

SECTION 1
GENERAL PROVISIONS

1.01 AUTHORITY

These Rules and Regulations for Site Plan Approval are adopted by the Weston Planning Board, as authorized by Section XI of the Weston Zoning By-Law.

1.02 PURPOSE

The purpose of these Rules and Regulations is to establish procedures for conducting Site Plan Approval, as set forth in Section XI of the Weston Zoning By-Law.

1.03 APPLICABILITY

Any person applying for Site Plan Approval under Section XI of the Weston Zoning By-Law shall comply with these Rules and Regulations.

1.04 WAIVER OF SPECIFIC INFORMATION REQUIREMENTS

Strict compliance with these Rules and Regulations, including the holding of a Public Hearing, may be waived if the Planning Board finds that the waiver is in the public interest, or if the required information is irrelevant to the project, and the result of the waiver granted is consistent with the purpose of the Weston Zoning By-Law and these Rules and Regulations. Planning Board shall vote on these requests for waivers within 21 days of Date of Submission. If no vote is taken, waiver requests shall be deemed to be denied.

Any request from an Applicant for a waiver of the Public Hearing or of these Rules and Regulations must be submitted in writing at the time of the application for Site Plan Approval on Form SPA-4, WAIVER REQUEST FORM. The request must clearly identify the provisions(s) from which relief is sought and include a statement setting forth the reasons why, in the applicant's option, the granting of such a waiver would be in the public interest; why required information is irrelevant to the project; and why a waiver would be consistent with the purpose of the Zoning By-Law and these Rules and Regulations.

1.05 AMENDMENTS TO THE RULES AND REGULATIONS

The Rules and Regulations may be amended by a majority vote of the Board after a duly noticed and held Public Hearing.

SECTION 2.
FILING PROCEDURES FOR SITE PLAN APPROVAL

2.01 WHO MAY FILE A SUBMISSION FOR SITE PLAN APPROVAL

If the applicant is a party other than the record owner, the Application must be co-signed by all of the record owners.

2.02 FILING FEES

Every Submission (other than by the Town of Weston) shall be accompanied by a filing fee payable by check to the Town of Weston. The applicant should refer to the PROCESING FEE SCHEDULE at the end of these Rules and Regulations for the fee schedule. If waiver of the public hearing is requested but denied, the applicant will be required to pay the full filing fee.

A \$1400 advertising fee shall be required for any application requiring public notice under Massachusetts General Law or the Bylaws of the Town of Weston.

2.03 SITE PLAN APPROVAL SUBMISSION AND DATE OF SUBMISSION

- a) Submission. To initiate the Site Plan Approval process the applicant shall file an application with the Town Planner on form SPA-1, the Application for SITE PLAN APPROVAL. This application along with the supporting documentation required in these Rules and Regulations and in Section XI of the Zoning By-Law constitutes the Submission.
- b) Date of Submission. The applicant shall file or cause to be filed 7 copies of the Submission in the office of the Town Planner. The Town Planner's office shall stamp the upper right hand corner of SPA-1 with the date of receipt. The Town Planner shall thereafter have 5 business days to review the Submission for completeness. If the Submission is complete, the Town Planner shall endorse the Submission by completing the lower portion of SPA-1. The date of such endorsement shall be the Date of Submission.
- c) Incomplete Submission. If the Submission is incomplete, it will be returned to the Applicant by the Town Planner with a listing of the missing information. The filing fee is nonrefundable.
- d) The Applicant shall file a copy of SPA-1, SITE PLAN APPROVAL APPLICATION endorsed with the Date of Submission, with the Town Clerk's Office within 2 business days of the Date of Submission. Proof of receipt of the Application by the Town Clerk's Office shall be furnished on SPA-1.

2.04 TRANSMITTAL OF THE SUBMISSION

The Applicant shall transmit a complete copy of the endorsed, date stamped Submission to each of the following: Board of Selectmen; Board of Health; Building Inspector; Fire Chief; Water Department; Conservation Commission; Police Chief; Town Engineer at the DPW. The Applicant

shall use SPA-2, TRANSMITTAL OF SITE PLAN APPROVAL SUBMISSION, as a cover sheet for the Transmittals. It is the Applicant's responsibility to furnish proof of receipt of the transmittal on SPA-3, PROOF OF TRANSMITTAL FORM. The completed signature form must be returned to the Town Planner not later than 3 business days after the Date of Submission. Failure to return SPA-3 in the prescribed time will cause the Submission to be considered incomplete, and it will be returned to the Applicant.

2.05 CERTIFIED ABUTTERS LIST

A list of abutters and abutters to abutters with 300' including their postal addresses that are "parties in interest" (as defined by M.G.L. C.40A) taken from the most recent tax list of the Town, shall be certified by the Assessors Office and included in the Submission on SPA-5, CERTIFIED ABUTTERS LIST FORM.

SECTION 3 FORM OF PLANS

3.01 SHEET SIZE

All plans shall be drawn on sheets 24"x36". One set of 24"x36" reproducible plans and seven sets of half scale prints shall be submitted to the Town Planner as part of the Submission. Transmittals to other Boards, etc., shall include full size drawings.

3.02 PROFESSIONAL CERTIFICATION

All plans shall be prepared, as appropriate, by a Registered Architect, Landscape Architect, Registered Land Surveyor or Registered Professional Engineer unless this requirement is waived by the Planning Board.

3.03 FORMS OF PLANS

Plans shall be legibly drawn, be fully detailed and demonstrate the intentions of the Applicant. Plans shall be drawn at a standard scale and so stated. All plan sheets shall be consecutively numbered e.g. 1 of 5, 2 of 5, etc. All plans shall have an appropriate title block, north arrow, scale and legend identifying any representative symbols used. All plans shall be dated and bear the name and address of the owner of record, the project name, the applicant, and professional seal where applicable.

SECTION 4
CONTENT OF THE SUBMISSION

4.01 GENERAL

The information submitted by an applicant shall include data and analyses which are pertinent to the Standards and Criteria set forth in the Weston Zoning By-Laws, Section XI, Subsection H. At a minimum, a Submission shall contain the following items.

4.02 LIST OF ALL ITEMS SUBMITTED

The Submission shall include a separate sheet titled “List of Items Submitted” which shall number and identify each document, plan, drawing or other item that is submitted by the Applicant as part of the Submission. Any item that is added to the Submission during the course of the site plan approval process shall be added to the List by the Applicant.

4.03 LOCATION

A separate locus map at 1”=300 ft. shall show the location of the site showing details similar to that shown on the Assessor’s Maps, within a minimum radius of 500’ of the site. A separate abutters map at 1”=100 ft. shall show the total of abutters’ and next abutters’ land with structures, driveways, watercourses, roadways, easements and rights of way.

4.04 GENERAL SITE CHARACTERISTICS

The plans shall show all existing lot lines and boundaries on the site and those of any abutting properties to the site owned by the same owner (s), present and proposed easements; rights of way; covenants; restrictions; and agreements on the development parcel.

The size of the development parcel area shall be stated in acres or square feet.

All zoning district boundaries shall be specified including any overlay districts on or within 500 ft. of the perimeter of the site. The Applicant shall provide copies of all variances, special permits and dates of issue by other Town Boards or Federal Agencies, and a list of any variance, permit or special permit required to begin the proposed work.

The plans shall show the area of the parcel within the Weston Wetlands and Floodplain Protection District with base elevations.

The plans shall show the location and type of trails, recreation areas, scenic views, historic structures and buildings, stone walls and written description/plans for their preservation.

4.05 NATURAL SITE CHARACTERISTICS

The plans shall show existing and proposed topography at two (2) foot contour intervals (all elevations shall refer to the National Geodetic Vertical Datum of 1929).

The plans shall show location of water resources including ponds, lakes, brooks, intermittent streams, vernal ponds, streams, flood plains and all proposed changes to these features.

The plans shall show all wetlands and wetland buffer area boundaries subject to the provisions of the “Wetlands Protection Act “ M.G.L. C.131, Section 40.

4.06 USE DESCRIPTION

The applicant shall provide a detailed written description of the existing and proposed use. General description such as “business use” or “medical use” are not acceptable. The use description must identify the specific type(s) of activities currently existing and proposed to be conducted on the site.

The statement shall include occupancy information for existing and proposed uses including the total and maximum number of employees on site at one time with size of shifts; maximum seating or service capacity; total occupancy including residents, clients, and service providers on site.

4.07 SITE IMPROVEMENTS

A table shall show the dimensional requirements (maximum-minimum) of the zoning district and pre-and post-development site characteristics including square feet and percentage of land; of open space, undisturbed open space, wetlands, floodplain, developable site area, footprint of structures, and paved areas; front yard; side yard; rear yard; any buffers; building height; floor to lot ratio; amount of impervious cover; number of parking spaces (including handicapped and compact car space) with supporting calculations;

The following shall be shown on the plans:

The existing conditions on the development parcel shall be shown; such as, the location of any existing septic systems, cesspools, leaching fields and wells on or within 500 feet of the development parcel. The final disposition of any existing building or structure, whether it is to remain, be altered or removed, shall be shown.

The location of all proposed buildings, structures, and improvements within the development parcel shall be shown with all exterior entrances and all anticipated future additions and alterations.

All required setbacks for buildings and structures, parking and loading facilities shall be shown with dimensions on the plan to demonstrate compliance with zoning requirements.

Parking spaces must be located and identified as either standard size, or handicapped spaces. The location of any signs intended for identification of handicapped spaces must be shown. Pavement markings must be shown.

Proposed parking structures must contain the above information as well as: dimensions of the structures; means of ingress and egress; internal traffic circulation; lighting and access to the principal structure.

All driveway entrances shall be shown with dimensions; and sight distances at the driveway intersection shall be provided. The weight, turning radius length and height of the largest truck expected to use the site shall be noted. All the driveways and entrances must be designed to accommodate trucks as well as fire apparatus which must be able to maneuver freely. Service areas, truck loading areas and utility buildings shall be shown.

Provisions for emergency access must be shown.

The location of all present and proposed public and private ways sidewalks (including construction material to be used), ramps, paths, and curbs must be shown.

The plans shall show areas intended for outdoor storage (open) with dimensions and screening. Traffic flow patterns within the site and off site must be shown and curb cuts and intersections within 500 feet of the property line.

4.08 SITE UTILITIES

Drainage and Erosion: The storm drainage system must be shown and described including existing and proposed drain lines, culverts, catch basins, headwalls, manholes and drainage swales; storm water runoff calculations; measures to prevent the pollution of surface or groundwater, or the erosion of soil during and after construction; calculations for and measures proposed to prevent or control increases in the rate of off-site runoff; calculations for 100 year flood levels during and after construction.

Location and type of all other present and proposed utility systems shall be shown including but not limited to sewage disposal, electric, gas, water, telephone and cable.

Location of any underground storage tanks for fuel or other chemical storage shall be shown including tank type, capacity, age and condition.

4.09 WASTE DISPOSAL

Location, type and screening details for all waste disposal containers shall be shown including type and composition of solid waste and any hazardous wastes with estimated amounts; and operational plans and facilities for solid waste disposal.

The location of the area which is capable of supporting on site sewage disposal from the proposed project shall be shown. Design, operating and maintenance details of the proposed disposal facility shall be explained.

4.10 EARTH REMOVAL/FILL

Indicate areas where earth removal, blasting, or filling is proposed and the approximate volume in cubic yards, along with the rationale for proposed removal of vegetation, trees, soil and for any grade change.

Precise calculations for determining the total amount of earth removal or fill will only be required when the development will require earth materials to be obtained or removed off site. If the amount is over 30 cubic yards, a removal/fill schedule will be required which shows size of trucks, gross vehicle weight, estimated number of trips per day for each vehicle, travel routes to be taken, and hours of operation, and certification that fill is free of hazardous materials.

4.11 LIGHT, SHADOW, SOUND, ODORS

The proposed location, height, intensity and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures shall be shown including the direction of illumination and methods to eliminate glare onto adjoining properties; and post development shadow on abutting properties. Calculations and descriptions of construction noise during and after construction shall be provided and a description and explanation of any potential odors during construction and thereafter.

4.12 SIGNS

The location, height, size, material and design of all proposed signages shall be shown including demonstration of compliance with Zoning By-Law.

4.13 DESIGN AND LANDSCAPE

Elevation plans shall be provided at a scale of 1/8 inch= 1 foot for all exterior facades of the proposed structure and/or existing facades, plus additions(s), showing design features and indicating the type of material to be used. A landscaping plan shall be provided showing all existing natural features, trees proposed for removal over six inches caliper (measured twelve inches over the soil line), area of forest cover including description of type, height, and density, and all proposed changes to these features including size, and type of plant material.

4.14 TRAFFIC STUDY

The Traffic Study Area will be defined by the Planning Board to include all Intersections and roads within 500' of the development site, as well as all intersections and roads potentially impacted by the proposed development. A detailed traffic study will evaluate the traffic before development, during development (including any phased development stages), and post development. The traffic study shall include: present and projected number of vehicle trips by vehicle type; i.e. passenger car, delivery truck, employee vehicle, public transit, etc. estimated daily A.M. and P.M. peak hour traffic levels; accident records for five years in the traffic study area including nature of accident and time of day; the proposed traffic flow pattern including vehicular movements at all intersections likely to be affected by the proposed use of the site; the impact of this traffic upon existing abutting public ways in relation to existing road capacities before, during, and after development; the adequacy of vehicular queuing storage at the site entrance; and transportation management system plans and traffic mitigation measures that are consonant with Town character and acceptable to the Planning Board. The traffic study area shall be defined by the Planning Board. The traffic study should take into account any proposed projects or road improvements that are being considered by local, state, or other agencies that may affect the proposed traffic projections.

4.15 IMPACT AND MITIGATION

Analysis shall be provided of impacts during construction including days and hours of operation; provisions for employee and equipment parking; traffic, noise, dust vibration; impacts on wildlife habitats; demand for and effects on character of the community. Any proposed mitigation of negative impacts shall be provided and shall be consistent with the Standards and Criteria set forth in Section XI, Subsection H. of the Weston Zoning By-Law.

4.16 ADDITIONAL INFORMATION

The Applicant may submit whatever additional information he/she feels is necessary to inform the Board about the proposed development including legal opinions, copies of deeds, historical data, studies and reports.

The Board is empowered by the Zoning By-Law to require additional information in addition to that specifically required by these Rules and Regulations if it finds that such information is necessary to properly act upon the Submission and is pertinent to the Standards and Criteria set forth in the Weston Zoning By-Law, Section XI, Subsection H.

SECTION 5
SITE WALK AND PUBLIC HEARING INFORMATION

5.01 Site walk and Public Hearing Information

A minimum of one site walk with Planning Board members and interested citizens may be held prior to the public hearing.

The Applicant and his/her engineer shall be present at the site walk and prepared to explain the proposal. The development site shall be staked and flagged prior to the site walk according to subdivision flagging requirements and such other flagging as required by the Board or directed by the Planning Board.

The Planning Board will set the date and time for a site walk at the development parcel, and the date, time and place for a public hearing on the proposal. The public hearing shall be held within 45 days of the Date of Submission or 65 days if a Special Permit is required subsequent to Site Plan Approval. An extension of time may be granted if it is mutually agreed to by the Applicant and Board and filed with the Town Clerk by the Planning Board on SPA-6 EXTENSION AGREEMENT FORM-HEARING.

The applicant Planning Board shall notify abutters within 300' as defined by the Town Assessor and Boards/Commissioners listed on SPA-3 of the site walk and public hearing. Notification shall be made by mail sent at least fourteen days prior to the public hearing.

Failure to properly notify the parties in interest may cause the Board to invalidate the site walk and public hearing.

At the hearing, an applicant may appear on his/her behalf or be represented by an agent to present the Submission to the Board and to the public.

5.01 DELIBERATION AND VOTE

For those projects that do not require a subsequent Special Permit, the Board shall make a decision within 120 days of the Date of Submission. For those projects that require a subsequent Special Permit, the Board shall make a decision within 90 days after the close of the public hearing. However, the time period within which final action shall be taken may be extended to a date agreed to by the Applicant and the Board. The extension for a decision shall be filed by the Planning Board with the Town Clerk on SPA-7, EXTENSION AGREEMENT-DECISION FORM.

A majority vote of the Planning Board shall be necessary to grant Site Plan Approval. The Board will within 14 days of making its vote shall file its decision with the Town Clerk and hand deliver or send a copy to the Applicant by certified mail. Notice of the decision shall be sent as required by MGLC.40A Section 9 to other parties in interest and to other parties that in writing request a copy.

FEE PROCESSING SCHEDULE

<u>Type of Project</u>	<u>Description</u>	<u>Fee</u>
1. Major Project	Project over 1,000 gross square feet or comparable.	\$2,500
2. Mid-Range Project	Project 1,000 gross square feet or comparable.	\$1,000
3. Residential	Cluster, Multifamily, Long Term Care	\$1,000 + \$15/Dwelling Unit
4. Minor Project	Project temporary or Seasonal	\$150
	Project where public hearing is waived	\$150
	Project with minimal impact	\$150

TOWN OF WESTON
Planning Board Office, P. O. Box 378, Weston, MA 02493

APPLICATION FOR SITE PLAN APPROVAL
SPA-1

Date of Receipt at Town Planner's Office: _____

Applicant's Name: _____ Telephone No: _____

Applicant's Address: _____

Owner or Names and Addresses (if different) including all parties with 1 % or more interest:

Street Address of Site: _____

Assessors's Map: _____ Parcel Number: _____ Zoning District: _____

Project Determination:

(Check fee computation page for definitions)

Major

For Res. # Units

Minor

Requires subsequent
Special Permit

The undersigned hereby apply to the Planning Board for Site Plan Approval under Section XI of the Weston Zoning By-Law. The undersigned hereby certifies that to the best of my knowledge the information on this Application and Submission is correct.

Date

Signature of Applicant

Endorsement of Submission

To be completed by the Town Planner

Application and fee rec'd amount of : _____ Date of Submission: _____

Endorsed Application/form SPA-1 filed with Town Clerk: _____

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

TRANSMITTAL OF SITE PLAN APPROVAL SUBMISSION

SPA-2

Date of Submission: _____

Dear Board/Commission Member/Agent: _____

The enclosed submission for Site Plan Approval has been filed by:

Name

for the property located at _____
Address of Property

The Planning Board welcomes any comments you may have on this proposal. They should be received by the Planning Board within 21 days of the above Date of Submission.

The Planning Board may hold a public hearing of which you will receive a notice of the exact date.

Thank you.

Very truly yours,

Weston Planning Board

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

PROOF OF TRANSMITTAL

SPA-3

A Submission for Site Plan Approval (see ZBL XI) has been filed by:

_____ for the property located at
Applicant Name

_____,
Property Address

and has been received by the following: (Please Initial and Date Below)

_____ BOARD OF HEATH

_____ FIRE CHIEF

_____ BOARD OF SELECTMEN

_____ POLICE CHIEF

_____ BUILDING INSPECTOR

_____ TOWN ENGINEER

_____ CONSERVATION COM.

_____ TREASURER*

_____ DPW DIRECTOR

_____ WATER DEPT.

Thank you,

Weston Planning Board

*Pursuant to M.G.L. Chapter 40, Section 57, the applicant has no outstanding debt in excess of \$200.00 on record with the Collector as of the date signed.

Date of Submission: _____
SPA-3 returned to the Town Planner

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

WAIVER REQUEST FORM

SPA-4

Applicant's Name: _____ Telephone No: _____

Applicant's Address: _____

Authorization of owner if not applicant _____

Street Address of Site _____

Do you request a waiver of Public Hearing? Yes No

If yes, describe your proposal and any impacts it may have on the Town road, neighborhood, environment or Town services.

List all other items requested for waiver and reasons:
(Site sections in Zoning By-Law or Rules and Regulations)

PLANNING BOARD ACTION ON WAIVER REQUEST:

For Planning Board

Date

TOWN OF WESTON
 Planning Board, P. O. Box 378, Weston, MA 02493

TOWN OF WESTON REQUEST FOR LIST OF CERTIFIED ABUTTERS
SPA-5

It is the applicant's responsibility to determine which properties abut the subject property. In order for the Assessor to certify the names and mailing address of each property owner, we require a list of properties identified by map and lot. Please complete the following:

APPLICANT: _____

ADDRESS: _____

PHONE: _____ **EMAIL** _____

SITE LOCATION: _____

SITE MAP & LOT: MAP _____ LOT _____ DATE _____

- | | | | |
|-----------------------|-------------------|-----------------------|-------------------|
| 1. MAP: _____ | LOT: _____ | 16. MAP: _____ | LOT: _____ |
| 2. MAP: _____ | LOT: _____ | 17. MAP: _____ | LOT: _____ |
| 3. MAP: _____ | LOT: _____ | 18. MAP: _____ | LOT: _____ |
| 4. MAP: _____ | LOT: _____ | 19. MAP: _____ | LOT: _____ |
| 5. MAP: _____ | LOT: _____ | 20. MAP: _____ | LOT: _____ |
| 6. MAP: _____ | LOT: _____ | 21. MAP: _____ | LOT: _____ |
| 7. MAP: _____ | LOT: _____ | 22. MAP: _____ | LOT: _____ |
| 8. MAP: _____ | LOT: _____ | 23. MAP: _____ | LOT: _____ |
| 9. MAP: _____ | LOT: _____ | 24. MAP: _____ | LOT: _____ |
| 10. MAP: _____ | LOT: _____ | 25. MAP: _____ | LOT: _____ |
| 11. MAP: _____ | LOT: _____ | 26. MAP: _____ | LOT: _____ |
| 12. MAP: _____ | LOT: _____ | 27. MAP: _____ | LOT: _____ |
| 13. MAP: _____ | LOT: _____ | 28. MAP: _____ | LOT: _____ |
| 14. MAP: _____ | LOT: _____ | 29. MAP: _____ | LOT: _____ |
| 15. MAP: _____ | LOT: _____ | 30. MAP: _____ | LOT: _____ |

PLANNING BOARD WITHIN 300 FEET OF THE PROPERTY LINE OF THE SITE AS THEY APPEAR ON THE MOST RECENT TAX LIST.

Planning Boards of Lincoln, Natick, Newton, Waltham, Wayland and Wellesley will be included.

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

EXTENSION AGREEMENT FORM – HEARING

SPA-6

Date: _____

_____ and the Weston Planning Board, acting on a Submission
Applicant’s Name

for Site Plan Approval for the property located at _____,
Address of Site

Agree to extend the Public Hearing period from _____ to _____.
Date Date

This extension becomes effective when filed by the Planning Board with the Town Clerk.

Signed _____ (for Applicant)

Signed _____ (for Board)

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

EXTENSION AGREEMENT FORM – DECISION

SPA-7

Date: _____

The Weston Planning Board and _____
Applicant’s Name

have agreed to extend deliberations on a Site Plan Approval Submission for the property located on

Address of Site

beyond the regulatory review period.

Final action on the Submission will be made by _____
Date

Signed _____
for Applicant for Planning Board

This extension becomes effective when filed by the Planning Board with the Town Clerk.

Signed _____ (for Applicant)

Signed _____ (for Board)

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

SITE WALK NOTIFICATION NOTICE

SPA-8

The Weston Planning Board will hold a site walk on a parcel of land located at

_____ on _____
Street Address Date of Walk

at _____ concerning an Application for Site Plan Approval submitted by
Time of Walk

_____ and owned by _____
Name of Applicant Name of Owner(s)

A brief description of the proposal is:

The public is invited to attend the site walk and the Public Hearing.

TOWN OF WESTON
Planning Board, P. O. Box 378, Weston, MA 02493

PUBLIC HEARING NOTICE

SPA-9

The Weston Planning Board will hold a Public Hearing on an application for Site Plan Approval submitted by:

_____ for the property located at
Applicant's Name

Address of Property

The Public Hearing will be held on _____, _____
Date Time

at _____
Location

A complete submission for review is available at the Town Planners office, Monday through Friday from 9:00 a.m. – 4:30 p.m.

A brief description of the Proposal is:

