

Street Adequacy Determination Guidelines

It is strongly suggested that the potential applicant meet with planning staff and/or the building commissioner before submitting an application. Before submitting an application with planning staff, the applicant must check for all needed permits (Conservation Commission, Zoning etc.)

APPLICATION

1. Complete Form B Application
2. Plan set including:
 - a. A title sheet, § 175-6.1C (1). Land 100 feet back from the way for the length of the proposed improvements needs to be shown. It may be based on existing map resources rather than a survey; not required: zoning district boundaries, and recorded easements abutting the tract;
 - b. A site construction plan, § 175-6.1C(4), except the following items are not required: the location and characteristics of open space, and proposed limit-of-work line;
 - c. A street layout plan and a street profile plan, § 175-6.1C(5);
 - d. And a utilities plan, § 175-6.1C (6).
3. A certified copy of a plan properly recorded before April 4, 1948, showing the layout of the way and evidence that the street has been in existence ever since.
4. An opinion of an attorney stating he/she has examined the deeds of the owner of the lot and of all others who have rights in the right-of-way and that the applicant has the legal right to make the improvements proposed to comply with these standards, including the construction of drainage facilities and subsurface improvements, and improvements to any intervening distance. The Board may require submittal of copies of the deeds of other property owners or a representative sample of those deeds (if they are similar) concerning the rights held by the (other) property owners in the right-of-way.
5. A list identifying all waivers, if any, and the reason a waiver is requested. If the applicant seeks waivers from these Regulations, the Board requires that the waivers be listed on the site construction plan described above.
6. A statement whether or not the applicant intends to petition to have the street accepted by the Town as a public street.
7. Applicants must include the fee set forth in Section 4.1.2.
8. Applicants must include a Waiver Request form, if applicable.

PROCEDURE

1. The potential applicant should meet with planning staff for an informal consultation on the proposed project.
2. The Planner will conduct a site visit with the Engineering Department to assess the road condition of the unaccepted street.
3. The potential applicant will receive a staff memorandum that outlines recommended improvements.
4. Once the Planner receives an application, the 45-day time clock will begin.
5. The staff memorandum will be sent to the Planning Board for review and the applicant and abutting neighbors will be notified of the Planning Board hearing date.
6. The Planning Board will discuss the application during the hearing and come to a decision on all required improvements needed to bring the existing road up to town standards.
7. The Engineering Department will conduct a cost assessment on all required street improvements and in most cases, the Town will collect a surety that is to be released to the Applicant upon project completion.
8. The Engineering Department must be notified of work by the applicant prior to commencement in order to perform inspections. A list of all construction and completion requirements are shown in § 176-7.7(1).
9. After roadwork construction is complete, the applicant must submit an as-built for planning staff to review.
10. The Engineering Department will conduct a final site inspection to confirm the project has been completed to town standards.
11. If deemed complete, the project surety held by the Town is returned to the applicant.

IMPORTANT NOTES

All pavers that work in Lexington must be on the Town's approved pavers list to ensure they know the rules and regulations, and so that the Town has their bond and insurance on file. A list of all construction and completion requirements are shown in § 176-7.7(1)