

TOWN OF PLAINFIELD
Zoning Board of Appeals
Rules and Regulations

Pursuant to Chapter 40A, §12, and upon all other authority granted, the Plainfield Zoning Board of Appeals ("Board") hereby adopts the following Rules and Regulations, each to be effective upon its adoption by the Board unless some other effective date is specified:

1.1 SITE PLAN REVIEW

1.10 PURPOSE

The purpose of this Rule/Regulation is to protect the health, safety, convenience and general welfare of the inhabitants of the Town by providing for a review of plans for uses and structures which may have significant impacts, both within the site and in relation to adjacent properties and streets, on pedestrian and vehicular traffic; public services and infrastructure; environmental, unique and historic resources; abutting properties; and community needs.

1.11 APPLICABILITY

Notwithstanding any other Rule/Regulation to the contrary, unless expressly waived as hereinafter provided, no application for a special permit or variance shall be

considered unless it includes the information and material required for site plan review herein provided.

Site plan review shall be used to judge the appropriateness and impact of the site development characteristics of a proposed project.

1.12 SUBMISSION PROCEDURE

1.120 An applicant for a special permit or variance shall at the time of initial application and as part thereof file eight copies of the site plan and any additional information as may be hereby required, with the Board. A true and complete copy of the application shall be filed with the Town Clerk by the applicant.

1.121 The following information shall be filed at the time of application and constitute a part thereof: a site plan, which shall include landscape, utility and drainage information, building elevations, building dimensions, floor plans, a traffic study and plan; a study of the reasonably anticipated needs of the development during construction and upon completion and the impact upon existing Town facilities and services, if any, including fire, police, emergency medical, educational (including

transportation), sewage disposal, water supply and aquifer, refuse disposal and such other matters related to safety and/or impact on and need of municipal services or proposed private services; a study assessing the environmental natural, historic, scenic, or noise impact of the development on the site and off site areas that are likely to be affected by the development both during construction and upon completion; and other studies and documentation as may be applicable in evaluating the proposed applications consistent with section 1.14 (Review Criteria/Design Guidelines). An application shall not be considered complete until all required information and fees are submitted.

- 1.122 The Board may by writing waive all or any of the application requirements pertaining to site plan submittal review and approval.
- 1.123 The exact form and contents of the application, fees, plans and information shall be as required by the Rules and Regulations of the Board. The Board shall adopt, and may periodically amend, such Rules and Regulations relating to the procedures and administration of this section and such Rules and Regulations shall be on file at the Board and Town Clerk's offices.

1.13 REVIEW PROCEDURE

1.130 The Board shall transmit copies of the application including site plan information to other appropriate Town boards, and departments which may include: Fire Chief, Police Chief, Conservation Commission, Building Inspector, Board of Health, School Committee and others as necessary. These other boards and departments shall have thirty-five (35) days from receipt to report to the Board their findings and recommendations. Failure to report in the allotted time shall create a rebuttable presumption of disapproval by that other board or department of the application submitted.

1.131 The Board, or its designated subcommittee, shall schedule a viewing of the property for the purpose of making an informed decision, unless, pursuant to Section 1.122, the Board judges the change to be insignificant and does not require a visit.

1.14 REVIEW CRITERIA/DESIGN GUIDELINES

The following criteria and guidelines shall be used by the Board in evaluating the site plan and all information submitted as part of the application.

1.140 GENERAL

1.1400 Conformance with all appropriate provisions of the Zoning By-Law.

1.1401 Protection of Town amenities and abutting properties through minimizing detrimental or offensive actions.

1.1402 Protection of abutting properties from detrimental site characteristics.

1.141 ENVIRONMENTAL

1.1410 Protection of unique or important natural, historic or scenic features.

1.1411 Adequacy of proposed methods of refuse disposal.

1.1412 Ability of proposed sewage disposal and water supply systems within and adjacent to the site to serve the proposed use and ability to objectively monitor and assure compliance with proper use and maintenance thereof.

- 1.1413 Adequacy of the proposed drainage system within and adjacent to the site to handle the increased runoff resulting from the development.
- 1.1414 Provision of adequate landscaping, including the screening of adjacent residential uses, provision of street trees, landscape islands in the parking lot and a landscape buffer along the street frontage.
- 1.1415 Adequacy of the soil erosion plan and any plan for protection of steep slopes, both during and after construction.
- 1.1416 Protection of adjacent properties by minimizing the intrusion of noise and lighting, including parking lot and building exterior lighting, through the use of cut-off luminaries, light shields, lowered height of light poles, screening or reasonable solutions.
- 1.1417 Protection from flood hazards considering such factors as: elevation of buildings;

drainage; adequacy; adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant material; extent of paving; effect of fill, roadways or other encroachment on flood runoff and flow; storage of chemicals and other hazardous substances.

1.1418 Protection of wetlands by building in accordance with the provisions of the Wetlands Protection Act, Chapter 131, Section 40, and any subsequent Town Wetlands By-Law.

1.142 DESIGN

1.1420 The development shall be reasonably consistent with respect to setbacks, placement of parking, landscaping and entrances and exits with surrounding buildings and development.

1.1421 Building sites shall avoid, to the extent feasible, the impact on steep slopes, floodplains, scenic views, grade changes and wetlands.

1.1422 If there is more than one building on the site, the buildings shall relate harmoniously to each other in architectural style, site location and building exits and entrances.

1.1423 Screening shall be provided for storage areas, loading docks, dumpsters, rooftop equipment, utility buildings and similar features.

1.143 TRAFFIC/PARKING

1.1430 The site shall be designed to provide for the convenience and safety of vehicular and pedestrian movement both within the site and in relation to adjoining ways and properties.

1.1431 The location and number of curb cuts shall be such to minimize turning movements, and hazardous exits and entrances.

1.1432 The location and design of parking spaces, drive aisles, loading areas and

sidewalks shall be provided in a safe and convenient manner.

- 1.1433 Provision for access to adjoining properties shall be provided as appropriate.
- 1.1434 A traffic impact report shall be required, unless waived under Section 1.122.
- 1.1435 When a traffic impact report is required, the proposed development shall comply with the following standards:
 - a) Level of Service (LOS) at intersections and roadways proximately affected by the proposed use shall not be degraded as a result of traffic generated by the proposed development so as to cause a significant impact on the preconstruction volume of traffic, capacity, and safety of the intersections and roadways. Sight distances from intersections shall be addressed.
 - b) Adjacent streets shall not exceed design capacity at the peak hour as a result of

traffic generated by the proposed development.

c) Safety hazards shall not be created or added to as a result of traffic generated by the proposed development.

d) If any of the standards in Section 1.1435 a - c are not satisfied, the applicant shall provide alternative proposals to meet the standards, including but not limited to; reduction in the size of the development, change in proposed uses on the site, contributions to off-site street and intersection improvements or construction of off-site street and intersection improvements.

1.144 PUBLIC SAFETY AND MUNICIPAL SERVICES

1.140 The site and buildings shall be designed, constructed and/or situated to provide adequate full year accessible water sources for fire suppression.

1.141 The site shall be designed as not to place an unreasonable burden upon existing municipal services, including, fire, police, emergency

medical, educational, waste disposal, water and
sanitary disposal.

1.15 BOARD DECISION

1.150 The Board's decision on any application may reflect:

1.1500 Approval of the application based on a determination that the proposed project meets all of the requirements for approval including those delineated in this Rule/Regulation.

1.1501 Denial of the application based on a determination that either:
a) insufficient information was submitted with the application in order for the Board to adequately review the proposal, or; b) a determination that the project does not meet the requirements for approval.

1.1503 Approval of the application subject to conditions, modifications and reasonable restrictions necessary to ensure compliance with the requirements for

approval. Such conditions may include (but not in limitation) the following:

- 1.15030 Controls on location and type of access to the site.

- 1.15031 Requirements to reduce the traffic impact of the proposed development in accordance with Section 1.143.

- 1.15032 Requirements to minimize impacts on the capacities of infrastructure serving the site, including but not limited to, water, sewer, storm drains, siteways, fire, police and other emergency services, and educational services and facilities including transportation related thereto.

- 1.15033 Requirements to minimize any environmental degradation during and after construction.

- 1.15034 Requirement that the applicant pay or undertake to pay costs of the Town in hiring consultants, experts

and engineers on behalf of the Town to evaluate, confirm, consult and supervise the developer's application, information submitted in regard thereto, and construction and operational compliance.

1.15035 Other conditions designed to ensure compliance with the criteria and guidelines of Section 1.14.

1.151 For the purpose of securing the performance of all proposed work, including landscaping and off-site improvements, and to secure developer's maintenance and repair obligations subsequent to construction, the Board may require any of the following: a performance bond, deposit of money, bank passbook, or irrevocable letter of credit in an amount determined by the Board to be sufficient to cover 125% of the cost of all or any part of improvements required, or developer's maintenance and repair obligations subsequent to construction, if any, for the anticipated useful life of such improvement.

1.152 Violation of or any conditions of approval shall be subject to the provisions of Section VIII B. of the Zoning By-Law.

Adopted: JULY 1ST, 1988

R. Jumbalak CHAIRPERSON

Janice A. Powell SECRETARY

Sandra Mann MEMBER