

## **B. SPECIAL PERMIT AND SITE PLAN REVIEW REGULATIONS**

### **ARTICLE VII REGULATIONS FOR SPECIAL PERMITS AND SITE PLAN REVIEW**

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## **ARTICLE VII. REGULATIONS FOR SPECIAL PERMITS AND SITE PLAN REVIEW**

### **INTRODUCTION**

The Town of Holliston Zoning By-Law under Section VII(3) delegates to the Planning Board the role of Special Permit Granting Authority (SPGA) when a project trips a threshold for Site Plan Review and a Special Permit would be required under Section I-C (Pre-Existing Non-conforming Uses, Structures and Lots), I-D (Prohibited Uses), III (Use Regulations), V-K (Village Center Commercial District), V-L (Groundwater Protection District) or V-P (Senior Residential Dwelling Development Requirements) of the Zoning By-Law. These regulations shall apply in all cases where the Planning Board reviews any application for a Special Permit involving three or more dwelling units in a single dwelling, any new nonresidential structures or significant alterations to existing businesses.

Section VII - Site Plan Review requires a site plan review process for construction of business and industrial structures in order to ensure that development within the Town harmonizes with neighboring land uses and structures, preserve open space, natural features and historic structures, and promote public safety.

The Special Permit and Site Plan Review procedure established by the Zoning By-Law will be most effective when the Applicant, the reviewing agencies of the Town, and the residents of the Town act mutually in good faith and are predisposed to cooperate in achieving the above goals.

This regulation supplements the Zoning By-Law and sets forth procedures and minimum submission requirements for Special Permits and Site Plan Review as required by Section I-C (Pre-Existing Non-Conforming Uses, Structures and Lots), I-D (Prohibited Uses), III (Use Regulations), V-K (Village Center Commercial District), V-L (Groundwater Protection District), V-P (Senior Residential Dwelling Development Requirements), VI-E (Special Permit Granting Authority) and VII (Site Plan Review) of the Zoning By-Law.

### **7.1 GENERAL PROVISIONS**

7.1.1 **Title.** These rules and regulations shall be known and may be cited as the Special Permit and Site Plan Review Rules and Regulations of the Planning Board of the Town of Holliston, Massachusetts (in this document sometimes referred to as “these Regulations”).

7.1.2 **Purpose.** These regulations are hereby adopted by virtue of and pursuant to the authority granted the Planning Board to act as SPGA under Chapter 40A, as amended, of the General Laws of the Commonwealth of Massachusetts.

7.1.3 **Adoption.** These regulations have been adopted as provided for in G.L. c. 40A, s. 9 and Section VII, Site Plan Review and Approval, of the Zoning By-Law of the Town of Holliston, as amended, by the Town Meeting of May 5, 1997. Most recent amendments are from December 2014.

7.1.4. Compliance. After an application has been submitted, no tree removal, no utility installation, no ditching, grading or construction of roads, no grading of lots or land, no excavation except for purposes of soil testing, no dredging or filling, and no construction of buildings or structures shall commence on any part of the development site until the application has been reviewed and approved in accordance with these regulations.

## 7.2 SPECIAL PERMIT AND SITE PLAN REVIEW PROCEDURE

7.2.1 The Applicant shall submit an Application, eight (8) full size and six (6) 11" x 17" reduced copies of the plan set, and all applicable fees and deposits (as detailed in paragraphs 7.2.9 and 7.2.10, below), to the Planning Board in accordance with these regulations, and shall file a copy of the application with the Town Clerk. A digitized version of the application and plans shall also be provided in an acceptable electronic media (e.g. PDF). Please consult with the Town Planner prior to submission. For all Special Permits and for Site Plan Reviews that require a Public Hearing, as described below, the submittal shall include the names and addresses of all owners of record of all adjacent properties (within 300 feet of the property line) and the block and parcel number of each of the properties. The submittal shall also include two sets of mailing labels containing the names and addresses of the property owners described above.

7.2.2 The Planning Board will distribute copies of the special permit application or Site Plan to the reviewing Town agencies, as specified in Paragraph 4, Section VII of the Zoning By-Law, within seven (7) days of receipt of the completed application. Reviewing Town agencies shall review the special permit application or Site Plan and submit recommendations to Planning Board within 30 days of their receipt of the plan.

7.2.3 For a Site Plan proposal that does not require a Public Hearing (as specified in paragraphs 7.2.4 and 7.2.5, below) the Planning Board shall act upon all Site Plans within ninety (90) days following the submittal of application, unless an extension to this time limit is mutually agreed upon by the Applicant and the Planning Board.

7.2.4 For all Special Permit applications and for a Site Plan proposal that involves uses described in paragraphs 1, 2, 3 or 4 of Section III-A Schedule of Use Regulations of the Town of Holliston Zoning By-Law, the Planning Board shall hold a Public Hearing within sixty-five (65) days following the submittal of application. The Planning Board shall take final action within ninety (90) days for any Special Permit or within thirty (30) days for such Site Plans following the closing of the Public Hearing, unless an extension to this time limit is mutually agreed upon by the Applicant and the Planning Board. Notice of the Public Hearing shall be provided in accordance with the requirements of Massachusetts G.L., c. 40A, section 11. All other aspects of review and approval of a Special Permit application or Site Plan covered under this paragraph shall be in accordance with the practices and Rules and Regulations of the Holliston Planning Board.

7.2.5 In the event a Site Plan application is filed in conjunction with an application to the Planning Board for a Special Permit, the Planning Board shall conduct a Public Hearing for the purpose of reviewing the Site Plan, in accordance with the time limits and procedural requirements set forth in Section 7.2.4, above.

7.2.6 The Planning Board shall make its findings, as required by Zoning By-Law, and in accordance with these Regulations, and shall approve, deny or approve with conditions. The vote to approve a Special Permit shall comport with G.L. c. 40A, s. 9. The vote to approve a Site Plan shall be by vote of a majority of members present. Any denial of a Special Permit or Site Plan application shall be in writing and shall contain the reasons therefor. Said decision shall be filed with the Town Clerk. Notice shall be provided as set forth in G.L. c. 40A, s. 11.

7.2.7 Other than as specified in paragraph 7.2.8, below, a Special Permit or Site Plan shall be effective when recorded.

7.2.8 The applicant shall be responsible for the cost of the review of the application by engineering and other professional consultants retained by the Planning Board. An initial deposit is required at the time of application, as detailed in the attached fee schedule. Additional deposits may be required, when project review fees approach or exceed the amounts on deposit. Any unused monies will be returned to the applicant, with all accrued interest, following the conclusion of review or the special permit or Site Plan.

### 7.3 SPECIAL PERMIT AND SITE PLAN SUBMITTAL REQUIREMENTS

The following information required for a Site Plan shall also be submitted as part of any application for a Special Permit subject to these Regulations. This information shall be submitted on one or more plan sheets, of standard Engineering or Architectural size, and in narrative form where appropriate. This plan shall be prepared by a registered land surveyor for general locations, unless the Planning Board otherwise waives this requirement by vote in advance. For topographical and boundary survey information, the plan shall be signed and sealed by a licensed land surveyor. For all elements of design, which shall include drainage, pavements, curbing, walkways, embankments, horizontal and vertical geometrics, utilities and all pertinent structures, drawings shall be signed and sealed by a licensed professional engineer.

#### 7.3.1 General

- a) Date of plan. (All subsequent revisions shall be noted and dated.)
- b) A general description of the project site, including existing vegetation and existing utilities serving the site.
- c) Title of development; north arrow, scale, block and lot number; name and address of owner and applicant (if different from owner); name and address of person preparing the plan; license number of the registered land surveyor or engineer, if appropriate. If the owner of record is a legal entity, the names and addresses of its principal officers or trustees shall be submitted with the application.
- d) A plan scale of 1"=10', 1"=20' or 1"=40'.

**7.3.1 General (Continued)**

e) The following “Certificate of Action” block shall be shown on the first page of the Site Plan submittal:

“I attest that the Planning Board voted \_\_\_\_\_ to \_\_\_\_\_ to approve this Special Permit/Site Plan on \_\_\_\_\_ (date).  
\_\_\_\_\_ (Signature of Planning Board member)”

f) Zone boundaries shall be shown on the site plan as they affect the parcel. Adjacent zone districts within 200 feet shall also be indicated.

g) Boundaries of the property and lines of existing street, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way.

h) Key map showing the location of the parcel with reference to surrounding areas and existing street intersections.

i) All distances, as measured along the right-of-way lines of existing streets abutting the property, to the nearest intersection with any other public street.

j) Existing contours with intervals of two (2) feet where slopes are more than three (3) percent but less than fifteen (15) percent, and five (5) feet when fifteen (15) percent or more, are to be indicated by a dashed line. Where any changes in contour are proposed, finished grades should be shown by solid lines.

k) Location of existing rock outcrops, general soil types (including limitations as noted in "Soils and Their Interpretations for Various Land Uses", U.S. Department of Agriculture, 1965 Soil Conservation Service, Town of Holliston, Massachusetts), high points, vistas, watercourses, depressions, ponds, marshes, wetlands (Flood Plain and Watershed Protection District Zones), wooded areas and major trees (12" caliper and over), and other significant existing features including previous flood elevations of watercourses, ponds and marsh areas as determined by survey.

l) Location of existing buildings that shall remain and all other existing structures such as walls, fences, culverts, bridges, roadways, etc., with spot elevations of such structures. Structures to be removed shall be indicated by dashed lines and labeled as slated for removal.

m) All structures or significant changes in topography 50' beyond the property line.

n) Location and dimensions of all proposed structures and impervious surfaces.

o) All calculations necessary to determine conformance to Zoning By-Laws and Planning Board Rules and Regulations.

**7.3.1 General (Continued)**

- p) Acreage of parcel to nearest tenth of an acre.
- q) An operation and Maintenance (O&M) Plan that meets the requirements of Section 11.5 Operation and Maintenance (O&M) Plan of the Holliston Planning Board Stormwater Management and Land Disturbance Regulations.
- r) Such other information as may be required to show that the details of the plan are in accordance with applicable requirements and standards of the Zoning By-Law.

**7.3.2 Buildings**

- a) The proposed use or uses of land and buildings and proposed location of buildings including proposed grades. Such features should be indicated on a separate drawing where deemed desirable by the Zoning Officer. Floor space of all buildings shall also be indicated.
- b) The location, building type and density of land use to be allocated to parts of the site to be developed.
- c) Layout of proposed buildings or structures including elevations, plans and measurements, as appropriate, including location and function of all exterior exits and entrances to all buildings which will be on site when completed, and including proposed exterior materials and colors.
- d) Sketches as appropriate to indicate the visual impact on adjacent property and the surrounding neighborhood.
- e) Locations, dimensions, depiction and material descriptions of proposed signs.
- f) Height of buildings, including relationship to existing and proposed grades.
- g) Proposed landscaping plan.
- h) Proposed lighting plan, including polar diagrams and proposed hours of operation.

**7.3.3 Utilities**

- a) Location of all existing storm drainage structures and utility lines, on or adjacent to the property, above or below ground, whether publicly or privately owned, with pipe sizes, grades and directions of flow.
- b) Location and sizes of all proposed utility structures, including proposed water lines and appurtenances, gas lines, electric, telephone and cable transmission lines, and any proposed sewage disposal and treatment facilities.

## 7.3.3 Utilities (Continued)

c) Location of the groundwater table in the vicinity of any proposed sewage disposal and treatment facilities.

7.3.4 Landscaping

The application shall include a separate sheet entitled "Landscaping Plan". Where the site plan requires construction of five (5) or more parking spaces, the Landscape Plan shall be prepared, signed and sealed by a registered Landscape Architect.

The plan shall include a north arrow, a scale, a title block including the name and address of the project, a date, a sheet number and (where appropriate) the name and address of the Landscape Architecture firm, and name of the Landscape Architect who prepared the plan.

The site shall include areas to accommodate the storage of snow removed from roads, driveways, parking areas and sidewalks. Any landscaping in the snow storage areas shall be of a type that is resistant to damage from snow storage.

The proposed landscaping plan shall contain a minimum of the following information: existing and proposed topography, proposed buildings, roads and sidewalks, existing structures, vegetation and natural features to remain, and proposed free standing light fixtures and structures. The landscaping plan shall graphically depict the proposed location and number of trees, shrubs and ground cover to be planted. Turf areas shall also be indicated. A typical planting schedule shall be provided as shown in the following example:

Quant.	Key	Botanical Name	Common Name	Size	Condition	Remarks
10	AR	Acer rubrum	Red Maple	8-10' ht.	B&B	50' o.c.

The grass seed(s) mixture, a seeding rate schedule and the method of distributing the seed shall be provided, as well as any proposed mulching.

A planting schedule shall be provided on the landscaping plan or on the detail sheet along with the required planting details for any trees, shrubs and ground covers. If trees are to be planted in planting pits or grates, details of this shall also be provided.

#### 7.4 PERFORMANCE STANDARDS FOR NONRESIDENTIAL DEVELOPMENT

7.4.1 Purpose. The following performance standards have been adopted in order to control the size, scale, and impacts of nonresidential development. Understanding that all design is subjective, the Planning Board (Board) hopes to educate applicants as to Holliston's stated preferences for area appropriate and well-designed site development, particularly as they relate to maintaining and enhancing the aforementioned "New England Character" of the Town. The Board does encourage creative interpretation of these specific Standards in so far as the proposals adhere to the intent. The Standards, as well as discussions with the Board, will help articulate the collective "vision" of Holliston. Specific goals are set forth below:

A. **Aesthetics.** The location, size, architecture and design, building materials, and operating characteristics of the proposed development shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties, with natural and built environment in the area and the surrounding neighborhood. Proposed buildings and alterations shall be related to their surroundings with respect to height, street façade, rhythm of solids and voids, spacing of buildings or signs, materials, textures and colors, roof slopes and scale as well as pedestrian movement and safety. Architectural details including signs, materials, colors, and textures should be compatible with New England architectural style. Removal disruption or alteration of historic or architectural elements shall be minimized insofar as practicable, whether these exist on site or on adjacent properties.

B. **Lighting.** The proposed development shall not produce lighting so as to unreasonably interfere with the use and enjoyment of property within the Town. Lighting practices and systems shall (i) reduce light pollution, light trespass and glare in order to preserve and enhance the natural, scenic, and aesthetic qualities of the Town; (ii) conserve energy and decrease lighting cost without decreasing night time safety, security, and productivity, and (iii) preserve the night sky as a natural resource to enhance nighttime enjoyment of property within the Town.

C. **Landscaping and Screening.** The proposed development shall maximize and retain open space, and shall be integrated into the natural landscape, shall minimize adverse environmental impacts to such features as wetlands, floodplains, and water resource protection recharge areas and shall minimize tree, vegetation, and soil removal, and grade change. Grade changes shall be in keeping with the general appearance of the neighboring developed areas. Proposed landscaping shall require native and drought-tolerant species and prohibit invasive or nonnative plants. Both landscaped and usable open space shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

D. **Stormwater Management.** The proposed development shall include adequate provisions or measures to prevent pollution of surface or groundwater, minimize erosion and sedimentation, prevent changes in groundwater levels, increased run-off, and potential for flooding, and minimize adverse impacts to neighboring properties by flooding from excessive run-off.

#### 7.4.1 Purpose (Continued)

E. Site Development Standards. To the extent practicable, the proposed development shall be located to preserve and enhance the natural features of the site, to avoid disturbances of environmentally sensitive areas, to minimize adverse impacts of development on adjoining properties, to minimize the alteration of the natural features of the site and to preserve and enhance scenic points, historic buildings and places and similar community assets which add value and attractiveness to the Town.

F. Traffic Management: Pedestrian and Vehicular Access. The proposed development and/or redevelopment shall be designed with a forecast for the next five years from the time of application to (i) minimize hazards to public health and safety as a result of traffic; (ii) provide safe access and circulation on the site for expected vehicles, pedestrians, and emergency vehicles; (iii) provide off-site traffic mitigation, where required, to offset the impact of the development; (iv) reduce the traffic impacts of the proposed development on the area and the Town by incorporating traffic management devices; and (v) minimize the impact on scenic roads, historic districts, natural resources, and community character. The development shall not degrade safety for pedestrians, bicyclists, motor vehicle occupants, or property.

G. Utilities, Security, and Emergency Systems. The proposed development shall be adequately served by public or private utilities, security systems, and emergency systems.

H. Fiscal Impact. The proposed development shall maintain a positive net fiscal position for the long term, giving consideration to revenue estimates and actual growth in municipal service costs induced by the proposed development.

7.4.2 Standards. The following standards shall apply to applications for special permits or for site plan approval for nonresidential use:

**A.** Aesthetics.

1. Compatibility. The location, size and design, building materials, and operating characteristics of the proposed development shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties, with natural and built environment in the area and the surrounding neighborhood, with consideration to be given to the following:

- Harmony in scale, bulk, massing, and density;
- Consistency with the goals and objectives of the Master Plan and with any other plan that has been adopted by the Town.
- Converting a structure from one use to another without altering the fabric of the neighborhood must be considered.
- If significant, historical structures exist onsite or nearby, consider incorporating complimentary styles across new buildings.

**7.4.2 Standards (Continued)**

- Any interesting architectural elements that can be repeated throughout additions, interior or exterior, will aid in keeping the character of the original structure.

**2. Village Center Commercial District**

In the Village Center Commercial District, the following additional standards shall apply:

- The historic character of a structure should be retained and preserved. The removal of distinctive materials or alteration of features, spaces or spatial relationships that characterize a property should be avoided.
- Each property should be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties should be avoided.
- The front of historic buildings should be refurbished only to express their original design.
- New additions, exterior alterations or related new construction that destroys historic materials, features and spatial relationships that characterize the property should be avoided.
- Alterations and additions should be compatible with the character of the building and earlier additions in terms of size, scale, massing, material, location and detail. The original portion of the building and earlier additions should continue to be recognizable apart from the addition by means of massing, articulation of setbacks, trim and ornamental detail. Additions should be designed so that the primary elevations of the original building remain clearly delineated.
- New construction should respect the existing historic streetscape. The historic relationship of buildings to the street, including setbacks and open spaces, should be maintained. New construction should be compatible with the materials, features, size, scale, proportion and massing of the district to protect the integrity of the property and its environment.
- All facades of the building shall have consistent material and a similar architectural style to the rest of the historic part of town. Clapboard siding with trim is typical.
- Accessory buildings and structures should be similar in materials and architectural style to the primary building.
- Field colors of the body of the building must be subdued and of low reflectivity.
- If visible from a public street or adjoining residentially zoned property, all facades of a building shall use materials consistent with those used on the front of the building, and should be designed with similar detailing and be comparable in quality and materials.
- Any single story building over 20 feet in height, excluding the parapet, shall be designed to give the appearance of having a second story.

**7.4.2 Standards (Continued)**

- Buildings may either be traditional in the architectural character or a contemporary expression of traditional styles and forms. It is characteristic of traditional New England architecture that smaller-scaled structures have roofs that are sloped and articulated with dormers, chimneys, gables, cupolas, fascias, etc. Larger structures likewise can benefit from similar treatment that breaks up massing into appropriately-scaled elements.

**Facade Treatment:**

Windows and doors shall be architecturally related to the style, materials, and details of the building. (6 over 6, 12 over 12 windows).

Building facades that are visible from public streets shall incorporate at least three of the following design features. In addition, building facades that are visible at grade from a residentially zoned property and are located within 100 feet of the property line, shall incorporate at least one of the following design features:

- Color or material change.
- Foundation landscaping along 50 percent of the building length.
- Distinctive architectural features, such as a repeating pattern of wall offsets, pilasters, projections, columns, recesses, or niches varying from the plane of the wall by a minimum of four inches.

**Roofs:**

Roofs shall reflect a variation in planes, slope, and features of old surrounding buildings in Holliston down town. (Simple roof lines reflecting something that has been there for a hundred plus years).

- Overhanging eaves shall extend past the supporting walls.
- Flat roofs shall incorporate parapet walls with three-dimensional cornice treatments designed to conceal the roof and roof-mounted mechanical equipment. All parapet walls visible from a public street shall be finished.
- All roof vents, pipes, antennae and other roof penetrations should be of a color that will minimize their visual impact unless concealed by a parapet, located on the rear elevation, or configured to have a minimal visual impact as seen from the street or all other sides.
- All rooftop equipment shall be concealed from the view of pedestrians on a public street. The parapet wall shall be similar in color and material to the building and shall not exceed 25 percent of the height of the supporting wall.

**Fences and storage:**

- Chain-link fences shall not be allowed in any front yard. If chain-link fences are used in side or rear yards, vinyl-coated chain-link fences are required. Wood fence is first choice.

## 7.4.2 Standards (Continued)

- Areas for outdoor storage, trash collection, loading, and other such uses shall not be located within 20 feet of any public right-of-way, sidewalk, or internal pedestrian way unless screened by a wall or fence with gate(s).

## Sidewalks and Parking Lots

- All on-site pedestrian walkways and crosswalks shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort. Striping does not meet this requirement.
- Parking lots shall be located and designed to reduce or eliminate visual or operational impacts to surrounding properties.

## Materials

Materials for the exterior of buildings shall not include:

- Metal siding.
- Unfinished concrete block.
- Vinyl siding, except as an accent material.
- Stucco.

*(Adapted from the Secretary of Interior's Standards the Treatment of Historic Properties, 1995)*

**B. Lighting.** *(See also Zoning By-Laws Sections V-B Exterior Signs and V-C Off-Street Parking)*

1. Shielding. All outdoor light fixtures shall be shielded so as to meet the goals of this Section.
2. Light Trespass. Direct light from the light source is to be confined within the property boundaries.
3. Light Intensity. Outdoor lighting shall be designed to provide the minimum intensity needed at any particular time.
4. Indoor Lighting. Indoor light sources will not be projected outside in a manner to defeat the intent of this regulation.
5. Sodium Vapor or Metal Halide Lighting. No outdoor light fixtures using sodium vapor or metal halide lamps shall be allowed unless specifically authorized by the Planning Board.
6. Outdoor Signs. Outdoor light fixtures used to illuminate an outdoor sign shall be mounted on top of the sign structure or otherwise restricted to prevent up-light and light trespass.

## 7.4.2 Standards (Continued)

7. Flickering and Flashing Lights. No flickering or flashing lights shall be permitted. Processes, such as arc welding, which create light flashes shall be confined within buildings or shielded to prevent either direct glare or flashing.

## 8. Height of Fixtures.

Wall Mounted Fixtures. Luminaires attached to a building for area lighting shall be mounted no higher than fifteen (15) feet above grade;

Pole Mounted Fixtures. Pole mounted exterior lighting fixture types shall be mounted no higher than fifteen (15) feet above grade. (*See Section V-C(3)(d) of Zoning By-Laws.*)

9. Hours of Operation. Except as may be deemed appropriate for site safety or security, all external lighting, including lighting accessory to authorized signs, shall be extinguished one half hour after the facility is closed for the business day. Such lighting may be timed to resume one half hour prior to the arrival of the first employee on the premises.

## C. Landscaping

1. Street Buffer Strip. Except for a required sidewalk, and except in the VC District, a landscaped buffer strip at least five (5) feet wide, continuous except for approved driveways, shall be established adjacent to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, evergreens and shade trees having a minimum four inches in caliper measured four feet from ground level planted at least every thirty (30) feet along the road frontage. Evergreens and shade trees shall be at least eight feet in height at time of planting. At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present an obstruction to sight lines.

2. District Buffer Strip. Except for permitted accessory structures, a continuous landscaped buffer strip of at least ten (10) feet in width shall be provided and maintained in perpetuity between all commercial and industrial districts and any residential districts. The landscape buffer strip shall be of a density to substantially screen the development in question from view, along the zoning district line in question. Plantings of various approved evergreen species is encouraged and shall be planted at a minimum height of six (6) feet. Additional screening may be required where necessary to promote a reduction in the impacts of noise or lighting.

**7.4.2 Standards (Continued)**

3. Large Parking Areas. At least 10% of the interior of any parking lot having 40 or more spaces shall be maintained with landscaping, including trees, in plots of at least four feet in width. Trees and soil plots shall be so located so as to provide visual relief and sunlight and wind interruption within the parking area, and designed to assure safe patterns of internal circulation. In the Village Center Commercial District, the landscaping dimensional requirements may be relaxed at the discretion of the Building Inspector or the Planning Board. Trees shall be located to provide visual relief from sun and wind interruption within the parking area and assure safe patterns of internal pedestrian and vehicular traffic. Traffic calming measures such as crosswalks, bike lanes, rumble-strips and landscape islands may be required as necessary.
4. Fencing. Fencing may be allowed in lieu or in conjunction with plantings. Design and height of such fencing, with accompanying landscaping, shall be subject to the approval of the Planning Board.
5. Retaining Walls. Retaining walls shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls shall be terraced and landscaped. Retaining walls facing residential districts shall be solid fieldstone or fieldstone veneer or other similar material. Unless used within the Industrial District, vertical cast in place concrete or concrete blocks shall not be permitted.
6. Berms. The Planning Board may require a berm or berms in appropriate circumstances to promote the goals of this section.
7. Unsightly Uses and Areas. Exposed storage areas, refuse disposal facilities, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be screened from view from neighboring properties and streets using dense, hardy evergreen plantings, or earthen berms, or wall or tight fence complemented by evergreen plantings in compliance with Section V-N(5) of the Zoning By-Laws (in the case of solid waste storage).
8. Maintenance. All landscaping features, structures and areas shall be properly maintained. Dead shrubs or trees shall be replaced within one growing season as a condition of approval.

**D. Stormwater Management**

1. Stormwater Management Performance Standards. All projects shall be designed to meet Section 11.10 Stormwater Management Performance Standards and Section 11.11 Stormwater Management Calculations and Design Practices of the Holliston Planning Board Stormwater Management and Land Disturbance Regulations.

**7.4.2 Standards (Continued)**

2. **Peer Review.** Where applicable, no special permit or site plan approval shall be issued unless a report shall have been received from the Conservation Commission or the Planning Board's agent that the storm drainage system design is consistent with the Performance Standards of the Holliston planning Board Stormwater Management and Land Disturbance Regulations and that there is sufficient storm drainage capacity to meet the flow demands of the proposed development on-site, and where applicable, without causing surge in those storm drainage lines which serve the project and are consistent with the standards of the Town.
3. **Dry Wells.** Dry wells shall be used only where other methods are infeasible and shall require oil, grease, and sediment traps to facilitate removal of contaminants.

**E. Site Development Standards**

1. **Land Disturbance.** Site/building design shall preserve natural topography outside of the development footprint to reduce unnecessary land disturbance and to preserve natural drainage on the site.
2. **Replication.** Clearing of vegetation and alteration of topography shall be replicated with native vegetation planted in disturbed areas as needed to enhance or restore wildlife habitat.
3. **Clearing for Utility Trenching.** Clearing for utility trenching shall be limited to the minimum area necessary to maneuver a backhoe or other construction equipment. Roots should be cut cleanly rather than pulled or ripped out during utility trenching. Tunneling for utilities installation should be utilized wherever feasible to protect root systems of trees.
4. **Site Design.**
  - (A) Placement of buildings, structures, or parking facilities shall not detract from the site's scenic qualities and shall blend with the natural landscape.
  - (B) Building sites shall be directed away from the crest of hills, and foundations shall be constructed to reflect the natural terrain.
  - (C) Sites shall be designed in such a way as to avoid impacts to rare and endangered species and wildlife habitat on a site, and to maintain contiguous forested areas.

**7.4.2 Standards (Continued)**

5. Archeological or Historical Resources. The Planning Board may require applicants to submit the proposed development plan to the Historical Commission and/or the Massachusetts Historical Commission for review and comment regarding possible archaeological or historical resources on the site. Additionally, the Holliston Historical Society's members and library are excellent community resources.

6. Preservation of Existing Vegetation. Priority shall be given to the preservation of existing stands of trees, trees at site perimeter, contiguous vegetation with adjacent sites (particularly existing sites protected through conservation restrictions), and specimen trees.

(A) Understory vegetation beneath the drip line of preserved trees shall be retained in an undisturbed state.

(B) During clearing and/or construction activities, all vegetation to be retained shall be surrounded by temporary protective fencing or other measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Barriers shall be large enough to encompass the essential root zone of all vegetation to be protected. All vegetation within the protective fencing shall be retained in an undisturbed state.

7. Limit of Clearing. Development envelopes for structures, driveways, wastewater disposal, lawn areas and utility work shall be designated to limit clearing and grading.

(A) In order to minimize the clearing and grading on a site associated with construction activities such as parking of construction vehicles, offices/trailers, stockpiling of equipment/materials, such activities may be limited to areas already planned for permanent structures.

(B) Topsoil shall not be stockpiled in areas of protected trees, wetlands, and/or their vegetated buffers.

8. Finished Grade. Finished grades should be limited to no greater than a 3:1 slope, while preserving, matching, or blending with the natural contours and undulations of the land to the greatest extent possible. Finished grade shall be no higher than the trunk flare(s) of trees to be retained. The design of grade changes at the base of existing large trees shall be subject to the approval of the Planning Board or its agent.

9. Phasing of Development. The Planning Board may limit the extent of a site exposed at any one time through phasing of construction operations. Effective sequencing shall occur within the boundaries of natural drainage areas.

**7.4.2 Standards (Continued)**

10. Re-vegetation. Proper re-vegetation techniques shall be employed during construction using native plant species, proper seed bed preparation, fertilizer and mulching to protect germinating plants. Re-vegetation shall occur on cleared sites within seven (7) calendar days of final grading and shall occur during the planting season appropriate to the selected plant species.

11. Topsoil. A minimum of six inches (6") of topsoil shall be placed on all disturbed surfaces which are proposed to be planted.

12. Irrigation. The Planning Board may require that water for the purpose of irrigation shall be provided by an onsite well, after consultation with the Water Department.

**F. Pedestrian and Vehicular Access; Traffic Management**

1. Access. To the extent feasible, access to nonresidential uses and structures shall be provided via one of the following (i) Access via a common driveway serving adjacent lots or premises; (ii) Access via an existing side street; (iii) Access via a cul-de-sac or loop road shared by adjacent lots or premises.;

(A) Access via roadways abutting residential districts shall be avoided where possible.

(B) Access and egress to a development with frontage on more than one street shall be in a manner that causes the least impact to the surrounding neighborhoods as determined by the Planning Board.

2. Driveways. Each development shall be served by an adequate driveway.

(A) The Planning Board may, in certain circumstances, allow additional driveways as a condition of approval where the access is shared or the project has frontage on two separate streets.

**7.4.2 Standards (Continued)**

(B) All driveways shall be designed to afford adequate sight distance to pedestrians, bicyclists, and motorists exiting to public ways. Improvements may be required on the public way for vehicular turning movements in or out of the site and safe pedestrian access to adjoining sidewalks, paths, walking trails or bikeways.

3. Curb Cuts. Curb cuts shall be limited to the minimum width for safe entering and exiting, and shall in no case exceed 24 feet in width unless waived by the Planning Board

for industrial truck traffic. The location of driveway openings in relation to traffic and to adjacent streets shall provide for the convenience and safety of vehicular and pedestrian movement within the site. The number of curb cuts on state and local roads shall be minimized.

4. Interior Circulation. The proposed development shall assure safe interior circulation within its site by separating pedestrian, bike ways, and vehicular traffic.

5. Transportation Plan Approval. The proposed development shall be subject to Transportation Plan approval by the Planning Board. The Transportation Plan shall consist of the following information:

- A. A plan showing the proposed parking, loading, and traffic circulation within the site; access and egress points; and other features related to traffic generated by the proposed use.
- B. A traffic study, prepared by a qualified traffic engineer, detailing the expected traffic impacts (See Section 4.3.3.1 of Planning Board Subdivision Regulations for informational requirements). For proposed development in excess of 10,000 gross square feet, the required traffic study shall substantially conform to the Institute of Transportation Engineers' "Traffic Access and Impact Studies for Site Development: A Recommended Practice," latest edition<sup>1</sup>. The Board shall approve the geographic scope and content of the study. In addition, the applicant shall submit a Transportation Demand Management (TDM) plan tailored to the specific uses and the geographic location of the site.
- C. Proposed mitigation measures, if any, such as left-turn lanes, roadway widening, signs, and signalization of intersections.

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<sup>1</sup>

Current edition is dated 1991 and is available through the Institute of Transportation Engineers, 1099 14th Street, NW, Suite 300 West, Washington, DC 20005-3438 USA, Telephone: 202-289-0222

**7.4.2 Standards (Continued)**

- D. For proposed development in excess of 10,000 gross square feet, the applicant shall submit a Traffic Management Component (TMC) as part of the Transportation Plan. The TMC shall provide information on the number of expected person trips to and from the site, broken down by various travel modes (e.g., single occupancy vehicle, carpool, walk, bicycle, commuter rail, shuttle bus, etc.). The TMC shall also incorporate one or more of the following techniques to reduce the number of single occupancy vehicle trips by employees coming to and departing from the proposed use:
1. Establishment of or contribution to a Traffic Management Association (TMA) within the region, which shall provide shuffle services for employees and other services as may be appropriate;
  2. Employee carpools or vanpools sponsored by the employer or the TMA;
  3. Subsidized commuter rail passes, provided by the employer, and sold on the site or offered through payroll deduction;
  4. Monetary incentives to employees who do not use a parking space;
  5. On-site shower facilities and/or bicycle racks for employees who do not drive to work;
  6. Other techniques as may be deemed appropriate by the Planning Board or its traffic consultant.
6. Reduction in Parking. In consideration of the applicant providing one or more of the above measures to reduce vehicular traffic to and from the site, the Planning Board may reduce the number of required parking spaces below what would ordinarily be required by Section V-C(2). To be considered for such a reduction, the applicant's traffic engineer shall determine and justify the parking demand for the project, as well as reduction in needed parking spaces attributable to each traffic management measure.
7. Level of Service Maintenance or Improvement.
- (A) If the proposed project will result in an intersection level of service below a rating of LOS D, or result in a roadway volume to capacity rating greater than 1.0, the applicant may be required to provide detailed plans (including reconstruction concepts), that when implemented would result in an intersection level of service rating of D or better.

**7.4.2 Standards (Continued)**

(B) If the proposed project will result in a reduction in level-of-service of one letter grade or an increase of 10 seconds of delay to a signalized or unsignalized intersection, the applicant may be required to provide detailed plans that when implemented would result in a return to existing conditions.

8. Dangerous Intersections. The Board may require mitigation for any net increase in traffic volumes of 10% or more at an intersection that has an accident history of more than 5 accidents in the last three years for which data is available.

9. Sight Distance. Acceptable sight distance shall be provided and maintained at all access locations, egress locations, and all intersections affected by the development. At a minimum, these site distances shall meet the stricter of the Massachusetts Highway Department and American Association of State Highway Transportation Officials standards for safe stopping and intersection sight distances.

10. Maximum Parking. The maximum parking allowed for a development shall be no more than the minimum number of spaces required under zoning.

11. Mitigation. The Planning Board may require as a condition of any special permit off-site improvements to mitigate the impact of the proposed development. Such improvements include intersection widening and traffic signals. All road and intersection improvements proposed as part of development and redevelopment shall be consistent with local plans.

12. Pedestrian and Bicycle Safety. Pedestrian and bicycle circulation, and the amenities required thereof, on and off site, shall be in accordance with the following requirements:

(A) All development and redevelopment shall provide for pedestrian and bicyclist connections on the property, and allow for possible future connections with adjoining properties, where deemed appropriate by the Planning Board.

(B) Pedestrian access shall connect to all building entrances with further connections to local pedestrian arteries.

(C) All road and intersection widening and new traffic signals or modification of existing traffic signals required as part of a development or redevelopment shall include appropriate bicycle and pedestrian accommodation.

(D) The Planning Board may require proposed development and redevelopment to provide sufficient rights-of-way on their properties to accommodate expected needs for bicycle and pedestrian use.

**7.4.2 Standards (Continued)**

(E) Sidewalks, crosswalks, walkways, bike racks or other pedestrian accessories shall be provided to allow access to adjacent properties and between individual businesses within a development.

(F) If the property abuts a public bikeway/right-of-way, a paved access route to the bikeway may be required.

13. Location of Parking Areas. Where feasible, the Planning Board may require parking areas to be located to the side or behind buildings so as to provide an appropriate setting for the building within the context of the site and neighborhood and allow parking areas to be shared with adjacent businesses. The Planning Board may require alternative studies of parking lot layouts. Except where physical constraints, site configuration, or safety considerations preclude strict compliance, all parking must be accessible by driveways to the parking lots of adjacent nonresidential uses and land zoned for nonresidential uses.

14. Traffic Calming Features. Traffic calming measures such as crosswalks, bike lanes, rumble strips and landscaped islands may be required.

**H. Utilities, Security and Emergency Systems**

1. Wastewater Treatment and Disposal. The Planning Board may require a report from the Board of Health confirming that the proposed site development provides for wastewater treatment and or disposal in a manner that is consistent with regulations of the Commonwealth of Massachusetts and the Board of Health.

2. Water. There shall be sufficient water capacity to meet the flow demands of the proposed use without causing municipal water flow characteristics off-site to fall below the standards adopted by the Town.

3. Site Security. There shall be a certification by the Police Chief that the petitioner has provided a written plan for site security, which plan has been approved by the Police Chief.

4. Underground. All electrical, cable and telecommunications services shall be installed underground.

5. Fire Alarm System. There shall be sufficient municipal fire alarm system capacity to meet the operating requirements of the proposed site development and use under applicable codes, regulations, and statutes enforced by the Fire Chief.

7.4.2 Standards (Continued)

I. Fiscal Analysis.

1. The applicant shall provide an analysis of fiscal costs from the development, including increases in marginal costs, assessment of the capacity of existing municipal facilities to serve the new development, and, by order of magnitude, share of capital costs if improvements are needed.
2. The applicant shall identify an order of magnitude estimate as to the extent to which this development would generate the additional need for schools and affordable housing.

7.4.3 Exemptions. The following are exempt from these Regulations:

- A. Emergency Response. Emergency responses performed by a private entity or a public agency and fire or burglar alarms.
- B. Events. Parades, fairs or outdoor entertainment between the hours of 7:00 am. and 11:00 p.m. only provided that a permit for such activity has been granted by the Board of Selectmen and that said permit is for not more than ten (10) days.
- C. Religious Services. Religious services conducted by an organization which qualifies under the laws of the commonwealth as a tax-exempt religious group.

7.4.4 Waiver of Standards.

The Planning Board may, in the course of granting a special permit or site plan approval for nonresidential development, waive any of these performance standards where such waiver is not inconsistent with public health and safety, and where such waiver does not derogate from the purposes of this section because the proposed development will adequately serve the goals and objectives set forth in Section 1, hereof.

7.4.5 Enforcement.

The Planning Board may ensure compliance with these performance standards at the application stage by requiring evidence of probable compliance, whether by example of similar facilities or by engineering analysis, verified by technical peer review. In addition, the Planning Board may require a monitoring program post- permit issuance for compliance purposes for a time period as may be specified in the special permit or site plan approval.

## 7.5 SPECIAL PROVISIONS FOR PHASED DEVELOPMENTS

When the proposal includes multiple phases, the applicant shall provide a schedule of completion for each phase and the size of each building.

The proponents of a phased development shall include suitable provisions for assurance that each phase could be brought to completion in a manner that would not result in an adverse effect upon the Town as a result of the termination at that point.

## 7.6 OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD) PLANS

These regulations are for the review and approval of OSRD proposals which are submitted in compliance with and under the authority of Section V-H of the Holliston Zoning By-Laws.

### 7.6.1 Procedures.

The Planning Board shall hold a Public Hearing within sixty-five (65) days following the submittal of application. The Planning Board shall take final action within ninety (90) days for any Special Permit or within thirty (30) days for such Site Plans following the closing of the Public Hearing, unless an extension to this time limit is mutually agreed upon by the Applicant and the Planning Board. Notice of the Public Hearing shall be provided in accordance with the requirements of Massachusetts G.L., c. 40A, section 11. All other aspects of review and approval of a Special Permit application or Site Plan covered under this paragraph shall be in accordance with the practices and Rules and Regulations of the Holliston Planning Board.

### 7.6.2 Density Determination

In order to determine the total number of lots as outlined in Section 4(A) of Section V-H of the Zoning By-Laws, Applicants should utilize the provisions of Section 4.2.3 Preliminary Subdivision Plan as a guideline in preparation of a conventional subdivision plan. The conventional subdivision plan should illustrate a lot and road layout that is realistic and does not contemplate waivers from strict compliance with the Planning Board's Regulations or the underlying zoning district's dimensional requirements.

### 7.6.3 Application Standards

In order to determine whether a submittal meets the standards of Section 6(A) of Section V-H, Applicants should provide the Board with an Application for Site Plan Review and Development Impact Statement found in Appendix B along with a Concept Plan. The Concept Plan shall also be prepared utilizing the provisions of Section 4.2.3 Preliminary Subdivision Plan as a guideline and shall include evidence of the 5-step design process outlined in Section 3(A) of Section V-H including the following:

### 7.6.3 Application Standards (Continued)

- Existing Conditions and Site Context Map including steep slopes, un-degraded mature woodlands, hedgerows, farmland, unique or special wildlife habitats, historic or cultural features and unusual geologic features.
- Delineated wetlands under the provisions of Article XXX of the Town of Holliston's General By-Laws and MGL c.131, Section 40.
- Identification of proposed open space, including proposed use, design, and identification of required buffers and any potential interconnections with adjoining parcels.
- Assessment of water supply and sewage disposal completed in accordance with the Board of Health's regulations for a Preliminary Subdivision (dated 1987, as amended).
- Location and alignment of roads, driveways and utilities in accordance with the standards of Section 5 of the Board's Regulations, including any proposed easements.
- Lot lines in accordance with the Intensity Regulations of Section V-H(4)(B).

## 7.7 SENIOR RESIDENTIAL DWELLING DEVELOPMENTS

### 7.7.1 Authority and Purpose

Pursuant to the authority granted by Section V-P of the Zoning Bylaws of the Town of Holliston the Planning Board has adopted the following rules and regulations governing Senior Residential Dwelling Developments (SRD). The purpose of these regulations is to guide the planning, design and construction of SRDs in a manner consistent with the objectives of the bylaw, which are to provide alternative housing for a maturing population; to provide a type of housing which reduces residents' burdens of property maintenance and which reduces demands on municipal services; and to promote flexibility in land use planning in order to improve site layouts, protect natural features and environmental values and utilize land in harmony with neighboring properties.

### 7.7.2 Design Guidelines

- A. Aesthetics. The location, size, architecture and design, building materials, and operating characteristics of the proposed development shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties, with natural and built environment in the area and the surrounding neighborhood. Proposed buildings and alterations shall be related to their surroundings with respect to height, street façade, rhythm of solids and voids, spacing of buildings or signs, materials, textures and colors, roof slopes and scale as well as pedestrian movement and safety. Architectural details including signs, materials, colors, and textures should be compatible with New England architectural style. Removal disruption or alteration of historic or architectural elements shall be minimized insofar as practicable, whether these exist on site or on adjacent properties. The Applicant shall visually unify key elements of the

- development and shall utilize a range of unit sizes, orientations and floor plan layouts to create a variety of scale and reduction in repetition of identical dwelling units within the project. Additional variety on the exterior of the units shall be achieved with variations of rooflines, siding choices, and window types, locations and details. Examples of types of exterior architectural design elements are: covered front entry porches, roof gable peaks and dormers, bay window projections, window shutters, garage door painted to match the home with accent trim, varied complementary exterior color packages, varied exterior siding material such as horizontal lap style, shakes style, stone or brick accents, stone or brick fireplaces and chimneys, and jogging of attached units to break up the front façade. No two detached dwelling units adjacent to or directly opposing each other shall be the same house color and the same house style with the same front elevation. Multifamily attached units may be the same unit style and color but shall not have the same front elevations. Attached home shall use horizontal and/or vertical jogs/offsets where grading allow in order to create visual interest.
- B. Open Space Standards. To the greatest extent possible, the allocation and reserve of open space should establish a network of open space within the site. Wherever possible, the open space shall be contiguous and interconnect with bordering open spaces. The plan shall take into account any plans for preservation or improvements to public open space adjacent to the site so as to provide potential for linkage and access to said open space. As a condition, the Planning Board may require the applicant to provide paths, walkways or other appropriate physical connections to adjacent open spaces. No significant disruption of the open space for drainage purposes is permitted. Consultation with the Conservation Commission is on all aspects of open space (i.e. identification, protection and management) is expected.
- C. Quality of Life Features. Community buildings or other buildings housing common facilities and associated parking are encouraged. Active recreation components are also encouraged. Networked pathways, trails and sidewalks are encouraged as are physical pedestrian connections to adjacent open space and recreation resources. Areas to remain as naturally existing woods, fields, meadows and wetlands shall be maintained and a plan for funding the maintenance provided. Amenities such as benches, wayfinding signage, and community garden areas are encouraged.
- D. Lighting. The proposed development shall not produce lighting so as to unreasonably interfere with the use and enjoyment of property within the Town. Lighting practices and systems shall (i) reduce light pollution, light trespass and glare in order to preserve and enhance the natural, scenic, and aesthetic qualities of the Town; (ii) conserve energy and decrease lighting cost without decreasing night time safety, security, and productivity, and (iii) preserve the night sky as a natural resource to enhance nighttime enjoyment of property within the Town.

- E. Landscaping and Screening. The proposed development shall maximize and retain open space, and shall be integrated into the natural landscape, shall minimize adverse environmental impacts to such features as wetlands, floodplains, and water resource protection recharge areas and shall minimize tree, vegetation, and soil removal, and grade change. Grade changes shall be in keeping with the general appearance of the neighboring developed areas. Proposed landscaping shall require native and drought-tolerant species and prohibit invasive or nonnative plants. Both landscaped and usable open space shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.
- F. Stormwater Management. The proposed development shall include adequate provisions or measures to prevent pollution of surface or groundwater, minimize erosion and sedimentation, prevent changes in groundwater levels, increased run-off, and potential for flooding, and minimize adverse impacts to neighboring properties by flooding from excessive run-off. All projects shall be designed to meet Section 11.9 Stormwater Management Performance Standards and Section 11.11 Stormwater Management Calculations and Design Practices of the Holliston Planning Board Stormwater Management and Land Disturbance Regulations.
- G. Site Development Standards. To the extent practicable, the proposed development shall be located to preserve and enhance the natural features of the site, to avoid disturbances of environmentally sensitive areas, to minimize adverse impacts of development on adjoining properties, to minimize the alteration of the natural features of the site and to preserve and enhance scenic points, historic buildings and places and similar community assets which add value and attractiveness to the Town.
- H. Traffic Management: Pedestrian and Vehicular Access. The proposed development and/or redevelopment shall be designed with a forecast for the next five years from the time of application to (i) minimize hazards to public health and safety as a result of traffic; (ii) provide safe access and circulation on the site for expected vehicles, pedestrians, and emergency vehicles; (iii) provide off-site traffic mitigation, where required, to offset the impact of the development; (iv) reduce the traffic impacts of the proposed development on the area and the Town by incorporating traffic management devices; and (v) minimize the impact on scenic roads, historic districts, natural resources, and community character. The development shall not degrade safety for pedestrians, bicyclists, motor vehicle occupants, or property.
- I. Utilities, Security, and Emergency Systems. The proposed development shall be adequately served by public or private utilities, security systems, and emergency systems.

- J. Fiscal Impact. The proposed development shall maintain a positive net fiscal position for the long term, giving consideration to revenue estimates and actual growth in municipal service costs induced by the proposed development.

#### 7.8 SITE VISIT

Applicants are encouraged to request a site visit by the Planning Board and/or its agents in order to facilitate application review.

#### 7.9 ENDORSEMENT

7.9.1 After approval by the Planning Board and subject to satisfaction of any conditions of approval, two (2) prints of all approved plan maps shall be submitted for signature and filing. Copies of approved plans shall be kept on file with the Building Inspector.

#### 7.10 CERTIFICATION

7.10.1 No Special Permit, or any extension, modification or renewal thereof, shall take effect until recorded. Where a site plan is connected to a Special Permit issued by the Board, any appeal should be made directly to court in accordance with MGL, c. 40A, s. 17. Where a site plan is not connected to a Special Permit issued by the Board, any appeal should be made directly to court in accordance with MGL, c. 40A, s. 17 per the provisions of Section VII(7) of the Zoning By-Law.

#### 7.11 STANDARDS FOR REVIEW

In reviewing a Special Permit application, the Planning Board shall consider the criteria set forth in the Zoning By-Law at Section VI-E(5), as well as any criteria set forth for the particular use or structure.

In reviewing a Site Plan, the Planning Board shall ensure, to the extent reasonably possible, that the proposed plan is consistent with the following goals which supplement the general purposes of the Zoning By-Law:

- a) Protection of adjoining premises against seriously detrimental or offensive uses on the site.
- b) Convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent streets and properties.
- c) Adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses on the site, and the methods of drainage for surface water from its buildings and impervious surfaces.

- d) Adequacy and safety of storage facilities/methods for fuel, refuse, vehicles and other material and equipment incidental to the use of the site.
- e) Provision for emergency access and operations within the site and from adjacent streets and properties.
- f) Provision for off-street, loading, unloading, and parking of vehicles incidental to the normal operation of the establishment.
- g) Development that to the extent reasonably possible harmonizes with neighboring land uses and structures.

#### 7.12 LAPSE OF SITE PLAN APPROVAL

Approval by the Board of any Site Plan shall lapse after two years of the date of the filing of the decision with the Town Clerk, but shall not include such time required to pursue or await the determination of an appeal, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.

## Appendix A

### Parking Design Standards

The following standards were adopted by the Holliston Planning Board as authorized by Section V-C(3)(b) of the Holliston Zoning By-Laws, adopted March 15, 1982.

Note that the dimensional standards are minimums, not ideals. Designs with more generous dimensions would be superior in most cases.

#### HOW TO USE DIAGRAMS AND TABLES

1. Determine parking angle.
2. Read across table for applicable minimum stall width, stall length and aisle width.

#### HANDICAPPED PARKING\*

1. Specially designated parking spaces for the physically handicapped shall be located closest to the accessible entrances(s). For buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
2. Accessible spaces shall be provided as follows:

<u>Total Spaces</u>	<u>Accessible Spaces</u>
0 - 25	1 space
26 – 50	2 spaces
51 – 75	3 spaces
76 – 100	4 spaces
101 – 150	5 spaces
151 - 200	6 spaces
201 - 300	7 spaces
301 - 400	8 spaces
401 - 500	9 spaces
501 – 1,000	2% of total
1,001 and over	20 plus 1 for each 100 over 1,000

Note: One in every eight accessible spaces, but not less than one, shall be van accessible. Van accessible spaces must provide an 8' access aisle. Van accessible spaces do not have to be separately provided if all required accessible parking spaces are 11' wide with a 5' access aisle.

3. Where sidewalks are provided at such parking spaces, a sidewalk ramp (curb cut) shall be installed at each specially designated space or pair of spaces, so that such persons are not required to enter the stream of traffic to attain access to sidewalks.
4. Such spaces shall be identified by a sign at each space or pair of spaces which states that these spaces are reserved for the handicapped. This sign shall be permanently located at the head of each space and no more than ten feet away at a height not less than five (5) feet or more than eight (8) feet to the top of the sign. The sign shall also contain the "International Symbol of Accessibility". Van accessible spaces shall include the words "Van Accessible." Accessible spaces shall be marked by high contrast painted lines or other high contrast delineation.
5. Parking surface areas required to be accessible for the handicapped shall be level with surface slopes not exceeding one-in-fifty (2%).
6. Accessible spaces shall be at least eight feet wide, plus the required access aisle (i.e. 5' for a single space, 8' for a van space or shared 5'). The length of accessible parking spaces shall be a minimum of twenty feet. Parked vehicles shall not reduce clear width of an accessible route by overhanging or protruding into it. Access aisles shall be clearly marked by means of diagonal stripes.
7. Wherever a passenger loading zone or parking area is provided, an accessible route to an accessible entrance is required. Parking access aisles shall be part of an accessible route to the building or facility entrance.

\* These standards are those required by regulations of the Massachusetts Architectural Access Board published January 27, 2006 (521 CMR). If subsequent revisions become applicable, those shall replace these.

#### **Parking: Minimum Standards for Site Plan Review**

##### **D I M E N S I O N**

	<b>Stall Width</b>	<b>Stall Length</b>	<b>Aisle Width<sup>1</sup></b>
<b>90°</b>			
Mixed-Size	9' - 0"	18' - 0"	24' - 0"
Handicapped	13' - 0" *	20' - 0"	24' - 0"
<b>60°</b>			
Mixed Size	10' - 0"	22' - 0"	24' - 0"
<b>45°</b>			
Mixed-Size	12' - 0"	25' - 0"	24' - 0"
<b>Parallel</b>			
Mixed-Size	9' - 0"	22' - 0"	24' - 0"

<sup>1</sup> Aisle width is measured to nearest obstruction or parked car. This width presumes two-way traffic. For one-way traffic, utilize a standard of 14'. 45 degree and 60 degree spaces are not recommended for two-way layouts.

\* For van accessible spaces, see text above.

## Appendix B

### Fees

#### Fee Schedule

Plan or action	Filing fee*	Review Fee Deposit*
<b>Site Plan Review: Administrative (Section 7.2.3)*</b>  <b>Category 1a: areas of disturbance, structures or additions up to 8,000 s.f.</b>  <b>Category 1b: areas of disturbance, structures or additions between 8,001 s.f. and 15,000 s.f.</b>  <b>Category 1c: areas of disturbance and structures or additions &gt;15,000 s.f.</b>	  <b>\$500</b>  <b>\$750</b>  <b>\$1,250</b>	  <b>\$500 initial deposit</b>      
<b>Site Plan Review: Review and Public Hearing (Section 7.2.4 except for uses requiring a Special Permit)**</b>  <b>Category 2a: areas of disturbance, structures or additions up to 8,000 s.f.</b>  <b>Category 2b: areas of disturbance, structures or additions between 8,001 s.f. and 15,000 s.f.</b>  <b>Category 2c: areas of disturbance and structures or additions &gt;15,000 s.f.</b>	  <b>\$750</b>  <b>\$1,250</b>  <b>\$1,500</b>	    <b>actual cost of required reviews unless completed pro bono</b>    
<b>Site Plan Review: Review, Public Hearing and Special Permit (Section 7.2.5)**</b>  <b>Category 3a: 0 to 15,000 s.f disturbance or building area.</b>  <b>Category 3b: 15,000 to 40,000 s.f. disturbance or building area</b>  <b>Category 3c: over 40,000 s.f. disturbance or building area</b>	  <b>\$1,500</b>  <b>\$3,000</b>  <b>\$5,000 or \$0.10/s.f. whichever is greater</b>	  <b>\$500 initial deposit</b>  <b>\$1000 initial deposit</b>  <b>\$1500 initial deposit</b>

<b>Site Plan Review: Open Space Residential Development</b>	<b>\$3,000</b>	<b>\$500 initial deposit</b>
<b>Senior Residential Dwelling Development**</b>	<b>\$7,000 – &lt; 20 units</b> <b>\$7,000 + \$300/unit – 20 units or more</b>	<b>Initial Deposits</b> <b>\$1000 – 1 to 20 units</b> <b>\$2000 – 20-66 units</b> <b>\$5000 – 66+ units</b>
<b>Special Permit</b>	<b>\$500</b>	<b>\$500 initial deposit</b>
<b>Common Driveway Special Permit</b>	<b>\$500</b>	<b>\$500 initial deposit</b>
<b>Site Plan Amendment/Field Change</b>	<b>\$500</b>	<b>actual cost of required reviews</b>
<b>Repetitive Petitions to the ZBA</b>	<b>\$100.00</b>	<b>NONE</b>
<b>Zoning Change Petitions</b>	<b>\$300</b>	<b>NONE</b>

**\*Payable at time of filing. A W-9 Form is required for each application in order to establish an escrow account.**

**\*\* The applicant shall be responsible for the cost of abutter notification (mailing) and legal advertising. This shall include notification to our 6 abutting towns as well as any certified mailing required under the provisions of the MGL.**

## **Project Review Fees**

Deposit funds received pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. This fee is to be deposited into a special account as enabled by G.L. Chapter 44, Section 53G, referred to herein as the “593 Account”. This fee shall be imposed on those applications which, as designated by the Planning Board, require the services of outside consultants for the review process due to the size, scale or complexity of a proposed project, because of a project’s potential impacts, or because the Town lacks the necessary expertise to perform the review work related to the permit or approval. In hiring outside consultants, the Board may engage engineers, planners, lawyers, designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances, bylaws and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board’s decisions or regulations, or inspecting a project during construction or implementation. Expenditures from this special account may be made at the direction of the Board without further appropriation and shall be made only in connection with the review of the specific project for which this review fee has been collected. An additional fee may be collected from the applicant, if during the review, the above deposit is found insufficient to cover the actual cost of the review. The additional review fee shall be based upon a cost estimate, from the consultant(s) performing the review, to complete the review. Reimbursement of these expenses is a requirement of approval, and failure to reimburse shall be cause for denial. The Planning Board may set alternate dates for said reimbursement by setting them as a condition of approval of the Site Plan. Review fees may only be spent for services rendered in connection with the specific project for which they were collected. Accrued interest may also be spent for this purpose.

Once the review process has been started, there shall be no refunding of Administrative Fees, including the case of withdrawal of the application by the applicant. For this reason, it is important that the applicants consult with the Planning Board office prior to formal application to insure that the appropriate permits and review are being sought.

At the completion of the Board's review of a project, any excess in the account, including interest, shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this section, any person or entity claiming to be the applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

Any applicant may take an administrative appeal from the selection of the outside consultant(s) to the Board of Selectmen, providing such appeal is initiated within two weeks of the initial selection. The Selectmen shall convene a formal hearing within twenty days of receiving a written appeal filed by an applicant. The grounds for such an appeal shall be limited to the claims that the consultant(s) selected has (have) 1. a conflict of interest; a consultant may not have a financial interest in a project under review, or be in a position to financially benefit in some way from the outcome of the pending review process. Consultants must be in compliance with the Massachusetts Conflict of Interest Law (Chapter 268A) or 2. does (do) not possess the minimum required qualifications. The minimum qualification shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within 30 days following the filing of the appeal, the selection made by the Board shall stand. This administrative appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.