

CONSTRUCTION STANDARDS

SECTION 8: OPTIONAL RESIDENTIAL COMPOUND

The purpose of this Section is to permit small-scale residential subdivisions (hereinafter called Residential Compounds) in a manner that minimizes Town maintenance, responsibility and cost, while simultaneously preserving the rural character of areas of the Town.

An Applicant for a Residential Compound shall comply with all applicable provisions of Section 5. The Board may waive compliance with some or all of the design and improvement requirements of Section 6 and 7 except Section 6.20 Fire Protection, where such action is in the public interest and not inconsistent with the intent and purposes of Subdivision Control and where the following conditions are met:

1. A residential compound shall contain not more than four (4) lots, which may only be used for single-family dwellings, and associated and accessory uses and structures as permitted under the Millbury Zoning Bylaws.
2. All dimensional requirements applicable to the zoning district in which the land is located shall be complied with.
3. Each building lot shall have the required frontage on a public street, or on a private way within the Residential Compound which provides all present and future owners of lots within the Residential Compound adequate and legally enforceable rights of access to a public street.
4. Any land within the Residential Compound not designated as a building lot or private way shall be dedicated as permanent open space. Such land may only be used for conservation, outdoor recreational facilities of a noncommercial nature, agriculture, preservation of scenic or historic sites or structures, and structures accessory to any of the above uses.
 - a. The Applicant shall grant assurances through deed restrictions or otherwise that the Town will not be requested to accept or maintain the private ways, drainage systems, open space, or any other improvements within the Residential Compound for which required improvements, design standards or construction specifications contained in Section 6 and 7 of the Rules and Regulations have been waived. The approved definitive plan of a Residential Compound shall contain conditions that there shall be no further division of the tract or lots contained therein;
 - b. Development of the land is permitted only in accordance with the land uses indicated thereon;
 - c. Draft document(s) providing for restrictive covenants and easements binding present and future owners of all the lots served by the private way shall be submitted for Board approval. The document(s) shall provide for the maintenance of the required improvements. Such maintenance shall be permanently guaranteed by a homeowner's association which shall provide for mandatory assessments for maintenance expenses to each dwelling unit. Documents creating such association shall be submitted to the Planning Board for approval. Should the document(s) be approved, the document(s) shall be recorded at the

Worcester Registry of Deeds simultaneously with the recording of the definitive plan and shall also be recited in and attached to every deed to every lot served by the private way. Evidence of recording shall be given to the Building Inspector prior to the issuance of a building permit for any lot served by the private way;

d. The covenants regarding ownership, maintenance and utilization of common property, including, but not limited to, streets, drainage systems and open space, shall be complied with.

5. As a general rule, the design and construction standards set forth below shall be applied to private ways within Residential Compounds.

a. The travel way shall be a minimum of eighteen feet (18') wide with two foot (2') gravel shoulders on each side with the same twelve inch (12") base as the private way and free of obstructions such as trees and utility poles. The shoulder shall be prepared with four inches (4") of topsoil over the gravel base and seeded.

b. The travel way shall be constructed of bituminous concrete. A minimum gravel base of twelve inches (12") (gravel shall have no aggregate larger than three inches (3")) shall be required. The travel way shall have two courses of Type I Bituminous Concrete Paving, applied with a two and one-half inch (2 ½") base course, after compaction, and a one and one-half inch (1 ½") finish course, after compaction, in accordance with the Mass Highway Department (MHD) Standard Specifications for Highways and Bridges Section 460.

c. The maximum grade shall be eight percent (8%); the minimum grade shall be one-half percent (0.5%). No way shall contain an eight (8%) grade for more than two hundred feet (200'). On any way where the grade exceeds six percent (6%) on the approach to an intersection or cul-de-sac, a leveling area with a slope of not more than four percent (4%) shall be provided for a distance of not less than one hundred feet (100') measured from the nearest exterior line of the intersecting street or cul-de-sac.

d. Slopes resulting from grading of the way shall not exceed one foot (1') vertical to three feet (3') horizontal. Slope easements or retaining walls shall be employed where slopes cannot be contained within way sidelines.

e. The intersection angle between the private way centerline and the public way centerline shall not be less than eighty (80) degrees.

f. The minimum centerline radius shall be eighty feet (80').

g. Property lines at the intersection of the private way and the public way shall be rounded or cut back to provide for a radius of not less than thirty feet (30').

h. The maximum length of a private way within an optional residential compound shall be five hundred feet (500').

i. There shall be a t-shaped turnaround located at the end of the private way adequate for fire and other emergency vehicles. The t-shaped turnaround shall be in conformance with the design standards set forth in Section 6.7, Subsection 5.

j. The travel way including utilities, permanent marker(s), shoulders, parking area(s), turnaround(s), and any snow storage area(s) shall be laid out entirely within an access and utility easement with a minimum width of thirty feet (30'). All proposed utilities shall be shown on the plan.

k. Adequate drainage shall be provided. The drainage design and appurtenances shall prevent washout and excessive erosion and it shall prevent drainage runoff from entering the public way, prevent runoff from the public way from entering the private way, and prevent runoff from flowing across driveways or abutting properties. The wearing surface of the travel way shall be graded to drain from the crown. Drainage calculations may be required at the discretion of the Board.

l. There shall be a sign posted at the private way intersection with a public way displaying the name of the private way and indicating "private way". The Board must approve the private way name.

m. Street addresses for all dwelling units on the private way shall be posted in a manner sufficient for public safety purposes both at the intersection of the private way and the public way and at the intersection of the private way and each individual driveway.