

TOWN OF MILLVILLE



SITE PLAN RULES AND REGULATIONS

Adopted October 7, 2013

1. Purpose.

The purpose of these Rules and Regulations is to establish uniform regulations and procedures for conducting the business of the Planning Board acting on Applications for Site Plan Approval as established under Article X, of the Zoning By-law.

2. Authority.

These Rules and Regulations are adopted by the Planning Board as authorized by M.G.L. Chapter 40A, Section 9, and by the Millville Zoning Bylaw.

3. Pre-application.

The applicant is very strongly encouraged to request a pre-application review at a regular business meeting of the Planning Board. If one is requested, the Planning Board shall/may invite the Conservation Commission, Board of Health, Board of Selectmen and other Boards/Departments selected by the Board. The purpose of a pre-application review is to minimize the applicant's costs of engineering and other technical experts, and to commence discussions with the Planning Board at the earliest possible stage in the development. At the pre-application review, the applicant may outline the proposed development, seek preliminary feedback from the Planning Board and/or its technical experts, and set a timetable for submittal of a formal application. The Planning Board may engage technical experts to review the informal plans of the applicant and to facilitate submittal of a formal application.

4. Procedures.

(A) One original and 10 copies of the completed application form and of the plans and related materials shall be submitted to the Planning Board or its agent at a regularly scheduled Planning Board Meeting. The application shall also be accompanied by the submission of a fee in accordance with the Planning Board's Fee Schedule and an electronic copy of all submission materials. Concurrently, one copy of the completed application form shall be submitted by the applicant to the Town Clerk, and a receipt therefor shall be submitted with the Planning Board copy of the application form.

(B) Within 10 days from the submission of the application at a regularly scheduled meeting, the Planning Board or its agent shall notify the Applicant whether the application is complete. Notice of completeness may require the submission of additional material or denial for being incomplete. Failure of

the Planning Board or its agent to provide a notice of completeness, the application shall be deemed complete.

(C) Once the Planning Board or its agent determines the SPA application submittal to be completed; one copy of the application form shall be transmitted to at least the following: the Planning Board consultant, ZBA, Building Department, Board of Health, Conservation Commission, Highway Department, Fire Department, Police Department. A file copy of the plans and related materials shall remain in the Planning Board office to serve as a common review copy. The other copies shall be distributed as needed.

(D) Each board or department receiving the application form as required by Section 4, (C) above may, within 30 calendar days of the date of the complete application submittal, file with the Planning Board or its agent a written report recommending approval, approval with modifications or conditions or disapproval, stating its reasons therefor. Failure to respond within said 30 days shall be deemed lack of opposition to the application. The Planning Board shall hold a public hearing on said application within 45 days from the state the application is deemed complete per Section 4 (B).

(E) Site Visit. The Planning Board may conduct a site visit following the first public hearing. At the site visit, the Planning Board and/or its agents shall be accompanied by the applicant and/or its agents.

(F) For SPA applications, the Planning Board shall make a decision on said application and file notice of said decision with the Town Clerk and send to the applicant, by certified mail, return receipt requested, a copy of said notice and the decision within 45 calendar days from the close of the public hearing or within 180 days from the opening of the hearing, whichever comes first, or said application shall be deemed approved.

5. Submission Requirements for Site Plan Approval.

The contents of the site plan application are as follows:

(A) Plan sheets prepared at a scale of one (1) inch equals forty (40) feet or such other scale as may be approved by the Planning Board. The plans are as follows:

1. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, general circulation plan for vehicles and pedestrians, drive-thru windows, curb cut locations, parking, fences, walls, walks, outdoor lighting including proposed fixtures, loading facilities, solid waste storage locations, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one (1) inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the Planning Board.

2. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling storm water runoff drainage.

3. Utility plan, which shall include all facilities for refuse and sewerage disposal or storage of all these wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas.

4. Architectural plan, which shall include the ground floor plan, proposed exterior building materials, treatments and colors and architectural elevations of all proposed buildings and a color rendering where necessary to determine the proposal's effect on the visual environment.

5. Landscaping plan, showing the limits of work, existing tree lines as well as those tree lines to remain, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures during construction.

6. Lighting plan showing the location and orientation of all existing and proposed exterior lighting, including building and ground lighting. The plan shall note the height, initial foot-candle readings on the ground and the types of fixtures to be used.

(B) The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

(C) A written summary of the contemplated projects shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this ordinance.

(D) The site plan shall be accompanied by drainage calculations by a registered professional engineer as well as wetland delineations, if applicable. Storm drainage design must conform to Town of Millville Stormwater Bylaw.

(E) Certification that the proposal is in compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

(F) Other Information. The submittals and permits of this section shall be in addition to any other provisions of the Zoning Bylaw. To the extent permitted by law, the Planning Board shall coordinate the public hearing for Site Plan Approval with the public hearing required for any other application.

6. Waiver of Strict Compliance

Strict compliance with any provision of these Rules and Regulations may be waived only if the Planning Board finds that the application contains all necessary information required by these Rules and Regulations, meets all applicable requirements of the Bylaw and in the Board's opinion the granting of such waiver is in the public interest. Any request from an applicant for a waiver from these Rules and Regulations must be submitted in writing to the Planning Board and must clearly identify the provision or provisions for which a waiver is being sought, and if applicable, must describe the alternative location of information or method of compliance. In addition, such request shall be accompanied by a statement setting forth the reason or reasons why, in the applicant's opinion, the granting of such a waiver or waivers would be in the public interest and consistent with the intent and purpose of the Bylaw.

7. Severability.

If any provision of these Rules and Regulations is held invalid by a court of competent jurisdiction, the remainder of these provisions shall not be affected

