

SECTION 6 - ADMINISTRATION

6.1 VARIATION

6.1.1 Waivers

- a) Strict compliance with the requirements of these Rules and Regulations may be waived when in the judgment of the Board such action is in the public interest and not inconsistent with the Subdivision Control Law (MGL Ch 41 §81M and with the purpose(s) and intent(s) of these Regulations.
- b) Any such waiver must be made in writing by the Board as a part of its approval or amendment thereof; otherwise all requirements contained herein are deemed applicable.

6.1.2 Other Variations

Additional design, construction or other measures may be required when, in the opinion of the Board, site, design or other conditions so warrant them. When additional measures are required by the Board, such measures shall be clearly set forth in the Approval, on the plan, or by some other appropriate form or instrument.

6.2 REFERENCE

For matters not covered by these Rules and Regulations, reference is made to MGL Ch. 41 Sections 81-K to 81-GG, inclusive, and the Town of Grafton Zoning Bylaw.

6.3 COORDINATION

The developer shall be responsible for coordinating all reviews, permits, construction, inspections, etc. In the event any permit or approval contains any requirement which conflicts with the requirement of any other permit or approval, the developer shall be responsible for resolving such conflicts pursuant to the regulations of all agencies/boards/departments/etc. which could be affected.

6.4 INSPECTIONS

6.4.1 Required

Inspections shall be arranged by the developer with the Superintendent of Streets and Planning Board as appropriate prior to the construction of streets and the installation of utilities and during construction and as specified herein at each significant construction stage and as otherwise required by the Board. At a minimum, inspections shall be conducted in accordance with Schedule E.

6.4.2 Requests for Inspections

Inspection shall be requested of the Board by the developer at least two business days in advance of the inspection of any stage of the construction.

6.4.3 Progression

The Board may establish the order of the required inspections and may require satisfactory completion of one (1) step before the developer proceeds to the next. The Board may require tests to be done by the developer at his expense as a condition for approval when, in the opinion of the Board, it is advisable.

6.4.4 Inspection Reports

- a) It shall be the responsibility of the Developer to ensure that all required forms are properly filled out, properly signed, and returned to the Planning Board subsequent to each inspection.
- b) The proper Town Official shall indicate the date of inspection and the approval and shall file such form, and an inspection report, if any, with the Planning Board subsequent to each inspection.

6.4.5 Failure to Comply

Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the Developer or rescission of the approval of the plan in accord with MGL Ch 41, Section 81-W.

6.5 BUILDING PERMIT

6.5.1 Lot Release Required

No building shall be erected on any lot within a subdivision without separate written permission for each lot. This permission is in addition to any other permits required for building, such as a permit from the Inspector of Buildings required by other Town By-Laws.

- 6.5.1.1 The developer shall submit a written request for lot releases to the Board. Such request(s) shall include the Definitive Plan Book and Plan number(s), the Deed Book and Page number(s) of the Approval, subdivision lot number(s) requested for release, and the Assessor's Map and Lot number(s) of the lot(s) requested for release.
- 6.5.1.2 Upon receipt of such properly submitted request(s) for release, the Board shall schedule such request(s) for the next available regular Board meeting.
- 6.5.1.3 The Board shall review the request in terms of progress of the developer (generally, and in terms of the construction schedule), condition of the site, compliance with applicable regulations and requirements, and surety posted with the Board.

6.5.2 Additional Requirements

The Inspector of Buildings shall not issue any permit for the erection of a building until he is first satisfied that:

- a) All fees and expenses are paid in full by the Developer.

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- b) Any condition endorsed on the plan has been satisfied or waived by the Board; and that
 - c) In the event that more than one (1) building for dwelling purposes be erected or placed or converted to use as such on any lot, the Inspector of Buildings is satisfied that consent has been obtained from the Board in accord with Section 2.4 of these Rules and Regulations, Chapter 41, Section 81-Y and amendments thereto.

6.5.3 The Building Inspector shall not issue any Certificate of Occupancy until satisfied that the requirements for streetlights under Section 5.13.3 have been met.

6.6 VALIDITY

If, in any respect, any provision of these Rules and Regulations, in whole or in part, shall prove to be invalid for any reason, such invalidity shall only affect the part of such provision which shall be invalid and in all other respects these Rules and Regulations shall stand as if such invalid provision had not been made and they shall fail to the extent, and only to the extent, of such invalid provision, and no other provision of these Rules and Regulations shall be invalidated, impaired or affected thereby.

6.7 EFFECTIVE DATE

These regulations become effective after approval by the Board, certification by the Town Clerk, and filing with the Registry of Deeds and the Recorder of the Land Court, on which date they supersede the present "Rules and Regulations Governing the Subdivision of Land", which became effective on January 19 1955, May 12 1958, September 1977, April 1 1985, October 16 1987, April 25 1988, November 14 1988, February 12 1990, April 29 1992 and June 22 1992, April 28 1997, May 22 1997, February 28 1998 and April 27, 2009.