

Site Plan Approval

X.1 Purpose:

The purpose of this section is to protect the safety, public health, convenience and general welfare of the inhabitants of the Town of _____ by providing detailed review of the design and layout of certain developments which have a substantial impact upon the character of the Town and upon traffic, utilities and services therein.

15.2 Powers and Administrative Procedures:

The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for Site Plan Approval. The SPGA shall adopt rules relative to the issuance of special permits for Site Plan Approval and file a copy with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of M.G.L. Chapter 40A. After notice and public hearing and after due consideration of the reports and recommendations of other town boards, commissions and or departments, the SPGA may grant such a permit. The SPGA shall also impose, in addition to any applicable conditions specified in this section, such applicable as the SPGA finds reasonably appropriate to improve the site design as based on Section 15.4, traffic flow, safety and or otherwise serve the purpose of this section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

15.3 Applicability:

Section 15 applies to all uses as identified as requiring Site Plan Approval in Article IV, Section 2 Table of Use Regulations.

15.4 Design Objectives:

The following objectives, in addition to any standards prescribed elsewhere in this by-law, shall be utilized by the Planning Board in considering all site plans. These objectives are intended to provide specific guidelines for the applicant in the development of site plans.

a. **Landscape** - The landscape shall be preserved in its natural state as much as possible by minimizing tree and soil removal. Abrupt grade changes shall be avoided. Grade changes shall avoid straight lines and bended into existing topography. All open space shall be landscaped with a variety of plant material and maintained accordingly.

b. **Circulation** - Site plans shall provide clearly marked, safe and attractive circulation patterns for both vehicular and pedestrian. Special attention shall be given to location, width and number of access points to public streets (curb cuts should be located on secondary streets* where possible, curb cuts should be 24 feet wide and limited to one on

primary streets*). Information on stop sight distances and speeds along streets that provide access, shall be noted on the site plan.

* As defined in the Subdivision Rules and Regulations.

c. **Surface Water Drainage** - The removal of surface water shall not adversely affect adjoining properties, streets or storm drainage systems nor obstruct circulation of vehicles and pedestrians. For parking areas serving new buildings or expansions to existing parking areas, the performance of surface drainage shall be based on standards set forth in the Subdivision Rules and Regulations.

d. **Building Location** - Proposed buildings and structures shall be integrated as much as possible within the existing landscape and terrain.

e. **Building Design** - The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, arrangement of openings, color, exterior materials, proportion and scale of existing buildings in the vicinity.

f. **Special Features** - Exposed machinery, utility structures and areas for parking, loading, storage, service and disposal shall be screened from adjoining properties and streets. On-site lighting shall not glare onto adjoining properties or streets.

g. **Safety** - All open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment.

h. **Lighting** - No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed.

15.5 Compliance:

a. No building permit shall be issued by the Building Inspector for any development subject to this section and no construction or site preparation shall be started, until a decision of the Planning Board approving a site plan has been filed with the Town Clerk and a Special Permit has been issued by the Planning Board.

b. An as-built, certified by a registered professional land surveyor or engineer shall be submitted to the Planning Board and Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

c. No permanent occupancy permit shall be issued for any building subject to this section unless such building and all its related facilities have been completed according and all its related facilities have been completed according to the approved site plan. No permanent occupancy permit shall be issued for more than eighty percent (80%) of the structures or units within a multiple unit development unless the development has been completed according to the approved site plan. No activity subject to site plan approval shall be conducted on the site unless, in the opinion of the Building Inspector, the development or approved phase thereof has been substantially completed according to the approved site plan, and unless the proposed activity was reviewed by the Planning Board pursuant to the Site Plan Approval procedure.

d. Any changes in the approved site plan, or in the activity to be conducted on the site shall be submitted to the Planning Board for review and approval.

15.6 Appeals:

Any person aggrieved by a decision of the Planning Board under Section 15 may appeal to the Superior Court, the Land Court or the District Court pursuant to Chapter 40A of the Massachusetts General Laws.