

# **SITE PLAN APPROVAL BYLAW**

## **Town of Chester**

### **SECTION VI. ADMINISTRATION**

#### **6.8 SITE PLAN APPROVAL**

##### **6.8.1 Purpose**

- a. To promote the safety of vehicular and pedestrian movement with the site and in relation to the adjacent areas, highway traffic safety and protect the capability of state and local roads to conduct traffic smoothly;
- b. To promote an attractive and viable community and expand the commercial tax base of the Town;
- c. To protect the rural character, aesthetic visual qualities, natural environmental features, historical features and property values of the Town and neighboring properties;

##### **6.8.2 Projects Requiring Site Plan Approval**

a. No special permit or building permit shall be issued and no application for such permits shall be accepted for any of the following uses unless a site plan has been endorsed by the Planning Board, after consultation with other boards, including but not limited to the following: Building Inspector, Board of Health, Board of Selectmen, Historical Commission, Conservation Commission, Highway Department, Fire Department and Police Department. The Planning Board has authority to approve, approve with conditions, or deny the application.

b. The following uses require a Site Plan Approval:

- (1) Minor and Major Cottage Industry

The Planning Board may waive any or all requirements of site plan review for external enlargements of less than 10 % of the existing floor area.

##### **6.8.3 Exemption from Site Plan Approval**

a. Site plan approval shall not be required for:

- (1) the construction or enlargement of any single family or two family dwelling or building accessory to such dwelling;
- (2) any building used exclusively for agriculture, horticulture or floriculture.

##### **6.8.4 Application for Site Plan Approval**

a. Each application for Site Plan Approval shall be submitted to the Planning Board by the current owner of record, accompanied by nine (9) copies of the site plan.

b. The Planning Board shall obtain with each submission, a deposit sufficient to cover any expenses connected with a public hearing and review of plans, including the costs of any engineering or planning consultant services necessary for review purposes.

## 6.8.5 Require Site Plan Contents

a. All site plans shall be prepared by a registered architect, landscape architect, or professional engineer unless this requirement is waived by the Planning Board because of unusually simple circumstances. All site plans shall be on standard 24" x 36" sheets at a scale of one inch equals 20 feet, with additional narrative as necessary.

- (1) Name of the project-locus, date and scale plan;
- (2) Name and address of the owner of record, developer, and seal of the engineer, landscape architect or architect;
- (3) The location and boundaries of the lot, adjacent streets or ways, and the location and owner's names of all adjacent properties and those within 300 feet of the property line, and all zoning district boundaries;
- (4) Existing and proposed topography at the two foot contour interval the location of wetlands, streams, waterbodies, drainage swales, areas subject to flooding and base flood elevations and unique natural land features;
- (5) Existing and proposed structures, including dimensions and elevations; and all exterior entrances and exists;
- (6) The location of parking and loading areas, public and private ways, driveways, walkways, access and egress points;
- (7) The location and description of all proposed septic systems, a soil percolation test when necessary, water supply, storm drainage systems including existing and proposed drain lines, culverts, drainage swales, catch basins, drainage calculations, and sub-drainage along with soil logs, utilities, hydrants, manholes, lighting fixtures, and refuse and other waste disposal methods;
- (8) Proposed landscape features including the location and a description of buffers, screening, fencing, and plantings, including the size and type of plants material;
- (9) The location, dimensions, height, color, illumination and characteristics of existing and proposed signs;
- (10) The location and a description of proposed open space or recreation areas;
- (11) The plan shall describe estimated daily and peak-hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site.
- (12) A plan for the control of erosion, dust, and silt, both during and after construction sequencing, temporary and permanent erosion control, and protection of water bodies;
- (13) For alterations to any existing or new business, commercial or industrial uses, a table containing the following information:
  - (a) Maximum area of building to be used for selling, offices, business, industrial or other uses.
  - (b) Maximum number of employees where applicable.
  - (c) Maximum seating capacity where applicable.
  - (d) Number of parking spaces existing or required for the intended use.
- (14) Elevation plans at a scale of 1/4" = 1 '0" for all exterior facades of the proposed structure(s) and/or existing facades plus addition(s) showing design features and indicating the type and color of materials to be used.

The Planning Board may waive any information requirements it judges to be unnecessary to the review of a particular plan.

### **6.8.6 Procedures for Review of Site Plans**

a. The Planning Board shall transmit one copy each to the Building Inspector, Board of Health, Conservation Commission, Highway Department, Historical Committee, Fire Department, and Police Department, who shall review the application and submit their recommendations and comments to the Planning Board concerning:

- (1) the adequacy of the data and methodology used by the applicant to determine the impacts of the proposed development;
- (2) the effects of the projected impacts of the proposed development; and
- (3) recommended conditions or remedial measures to accommodate or mitigate the expected impacts of the proposed development;

Failure of Boards to make recommendations within 35 days of the referral of the application shall be deemed to be lack of opposition.

b. The Planning Board shall hold a public hearing within sixty-five (65) days of the receipt of an application and after due consideration of the recommendations received, the Board shall take final action within 90 days from the time of hearing. The Planning Board's final action in writing shall consist of either:

1. Approval of the site plan based on a determination that the proposed project will constitute a suitable development and is in compliance with the standards set forth in this bylaw;
2. Disapproval of the site plan based on a determination that the proposed project does not meet the standards for review set forth in this bylaw; or
3. Approval of the project subject to any conditions, modifications and restrictions which will ensure that the project meets the Standards for Review.

c. The period of review for a site plan approval shall be the same as special permits and shall conform to the requirements of state Zoning Act, M.G.L. Chapter 40a.

### **6.8.7 Criteria for Review of Site Plans**

a. In reviewing and evaluating the site plan, and in making a final determination regarding site plan approval, the Planning Board shall consider the following criteria:

- (1) The site plan minimizes traffic and safety impacts of the proposed development on adjacent highways or roads, and maximizes the convenience and safety of vehicular and pedestrian movement within the site.
- (2) The proposed development, to the extent feasible: a.) is integrated into the existing landscape and protects abutting properties; b.) minimizes adverse environmental impacts on such features as wetlands, floodplains, and aquifer recharge areas; c.) minimizes obstruction of scenic views from publicly accessible locations; d) preserves unique natural or historical features; e) minimizes removal of trees, vegetation, and soil and grade changes, f) maximizes open space retention; and g) screens objectionable features from neighboring properties and roadways.

b. The architectural design, layout and landscaping of the proposed development is in harmony with the historic, rural character of the neighborhood and the Town of Chester.

c. The proposed development is served with adequate water supply and waste disposal systems and will not place excessive demands on Town services and infrastructure.

d. The site plan shows adequate measures to prevent pollution of surface or groundwater, to minimize erosion and sedimentation, and to prevent changes in groundwater levels, increased run-off and potential for flooding.

e. A statement on the financial impact of the proposed project to the Town of Chester.

### **6.8.8 Enforcement**

- a. The Planning Board may require the posting of a bond or other adequate security to assure compliance with the plan and conditions and may suspend any permit or license when work is not performed as required.
- b. Any site plan approval issued under this section shall lapse within one (1) year if a substantial use thereof has not commenced sooner except for good cause. The time required to pursue and await determination of a judicial appeal pursuant to Chapter 40a of the General Laws shall be included within the one (1) year time limit.
- c. The Planning Board may periodically amend or add rules and regulations relating to the procedures and administration of this section.