

### **SECTION III      DEFINITIONS**

For the purposes of these Rules and Regulations, unless a contrary intention clearly appears, the terms and words defined in Section 81-L of chapter 41 of the General Laws shall have the meaning given therein. If a term is not defined and is not a commonly used term, then the definition in the State Building Code will apply. In addition, the following terms and words shall have the following meanings:

**ADEQUATE PUBLIC FACILITIES**: Facilities and infrastructure determined to be capable of supporting and servicing the physical area and designated intensity of the proposed subdivision as determined by the Town based upon specific levels of service.

**APPLICANT**: May be either the owner of the land stated in the application for subdivision or all the owners where title is held jointly, in common, or in tenancy by the entirety, including corporations. An agent, representative, or his assigns may act for an owner provided written evidence of such fact is submitted. Evidence in the form of a list of their officers and designated authority to sign legal documents shall be required for a corporation.

**BOARD**: Planning Board of the Town of West Springfield.

**BUILDING**: Any structure built or used for the support, shelter, or enclosure of persons, animals, chattels or movable property of any kind.

**DEVELOPER**: The owner or representative of land proposed to be subdivided. Written consent shall be required from the legal owner of the premises.

**DEVELOPMENT IMPACT STATEMENT (DIS)**: A documented, written analysis of a proposed subdivision that provides the Planning Board and its agents with information necessary for plan review. Prepared by the applicant, a DIS shall follow the format presented in the Appendices of this document.

**FRONTAGE**: A lot boundary line across which there is a legal access and which abuts:

1. a public way, a county road; or
2. a way which the Town Clerk certifies is maintained and used as a public way; or

3. a way shown on a plan approved and endorsed in accordance with the Subdivision control Law; or
4. a way physically in existence when the Subdivision Control Law became effective, May 23, 1955, in the Town of West Springfield, which in the opinion of the Planning Board is presently suitable to provide for the needs of vehicular traffic and for the installation of municipal services to serve the land.

**HARMONY**: A relationship of agreement, consistency or non-contradiction.

**LOT**: An area of land in common ownership, with definite boundaries, used or available for use, as the site of one or more buildings.

**OWNER**: The owner of record as shown by the records in the Hampden County Registry of Deeds or Land Registration Office of Hampden County.

**PARCEL**: An area of land in common ownership, with definite boundaries, used or available for use, as the site of one or more buildings.

**PERSON**: A "person" includes an individual, a corporation, a partnership and an incorporated association of persons such as a club.

**PLAN, DEFINITIVE**: A proposed plan of a subdivision submitted by the applicant to be recorded in the Registry of Deeds or Land Registration Office of Hampden County when approved by the Planning Board.

**PLAN, FINAL**: A proposed plan showing more than one building to be used for dwelling purposes per building lot, to be approved by the Planning Board as a prerequisite to obtaining building permits.

**PLAN, PRELIMINARY**: A plan of a subdivision submitted by the applicant showing sufficient information to form a clear basis for discussion and clarification of its general contents and for the preparation of a Definitive Plan.

**PLAN, NON-SUBDIVISION (ANR or FORM A)**: The 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 under any of the following conditions:

1. At the time when the subdivision is made, every lot within the tract so divided has frontage on:
  - a. a public way, a county road or a way which the Clerk of the Town of West Springfield certifies is maintained and used as a public way;
  - b. a way shown on a plan previously 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 Town of West Springfield 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 serve such land and the buildings erected or to be erected thereon.

Such frontage shall be of a least such distance as is then required by the Zoning Ordinance of the Town of West Springfield for erection of a building on such lot, and if no distance is so required, such frontage shall be at least twenty (20) feet.

2. 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.
3. 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 Town of West Springfield in which the land lies, into separate lots on each of which one of such buildings remains standing.

**STATE CONSTRUCTION STANDARDS, MASS. DPW CONSTRUCTION STANDARDS:**

These specifications are published by the Massachusetts Department of Public Works. They are entitled Standard Specifications for Highways and Bridges, and including all supplements, updates, revisions or future editions covering substantially the same subject matter. All matters left open or undetermined by these specifications shall be specified by the Board on a case-by-case basis.

**STREETS:** Streets in the Town of West Springfield shall have the following classifications:

1. Place: These streets shall be not over one thousand (1000) feet in length, unless otherwise allowed by the

Board, with no allowance for future extension. A maximum average daily traffic (ADT) of 100 vehicles per day shall be allowed for a street to be classified as a place.

2. Lane: The major purpose of these streets shall be to provide access to lots. They shall be streets not subject to non-terminus traffic. The ADT for this type of street shall be between 100 and 400 vehicles per day.
3. Sub-Collector: The ADT for this type of street shall be between 400 and 1000 vehicles per day. This type of street shall typically serve several Places or Lanes.
4. Collector: The ADT for this of street shall be between 1000 and 3000 vehicles per day.
5. Arterial: The ADT for this type of street shall be over the 3000 vehicles per day.

The ADT of a street shall be determined by applying a factor of ten (10) vehicles per day per lot served either directly or indirectly by the street plus an allowance for through traffic where applicable. The classification of each street in a subdivision and an estimate of its ADT should be included in or with the plans. The Planning Board reserves the right to make the final decision regarding the classification of a street and its estimated ADT. Consideration must be given to future traffic from undeveloped land which would be served by the proposed street system.

6. Dead End Street/Cul-de-Sac: A public or private vehicular right-of-way which affords the principal means of access to abutting property and which joins another thoroughfare at only one end. Any such thoroughfare, which joins or intersects a dead end street/cul-de-sac, shall have adequate access at both ends from a Town, County, or State public way adjacent to the subdivision. (See Section VIII of these Rules and Regulations concerning dead end streets and adequate access from a public way.)

**STRUCTURE**: A combination of materials, assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, mast for radio and television antenna or the like. The word "structure" shall be construed, where the context allows as though followed by the words "or part or parts thereof".

**SUBDIVISION**: The division of a tract of land into two or more lots and shall include resubdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided.

**SUBDIVISION CONTROL LAW**: Refers to Sections 81-K to 81-GG, inclusive, of Chapter 41, of the General Laws of the Commonwealth of Massachusetts, entitled, "Subdivision Control" as amended.