

PLYMOUTH CODE (BY-LAW)

1. Road Improvement, Major Section 162-9 Definitions

Road Improvement, Major- construction or reconstruction, paving of previously unpaved surfaces, widening, straightening, clearing of substantial amounts of vegetation.

2. Road Improvement, Minor Section 162-9 Definitions

Road Improvement Minor-repair, grading or other minor alteration to roadway surface within the existing layout, and minor drainage or safety improvements, not having the effect of altering the road so as to allow for a significant increase in ADT or speed of vehicular travel.

3. Temporary Repair of Private Road Section 162-9 Definitions

Temporary Repair of Private Road – minor corrective or restorative work done on a private road, such grading, partial base reconstruction or minor drainage improvements.

BETTERMENT, ROAD ACCEPTANCE, AND PROCEDURE TIMELINE FOR

ROAD IMPROVEMENT – MAJOR

Option A – Acceptance by Town (Betterment: 30% Resident, 70% Town)

2nd Saturday in Nov.:

1st Year Process begins

Public Notice

Public Notice of Closing Date for Filing Road Petitions Published and Posted.

Last Friday in December:

Closing Time/Date for filing road petitions with the Board of Selectmen.

Petitions must be received at the Office of the Town Engineer no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions may be obtained from the Engineering Department.

Petitions shall be completed and signed by seventy-five percent (75%) of the owners abutting the road petitioned for acceptance and returned to the Office of the Town Engineer.

A certified abutter's list from the Town of Plymouth Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.

January 2nd to End of March

The Road Advisory Committee (RAC) will review the list before the Engineering Department performs preliminary investigation of petitioned road(s) including:

1. Research of construction records and historical information as needed to determine road construction quality.
2. Research extent of development of abutting lots (if necessary).
3. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
4. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards.

Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Last Thursday in April:

Informational Meeting

The DPW shall establish and post a Public Hearing date to discuss the Road Acceptance and Betterment Procedure and shall notify the petitioner (the Contact Person) of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the DPW with proof (Postal return receipt cards) of such notification.

April to mid May

Engineering Department notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with

**Major Option A. – Acceptance by Town
Betterment (30% Residents 70% Town,) Continued**

having the betterment assessed to them. Notice also includes information regarding betterment payments methods established by the Town of Plymouth Board of Assessors, as well as final road hearing date.

Last Friday in May:

Reaffirmation of the Petition.

Last Friday in June:

Road Advisory, and DPW Director’s report and recommendation with cost estimate to BOS listing streets for Acceptance and Betterment Process.

July

Final Road Hearing by Board of Selectmen

Board reviews the “vote” by abutters. If greater than seventy-five percent (75%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an Article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless seventy-five percent (75%) of the abutters of the way have agreed to accept the estimate of costs.

If an Article is to be placed on the Warrant, the Board shall authorized the Engineering Department to prepare Acceptance, Construction Plans, and Bid Documents for the recommended betterments and obtain a construction bid in accordance with Mass. G.L. Ch. 30 and 30B for said work.

Last Friday in July:

Hire Land Surveyor to prepare Acceptance Plan

Last Friday in November:

Reserve Article for Spring Annual Town Meeting for Acceptance, and construction.

2nd Year Process begins

S.A.T.M. (June):

Accept Road and Appropriate Funding for Construction

Last Friday in June:

Recording of Plans

Last Friday in December:

Construction Plans have been prepared

3rd Year Process begins

Last Friday in Jan.:

Procurement

Last Friday in March:

Construction Begins

Last Friday in November:

Construction Ends – Final Actual costs are calculated

Each abutting owner shall be billed for the actual total costs of road improvement, and accepting the road, not the estimated costs

4th Year Process begins.

February

Abutters receive better billing

**BETTERMENT, ROAD ACCEPTANCE, AND PROCEDURE TIMELINE FOR
ROAD IMPROVEMENT – MINOR**

**Option A – Acceptance by Town
(Betterment: 30% Resident, 70% Town)**

2nd Saturday in Nov.:

1st Year Process begins

Public Notice

Public Notice of Closing Date for Filing Road Petitions Published and Posted.

Last Friday in December:

Closing Time/Date for filing road petitions with the Board of Selectmen.

Petitions must be received at the Office of the Town Engineer no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions may be obtained from the Engineering Department.

Petitions shall be completed and signed by seventy-five percent (75%) of the owners abutting the road petitioned for acceptance and returned to the Office of the Town Engineer.

A certified abutter's list from the Town of Plymouth Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.

January 2nd to End of March

The Road Advisory Committee (RAC) will review the list before the Engineering Department performs preliminary investigation of petitioned road(s) including:

1. Research of construction records and historical information as needed to determine road construction quality.
2. Research extent of development of abutting lots (if necessary).
3. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
4. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards.

Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Last Thursday in April:

Informational Meeting

The DPW shall establish and post a Public Hearing date to discuss the Road Acceptance and Betterment Procedure and shall notify the petitioner (the Contact Person) of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the DPW with proof (Postal return receipt cards) of such notification.

April to mid May

Engineering Department notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with

Minor Option A. – Acceptance by Town

Betterment (30% Residents 70% Town,) Continued

having the betterment assessed to them. Notice also includes information regarding betterment payments methods established by the Town of Plymouth Board of Assessors, as well as final road hearing date.

- Last Friday in May:** **Reaffirmation of the Petition.**
- Last Friday in June:** Road Advisory, and DPW Director’s report and recommendation with cost estimate to BOS listing streets for Acceptance and Betterment Process.
- Mid June** **Final Road Hearing by Board of Selectmen**
- Board reviews the “vote” by abutters. If greater than seventy-five percent (75%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an Article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless seventy-five percent (75%) of the abutters of the way have agreed to accept the estimate of costs.
- If an Article is to be placed on the Warrant, the Board shall authorized the Engineering Department to prepare Acceptance, Construction Plans, and Bid Documents for the recommended betterments and obtain a construction bid in accordance with Mass. G.L. Ch. 30 and 30B for said work.
- Last Friday in July:** **Hire Land Surveyor to prepare Acceptance Plan**
- Last Friday in November:** **Reserve Article for Spring Annual Town Meeting for Acceptance, and construction.**
- S.A.T.M. (June):** **2nd Year Process begins**
Accept Road and Appropriate Funding for Construction
- Last Friday in June:** **Recording of Plans**
- Last Friday in December:** **Construction Plans have been prepared**
3rd Year Process begins
- Last Friday in Jan.:** **Procurement**
- Last Friday in March:** **Construction Begins**
- Last Friday in November:** **Construction Ends – Final Actual costs are calculated**
Each abutting owner shall be billed for the actual total costs of road improvement, and accepting the road, not the estimated costs.
- February** **4th Year Process begins.**
Abutters receive better billing

**BETTERMENT, ROAD ACCEPTANCE, AND PROCEDURE TIMELINE FOR
TEMPORARY REPAIR –PRIVATE ROADS**

Option A – Acceptance by Town

(Betterment: 30% Resident, 70% Town)

2nd Saturday in Nov.:

1st Year Process begins

Public Notice

Public Notice of Closing Date for Filing Road Petitions Published and Posted.

Last Friday in December:

Closing Time/Date for filing road petitions with the Board of Selectmen.

Petitions must be received at the Office of the Town Engineer no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions may be obtained from the Engineering Department.

Petitions shall be completed and signed by seventy-five percent (75%) of the owners abutting the road petitioned for acceptance and returned to the Office of the Town Engineer.

A certified abutter's list from the Town of Plymouth Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.

January 2nd to End of March

The Road Advisory Committee (RAC) will review the list before the Engineering Department performs preliminary investigation of petitioned road(s) including:

1. Research of construction records and historical information as needed to determine road construction quality.
2. Research extent of development of abutting lots (if necessary).
3. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
4. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards.

Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Last Thursday in April:

Informational Meeting

The DPW shall establish and post a Public Hearing date to discuss the Road Acceptance and Betterment Procedure and shall notify the petitioner (the Contact Person) of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the DPW with proof (Postal return receipt cards) of such notification.

April to mid May

Engineering Department notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a

Temporary Repair Option A. – Acceptance by Town Betterment (30% Residents 70% Town.) Continued

signed form stating whether he/she agrees or does not agree with having the betterment assessed to them. Notice also includes information regarding betterment payments methods established by

the Town of Plymouth Board of Assessors, as well as final road hearing date.

Last Friday in May:

Reaffirmation of the Petition.

Last Friday in June:

Road Advisory, and DPW Director's report and recommendation with cost estimate to BOS listing streets for Acceptance and Betterment Process.

July

Final Road Hearing by Board of Selectmen

Board reviews the "vote" by abutters. If greater than seventy-five percent (75%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an Article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless seventy-five percent (75%) of the abutters of the way have agreed to accept the estimate of costs.

If an Article is to be placed on the Warrant, the Board shall authorized the Engineering Department to prepare Acceptance, Construction Plans, and Bid Documents for the recommended betterments and obtain a construction bid in accordance with Mass. G.L. Ch. 30 and 30B for said work.

Last Friday in July:

Hire Land Surveyor to prepare Acceptance Plan

Last Friday in November:

Reserve Article for Annual Town Meeting for Acceptance, and construction.

S.A.T.M. (June):

2nd Year Process begins

Accept Road and Appropriate Funding for Construction

Last Friday in June:

Recording of Plans

Last Friday in December:

Construction Plans have been prepared

Last Friday in Jan.:

3rd Year Process begins

Procurement

Last Friday in March:

Construction Begins

Last Friday in November:

Construction Ends – Final Actual costs are calculated

Each abutting owner shall be billed for the actual total costs of road improvement, and accepting the road, not the estimated costs.

February

4th Year Process begins.

Abutters receive better billing

BETTERMENT, ROAD ACCEPTANCE, AND PROCEDURE TIMELINE FOR ROAD IMPROVEMENT – MINOR, MAJOR AND TEMPORARY REPAIR

**Option B – Not Acceptance by Town
(Betterment: 100% Resident)**

2nd Saturday in Nov.:

1st Year Process begins
Public Notice

Public Notice of Closing Date for Filing Road Petitions Published and Posted.

Last Friday in December:

Closing Time/Date for filing road petitions with the Board of Selectmen.

Petitions must be received at the Office of the Town Engineer no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions may be obtained from the Engineering Department.

Petitions shall be completed and signed by seventy-five percent (75%) of the owners abutting the road petitioned for road improvement (temporary repair) and returned to the Office of the Town Engineer. Road Improvement (temporary repair)

A certified abutter's list from the Town of Plymouth Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.

January 2nd to End of March

2nd Year Process begins

The Road Advisory Committee (RAC) will review the list before the Engineering Department performs preliminary investigation of petitioned road(s) including:

1. Research of construction records and historical information as needed to determine road construction quality.
2. Research extent of development of abutting lots (if necessary).
3. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
4. Research Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards.
Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Last Thursday in April:

Informational Meeting

The DPW shall establish and post a Public Hearing date to discuss the Betterment Procedure and shall notify the petitioner (the Contact Person) of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the DPW with proof (Postal return receipt cards) of such notification. *(Continued)*

Option B. – Not Acceptance by Town
Betterment (0% Town, 100% Residents) Continued

May

Engineering Department notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with having the betterment assessed to them. Notice also includes information regarding betterment payments methods established by

the Town of Plymouth Board of Assessors, as well as final road hearing date.

Last Friday in May:

Reaffirmation of the Petition.

Last Friday in June:

Road Advisory, and DPW Director's report and recommendation with cost estimate to Board of Selectmen listing streets for Road Improvement (temporary repair) and Betterment Process.

July

Final Road Hearing by Board of Selectmen

Board reviews the "vote" by abutters. If greater than seventy-five percent (75%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an Article on the next Annual Town Meeting Warrant recommending the funding for Road Improvement (temporary repair). The Board shall not recommend funding for Road Improvement (temporary repair) by Town Meeting unless seventy-five percent (75%) of the abutters of the way have agreed to accept the estimate of costs.

If an Article is to be placed on the Warrant, the Board shall authorized the Engineering Department to prepare Construction Plans, and Bid Documents for the recommended betterments and obtain a construction bid in accordance with Mass. G.L. Ch. 30 and 30B for said work.

Last Friday in November:

Article for Annual Town Meeting for construction.

2nd Year Process begins

S.A.T.M. (June):

Appropriate Funding for Construction

Last Friday in December:

Construction Plans have been prepared

3rd Year Process begins.

Last Friday in Jan.:

Procurement

Last Friday in March:

Construction Begins

Last Friday in November:

Construction Ends – Final Actual costs are calculated

Each abutting owner shall be billed for the actual total costs of road improvement, and accepting the road, not the estimated costs.

4th Year Process begins.

February ?

Abutters receive better billing

**BETTERMENT, ROAD ACCEPTANCE, AND PROCEDURE TIMELINE FOR
ROAD IMPROVEMENT – MAJOR, MINOR, AND TEMPORARY REPAIR
(ABUTTERS HAVE PREPARED ACCEPTANCE PLAN, AND DESIGN PLAN
SUITABLE FOR CONSTRUCTION**

**Option C – Acceptance by Town
(Betterment: 30% Resident, 70% Town)**

2nd Saturday in Nov.:

1st Year Process begins

Public Notice

Public Notice of Closing Date for Filing Road Petitions Published and Posted.

Last Friday in December:

Closing Time/Date for filing road petitions with the Board of Selectmen.

Petitions must be received at the Office of the Town Engineer no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions may be obtained from the Engineering Department.

Petitions shall be completed and signed by seventy-five percent (75%) of the owners abutting the road petitioned for road improvement (temporary repair) and returned to the Office of the Town Engineer. Road Improvement (temporary repair)

A certified abutter's list from the Town of Plymouth Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.

Second (2nd) week in January to End of February:

The Road Advisory Committee (RAC) will review the Petition before the Engineering Department schedules the Informational Hearing and performs preliminary investigation of petitioned road(s) including:

1. Research of construction records and historical information as needed to determine road construction quality.
2. Research extent of development of abutting lots (if necessary).
3. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
4. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards.

Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Last Thursday in March:

Informational Meeting

The DPW shall establish and post a Public Hearing date to discuss the Road Acceptance and Betterment Procedure and shall notify the petitioner (the Contact Person) of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the DPW with proof (Postal return receipt cards) of such notification.

Option C. – Acceptance by Town

Betterment (30% Residents 70% Town.) Continued

March to First (1st week) in April:

Engineering Department notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with having the betterment assessed to them. Notice also includes information regarding betterment payments methods established by the Town of Plymouth Board of Assessors, as well as final road hearing date.

Third (3rd) Friday in April:	Reaffirmation of the Petition.
First (1st) Friday in May:	Road Advisory, and DPW Director's report and recommendation with cost estimate to BOS listing streets for Acceptance and Betterment Process.
June	<p>Final Road Hearing by Board of Selectmen Board reviews the "vote" by abutters. If greater than seventy-five percent (75%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an Article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless seventy-five percent (75%) of the abutters of the way have agreed to accept the estimate of costs.</p> <p>If an Article is to be placed on the Warrant, the Board shall authorized the Engineering Department to prepare Acceptance, Construction Plans, and Bid Documents for the recommended betterments and obtain a construction bid in accordance with Mass. G.L. Ch. 30 and 30B for said work.</p>
July	Abutters hire Surveyor/Engineer to prepare Plans
Last Friday in November:	Reserve Article for Annual Town Meeting for Acceptance, and construction.
Last Friday in June:	<p><u>2nd Year Process begins</u> Recording of Plans</p>
July	Procurement
August:	Construction Begins
Last Friday in November:	<p>Construction Ends – Final Actual costs are calculated Each abutting owner shall be billed for the actual total costs of road improvement, and accepting the road, not the estimated costs.</p>
February ?	<p><u>3rd Year Process begins.</u> Abutters receive better billing</p>