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PLYMOUTH COUNTY
REGISTRY OF DEEDS
12 SEP 2005 09:23AM
JOHN R.BUCKLEY, JR.
REGISTER
Bk 31312 Pg 22-42

PLANNING BOARD RULES & REGULATIONS GOVERNING THE ISSUANCE OF SITE PLAN APPROVAL

Section I - Purpose & Authority

1.0 These rules and regulations are adopted by the Planning Board, hereinafter called the Board, as the Site Plan Approval Authority provided in Section V.7. of the Pembroke Zoning Bylaws for the purpose of granting Site Plan Approval.

1.1 These rules and regulations may be adopted and from time to time amended after notice and a public hearing. A concurring vote of a majority of the Board is required for favorable action. These rules and regulations and any amendments thereto must be filed with the Registry of Deeds and the Land Court in order for them to be enforceable.

1.2 These rules and regulations are effective when voted. A copy shall be filed with the office of the Town Clerk, with appropriate endorsements such as:

Date of Adoption: August 29, 2005
Date filed with Town Clerk: August 30, 2005

Section II - Application

2.0 An application for Site Plan Approval shall also be accompanied by the following:

2.1 Abutters List. A list of the names and addresses which shall include the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within three hundred feet (300) feet of the property line of the petitioner as they appear on the most recent applicable tax list;

2.2 Said list shall be presented on a properly executed list of abutters certified by the Board of Assessors. Applicant(s) shall submit envelopes addressed to each abutter along with Postage Paid Certified Mail, return receipt requested slips, to be filled out for each abutter. The return address on both the envelopes and green slips shall be:

Pembroke Planning Board,
100 Center Street, Pembroke, MA 02359

2.3 An administrative and project review fee shall be filed in accordance with the most recently revised fee schedule. *(Refer to: Pembroke Planning Board Rules & Regulations Governing Fees and Fee Schedules)*

2.4 One (1) copy of all local, including variances and special permits, state, and federal approvals, shall be obtained, prior to site plan submission.

2.5 Written permission from the owner of the property to apply for Site Plan Approval if the applicant is not the owner.

2.6 An original plan, and twelve (12) copies shall be submitted to the Board with an additional copy filed forthwith with the Town Clerk by the applicant. A complete application packet shall be sent directly to the Planning Board's consultant upon filing a site plan application.

2.7 Failure to comply with application regulations shall be cause for denial. The Planning Board will have 14 days to notify applicant of the incomplete application.

Section III - Procedures

3.0 Public Hearing: A public hearing notice shall be given by publication in a newspaper of general circulation once in each of two successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing and by posting such notice in a conspicuous place in town hall for a period of not less than fourteen (14) days before the day of such hearing and shall send written notice by certified mail, in compliance with section 2.1. The legal ad and abutter notification shall include, at a minimum, the following information and shall be at the expense of the applicant:

3.0.1 The name, and if applicable, the business name and address of the applicant;

3.0.2 The street address and the assessor's map and lot number of the property as specified on the Site Plan Application on which construction or expansion is planned;

3.0.3 A brief description of the type of construction or expansion planned;

3.0.4 The designated Town office where the Site Plan Application and plans can be reviewed;

3.0.5 The date, time and place of the public hearing.

3.1 Approval: The Planning Board's approval may consider comments received from various municipal reviewers. Additionally, proposed methods of mitigating impacts associated with each project will be incorporated into the Board's approval. In addition, the following criteria must be addressed to the Planning Board's satisfaction. Such findings shall pertain to the entire proposed development, including any site plan or design modifications imposed by the Planning Board as a condition of its approval, and off-site improvements proposed by the applicant or required by the Planning Board as a condition of its approval.

3.1.1 The traffic carrying capacity of the intersections and streets likely to be affected by the proposed development will meet the standards set forth in Section V.7.

3.1.2 The proposed development will comply with the environmental impact standards set forth in Section 6.6 – 6.6.6.

3.1.3 The planned capacities of public facilities such as water supply, sewage and drainage systems are adequate in the vicinity of the site to serve the proposed development.

3.1.4 The proposed development will comply with the community impact standards set forth in Section 6.8 – 6.8.6.

3.1.5 In granting approval of an application, the Planning Board may impose conditions, limitations and safeguards which shall be in writing and shall be a part of such approval. Such conditions may include, among other matters and subjects:

3.1.5.1 Controls on the location and type of access to the site;

3.1.5.2 Requirements for off-site improvements to improve the capacity and safety of roads, intersections, pedestrian ways, water, sewer, drainage, and other public facilities which are likely to be affected by the proposed development;

3.1.5.3 Requirements for donation and/or dedication of land for right-of-way to provide for future roadway and/or intersection widening or improvements;

3.1.5.4 Requirements for securing the performance of all proposed work, including proposed off-street improvements;

3.1.5.5 A certified check or bank check shall be posted in an amount determined by the Planning Board or Planning Board's designated agent sufficient to cover the cost of all or any part of the improvements required as conditions of approval;

3.1.5.6 Conditions to minimize off-site impacts on traffic and environmental quality during construction.

3.2 Minor Modification: A minor modification may be approved, at the discretion of the Planning Board, in accordance with the Site Plan Approval Zoning Bylaw. An additional project review fee may be assessed by the Planning Board.

3.3 Pre-construction Meeting: There shall be a pre-construction meeting through the Planning Board Office prior to commencement of any work on the development site. <u>NOTE: Any changes to the approved site plan must be made in writing to the Board and approved prior to commencement of work.</u>

3.5 Occupancy Permits: The Planning Board office shall conduct an on-site inspection of the development, hold a site plan compliance meeting with the applicant and issue a site plan compliance report prior to issuance of a occupancy permit by the building department.

3.6 Performance Guarantee: The Board at its discretion, may require and accept a bank or certified check from the applicant/controller of the land and/or project, in an amount acceptable to the Board, as a guarantee for performance of unfinished work to the development. In addition, the Board shall require a landscape performance guarantee for two (2) growing seasons from the time of planting.

Section IV – Site Plan Content

The site plan shall contain the following:

4.1 A Locus map at a scale of 1" = 200' which shall show all streets, bodies of water, landscape features, historic sites, habitats for endangered species within the parcel and within two hundred (200) feet of the parcel and all buildings within the parcel and within two hundred (200) feet of the parcel;

4.2 The location and name of all streets, any and all driveways, and curb-cuts within three-hundred (300) of the site. Street shall include layout and pavement width;

4.3 On-site and abutting lot lines; names of all abutters as they appear in the most recent tax list. All contiguous property owned by the applicant shall be included;

4.4 Zoning District(s) boundary lines of the locus and all land within two hundred (200 feet of the parcel, including overlay districts and other districts not specifically mentioned; other districts such as: Floodplain, Wetland, Water Resource Protection, and Zoning District boundary lines. Other features including; slope, geological features, unique vegetation, existing; (six (6)' trunk diameter or greater measured four (4) feet above grade) trees, stone walls, easements, fencing, cemeteries, buildings (including historic background if any), septic systems, rock outcroppings, vistas and other natural features;

4.5 Seven (7) signature lines for Planning Board approval along with a statement that "This Site Plan Approval does not necessarily indicate compliance with the Pembroke Zoning By-law". "I, Town Clerk of the town of Pembroke, MA hereby certify that the notice of approval of this plan by the Planning Board has been received and recorded at this office and no appeal was received during the next twenty days after receipt and recording of said notice";

4.6 Existing and proposed topography contour lines at one (1) or two (2) foot intervals on the parcel to be developed and within fifty (50)' thereof. Information and location of benchmark(s) used shall also be provided;

4.6 Existing and proposed topography contour lines at one (1) or two (2) foot intervals on the parcel to be developed and within fifty (50)' thereof. Information and location of benchmark(s) used shall also be provided;

4.7 Information on the location, size, type and number of existing and proposed landscape features. A Landscaping Plan shall be provided. Said plan may be required to be prepared, stamped and signed by a Landscape Architect registered in the Commonwealth of Massachusetts;

4.8 Information on location, size and capacity of existing and proposed on-site and abutting utilities (water, sewer, drainage, electrical, cable, etc.);

4.9 A Zoning Chart with the minimum area requirements per the Pembroke Zoning Bylaws;

4.10 Elevation and façade treatment plans of all proposed buildings. A listing of materials to be used;

4.11 Information on the location, size and type of parking, loading, storage and service areas;

4.12 Percent of building lot coverage and percentage of paved (impervious) area used for parking, loading, access within the property and percent open space of the site;

4.13 Existing and proposed location(s) of loading areas, driveways, access and egress points, and the location and number of parking spaces required per Pembroke Zoning Bylaws;

4.14 The site plan(s) shall be at a scale of 1"= 20' or 1"=40', except for building elevation plans, which shall be at a scale of 1/4"=1' or ¼"=2', drawn on a standard 24" X 36" sheet(s);

4.15 A Development Impact Statement will be required in accordance with Section 6;

4.16 Site plan(s) must be prepared, signed and stamped by a professional civil engineer and a Professional Land Surveyor both who must be registered in the Commonwealth of Massachusetts. The land surveyor shall perform an instrument boundary survey and who shall certify the accuracy of the locations of the building, setbacks and all other required dimensions, elevations and measurements and shall be signed under the penalties of perjury;

4.17 The date and north arrow shall be shown;

4.18 The location of existing or proposed building(s) on the lot(s) shall be shown with the total square footage and dimensions of all buildings, all building elevations and floor plans, and perspective renderings;

measures proposed to prevent pollution of surface water or groundwater, soil erosion, increased runoff, and flooding. An erosion control plan showing method(s) and location(s) to be used shall also be submitted;

4.20 Existing and proposed signs; noting height, size, location and manner of lighting (applicant is encouraged to include photograph(s) and /or sketch(s));

4.21 A photometric plan showing the parcel to be developed and within fifty (50) feet thereof. The plan shall include the following: location of all existing and proposed exterior light(s), including building ground and parking lot light(s); noting height, initial foot-candle readings on the ground and data on the types of fixtures to be used;

4.22 A traffic impact study prepared by a registered professional engineer experienced and qualified in traffic engineering;

4.23 The application shall also furnish a narrative summary of the vital statistics of the project;

4.24 The applicant shall submit the plans and profiles to be filed in both hard copy and digital format with the Planning Board.

4.25 Any additional information, which the Board may reasonable require. The Board may engage an appropriate professional to review the site plan for completeness and correctness and shall require the applicant to pay for the cost of the review.

Section V – Requirements

All Site Plans shall be prepared in compliance with the Pembroke Zoning Bylaws and the Pembroke Planning Board Rules and Regulations governing Site Plan Approval. The site plan standards not specifically enumerated herein shall follow along with all applicable site plan standards of the Architectural Access Board, American Disabilities Act, AASHTO and any other local, state, and federal standards not specifically enumerated herein. In the event there is a conflict in standards, the jurisdictional standard shall apply, unless otherwise waived by the Planning Board.

5.1 Site Landscaping

5.1.1 Every effort shall be made to retain and protect existing (6" trunk diameter or greater measured 4 feet above grade) trees, shrubs and other landscape features on a site.

5.1.2 A three (3) foot wide landscaping strip shall be provided along the foundation walls to soften their appearance for all non-residential building(s). The landscape strip may be staggered in order to vary the landscape design for a site. The landscape strip shall provide screening to the portion of the foundation above grade.

5.1.3 A undisturbed natural buffer area shall be maintained from any wetland resource area defined under the Massachusetts Wetland Protection Act and recognized by the Pembroke Conservation Commission. Stairways, decks, fences and water dependent structures (and the grading for such) internal to parking lots and around buildings are not exempted from the minimum setback requirements.

5.1.4 It is the purpose of these Rules and Regulations to preserve and/or maintain open space for new sites. Therefore any lot or group of contiguous lots totaling less than three (3) acres shall provide twenty five (25) percent open space. Any lot or group of contiguous lots totaling more than three (3) acres shall provide thirty-five (35) percent open space. Open space shall be considered any area not occupied by buildings, paving, drives, roadways, sidewalks etc. Wetland resources areas defined by the Massachusetts Wetland Protection Act can be used to meet the open space requirement described above. Whenever possible, open space should be maintained in its natural state. All open space areas on a site shall be adequately landscaped with trees, shrubs, flowers, grass, and/or mulch. Wherever feasible, open space shall be contiguous with other open space of abutting land, and must be continuously maintained by the owner.

5.1.5 Parking lots containing ten (10) or more parking spaces shall have at least one tree per six (or fractions of six) parking spaces. Such trees to be located within the paved parking area. Such trees shall be at least four (4)" trunk diameter measured twelve (12)' to eighteen (18)' above the ground with a minimum of sixty (60) square feet of seeded or landscaped permeable surface area per tree. When parking areas contain twenty-five (25) or more spaces, at least five (5) percent of the parking area shall be maintained with landscaping (within the interior of the parking area), including trees as above, in plots of at least ten (10) feet in width. Trees and landscaped plots shall be so designed and located as to provide visual relief and sun and wind screening within the parking area, and to assure safe patterns of internal circulation. Planting areas are required along parking area perimeters to prevent off-site glare onto the public or private way(s). Parking lot plantings shall not block motorists line of sight upon entering and exiting a site. Any landscaped area described above can be used to meet the open space requirement of this section for new sites.

5.1.6 All residential properties shall be protected by a landscaped buffer strip with a minimum width of 50 feet, with such berms, fences, sound walls, and plantings deemed necessary by the Planning Board to protect neighboring residences.

5.2 Site Lighting

Access ways, parking areas, and pedestrian walkways shall have adequate lighting for security and safety reasons. Lighting shall meet the following standards:

5.2.1 The luminaries/lighting fixtures shall be the shoe box type or decorative in nature (with interior directional shields), consistent with the architectural theme of the development. Flood and area lighting is unacceptable. All luminaries/lighting fixtures shall have a total cutoff of all light at less than ninety (90) degrees from vertical. The lighting fixture shall only be visible from below.

5.2.2 Reflectors of proper distribution shall be selected for maximum efficiency. Reflectors and shielding shall provide total cutoff of all light at the property lines of the parcel to be developed.

5.2.3 The luminaries/lighting fixtures shall not exceed twenty (20) feet in height or the height of the building's roofline whichever is lower. The luminaries/lighting fixtures for sidewalks/paths shall not exceed 12 feet in height.

5.2.4 Where wall-pack type luminaries/lighting fixtures are utilized for outdoor lighting fixtures, the fixture shall be equipped with a prismatic lens to reduce glare. Wall-pack lighting shall be designed to a maximum cutoff of seventy (70) degrees from vertical. The location of the wall-pack on the structure shall not exceed 20 feet in height.

5.2.5 All luminaries/lighting fixtures shall be restricted to a maximum foot-candle level of 8.0 (initial), as measured directly below the fixture at grade.

5.3 Drainage

The drainage system shall be designed so that there is no net increase in the pre v. post peak rates of storm water discharge for the 2, 10 and 100-year storm events and rates. The applicant shall demonstrate to the satisfaction of the Planning Board that the project is designed to have no measurable or significant impact as to existing vegetation, topography, wetlands, and other natural or man-made features.

The system shall be designed to treat storm water to all applicable standards of town state and federal agencies. The system design shall promote on-site infiltration and minimize the discharge of pollutants to the ground and surface water. Drainage systems shall have an emergency overflow for the one-hundred (100) year storm event. Additionally, the drainage system will be designed in accordance with Stormwater Management Volume I and II prepared by: MA Department of Environmental Protection and MA Office of Coastal Zone Management as most recently revised. In special cases, the site drainage can utilize the Town's drainage system with the approval of the Highway Department. The Planning Board requires that proper calculations be submitted. A minimum of one foot of freeboard shall be provided for all detention/retention structures.

5.3.1 Design Criteria: The applicant shall use the best available drainage systems. The suitability of the drainage design shall be based on the natural features, such as soil types, slope, vegetative cover, water table etc., of the site. Drainage plans shall be developed in consultation with the Planning Board office and the Board's consultants with the following objectives in mind:

5.3.1.1 Protection of surface and groundwater quality;

5.3.1.2 Public safety;

5.3.1.3 Protection of existing abutting properties and septic systems;

5.3.1.4 Enhancement of and connection to natural drainage systems, including streams, floodplains, and associated wetlands;

5.3.1.5 Attractiveness of the plan, minimizing disruption to existing features, and successful imitation of natural systems;

5.3.1.6 Minimizing of long term maintenance and/or reconstruction obligations.

5.3.2 Performance Standards: On site drainage systems, including detention/retention areas, shall meet the following:

5.3.2.1 A twenty-five (25) foot buffer screen that is aesthetically pleasing of existing vegetation shall be retained between all detention or siltation structures and adjacent off-site uses (roadways and/or structures).

5.3.2.2 A thirty (30) foot buffer zone of existing vegetation shall be retained between all point source discharges of stormwater and surface waters and wetlands;

5.3.2.3 All piping within the drainage system shall be sized for the twenty five (25) year storm event.

5.3.2.4 Detention facilities shall be designed to function as natural wetlands, having characteristics of side slopes, gradients, vegetation and topographic location which follow naturally occurring wetland.

5.3.2.5 Side slopes of detention/retention facilities should be no steeper than 3:1 horizontal to vertical relationship unless steeper slopes can be shown to be typical for conditions on the site;

5.3.2.6 A maximum of 2% slope shall be permitted for the bottom of the basin;

5.3.2.7 Where clearing and/or regrading is unavoidable, vegetation shall be re-established in conformance with the landscaping plan.

5.3.2.8 Retention basins shall provide one-hundred and fifty (150) of the required storage volume for the one-hundred (100)-year storm event. At least one permeability test shall be conducted within each retention

basin to estimate the infiltration rate. (one test per 10,000 square feet of overall detention/retention basin area is required).

5.3.2.9 Ground infiltration by means of leaching pits, leaching catch basins or similar facilities are not allowed as a means to calculate or mitigate storm water disposal;

5.3.2.10 No drainage outfall shall be discharged at an elevation below the high water line of a wetland, stream or water body;

5.3.2.11 A headwall with wing walls protected by rip-rapped aprons shall be provided at the outfall of all drainage pipes.

5.3.2.12 Test holes shall be conducted by a licensed soil evaluator in each detention/retention basin in accordance with the 310CMR: Department of Environmental Protection (Title V) methods. A minimum of one test per 10,000 square feet of overall detention/retention basin area is required. Monitoring wells may be required by the Planning Board.

5.3.2.13 All retention/detention basins within ten (10) feet of parking lots, driveways, or areas of public access shall be protected by a guardrail. All retention/detention basins within forty (40) feet of public ways shall be protected by a guardrail. The Planning Board may require additional guardrails.

5.4 Parking and Loading

Parking lots shall be designed to include median strips and landscape islands to improve internal circulation. Additionally, rows of parking should be interrupted by landscaped or naturally vegetated islands. Parking lots and access drives shall be designed to prevent motorists from stacking onto the public way. Parking areas shall be interconnected wherever feasible. Any entrance or exit driveway shall be a minimum of twenty four (24) feet in width. Parking lanes shall be sized according to the internal circulation pattern. Parking shall be prohibited between buildings and street layout, except for handicap access. Parking for large trucks shall be provided as determined by the Planning Board. Loading shall be designed to be convenient to the loading and unloading of vehicles and to avoid conflicts with the internal circulation pattern. Curbing shall be vertical granite at the access drive radii. Each site shall have only one curb cut per street frontage, except where is it deemed that more than one curb cut is necessary for emergency access purposes or to enhance the site.

5.5 Service Facilities

Service facilities such as: garbage collection, recycling containers, refrigeration units, utility areas and other facilities not specifically identified shall be screened around their perimeters. Screening may consist of fencing and/or natural vegetation. Screening shall have an effective height and width to screen from public view said service facility.

5.6 Construction

5.6.1 All access drives and parking areas shall be graded, paved, and drained in accordance with standards enumerated above.

5.6.2 Curbing shall be placed at the edges of all paved surfaces. Wheelstops shall be placed where parking spaces abut sidewalks and/or walkways for pedestrians. Guardrails shall be placed along parking spaces and drive aisles where slopes exceed 3:1. Curbing shall not be bituminous concrete.

5.6.3 All utility connections shall be underground and constructed in accordance with the requirements of the town and other utility companies.

5.6.4 Bollards shall be placed along the sides of the building exposed to vehicle traffic.

5.7 Access Connections

5.7.1 Separation between access connections on all collector and arterials shall be based on the posted speed limit in accordance with the following table:

Posted Speed Limit (MPH)	*Access Connection Spacing (Feet)*
20	140
30	210
40	280
50	350

5.7.2 The width of the access connections at the property line of the development shall not exceed 25 feet, unless the traffic impact study identifies and the Planning Board agrees to the need for turning lanes from the development onto the adjacent public road.

5.7.3 The access connection shall provide a minimum distance of 40 feet in depth between the property line and the beginning of any parking areas, turning areas and/or stacking lanes within the development.

5.7.4 For a site at an intersection where no alternatives exist, such as joint or cross access, the Board may allow construction of an access connection at a location suitably removed from the intersection. In such cases, the applicant shall provide directional restrictions (i.e. right in/ right out only and/or a restrictive median) as required by the Board.

5.7.5 A system of joint use cross access easements shall be established wherever feasible along (name road or overlay corridor) and the proposed development shall incorporate the following:

a) A service drive or cross access corridor extending the width of the parcel.
b) A design speed of 10 mph and sufficient width to accommodate two-way travel aisles.
c) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.

5.7.6 A leveling area shall be provided having a minus one percent (-1%) grade for a distance of thirty (30) feet measured from the nearest exterior line of the intersecting street, to the point of vertical curvature.

5.8 Drive Through Facilities

5.8.1 In order to ensure that no vehicles back up into public ways and create a safety hazard, drive-through facilities shall provide a minimum of twenty (20) stacking spaces (within the site and exclusive of driveways) before the order board. The facility shall provide a minimum of another (4) four stacking spaces between the order board and the transaction window. If the facility has two transaction windows the (4) four stacking spaces may be spilt between each of the windows. An additional three (3) stacking spaces shall be provided after the last transaction window(s).

5.8.2 Each stacking space shall be a minimum of twenty (20) feet in length and ten (10) feet in width along straight portions. Stacking spaces and stacking lanes shall be a minimum of twelve (12) feet in width along curved segments.

5.8.3 Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians.

5.8.4 Entrances to stacking lane(s) shall be clearly marked and a minimum of sixty (60) feet from the intersection with the public street. The distance shall be measured from the property line along the street to the beginning of the entrance.

5.8.5 Stacking lanes shall be designed to prevent circulation congestion, both on site and on adjacent public streets. The circulation shall: (a) separate drive –through traffic from site circulation, (b) not impede or impair access into or out of parking spaces, (c) not impede or impair vehicle or pedestrian traffic movement, and (d) minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two. Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. . If said separate stacking lane is curbed, an emergency by-pass or exit shall be provided.

5.8.6 Stacking lanes shall not enter or exit directly into a public right-of-way. Stacking lanes shall be integrated with the on-site circulation pattern.

5.8.7 The intersection of stacking lanes and walk-in customer access shall be a minimum of fifty (50) feet from any access connections and/or transaction windows. Said intersections shall be provided with a crosswalk. These crosswalks shall use enriched paving and striping and include warning signage aimed at both the pedestrian and vehicle.

5.8.8 Any outdoor service facilities (including menu boards, speakers, etc.) shall be a minimum of one hundred (100) feet from the property line of residential uses and shall be screened by a sound wall or otherwise limited to render any transactions inaudible to residential abutters.

5.8.9 Menu boards shall be a maximum of thirty square (30) feet, with a maximum height of six (6) feet in height and shall be shielded from any public street and residential properties.

5.8.10 The above standards are critical to ensuring safe operation of the drive-through facility in the future and can only be waived if a study of the most restrictive examples of representative facilities demonstrates that a given standard can be reduced.

5.9 Architectural/Building Design

5.9.1 Architectural details of new buildings and additions, textures of wall and roof materials, should be harmonious with the building's overall architectural style and should preserve and enhance the character of the surrounding area.

5.9.2 The mass, proportion and scale of the building, roof shape, roof pitch, and proportions and relationships between doors and windows should be harmonious among themselves and with those of the surrounding area.

5.9.3 The building's location shall be oriented parallel or perpendicular to the street. Where the minimum setback cannot be maintained by the building, the applicant shall provide adequate spatial definitions through the use of walls, fences and or other elements, which will maintain the street line.

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

5.9.5 When a drive-through is proposed on a property with an historic building, the architectural character defining the exterior elements of the historic building shall be preserved. Signage should be compatible with the historic character of the building.

5.9.6 Buildings: buildings should be placed close to the road and sidewalk to encourage

pedestrian traffic; parking areas should be placed to the side or rear of buildings; long horizontal facades should be avoided by incorporating recesses and projections, of a minimum of two feet in depth; entrance ways should be emphasized by use of rooflines, changes in materials, landscape treatments or other architectural elements; franchise architecture with highly contrasting color scheme, non-traditional forms, reflective siding and roof materials should be avoided; drive-through elements should be architecturally incorporated into the building; drive-thorough elements generally should not face the street; the material used for additions should complement the materials of the original structure.

5.9.7 Rooflines: the use of flat roofs and A-frame roofs should be avoided; roof colors should be earth tones or a color that is darker than the facade and garish roof colors should not be used; visible roofing materials should complement the color and texture of the building's facade; roof mounted mechanical equipment should be screened from public view or grouped at the rear of the structure where visibility is limited.

5.9.8 Building Signs: simple geometric shapes should be used for signs; signs should be limited to two or three contrasting colors that complement the colors on the building; garish colors should be avoided; carved wooded signs are encouraged; internally illuminated signs should not be whole panels that are lit, thus constituting light fixtures in their own right; lighting fixtures illuminating signs should be located so light is directed only onto the sign facade.

5.9.9 Windows: A minimum of 50% of the building's street side facade shall contain windows. The windows should be divided by muntins and framed with a casing trim; awnings should be designed as an integral part of the building facade; metal awnings are not allowed.

Section VI – Development Impact Statement

6.0 A Development Impact Statement is required for projects with the following characteristics:

- multi-family residential projects, consisting of five (5) or more units, or containing three or more acres of land;
- commercial and industrial projects consisting of five thousand (5,000) or more square feet of floor area or three or more acres of land area;
- All projects which generate more than two hundred fifty vehicle trips per day.

6.01 Purpose: The intent of DIS is to enable Town officials to determine and evaluate those methods to be used by the applicant to promote the environmental health of the community and to minimize the environmental degradation of the Town's natural resources.

6.02 Procedure: The Planning Board may waive in part, or in whole, any requirements contained in the Statement, which it deems inapplicable to the project proposal. The applicant should discuss the requirements with the Planning Board for preparation of the Statement, preferably prior to submission of a tentative plan. The Planning Board can waive the DIS for projects that require a Massachusetts Environmental Policy Act (MEPA) review; however, the Planning Board may require specific information in the DIS that the Board deems was not adequately addressed in the MEPA review.

6.1 **Environmental Impact Assessment**

Purpose: To describe the impacts of the proposed development with respect to on-site and off-site environmental quality.

Scope:

6.1.1 A written description of existing, general physical conditions of the site, including topography, location and varieties of vegetation and geologic type, scenic and historical features, trails and open space links, impact of stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table and indigenous wildlife; the potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development;

6.1.2 Description of proposed measures for mitigation of any potential adverse impacts on the natural environment.

6.2 **Environmental Impact Standards Required**

6.2.1 The proposed development shall not create any significant emission of noise, dust, fumes, noxious gases, radiation, or water pollutants, or any other similar significant adverse environmental impact(s). The Board may require emissions tests be conducted to establish background emission levels. If emission tests are conducted for various pollutants, the Board may seek a Professional(s) opinion (at the applicant's expense) as to the potential impacts associated with those pollutants. In some cases more than one professional may be required to assess the potential impacts.

6.2.2 The proposed development shall not increase the potential for erosion, flooding or sedimentation, either on-site or on neighboring properties; and shall not increase the pre v. post rates of runoff from the site. Furthermore, shall not increase the pre v. post volume of runoff from the site. Provision for attenuation of runoff pollutants and for groundwater recharge shall be included in the proposal.

6.2.3 The design of the proposed development shall minimize the destruction of unique natural features.

6.2.4 The design of the development shall minimize earth removal. Cuts of more than 4 feet shall be prohibited, unless otherwise waived by the Planning Board. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.

6.2.5 The design of the development shall minimize the area over which existing vegetation is to be removed. Tree removal shall be minimized, and special attention shall be given to the planting of replacement trees. By replacing any tree that is removed over 6" trunk diameter. All trees that are removed over 6" trunk diameter measured 4 feet above grade shall be replaced and incorporated into the landscape plan for the site.

6.2.6 Recommended: None

6.3 Fiscal Impact Assessment

Purpose: To evaluate the fiscal and economic impacts of the proposed development on the Town.

Scope:

6.3.1 Projections of costs arising from increased demands for public services and infrastructure. Cost factors include the following: Project effect on police and fire protection, highway, water, sewer, solid waste disposal facilities, educational services, recreation facility impact, and health services.

6.3.2 Projections of benefits from increased tax revenues, employment (construction and permanent), and value of public infrastructure to be provided. Revenue factors include the following: Project effect on property taxes, vehicular taxes, licenses and fees, fines and miscellaneous taxes.

6.3.3 Projections of the impacts of the proposed development on the values of adjoining properties.

6.3.4 Five-year projection of Town revenues and costs resulting from the proposed development.

6.4 Fiscal Impact Standards

6.4.1 Required: None.

6.4.2 Recommended: Projected positive net fiscal flow for first five years after design year of occupancy.

6.5 Community Impact Assessment

Purpose: To evaluate the impact of the proposed project on Town services and surrounding neighborhood.

Scope:

6.5.1 Site design and neighborhood impact: Evaluation of the relationship of proposed new structures or alterations to nearby pre-existing structures in terms of character and intensity of use (e.g., scale, mass, materials, color, location and size of doors and windows, setbacks, roof and cornice lines, and other major design elements); and of the location or configuration of proposed structures, parking areas, and open space with respect to neighboring properties.

6.5.2 Historic impact: identification of impacts on significant historic properties, or archeological resources (if any) in the vicinity of the proposed development.

6.5.3 Evaluation of impacts on the water system, sewage system, the school system, fire protection, police protection, libraries, and parks and recreation facilities, and proposed methods of mitigation for any adverse impacts.

6.6 Community Impact Standards

Required:

6.6.1 Design elements shall be compatible with the character and scale of neighboring properties and structures.

6.6.2 The design of the development shall minimize the visibility of visually degrading elements such as trash collectors, loading docks, etc.

6.6.3 The design of development shall be consistent or compatible with existing local plans (if any), including plan elements adopted by the Planning Board, Conservation Commission, and other Town bodies having such jurisdiction.

6.6.4 The location and configuration of proposed structures, parking areas and open space shall be designed so as to minimize any adverse impact on temperature levels or wind velocities on the site or adjoining properties.

6.6.5 Outdoor lighting, including lighting on the exterior of a building or lighting in parking areas, shall be arranged to minimize glare and light spillover to neighboring properties.

6.6.6 Recommended: None

6.7 Traffic Impact Assessment

Purpose: To document existing traffic conditions in the vicinity of the proposed project, to describe the volume and effect of projected traffic generated by the proposed project, and to identify measures proposed to mitigate any adverse impacts on traffic. A registered professional engineer experienced and qualified in traffic engineering shall prepare the traffic impact assessment.

Scope:

6.7.1 Document the methodology and sources used to service existing data and estimations;

6.7.2 Existing traffic conditions- average daily and peak hour volumes, average and peak speeds, sight distances, accident data for the previous 3 years, and levels of service (LOS) of intersections and streets affected by the proposed development. Generally, such data shall be presented for all streets and intersections adjacent to or within 1,000 feet of the project boundaries, and shall be no more than 12 months old at the date of application, unless other data is specifically approved by the Board.

6.7.3 Projected traffic conditions for design year of occupancy shall include: statement of design year of occupancy, average annual background traffic growth, impacts of proposed developments which have already been approved, under construction and /or are pending before a town board.

6.7.4 Projected impacts of the proposed development shall include: Projected peak hour and daily traffic generated by the development on roads and ways in the vicinity of the development; sight lines at the intersections of the proposed access connection and adjacent streets; existing and proposed traffic controls in the vicinity of the proposed development; and the projected post development traffic volumes and levels of service of intersections and streets likely to be affected by the proposed development.

6.7.5 Proposed mitigation shall include: A plan (with supporting text) to minimize traffic and safety impacts through such means as physical design and layout concepts, staggered employee work schedules, promoting use of public transit or carpooling, or other appropriate means; and an interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems. Measures shall be proposed to achieve the following post-development standards:
(i). All streets and intersections to be impacted by the project shall have the same Level of Service or better than pre-development conditions.

6.8 Traffic Impact Standards

Required: The "level of service" (LOS) of all impacted intersections and streets shall be adequate following project development. For purposes of this standard:

6.8.2 "Level of service" (LOS) shall be determined according to criteria set forth by the Highway Capacity Manual;

6.8.3 "Impacted" means located within 1,000 feet of the closest boundary of the project site and projected to receive at least five percent (5%) of the anticipated average daily or peak hour traffic generated by the proposed development;

6.8.4 "Adequate" shall mean a level of service of "B" or better for rural, scenic and residential streets and for all new streets and intersections to be created in connection with the project; and "D" or better for all other streets and intersections; and

Recommended: The proposed site plan shall minimize points of traffic conflict, both pedestrian and vehicular. The following guidelines shall be used to achieve this standard:

6.8.5 Entrance and exit driveways shall be so located and designed as to achieve maximum practicable distance from existing and proposed access connections from adjacent properties.

6.8.6 Where possible, driveways shall be located opposite similar driveways.

6.8.7 Sharing of access driveways by adjoining properties and uses is encouraged.

6.8.8 Left-hand turns and other turning movements shall be minimized.

6.8.9 Driveways shall be so located and designed as to discourage the routing of vehicular traffic to and through residential streets.

6.8.10 Pedestrian and bicycle circulation shall be separated from motor vehicle circulation as far as practicable.

7.0 Defintions:

Access: A way or means of approach to provide vehicular or pedestrian entrance or exit to a property.

Access Connection: Any driveway, street, curb cut, turnout or other means of providing for the movement of vehicles to or from the public/private roadway network.

Best Management Practices (BMP): For the purposes of storm-water management structural or nonstructural and managerial techniques that are recognized to be the most effective and practical means to prevent or reduce non-point source pollutants from entering receiving waters in accordance with Stormwater Management Volume I and II

prepared by: MA Department of Environmental Protection and MA Office of Coastal Zone Management as most recently revised.

Cross Access: A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

Directional Median Opening: An opening in a restrictive median, which provides for the specific movements and physically restricts other movements. Directional median opening for two opposing left or "U-turn" movements along a road segment are considered one directional median opening.

Drive-Through Facility: A commercial facility which provides a service directly to a motor vehicle or where the customer drives a motor vehicle onto the premise and to a window or mechanical device through or by which the customer is serviced without exiting the vehicle. This shall not include the selling of fuel at a gasoline filling station or the accessory functions of a carwash facility such as vacuum cleaning stations.

Driveway/ Curb Cut Spacing: The distance between connections, measured from the closet edge of pavement of the driveway or curb cut to the next closest edge of the pavement along the public/private roadway.

Fast Food Restaurant: Any restaurant serving the majority of its food in disposable containers, packages, or other similar wrapping, for consumption on or off the premises.

Joint Access (or Shared Access): A driveway connecting two or more contiguous sites to the public/private street systems.

Leveling Area: A level area (thirty (30) feet in depth at -1% grade) at the intersection of the access connection and the public way.

Lot, Corner: Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.

Restrictive Median: A physical barrier in the roadway that separates traffic traveling in opposite directions, such as a concrete barrier or landscaped island.

Stacking Lane: An area of stacking spaces and driving lane provided for vehicles waiting for drive–through service, that is physically separated from other traffic and pedestrian circulation on the site.

Stacking Space: An area within a stacking lane for vehicles waiting to order and/or finish a drive – through transaction.

8.0 – FEES

8.1 Filing fee is $1,000.00

8.2 An administrative and technical review fee shall be filed in accordance with the most recently revised fee schedule.

8.3 Administrative review fees as of August 29, 2005: $100 per 1,000 square feet of gross floor area, prior to the public hearing..

8.4 Technical and consultant review fee as of August 29, 2005: Applicant shall deposit $6,000 prior to the public hearing; from this deposit the Planning Board's consultants shall be reimbursed. If that amount will be exceeded the Planning Board shall notify the applicant and request additional funds.