

VI. H. Site Plan Review (Amended May 18, 1989)(Amended May 6, 2006, Section 3.a.)(Amended May, 2010, Section 2.c.7)

1. Purpose.

Site Plan Review is intended to allow the Town to review and impose reasonable conditions on development, allowed as of right or by Special Permit, which by its nature or location has the potential for significant impacts on traffic circulation, public safety, public utilities, environment and neighborhood character and appearance. The purpose is to provide a mechanism and a process for fitting the proposed development to neighborhood character, scale, and infrastructure, and to reasonably protect the Town and abutting property owners from potential negative impacts. These purposes are to be served by providing for consistent submissions of thorough data for each proposal for Town review; and for consideration by Town boards as specified below, in terms of specific criteria; and for issuance of a Site Plan decision setting whatever terms and conditions, if any, are necessary to achieve the purposes of Site Plan Review, consistent with Town by-laws and regulations. Provision is made to exempt small modifications and improvements from [portions of] this Section, and to coordinate Site Plan Review with other required review of Special Permits and Alteration of Non-Conforming Uses.

Please note: Projects subject to Site Plan Review may also be subject to other sections of the Zoning By-law and other Town approvals, including but not limited to Special Permits (ZBL Sec. V), Alteration of Non-conforming Use (ZBL Sec. III), Conservation Commission approval of work in or near wetlands and Board of Health approval of sewerage disposal, drainage and food service, and the requirement for Building Permits, (ZBL Sec. VIII and Mass. Building Code).

2. Projects Requiring Approval. (Amended November 13, 1990)

No Building Permit shall be applied for or issued for any construction or alteration subject to this Section, as specified below, until a Site Plan has been approved or conditionally approved as set forth herein.

Site Plan Review shall be required for the following construction, alteration and uses:

- a. Except for the exemptions provided below in b) and c), Site Plan Review is required for any new construction or alteration or expansion of, or conversion to a business, office, industrial, institutional or multifamily residence building or structure in any District. This includes parking lots over 5 spaces serving any of these types of buildings, schools, hospitals, nursing homes, life care facilities, children's camps, campgrounds, churches, multi-family structures for more than two families, government buildings and structures, farmstands, and buildings in commercial, office, industrial and scientific research use under ZBL Sec. V.A.11.i and V.B.11.g, stables providing boarding and/or services for more than 6 horses other than those owned by the residents of the lot on which the stable is located, AND greenhouses for commercial production of plants or produce. Site Plan Review is required for interior alterations which increase the commercial, industrial, institutional or multi-family residential floor area within an existing building, and/or which change the number of separately leaseable or saleable spaces within an existing building. Site Plan Review is not intended to violate the Zoning exemptions provided in MGL Ch.

40A Sec. 3, but only to allow for the "reasonable regulation" provided for thereunder. (Permitted Use Sections of this By-law (V.A, V.B) also indicate which uses do and do not require Site Plan Review.)

(All the exemptions from Site Plan Review set forth in items b) and c) below also apply to construction in Residence Districts under this item.)

b. Proposed additions or alterations to existing buildings subject to Site Plan Review which would either add new floor area totaling less than 10% of the current ground floor area of the existing building, or which are estimated to cost less than 10% of the current 100% assessed valuation of the building shall require only Abbreviated Site Plan Review as provided below. For purposes of applying this guideline, when ground floor area includes attached residential floor area or attached commercial greenhouses, the area of the residential and/or greenhouse portions shall be deducted before applying the "10% threshold factors".

c. Exemptions from Site Plan Review (Note: Building Permit and any required Health, Conservation or other permits still required where applicable)

1. Interior alterations shall not require Site Plan Review UNLESS the alterations increase the floor area within the building devoted to any of the uses listed in item 2.a above (Projects Requiring Approval), AND/OR change the number of separately leasable or saleable spaces within the building. (Conversion of the interior of a residential building to any of the uses listed in 2.a above would require Site Plan Review). Examples of exempt interior alterations are: paneling, shelving, partitions other than those creating new commercial units, counters, flooring and general interior decoration. (Amended November 13, 1990)

2. Repairs, re-painting, re-siding, re-roofing and window replacement shall not require Site Plan Review unless the activity also increases floor area.

3. Replacement of parts of a partially damaged building that would normally require Site Plan Review under a) above with generally identical portions shall not require Site Plan Review. [Total replacement of a destroyed building that would normally require Site Plan Review under a) above shall require Site Plan Review.]

4. Demolition shall not require Site Plan Review. (Note: Demolition in the Town Historic District does require Historic District Commission review.)

5. Change of tenant of commercial building shall not require Site Plan Review unless there is also an amount of new construction triggering Site Plan Review under b) above.

6. Customary home occupations permitted

under Sec. V.A.8 of this By-law shall not require Site Plan Approval. (Added November 13, 1990)

7. Town house or multi-family housing developed under the OSFPD (V. A. 12) or Senior Housing (V. E.) By-law or uses permitted by Special Permit

**within the Commercial Overlay District shall not require Site Plan Review.
Wind Conversion Energy Facilities in the Commercial Overlay District shall
require Site Plan Review under the Planning Board. (Added May, 2010)**