

9.4 Phased Development

9.4.1. Purpose - The purpose of this section is to promote orderly growth in the Town of Rochester, to preserve the water quality of the Mattapoissett River and Sippican River watersheds; to phase growth so that it will not unduly strain the community's ability to provide basic education, public facilities and services; to provide the town, it's boards and agencies information, time and capacity to incorporate such growth into the Master Plan, Capital Facilities Plan, Open Space Plan and the town's budget, and; preserve and enhance existing community character and the value of property.

9.4.2. Exemption for Pre-Existing Lots - This phased development by-law shall not apply to existing lots of record or lots shown on approval not required plans, preliminary plans and definitive subdivision plans which have been filed prior to the effective date of this by-law. The provisions of this section shall not apply to, nor limit in any way, the granting of building and occupancy permits required for enlargement, restoration, or reconstruction of dwellings existing on lots.

9.4.3. Extension of Grandfather Protections - In the event that any lot shown on a plan endorsed by the Planning Board has not been issued a building permit by the end of it's grandfather protection afforded by M.G.L. Chapter 40A, Section 6, said grandfather protection shall be extended for the time period equal to the time the permit was delayed by this by-law or the expiration of this by-law which ever comes first.

9.4.4. Procedure to Determine Phase Development Schedule - The Planning Board shall provide the building inspector written notice, including copies of any plans, for all approved divisions of land within the Town of Rochester. The notice shall include information on the number of lots created by each plan. The Planning Board shall also inform the building inspector with written notice, including copies of any plans, of cases where land that has been previously divided within the calendar year, is having additional lots being created within the same calendar year. For the purposes of this by-law, a calendar year will run from November 16th of a given year to November 16th of a following year. For lots created through the division of land, of 3 lots or greater within one calendar year, the building inspector shall only issue building permits (and other associate permits) for the construction of new residential dwellings in accordance with the following phased development schedule:

Phased Development Schedule

# of lots created	Building permits issued per year
0 - 9	2
10 - 19	4
20 - 29	6
30 - 39	8
40 - 49	10
50 - 59	12

60 - 69	14
70 - 79	16
80 - 89	18
90 -99	20
100 +	20% of Total