

1.3.3 Site Plan Review

1.3.3.1 For the purpose of assuring proper drainage, screening, safe access, adequate parking and loading spaces, public convenience and safety, adequate consideration of abutting land owners and compliance with the provisions of this By-Law, a Site Plan shall be submitted as required by this By-Law for all uses other than (a) those specified in Section 1.3.2.3., and (b) those uses for which a Master Plan Approval has been issued by the Planning Board pursuant to the provisions of Section 9 of this Zoning By-Law, in which case, project plan approval shall be required as specified in Section 9.

1.3.3.2 Where a use is permitted upon issuance of a Special Permit, the Site Plan Review procedure shall be incorporated into the procedure used for dealing with applications for Special Permits. Such procedures are noted in Sections 1.3.3.3, 5.1, 5.2, 5.3, 6.4, 7.4.d-h and 8.1.2. (T.M.- 5/13/91).

1.3.3.3 All Applications for Site Plan Review shall be filed with the Planning Board and shall be accompanied by the following:

- a.) Properly executed application form, and (if applicable) all materials necessary for facilitating a public hearing on the application;
- b.) All required fees;
- c.) A written description of the proposed use, signed by the applicant(s) and owner(s) of the property, which provides, at a minimum, the following details:
 - the specific nature of the operations/activities that are proposed on the property;
 - a description of all existing use(s) of the property, and an indication of whether or not such uses will continue with the proposed use(s);
 - hours of operation of the proposed use(s) or activity;
 - the maximum number of employees on the largest shift;
 - shipping/receiving activity (including types of delivery vehicles, number/frequency of deliveries);
 - use of any hazardous materials or substances in the operation of the proposed use;
 - any potential for future changes to the building or use(s), such as increases in: the square footage of the building; the hours of operation and/or deliveries; the maximum number of employees; or any other significant changes to the proposed use(s) as presented by the current application;
 - any other information or details that may not be specified herein or required to be shown on the plans, but, as determined by the Planning Board, is relevant due to the specific nature of the proposed use(s) or activity; and a

- list of any requested waivers from the requirements of Sections 1.3.3.3(d)-(f), including a detailed explanation/justification of the reason(s) for such request.
- d.) A Site Plan prepared by a professional architect or registered professional engineer, at a scale of one inch equals forty feet (1" = 40'), or at such other scale as may be necessary to show all detail clearly and accurately. Sheet sizes shall not exceed twenty-four inches by thirty-six inches (24" x 36"), and shall not be less than eleven inches by seventeen inches (11" x 17"). If multiple sheets are used they shall be accompanied by an index sheet showing the entire parcel at an appropriate scale. The application and number of copies shall be as specified on a form provided by the Planning Board. The Plan shall include the following information:
- (1.) Name and address of the person(s) submitting the application;
 - (2.) Name and address of the owner(s) of the subject property(ies), if different;
 - (3.) Present use(s) of the land and description and use(s) of existing building(s) thereon, if any;
 - (4.) Proposed use(s) of the land;
 - (5.) Proposed use(s) of existing buildings, if any;
 - (6.) Description and proposed use(s) of the proposed building(s), if any;
 - (7.) Zoning District(s) in which the parcel is located, including floodplain if applicable;
 - (8.) Locus Map (scale of 1"=1,000') and north arrow;
 - (9.) Title Block containing: name of the project; applicant; property owner; property address and Assessor's Map/Lot number; date (with revisions); name, address and phone number, and the signature and seal of the professional architect or engineer preparing the plan;
 - (10.) Wetlands, Ponds, Streams, or other water bodies, including all applicable buffer zones;
 - (11.) Ownership of all abutting land and approximate location of buildings, driveways, and parking areas thereon within a maximum distance of two hundred feet (200') of the property lines;
 - (12.) Existing and proposed topography at two-foot (2') elevation intervals;
 - (13.) All property lines of the subject property, and all setbacks of buildings and parking areas from said lines, and existing and proposed easements, if any;
 - (14.) Extent and type of all existing and proposed surfaces (pervious and impervious) on the property, including specific materials;
 - (15.) Lot coverage calculations showing percentage of buildings, percentage of pavement, and percentage of open space/ landscaped areas;
 - (16.) Parking calculations for proposed use(s), including all existing use(s) that will continue to exist on the property, if applicable;

- (17.) Calculations of the volume of earth material to be removed or filled on the property, and delineation of the location(s) of such activity;
 - (18.) Driveways and driveway openings/entrances;
 - (19.) Parking and loading spaces;
 - (20.) Service areas and all facilities for screening;
 - (21.) Landscaping;
 - (22.) Lighting;
 - (23.) Proposed signs (business, traffic, etc.);
 - (24.) Sewage, refuse and other waste disposal;
 - (25.) Stormwater management facilities (drainage);
 - (26.) All structures and buildings associated with the proposed and existing use(s) on the property;
 - (27.) Exterior storage areas and fences;
 - (28.) Utilities and their exterior appurtenances (e.g., fire connections);
 - (29.) Provisions for dust and erosion control;
 - (30.) Any existing vegetation;
 - (31.) Any other details or information deemed necessary by the Planning Board due to the unique nature of a proposed use or the subject property;
- e.) A stormwater management hydrological study prepared in accordance with the *Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts* (Sections 3.3.3.19 and 4.7.8).
- f.) A report, if applicable, showing calculations of the volume of earth material to be removed from or delivered to the site, including a description of such removal or fill activity. Depending upon the volume of material to be removed or filled, the Planning Board may require the Applicant to submit additional information (if not submitted in the report) regarding, but not limited to, the following: the hours of fill/removal activity; proposed route(s) of transporting materials to and from the site; and measures for dust and erosion control (both on- and off-site) for the proposed activity.
- g.) Written statements from the following:
- (1.) The engineer and/or architect preparing the plans indicating that the building(s) and site have been designed to comply with the performance standards set forth in Section 4.1 of the Zoning By-Law.
 - (2.) The applicant(s) and owner(s) of the property indicating that the building(s) and site will be maintained, and the activities on the site will be conducted in accordance with, the performance standards set forth in Section 4.1 of the Zoning By-Law.

- h.) Any other information, materials, reports or studies deemed necessary by the Planning Board, due to the special nature of the proposed use/activity or the subject property, to achieve the purposes set forth in Sections 1.2 and 1.3.3.1 of this By-Law

1.3.3.4 For all Site Plan Review Applications the Planning Board may, by an affirmative vote of at least 4 members (or 3 when less than 5 are eligible to vote on such application), one of whom may be the Associate Member when sitting in review of the application, authorize deviation from the requirements of Sections 1.3.3.3(d) - (f) provided such deviation is not, in the opinion of the Board, contradictory or inconsistent with the intent and purposes set forth in Sections 1.2 and 1.3.3.1 of this By-law. The Planning Board, in its decision, shall make specific findings justifying the granting or denying of any such requests.

1.3.3.5 Plan Acceptance: Failure by the Applicant to provide all information, items and materials deemed necessary by the Planning Board, other than those that have been specifically waived pursuant to Section 1.3.3.4, within a reasonable timeframe once notified by the Board or its agent of the necessity for such, shall be grounds for denial of the application.

1.3.3.6 Approval Procedure: Within four (4) business days after receiving a plan, the Planning Board shall submit one (1) copy of the site plan each to the Board of Selectmen, the Board of Health, the Conservation Commission, the Inspector of Buildings, the Town Engineer and the Sewer Commissioners requesting their comments. The Planning Board shall determine whether a public hearing shall be held regarding the site plan. If the Board determines that there shall be a public hearing, it shall, within sixty-five (65) days from the receipt of the plan, hold a duly advertised public hearing. Within ninety (90) days after the date of the public hearing, the Planning Board shall determine whether the site plan complies with the purpose and provisions of this By-Law, and shall inform the Inspector of Buildings and the applicant in writing of its approval thereof, subject, if necessary, to reasonable conditions to assure protection of the public interest to a degree consistent with a reasonable use of the site, or its disapproval thereof.

1.3.3.7 At the applicant's written request to the Planning Board, it may extend the time period for approval to a mutually agreeable date. Failure of the Planning Board to act within ninety (90) days after the date of the public hearing or within the time mutually agreed upon, as the case may be, shall constitute approval of the site plan and the Town Clerk, upon receipt of evidence of such failure to act, shall so certify to the applicant. A building permit shall not be issued in a case requiring a site plan approval until the Planning Board shall have approved the site plan, with or without conditions, or the time period for approval has elapsed without action. (T.M. 10-17-88)

1.3.3.8 An approved site plan shall be valid for a period of two (2) years from the date of approval. All work proposed in the site plan or required by conditions to which the approval was subject must be completed within two (2) years from the date of approval of the site plan unless a longer period is expressly granted in writing at the time of site plan approval or at a later date should the applicant request an extension and the same is granted by the Planning Board.

1.3.3.9 All work shown on an approved site plan shall be completed and all related conditions of approval shall be satisfied prior to the issuance of an occupancy permit. If completion of such work and satisfying of such conditions is not possible prior to the issuance of an occupancy permit due to extenuating circumstances, the petitioner shall notify the Planning Board of all incomplete items and unsatisfied conditions prior to applying for said permit. Prior to the issuance of an occupancy permit, the Petitioner shall notify the Planning Board in writing as to the remaining items to be completed, if any, as well as the expected completion date of the work and if after inspection by the Planning Board designee, it is determined that work subject to Section 1.3.3 has not been completed in accordance with the approved plan(s) or any related conditions of approval have not been satisfied, the Planning Board may require the posting of a bond or other type of security deemed acceptable by the Board to assure compliance with the approved plan(s) and related conditions. The amount of the security shall be determined by the Board's designee at the expense of the individual seeking the occupancy permit, and shall be a multiple of one and one-half (1½) times the cost of completing any remaining improvements (either on- or off-site) and those costs required to satisfy any conditions placed upon the site plan approval. The Planning Board shall notify the Building Inspector in writing once the security has been properly posted with the Town. At the option of the Planning Board, the Planning Board designee may be the Building Inspector, Town Planner, or the Board's consulting engineer. The Planning Board may waive the requirement of providing a performance security if it determines that completion of certain on- or off-site work and satisfying certain conditions of approval are integral aspects of a particular use for which an occupancy permit is sought.

1.3.3.10 The Planning Board may approve, upon request, minor changes to an approved site plan without receiving an application or conducting a public hearing provided such change is, in the opinion of the Board, not substantially different than presented in the materials and information used in making the original Site Plan decision. The Planning Board reserves the right to solicit comments from other Town boards, departments and committees, as well as its consulting engineer, in making determinations regarding such change(s). The Planning Board may, upon its determination, require a modification of the original Site Plan decision if it finds that the proposed changes are substantial in nature and/or of public concern, or substantially alter the plans and information used in making this Decision. The Planning Board, in considering such change(s), shall make specific findings

justifying the granting or denying of any such request for minor modification. Any proposed change deemed substantial in nature shall require a modification of the original Site Plan application and decision. Any application for such modification shall be made pursuant to Section 1.3.3 of this By-law.