

## **SECTION 2.0 DEFINITIONS**

For the purposes of these Rules and Regulations, the following words and terms used herein are hereby defined or the meaning thereof explained, extended, or limited as stated in G.L. c. 41, as amended. Where a term is defined in the Subdivision Control Law or the Raynham Zoning By-Law and not herein, such definition shall be incorporated by reference herein. Other terms or words or phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such other terms or phrases as may have acquired a particular and appropriate meaning in law shall be construed and understood according to such meaning.

**Abutters:** Owners of any land adjacent to any boundary of a parcel being subdivided and under consideration, as appearing on the most recent tax list.

**Agent:** The person or persons authorized and designated by the Planning Board to carry out specific functions on behalf of the Board with respect to the review of plans, investigations of conditions and inspection or verification of the required improvements being designed, constructed or installed in a satisfactory manner. It shall be the responsibility of the developer, his or her representative and the contractors to provide the required data to the Board's agent and to notify them when each phase of work is ready for inspection.

**Anchored Mulch:** Mulch consisting of straw, woodchips, emulsifier and other appropriate materials bound together by anchored pegs and twine or screen or fabric.

**Applicant:** All owners of the land referred to in an application filed with the Planning Board, or the owner's duly authorized representative. Such representatives shall submit a letter of authorization from the record owner(s) of the land.

**Basin:** A temporary or permanent barrier constructed within a drainage system designed to intercept, treat, recharge, and store and delay storm water runoff.

**Board:** The Planning Board of the Town of Raynham.

**Building (detached):** A building surrounded by open space on the same lot. The word building shall be taken to mean any dwelling, structure used for commercial purposes, structure used for industrial purposes, or any other structure ordinarily bearing a number for identification purposes.

**Commencing Work:** For the purposes of Section 6 herein, commencing work is defined as any clearing or excavation of land within the Subdivision or subject to site plan approval.

**Cross Section:** The depiction in plan drawing of vertical sections to a specified scale which are perpendicular to centerlines of roads and main utility lines of town infrastructure to include but not limited to; streets, storm drainage, sanitary sewer facilities and utilities.

**Clear:** The act of removing vegetative cover in a way that does not disturb the root mat or the existing soil surface.

**Construction Inspector:** A person or persons designated by the Planning Board to conduct inspections of the construction and installation of infrastructure associated with a subdivision. The inspector may stop a job when conditions warrant.

**Construction Inspection:** The process of providing, but not limited to the following activities: evaluate conditions and performance, make recommendations, provide verification and approval testimony as expert witness of all activities for the approved subdivision.

**Consulting Engineer:** A licensed professional engineer appointed by the Planning Board to assist the Planning Board in the review of any application filed under these Rules and Regulations and/or to inspect the construction and installation of infrastructure associated with a subdivision.

**Cut:** The excavation, trenching, or digging of soil, sand, gravel, stones, or other earth material from the land.

**Dead End Street:** Any street or series of streets which must be entered and exited from the same point, said point being the junction with the nearest through street.

**Department:** The Highway Department of the Town of Raynham or its successor entity.

**Easement:** A right acquired by a public authority or other person or entity for use or control of property for utilities, travel, or other designated public or private purpose.

**Engineer:** A Registered Professional Engineer qualified and licensed by the Commonwealth of Massachusetts.

**Erosion:** The process of wearing away the soil by either natural and/or manmade forces to other locations for desirable or undesirable reasons by means of wind, water, ice, gravity, and glaciers or by artificial means. Conditions usually but do not always create un-vegetated and/or unstable soil conditions.

**Fill:** Any soil, earth, sand, gravel, rock or any similar material deposited, placed, pushed or pulled onto a site.

**Frontage:** A lot boundary line, which abuts a public or private way and across which line there is legal and physical access.

**General Laws or G.L.:** The General Laws of the Commonwealth of Massachusetts, as amended.

**Groundwater:** All the water found beneath the surface of the ground. The term refers to the slowly moving subsurface water present in aquifers and recharge areas.

**Infrastructure:** A system of public works which includes but is not limited to: structures, devices, conduits, piping, manholes, catch basins, vaults for drainage, sewer, water, electric, and communication systems, guard rails, curbing, sidewalks and walking paths, roadways, systems for all utilities public and/or privately owned.

**Improvements:** Those physical additions, such as but not limited to: water lines, hydrants, sanitary sewers, storm drains, cable, electric, telephone, fire alarm conduits, street signs, streetlights, sidewalks, curbs, grass plots/strips, guard rails, shade trees, roadways, boundary monuments, and other items customarily provided by towns, public entities and utility companies, which include those items which are referred to in the Subdivision Control Law as "municipal services" and are required to be installed by the developers of subdivisions at no cost to the Town.

**Land-disturbing Activity:** Any action that causes the alteration of earth, sand, rock, gravel, vegetation or similar material on land.

**Locus Plan or Locus Map:** A map, which shows the location of the proposed subdivision in the community and its relationship to the existing community facilities, which serve or influence it.

**Lot:** An area of land in one ownership, with definite boundaries, used, or available for use, as the site of one or more buildings complying with the area, frontage and other requirements of the Zoning By-laws of the Town of Raynham.

**Mail Certified or Registered:** Mail recorded in the post office as defined by the United States Postal Service.

**MHD Standards:** The latest edition and revisions *to* the Standard Specifications and Construction Standards of the Massachusetts Highway Department. All unit measurement shall be in English.

**Municipal Utility Services:** Sewers, water pipes, storm drains, gas pipes, electrical lines, cable or telephone lines, fire alarm systems *and the like* and their respective appurtenances.

**Open Space:** An area that is intended to provide light and air, and is designed for environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water courses. Open space may include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

**Owner:** The owner of record as shown by the records in the County Registry of Deeds or Land Court Registry or the most recent Assessors' records.

**Parcel:** A continuous quantity of land in the possession of or owned by, recorded as the property of, the same person or persons.

**Peak Hour:** The hour(s) when the highest traffic volume occurs.

**Person:** An individual, two or more individuals, a partnership, limited partnership, trust, limited dividend organization, association, corporation limited liability company, limited liability partnership or the like having a common interest in a tract of land.

**Plan, Definitive:** A plan of a proposed subdivision or re-subdivision submitted in accordance with these Rules and Regulations and with G.L. c. 41, s. 81T.

**Plan, Preliminary:** A plan of a proposed subdivision or re-subdivision submitted in accordance with these Rules and Regulations and with G.L. c. 41, s. 81S.

**Profile:** The depiction of sectional elevation identifying a vertical cross-section of town infrastructure to include but not limited to; streets, storm drainage and sanitary sewer facilities. Profile will depict images of infrastructure parallel to the direction said infrastructure is running. Example: Along the centerline of street and direction of flow for pipes.

**Recharge Area:** That area composed of permeable stratified sand and gravel, and associated wetlands that collect surface water and carry it to aquifers. Primary recharge area lies directly over ground water and flows directly into the aquifer. Secondary recharge area lies adjacent to the primary area, and from which ground water moves down gradient into the aquifer. Tertiary recharge area is the upstream drainage area of streams that traverse the primary and secondary recharge areas.

**Reserve Strip:** A piece of land between the boundary of the subdivision street or way that would be used to prohibit the extension of the street to an adjacent street or subdivision.

**Registry of Deeds:** A legal and permanent place of registration for documents and plans, such as but not limited to; deeds, easements, subdivision plans, special permits, variance, notice of intents, restrictive covenants, covenants, restrictions and allowances.

**Roadway or Traveled Way:** That portion of a street intended for vehicular use.

**Right-of-Way:** Land to be either public or private on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

**Rules and Regulations:** The Rules and Regulations Governing the Subdivision of Land in Raynham, Massachusetts, as most recently adopted by the Raynham Planning Board pursuant to G.L. c. 41, 81O.

**Sediment:** Soil material, such as but not limited to, organic matter, rock, sand, silt, gravel and transported or deposited by erosion, the movement of wind, water, ice, gravity, glaciers or by artificial means.

**Sediment Trap:** A temporary or permanent device by which sediment may be collected, measured, and separated from its hydraulic movement of storm water.

**Soil:** Any earth, sand, rock, gravel, or similar material.

**Strip:** Any activity that removes the vegetative surface cover, including, but not limited to, grass, trees, weeds, clearing and grubbing and storage or removal of topsoil.

**Street:** The paved portion of any way, street or road, that is open and dedicated to public use, but including a public way or a way certified by the Town Clerk to have been used and maintained by public authorities as a public way, a way approved and constructed under the provisions of the Subdivision Control Law, having become effective in Raynham, and a way, in the opinion of the Board, having adequate width, grade, and construction for the needs of vehicular traffic and the installation of public utilities to serve the land abutting thereon or served thereby and the buildings erected or to be erected on such land.

- **Major collector street:** - shall mean a way so designated by a Master Plan carrying or expected to carry primarily through traffic to and/or from other municipalities; or to carry traffic in excess of 1,000 vehicle average daily trips in both directions during the peak hour, which shall include numbered state highways.
- **Minor collector street:** A way carrying or expected to carry an average daily trip count of 251-1,000 vehicles.
- **Minor Street:** A dead end street or other way expected to carry an average daily trip count of 0-250 vehicles.

**Structure:** A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, deck or the like. Fences and retaining walls are deemed not to be structures.

**Subdivision:** The division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that a division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the clerk of the city or town certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in the city or town in which the land lies, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to such land and the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by zoning or other ordinance or by-law, if any, of said city or town for erection of a building on such lot, and if no distance is so required such frontage shall be of at least twenty feet. Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

**Subdivision Control Law:** Sections 81K through 81GG, inclusive, of Chapter 41, Massachusetts General Laws, as amended.

**Superintendent:** The Superintendent of the Highway Department of the Town of Raynham, or his or her designee. The term "Superintendent" shall include all persons now or in the future performing the duties of the chief administrator of the Highway Department.

**Town:** The Town of Raynham, Massachusetts.

**Tract:** An area of land with ascertainable recorded boundaries capable of being subdivided into two (2) or more lots with or without provision of new access ways.

**Utilities:** Municipal services including, but not limited to, water supply, piping, sanitary sewers, storm water drainage, fire alarm conduits, electric and telephone wiring gas supply piping, and any other services or installations generally provided by the Town of Raynham for the benefit of the inhabitants.

**Underground Utilities:** Any utilities placed below the ground surface.

**Wetlands:** As defined in M. G.L. c. 131, s. 40, as may be amended.

**Wetland Resource Area:** Those resource areas subject to the Wetlands Protection Act, M.G.L. c.131, section enumerated in 310 CMR 10.02(1) (a-f), as may be amended, and those resource areas subject to any Town Wetland By-law, if any, as may be amended.

**Zoning By-Law:** The Zoning By-law of the Town of Raynham.