan, or a part of the above plan, shall be included for the water system. The above requirements may be on one plan or on two separate plans, with complete details of the drainage and the water system.
- y. Each sheet shall be consecutively numbered as sheet 1, 2, etc. of the total number of sheets.

3. Adequacy of Ways Providing Access to Subdivisions

An analysis of ways providing access to subdivisions, hereinafter referred to as the "street system," shall be prepared for subdivision plans by an engineer or engineers registered in the Commonwealth of Massachusetts having expertise in civil engineering and traffic and transportation engineering. The report(s) shall contain the following information:

A narrative including data to show characteristics of the street(s) providing access to the development measured from the entrance of the development to the nearest cross street. If the distance from the entrance of the development to the nearest cross street is more than 1000 feet, then the required data shall include the first 1000 feet.

- a. Applying the guidelines set forth in Section IV., Design Standards, of these Rules and Regulations, the Planning Board shall determine the adequacy of the street system.
- b. If the Planning Board determines, based on the data submitted, that the street does not meet these guidelines, the Planning Board, in the interest of

the public safety, shall identify those improvements which must be made and shall give written notice to the applicant. The applicant shall propose and describe not less than two alternative designs for improvements to the street system intended to address the inadequacies identified by the Planning Board.

- c. The engineering and cost of construction and implementation of required improvements shall be the full responsibility of the applicant.
- d. The Planning Board may condition a subdivision approval on these improvements being made or legally secured or guaranteed in accordance with the following:
 1. Prior to improvement of a street system involving private way(s), the applicant shall show evidence, satisfactory to the Planning Board, of the applicant's right to perform such work. In the event that the applicant does not have the right and cannot obtain the right to make all required improvements, then the applicant shall report these facts to the Planning Board for a determination by the Planning Board of what further action is to be taken. The Planning Board may propose to the City Council that the street(s) be accepted by the City with the undone improvements to be completed by or paid for by the applicant.
 2. Prior to any improvement of a street system involving public way(s), The applicant shall receive approval from the City Engineer and other City Boards and other Government Agencies or commissions having jurisdictions over the roadways as applicable. If the applicant does not receive approval to undertake certain improvements then improvements shall be made to the extent of the approvals obtained.
- e. With respect to improvements, which cannot be made by the applicant due to the inability to obtain the necessary approvals, the Planning Board shall be the final arbiter in determining those improvements which are conditions of the subdivision approval.

4. Review by Board of Health as to Suitability of the Land

At the time of the filing of the Definitive Plan with the Beverly Planning Board, the applicant shall also file with the Board of Health one (1) print of the Definitive Plan, together with such information in the nature of percolation tests and deep test holes as the Board of Health may require. Proof of submittal of Definitive Plan to the Board of Health shall accompany the Definitive Plan filing with the Beverly Planning Board. The Board of Health shall, within forty-five (45) days after the filing of the plan, report to the Beverly Planning Board, in writing, approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without detriment to the public health, and include such specific findings and the reasons therefor in such report, and, where possible, shall make recommendations for the adjustment thereof. Every lot shall be provided with a sewerage system or sewer connection satisfactory to the Board of Health.

5. Review by Other City Officials

The Clerk of the Beverly Planning Board may transmit copies of the Definitive Plan to City Officials other than the Board of Health as follows:

One (1) copy each to the City Solicitor for review of easements and agreements; the Department of Public Works; the Building Inspector; the Fire Department; the Police Department; and the Water Department; and the Salem/Beverly Water Supply Board;

Before the Definitive Plan is approved, the Beverly Planning Board may request written statements from the above Officials with regard to the proposed improvements in the following respect:

- a. City Solicitor as to the form of easements, covenants, and performance guarantees.
- b. Department of Public Works and/or the Beverly Planning Board Agent (City Engineer) as to the design of the street system, location of easements, monuments, drainage system, and, if applicable, the sewage system.
- c. The Fire Department as to location of hydrants, and with regard to safety requirements.
- d. The Police Department as to street safety.
- e. The Water Department and the Beverly/Salem Water Supply Board as to the water system.
- f. Conservation Commission.

6. Soil Survey and Percolation Tests

Where appropriate, the Beverly Planning Board may require, at the expense of the applicant, soil surveys and/or test borings performed under the supervision of a competent geotechnical engineer to establish the suitability of the land for the proposed sewerage disposal system, storm drainage system and proposed street construction. A report prepared by a competent geotechnical engineer and summarizing the results of such soil surveys and tests must be filed with all plans for nonresidential subdivisions or multi-family residences.

7. Public Hearing

Before taking any action to approve, approve with modifications, or disapprove a Definitive Plan, the Beverly Planning Board shall hold a hearing at which parties in interest shall have an opportunity to be heard, in person or by agent or attorney. Notice of the time and place of such hearing and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the City once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the date of the hearing and by mailing a copy of such advertisement to the applicant and to all owners of land abutting the land shown on the plan and shown on the most recent tax list.

The procedure that the Beverly Planning Board will follow with respect to approval, disapproval or modification of the final plan submitted by the applicant will be that as set forth in Chapter 41, Section 81-U of the General Laws, as amended. In summary, the Board, after receiving the final plan and profiles, will review the same to determine whether they are in compliance with its adopted Rules and Regulations and the Zoning Ordinance.

Before final approval of the plan, the applicant shall comply with all applicable regulations and rules of the Department of Public Works and the Board of Health not otherwise covered by these Rules and Regulations. Specific reference is made to the specifications for sewerage systems, which shall conform with the rules and regulations of the Board of Health.

Before final approval of the plan, the applicant shall establish that the lots in the Definitive Plan are in conformity with the City of Beverly Zoning Ordinance, and failure of the lots to comply will be adequate grounds for disapproval of the Definitive Plan (Chapter 41, Section 81-Q of the General Laws, and amendments thereto). The Board may, as a condition of granting a permit under Section 81-Y, impose reasonable requirements designed to promote the health, convenience, safety, and general welfare of the community and to benefit the City. In such event, the Board shall endorse such conditions on the plan to which they relate; or set forth in a separate instrument, attached thereto, to which reference is made on such plan and which shall, for the purpose of the Subdivision Control Law be deemed to be a part of the plan.

Notations shall be made on the plans of any revisions and the date revisions were made. A letter shall also accompany the plans, fully describing all revisions in detail.

8. Certificate of Approval

The action of the Beverly Planning Board with respect to such plan shall be by vote, copies of which shall be certified and filed with the City Clerk and sent by registered or certified mail, return receipt requested, to the applicant.

If the Beverly Planning Board modifies or disapproves such plan it shall state in its vote the reasons for its action and shall rescind such disapproval when the plan has been amended to conform to the Rules and Regulations and recommendations of the Beverly Planning Board.

Final approval, if granted, shall be subject to the design standards contained herein and shall be endorsed on the original drawings of the Definitive Plan by the signatures of a majority of the Beverly Planning Board after the City Clerk has notified the Beverly Planning Board that no notice of appeal has been filed with that office.

After the Definitive Plan has been approved and endorsed, the Board shall return the original mylar to the applicant. The applicant in turn shall provide the Board with one (1) full set of the final signed plans.

Refer to Appendix U for statutory review periods. The Beverly Planning Board may extend the ninety (90) or one hundred thirty-five (135) day period permitted by statute between submission of a Definitive Plan and action thereon upon written request of the applicant. (See Form Q, Extension of Time, Appendix Q).

Approval of the Definitive Plan does not constitute the laying out or acceptance by the City of streets within a subdivision and does not signify that the subdivision may be constructed before all safety and health standards have been met.

The original copy of the recorded covenant shall be returned, following recording by the Registry of Deeds, to the Beverly Planning Board. Upon receipt thereof, the Board will mail a copy of said covenant to the applicant.

9. Performance Guarantee

Before endorsement of its approval of a Definitive Plan or Subdivision, the Board shall require that the construction of ways and the installation of municipal services be secured by one, or in part by one and in part by the other, of the methods described in a. or b. below, which method may be selected and from time to time varied by the applicant.

a. Approval with a Certified Check

The applicant shall file a Certified Check or a three-way

agreement in an amount determined by the Beverly Planning Board to be sufficient to cover the cost of all or any part of the improvements specified in Section V not covered by a covenant under "b" hereof. Estimated amounts are noted in Appendices S and T and are revised each year. Such Certified Check, if filed or deposited, shall be accompanied by an appropriate and properly executed agreement prepared in the manner of Form F, G, or such other form as the Board may require, and approved as to form and manner of execution by the City Solicitor and shall be contingent on the completion of such improvements within two (2) years of the date of the approval of the Definitive Plan, or within a reasonable period of time beyond two (2) years as may be approved by the Planning Board. (See Appendices F & G).

The money may be forfeited or the term may be extended at the discretion of the Beverly Planning Board. If extended, the Beverly Planning Board may, at its discretion, request an increase or decrease in the amount deposited to insure sufficient bonding to cover the costs to complete the improvements.

b. Approval With Covenant

The applicant shall file a Form G - Approval with Covenant Contract (Appendix G) or such other form of covenant as the Beverly Planning Board requires, approved as to form and manner of execution by the City Solicitor, properly executed and duly recorded in the Registry of Deeds by the owner of record, running with the land, whereby such ways and services as specified in Section V, not covered by bond or deposit under "a" hereof, shall be provided to any lot before such lot may be built upon or conveyed, other than by mortgage deed.

c. Developer's Disclosure Agreement

Prior to final approval of a Definitive Subdivision Plan, the Applicant shall prepare and submit a "Developer's Disclosure Agreement" to be referenced on the plan and recorded at the Registry of Deeds for all lots in the subdivision prohibiting conveyance of said subdivision lots. The disclosure agreement may be released only when all individual lot purchasers, with valid Purchase and Sales Agreements, sign and have notarized an "Agreement and Acknowledgement" form available at the Planning Board's office (see Appendix W for sample copies of "Developer's Disclosure Agreement" and lot purchasers' "Agreement and Acknowledgement" forms). The Staff of the Planning Board shall be responsible for administering the Release of Lots. The "Agreement and Acknowledgement" form

shall be prepared by the Applicant and approved by the Planning Board and shall, at a minimum, stipulate the following:

1. That the City of Beverly and the Planning Board of the City bear no responsibility for the speedy completion of utilities and roadways necessary to obtain Occupancy Permits and that this responsibility lies solely with the Applicant (or his successor).
2. That the Applicant has submitted and has received approval of a Performance Guarantee according to Section III.C.8 of this Subdivision Control Law. Said Guarantee insures the completion of construction of ways and the installation of utilities for the subdivision within two years after submittal of the Performance Guarantee or within a reasonable period of time beyond two years as may be approved by the Planning Board.
3. The Buyer of a lot acknowledges that he understands that he will not be able to obtain an Occupancy Permit for the house to be constructed on his lot until the base course of the roadway is constructed and the utilities are installed and are in working order.
4. The Buyer releases, indemnifies, and holds harmless, the City of Beverly from any loss, cost, claim, or damage resulting from the Buyer's inability to occupy the house to be constructed or the failure of the Applicant to complete the subdivision roadways, utilities, and amenities.

10. Reduction of Bond Surety

The amount of any deposit held under clause "8a" above may, from time to time, be reduced by the Beverly Planning Board and the obligations of the parties thereto released by said Board in whole or in part. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required by the Board.

11. Release of Performance Guarantee

When all subdivision improvements are complete (and approved drawings are submitted as mandated under Section V), or when a Covenant has been met with respect to any or all lots, the Applicant may send (by Certified or Registered Mail) a written statement detailing the completed improvements (according to Section V) to the City Clerk and the Planning Board. If the

Planning Board, after consultation with the Public Works Department, determines that all improvements are complete, any certified check on deposit which has been posted by the Applicant as a Performance Guarantee (according to the provisions of these Subdivision Rules and Regulations) shall be returned to the Applicant; in the case of a Covenant, the Planning Board will issue a written release of said Covenant on a Release Form (see Form H, Release Form, Appendix H).

However, twenty percent (20%) of the value of the check shall be held by the City to insure maintenance of streets, improvements, and municipal services for eighteen (18) months after completion of construction and installation (completed utility trenches must go through at least one winter season in a condition satisfactory to the Commissioner of Public Works) or until the streets are accepted by the City, whichever comes first; after which date the City shall return the remainder of the bond, if any, to the applicant.

Approximately sixty (60) days before the expiration of the eighteen months, the Beverly Planning Board shall inspect said street or way or portion thereof to determine whether or not defects have developed therein, and determine whether or not it should recommend the release of the final 20%.

Upon expiration of the period for which the applicant is responsible for maintenance of said way, and if said developer has complied with all the requirements of the Subdivision Control Law and the Beverly Planning Board Rules and Regulations as set forth in an inspection report of said way, any monies held by said Board for the maintenance of said way shall be returned forthwith to the applicant.

The owner of record of a subdivision shall be held responsible for all omissions, infractions, and deviations from the approved plans.

Prior to releasing the City's interest in a performance bond or deposit or releasing the covenant, the Beverly Planning Board shall receive from the applicant an As-Built plan and an Acceptance plan (see Sections III.C.11.b. and III.C.12:).

If the Beverly Planning Board determines that said construction or installation has not been completed, it shall specify to the applicant, in writing by registered or certified mail, return receipt requested, the details wherein said construction and installation shall have failed to comply with requirements contained under Section V. Upon failure of the Beverly Planning Board to act on such application within forty-five

(45) days after the receipt of the application by the City Clerk and the Beverly Planning Board, all obligations under the bond shall cease and terminate by operation of law; and deposit shall be returned, and any such covenant shall become void.

In the event that said forty-five (45) day period expires without such specification or without the release and return of the deposit or release of the covenant as aforesaid, the City Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.

a. Inspection for Release of Performance Guarantee

Prior to inspection for release of security for performance which was given by bond, tripartite agreement, deposit or covenant, the Applicant shall submit, at the following construction stages, a statement stamped and certified by either a Registered Professional Engineer or a Registered Land Surveyor that the required improvements are built in conformity with these Rules and Regulations, the approved Subdivision Plan, the Standards of the DPW, and the Order of Conditions of the Conservation Commission. If the As-Built Certification of '1' or '2' below is performed by a Registered Land Surveyor, and if any of the required improvements are not in conformity with the approved subdivision plan or the Rules and Regulations, then said RLS Certification and other appurtenant information shall be accompanied by a statement stamped and certified by a Registered Professional Engineer describing the non-conforming construction and a statement, if appropriate or applicable, that in his opinion the described non-conforming construction and/or installation is equal to or better than what is required by the Rules and Regulations, the approved Subdivision Plan, the Standards of the DPW, and the Order of Conditions of the Conservation Commission.

1. Underground Utilities and Drainage: Prior to any backfilling, the Applicant's Registered Professional Engineer or Registered Land Surveyor shall observe and certify that the As-Built location and elevation of all underground utilities including, but not limited to, drainage, water and sewer, conform to the Rules and Regulations and the approved Subdivision Plan. In addition, the Registered Professional Engineer or Registered Land Surveyor shall observe and certify that the location, elevation and grading of the entire drainage system, including drainage easements, swales, retention/detention areas and all visual drainage appurtenances are in conformity with the Rules and Regulations, the approved Subdivision Plan and Order of Conditions. In any instance

where the As-Built construction is not in conformity, the Registered Professional Engineer or Registered Land

Surveyor shall list the exceptions and attach a "red-lined, marked-up print" which shall consist of a print of the approved Subdivision Plan identifying those areas marked in red pencil, wherein the construction and/or installation is inconsistent with either the Rules and Regulations or the approved plan.

2. Binder Application: Following the binder application and prior to any further roadway construction, the Applicant shall submit an As-Built Certification signed and stamped by either a Registered Land Surveyor or a Registered Professional Engineer. Said Certification shall certify the roadway location, width, and elevation and that the centerline of all roadways coincide with the centerline of the street right-of-way, and that the preceding items conform to the Rules and Regulations and the approved Subdivision Plan.
3. Upon completion of required improvements, Applicant shall submit As-Built Plans.

b. As-built Plan

The Applicant shall submit As-Built Plans drawn with India Ink on Linen or Mylar material certified by his Registered Professional Engineer to show actual locations and grades of all utilities and improvements, and the roadway profile. As-Built "on-the-ground" conditions at time of inspection shall include, at a minimum, the following items to be shown on the As-Built Plan:

- a. Rims and inverts of all drainage structures as they would appear on the Profile Section of the Plan;
- b. Location, size, and type of material for the water main. Indicate spot elevations every 200 feet on the water main to verify vertical installation;
- c. Location of gas mains (and house services if installed);
- d. All underground electrical installations;
- e. Underground cable installation;
- f. Fire alarm wiring, if applicable;

- g. Underground telephone wiring;
- h. Water and sewer services to each individual lot with linear ties to a permanent structure or monument;
- i. Line water gates and ties;
- j. Telephone services to lots;
- k. Cable services to lots;
- l. Curbing - berms and indicate type;
- m. Granite curbs;
- n. Sidewalks and their width;
- o. Granite headers;
- p. Grass Plots and their width;
- q. Any encroachments on private property;
- r. Driveway curb cuts;
- s. Hydrants and water gates;
- t. Utility (telephone/electric) poles and any guys;
- u. Street lights;
- v. Electric Transformers;
- w. All drainage, drainage structures, drainage easements; off-site drainage, appurtenances, pipe sizes and materials. All of this information shall be shown both within the right-of-way and any easement(s). If a drainage channel, swale or brook is part of the drainage, then top and bottom of bank elevations shall be given every 50 feet. If a retention basin is constructed, then enough elevations shall be given to indicate that the retention basin will have the proper staging called for in the approved Plan;
- x. Rims and inverts of all sewer structures;
- y. Any and all other utility appurtenances;

- z. Location of survey monuments;
 - aa. Trees which, as specified on the approved plan, were to be retained or planted;
 - bb. Landscaping and Planting if required by approved plan;
 - cc. Center Line Profile (50-foot stations with high and low points);
 - dd. Side slopes and lot grading certification;
 - ee. Center Line stationing. Indicate on Plan portion of the As-Built Plan;
 - ff. Benchmark;
 - gg. Width of roadway layout;
 - hh. Width of roadway pavement;
 - ii. Location of street signs;
 - jj. Typical Title Block;
 - kk. Footprint of all houses constructed on all lots in the subdivision.
12. Electronic Data Submittal

Upon recording or registering of the plan with the Registry of Deeds or Land Court and acceptance of the final As-Built and Acceptance Plans by the Beverly Planning Board, the applicant or owner of record shall forthwith file with the Beverly Engineering Department GIS Coordinator at no charge or cost to the City of Beverly: (1) an electronic file of the final approved subdivision plan; and (2) an electronic file of the final As-Built and Acceptance Plans. The files shall be in CAD or GIS format and may be submitted on CD, DVD, or by electronic mail. All files shall be submitted to the City of Beverly Engineering Department in accordance with its "Digital Data Requirements" as may be amended from time to time, which are incorporated herein by reference, for purposes of incorporating the data into the City's Geographic Information System.

13. Acceptance by the City

The applicant or future owner of record shall file with the Beverly Planning Board a final plan (Acceptance Plan) drawn with India ink on tracing cloth (or another method suitable for reproduction) of completed street or streets and any easements together with proper legal descriptions for initiating the acceptance of the ways by the City Council (See Section V.A.8.) and upon acceptance by the City shall grant a deed or easement to the City of the streets as contained in the Definitive Plan; said deed or easement to be recorded by the City Clerk upon acceptance of the streets by the City of Beverly.