



# Town of Leicester PLANNING BOARD

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## Leicester Planning Board Site Plan Review Regulations June 20, 2017

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Applicants should also refer to Section 5.2 of the [Leicester Zoning Bylaw](#) (Site Plan Review) regarding general requirements, procedures, approval criteria, public hearing and final action requirements.

### I. Authority

Pursuant to Massachusetts General Laws Chapter 40A, Section 9 and Section 5.2 of the Zoning Bylaws of the Town of Leicester, the Leicester Planning Board hereby adopts the following Rules and Regulations governing Site Plan Approval in the Town of Leicester. Such regulations shall be effective on and after May 8, 2007. The requirements set forth herein are in addition to those set forth in the Zoning By-Laws of the Town of Leicester.

## **II. Submission Requirements and Plan Form and Contents:**

Applicants for Site Plan Review and Special Permits (where applicable) shall submit thirteen (13) copies (except where noted below) of the following to the Town Clerk:

### **A. Application Form**

Application Forms are available at Town Clerk's Office, Planning Board Office, and on the Planning Board's page on the Town's website at [www.leicesterma.org](http://www.leicesterma.org).

### **B. Certified Abutters list**

A Certified Abutters List is required only when a public hearing is required for Major Site Plan Review or where the project also requires a Special Permit. Certified Abutters Lists are available from the Leicester [Assessors Office](#). (Please be advised that it may take up to 10 days for the Assessors Office to provide a Certified List).

### **C. Fees**

Fees shall be submitted in accordance with the Planning Board's Fee Regulations. All checks must be made payable to the Town of Leicester. Please note that most Site Plan Review applications require both an Application Fee and a Project Review Fee (see Fee Regulations for details).

### **D. Digital/Electronic Submittal**

One (1) electronic (.pdf) version of ALL application materials (application form, narrative, plans, stormwater/drainage report, etc.), submitted on a USB drive or CD. All files must have logical file names that identify file contents (e.g. Mike's Sporting Goods Application Form 5-2017, Mike's Sporting Goods Drainage Report 5-2017, etc.). If separate plan sheets are submitted as separate files, file names must be numbered so that electronic plans are in the same order as paper copies.

### **E. Project Narrative**

The applicant shall submit a brief project narrative describing the proposed project, including the following:

1. General description of the proposed project, including the following information:
  - a. a description of the proposed use(s), including proposed hours of operation, number of employees, etc.;
  - b. size of proposed structures, lot size, and building coverage %. In the Watershed Overlay District, include total impervious area;
  - c. size of existing building or portion of existing building proposed for new use;
  - d. number of existing and/or proposed parking spaces proposed, and description of conformance with the Planning Board's [Parking Regulations](#);
  - e. Description of water and sewer source as applicable (See also Section I, Documentation Availability of Water and/or Sewer, below);
  - f. other relevant information to adequately describe the proposed project.
2. A description of how the project meets each of the Standards for Site Plan Approval (see Section 5.2.05 of the [Zoning Bylaw](#)). Where applicable, a description of how the project meets the criteria for issuance of a Special Permit (see [Special Permit Regulations](#)).

3. Description of permits/approvals needed from other permitting authorities.
4. Proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.
5. Waiver Requests, if applicable.

#### **F. Site Plans**

Site plans shall be prepared by a registered professional engineer, architect or landscape architect at a scale of up to 1:40 or other scale approved by the Board and on standard sheets up to 24"x 36". Only 2 copies are to be submitted full-size, the remaining 11 copies shall be submitted at 11" x 17". All plan sets shall be stapled together as complete plan sets and may be submitted folded or rolled. Site Plans shall contain the following information:

1. Name of the project, property boundaries, location map, date, north arrow and scale, and the name and address of the owner and registered engineer, architect or landscape architect who prepared the plan.
2. The location of all existing and proposed buildings and structures within the development including dimensions, height and floor area.
3. The zoning district of the site and the required zoning setback lines on the property.
4. The location of all existing and proposed roads, driveways, parking and loading areas, sidewalks, fences and walls; and the number of parking and loading spaces provided.
5. The location, height, size, and design of all proposed signage and lighting fixtures.
6. Proposed landscaping, including size and type of plant material. (Please refer to the Planning Board's [Landscaping Regulations](#).)
7. The location of existing and proposed utility systems, including water, sewerage or septic systems, storm drainage system, and other utilities.
8. Existing and proposed topography at two (2) foot contour intervals, including natural features, water sources, wetlands and 100-year floodplain.
9. The location where earth removal or filling is proposed and the volume of material to be moved.
10. Elevations for all exterior facades of the proposed structure including the type and color of materials to be used.

The above required information may be provided on several sheets to legibly show the required information.

#### **G. Locus Plan**

The applicant shall provide a locus plan at a scale of one inch equals one hundred feet (1" = 100') or other such scale as may be approved by the Planning Board, showing the entire project site and its relation to surrounding properties, buildings and roadways, and zoning district boundaries within one thousand (1,000) feet of the project boundaries or such other distance as may be approved by the Planning Board. Locus plans shall clearly identify abutting residential structures.

## **H. Stormwater/Drainage Report**

Three (3) paper copies shall be submitted at the time of application, although the Board may request additional copies. Refer to the Planning Board's [Stormwater Regulations](#) for details.

## **I. Documentation of Availability of Water and/or Sewer**

The applicant shall identify the proposed source of water and sewer (listing the particular Water and/or Sewer District(s) as applicable), and shall include documentation of availability of water and or sewer, in writing, from the applicable District(s), as follows:

1. Any public water system design shall be based upon the requirements of the applicable District Water Commission, any public sewer system design upon the requirements of the applicable District Sewer Commission, and any private water (well) and/or septic system design shall be based upon the requirements of the Board of Health.
2. No Site Plan shall be approved by the Planning Board unless evidence satisfactory to the Board is presented that adequate provision will be made for supply of water and disposal of sewerage for the proposed project. Satisfactory evidence of adequate provision of the supply of water and disposal of sewerage shall be as follows:
  - a. Where private septic systems and/or wells are proposed, no building or structure shall be placed on any lot without the consent of the Board of Health. Final approval of a plan shall be conditioned upon compliance with the recommendations of the Board of Health received during the Site Plan Review process.
  - b. Where public water and/or sewer lines are proposed, and water and/or sewer lines are currently located adjacent to the proposed project where direct connection to existing lines is proposed and where such project is located entirely within the applicable District(s) boundaries and where there is no moratorium on new tie-ins for water or sewer as applicable, a letter from the applicable District(s) or approval authority indicating that there is adequate capacity to serve the project as proposed and that the project can be accommodated subject to reasonable conditions without causing municipal water flow characteristics off-site to fall below the standards adopted by the applicable District(s) shall serve as adequate evidence of the availability of water or sewer. However, in no case shall construction of any approved project commence until full review and final water and/or sewer approvals are obtained as applicable.
  - c. Where the project is located within an existing water and/or sewer District, but water and/or sewer lines are not located adjacent to the proposed project, the applicant must obtain a letter from the applicable District(s) indicating that that the District(s) allows extensions of existing utility lines to the project site subject to reasonable permitting requirements, and the requirements of paragraph b., prior to Planning Board approval.
  - d. Where a proposed project is proposing public water and/or sewer and is located outside of the applicable water or sewer district, final acceptance into the relevant district and the requirements of paragraphs b. and c., above shall be required prior to approval of a Site Plan.
3. Where applicable, there shall be no construction on any portion of an approved project until a sewer extension permit is obtained from the Department of Environmental Protection

## **J. Traffic Study**

The Planning Board may require a detailed traffic study for large developments; or for those which would have an impact on heavily traveled roads such as Route 9; or for any application

wherein the Board deems such information necessary to evaluate the impact of the proposal on adjoining streets and neighborhoods, to evaluate internal circulation and egress as they relate to traffic and pedestrian safety, and to make any necessary findings relative to site plan approval criteria. Such a study should include: the projected number of trips generated by the proposed use, both average and peak hour; the projected traffic flow pattern including the traffic patterns at all major intersections likely to be affected by the proposed use, and any traffic mitigation measures proposed. Three (3) copies shall be submitted at the time of application, although the Board may request additional copies.

#### **K. Additional submittal requirements for Medium-Scale and Large-Scale Solar Energy Systems**

Applicants for Medium-Scale Solar Energy Systems of 3,000 sf. or more of surface area and Large-Scale Ground Mounted Solar Energy Systems shall submit a site plan and related documents in accordance with Section 5.2 of the Leicester Zoning Bylaw and these Site Plan Review Regulations. In addition, applicants shall submit the following:

1. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the following:
  - a. proposed layout of the system and any potential shading from nearby structures
  - b. Existing tree cover and limits of tree clearing
  - c. Proposed screening/buffering in conformance with Zoning Bylaw requirements.
  - d. Location of any conservation, preservation, agricultural preservation, and watershed preservation restrictions under MGL Chapter 184, Sections 31-33; Priority Habitat and Bio Map 2 Critical Natural Landscape Core Habitat mapped by the Natural Heritage and Endangered Species Program (NHESP); or "Important Wildlife Habitat" on site.
2. Post-Construction View Representations

The Board may require require post-construction view representations where solar energy systems abut existing residential uses. Where required, view representations shall meet the following requirements:

  - a. View representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the solar energy system project (e.g. superimpositions of the solar energy system onto photographs of existing views).
  - b. All view representations will include existing, or proposed, buildings or tree coverage.
  - c. Include description of the technical procedures followed in producing the visualization (distances, angles, lens, etc).
  - d. Location of viewpoints shall be shown on the Locus Plan described in the Site Plan Regulations or on a separate Town map of suitable scale to show the location of viewpoints in relation to the project site.
3. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter(s);
4. Documentation of actual or prospective access and control of the project site;

5. An operation and maintenance plan, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
6. Proof of liability insurance; and
7. Description of the proposed type of financial surety and fully inclusive estimate of the cost associated with removal and site restoration, prepared by a qualified engineer, and including a mechanism for calculating increased costs due to inflation.
8. The Project Narrative shall include the following (in addition to standard Project Narrative requirements above):
  - a. Description of the following: total size of project (square feet of surface area), total area of land disturbance, total area of tree clearing, total impervious area, and height of proposed arrays.
  - b. Description of any any conservation, preservation, agricultural preservation, and watershed preservation restrictions under MGL Chapter 184, Sections 31-33; Priority Habitat and Bio Map 2 Critical Natural Landscape Core Habitat mapped by the Natural Heritage and Endangered Species Program (NHESP); or "Important Wildlife Habitat" on site.
  - c. Description of surrounding land uses and proposed screening/buffering.
  - d. Description of plans to minimize erosion and runoff related to proposed tree clearing.

### **III. Application Distribution and Revised Submittal Procedures**

#### **A. Application Distribution**

The Planning Board will distribute plans and application materials to the following Boards and Departments for comment:

1. Town Engineer
2. Building Inspector/Zoning Enforcement Officer
3. Police Department
4. Fire Department
5. Highway Department
6. Conservation Commission
7. Zoning Board of Appeals
8. Board of Health
9. applicable Water District
10. applicable Sewer District
11. Historical Commission

#### **B. Revised Submittals**

All revised submittals must be submitted directly to the Planning Board. Contact the Planning Office regarding the number and format required as this may vary depending on the nature of the revisions. However, all revised submittals shall be submitted in both paper and electronic (.pdf) format. Revised plan submittals must contain at least two (2) full-size copies and one (1) 11" x 17" copy. In general, revised plans should be submitted 2 weeks before a continued hearing/meeting date unless the changes are minimal.

## **IV. Extensions & Modifications**

- A. An applicant may request an extension to the statutory limits for the Planning Board to take action on an application in order to provide additional time to discuss issues related to an application filed pursuant to these Rules and Regulations. The request shall be made in writing giving a description of the application and plan, the date of filing, the length of the requested extension and the proposed date for final action. A copy of the request for an extension together with the Board's approval for the extension shall be filed with the Town Clerk.
- B. Minor engineering changes may be approved for such changes including, but not limited to: location of parking spaces, drainage, curb opening locations, changes in building elevations, changes in walkways, and changes in the type of rubbish collection areas. Requests for such changes shall be submitted in writing to the Board, with sufficient documentation and/or plans to fully describe the proposed change and a statement supporting the basis for granting a minor engineering change. Requests for minor engineering changes shall be submitted to the Planning Board and shall be accompanied by three (3) copies of plans showing the proposed changes and a written statement supporting the basis for granting minor engineering change.
- C. The Planning Board, acting through its Chair and professional staff, may approve insignificant changes to an approved site plan.

## **V. Waivers**

- A. Any applicant who submits an application for a waiver of submittal of a site plan review requirements per Section 5.2.02.3 of the Leicester Zoning Bylaw (for reuse, alteration or reconstruction of an existing structure) shall file the following:
  - 1. Thirteen (13) copies of revised or redlined Site Plan, where applicable, to show changes from the original Site Plan or other plan(s) which allow the Planning Board to adequately evaluate the proposed project.
  - 2. Written statement indicating the basis upon which the applicant claims that Site Plan Waiver is indicated.
- B. Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with the Leicester Zoning Bylaw.
- C. Waiver requests may be approved at the discretion of the Board by majority vote.

Adopted by the Leicester Planning Board May 7, 2007, and amended October 19, 2011 and June 20, 2017.

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