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POLICY FOR
NEW SUBDIVISION DEVELOPMENTS
PROTECTION OF OPEN SPACE

The Southborough Planning Board has established the following policy to reflect the importance of preservation and protection of Open Space (“OS”) in the Town of Southborough. This policy will not only benefit the Town, but also benefit applicants by providing them with a process for inspections during development, thereby ensuring compliance with Approvals issued by the Planning Board (“PB”). These guidelines also serve to promote the interest of future residents of new developments, insofar as boundary lines will be clearly and permanently identified and delineated, thereby removing any future uncertainty concerning land ownership and protection.

- 1) Prior to the commencement of construction or site work (e.g. land clearing, grading, installation of infrastructure etc.) a bond shall be secured by the town in the amount of which to be agreed upon between the PB and developer, to ensure full compliance with the decision in regards to OS.
- 2) Prior to the commencement of construction or site work (e.g. land clearing, grading, installation of infrastructure etc.) the developer agrees to cover the cost of a qualified independent consultant selected by the town for inspectional services of the OS land.
- 3) Prior to the commencement of construction or site work (e.g. land clearing, grading, installation of Infrastructure etc.), construction fencing shall be installed around the perimeter of the OS adjacent to disturbed or construction areas as shown on the improved plans and inspected by the PB’s designee prior to the commencement of any work. Fencing shall only be placed in the disturbed or construction areas and not within any OS areas.
 - (a) If OS is down gradient, silt fencing shall be installed and in areas where OS is uphill, orange construction fencing shall be installed.
- 4) Once construction fencing has been installed the OS will be inspected by the PB’s designee to determine compliance with the approved subdivision decision. The PB’s designee may conduct ongoing inspections to ensure continued compliance.
- 5) Prior to the issuance of an Occupancy Permit (“OP”), OS shall be permanently marked with galvanized steel boundary markers and shall be set under the supervision of a registered land surveyor at corner points and changes in direction and every 50’ between corner points and changes in direction and shall be inspected by the PB’s designee to determine compliance with the approved subdivision decision.
 - (a) If requesting an OP during inclement weather (snow coverage) the PB may consider accepting a sufficient bond to ensure boundary markers are installed. Construction fencing must remain installed until permanent boundary markers are installed when weather allows it.
- 6) In addition to boundary markers, the PB shall require identification markers on trees and posts on the perimeter of the OS as well as access areas abutting lots and any trails as recommended by the PB. Markers shall be supplied by the developer approved by the PB for content and shall be installed by the developer.

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(a) Markers for this portion of the OS must be installed prior to conveyance.

7) Prior to the request for release of performance guarantees and conveyance of OS, the PB's designee(s) shall conduct a site inspection of the OS to confirm compliance with the approved subdivision decision.

8) Prior to the request for release of performance guarantees and/or conveyance of the OS, the applicant shall submit to the PB three (3) copies of as-built plans and digital copy (PDF and CAD) bearing a certification by a registered land surveyor or registered civil engineer showing the location of all bounds and that bounds conform to the approved plans and the actual as-built locations or explain any deviations.

9) Prior to the request for release of performance guarantees and/or conveyance of the OS, the applicant shall submit to the PB a hard copy and digital copy of the recorded legal documents that protect the OS e.g. Declaration of Covenants

10) Violations shall be reported to the Building Commissioner for enforcement.

“*” e.g. Town Planner, Planning Board Consulting Engineer, Conservation Administrator/Commission, Open Space Preservation Commission, Home Owners Association, Building Inspector, Sudbury Valley Trustees, Southborough Open Land Foundation (SOLF) etc.

Approved by the Planning Board on _____ by the following members:

Supported by the Open Space Preservation Commission on _____ by the following members:
