

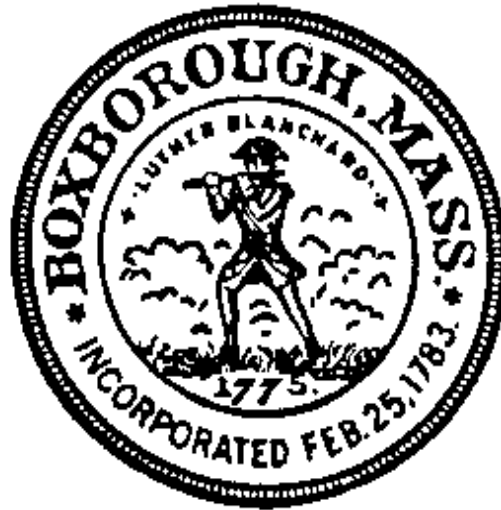
BOXBOROUGH PLANNING BOARD

RULES AND REGULATIONS

FOR

SITE PLAN APPROVAL

ADOPTED: October 16, 1990



Most Recent Amendment: September 24, 1991; July 12, 2004
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**SITE PLAN APPROVAL
RULES AND REGULATIONS**

**Boxborough Planning Board
Adopted: October 16, 1990
Revised: September 24, 1991; July 12, 2004**

SECTION 1. GENERAL PROVISIONS

1.1 Purpose.

Site Plan Approval Rules and Regulations are hereby adopted to establish the procedures and requirements for submitting site plans; and to notify applicants of the review criteria for site plans.

1.2 Authority.

Under the authority vested in the Planning Board of the Town of Boxborough the Board hereby adopts these Rules and Regulations.

1.3 Applicability.

Any development requiring Site Plan Approval shall comply with the provisions of these Rules and Regulations. If there is a question, the Inspector of Buildings and the Planning Board jointly shall determine if Site Plan Approval is required for a proposed development.

1.4 Waivers.

A waiver of strict compliance from these Rules and Regulations may be granted if the Planning Board determines that such a waiver is in the public interest and not inconsistent with the intent and purpose of these Rules and Regulations and the Boxborough Zoning Bylaw. All requests for waivers shall be submitted in writing with the site plan application. All requests shall identify the provision or provisions of the regulations from which relief is sought. The request shall also include a statement explaining why the applicant thinks that granting a waiver would be in the public interest and not inconsistent with the purpose and intent of these Rules and Regulations and the Zoning Bylaw.

1.5 Amendments.

These Rules and Regulations may be amended by a majority vote of the Planning Board at a regularly scheduled meeting after a public hearing duly advertised once in a paper of general circulation in the Town of Boxborough no less than seven days prior to the date of the public hearing.

1.6 Effective Date.

The effective date of any amendment to the Site Plan Rules and Regulations shall be the date such amendments are filed with the Boxborough Town Clerk.

SECTION II. PRELIMINARY SITE PLAN PROCEDURES

2.1 Pre-application Conference.

An applicant may request a pre-application conference with the Planning Board. The purpose of the pre-application conference is to get input from the Planning Board on how the proposed site plan meets the criteria established in these regulations and to determine what other approvals the project will require. A pre-application conference is not legally binding nor will it alter the legally required schedule for site plan approval. The Planning Board strongly recommends that an applicant meet with the Board prior to submitting a Site Plan application.

2.2 Pre-application Submission Requirements.

An applicant requesting a pre-application conference shall submit a written request to the Planning Board. The request shall contain the following items:

2.2.1 The name and address of the applicant and his or her representative.

2.2.2 The owner of the lot(s) and permission from the owner if the owner is not the applicant.

2.2.3 A concept plan showing the location and footprint of the building, parking, driveways, sidewalks, topography, tree line, wetlands, wetlands buffer, flood plain, extent of wooded areas, historic features, stone walls, existing roads, and significant trees.

2.2.4 Zoning District(s) including all overlay districts.

2.2.5 The intended use and possible tenants for the building.

2.2.6 The proposed facade of the building.

2.2.7 Estimated water usage and waste water disposal rate.

2.2.8 Estimated traffic generation from the site.

2.3 Preliminary Hearing.

An applicant may request a preliminary hearing to receive comments from the public and abutters. If a preliminary hearing is requested, notice of such hearing shall be published in a paper of general circulation in the Town of Boxborough in one successive week prior to

the hearing date. All materials for a pre-application conference shall be submitted 10 days prior to the Preliminary Plan hearing date.

2.3.1 Fees for a Preliminary Public Hearing. The fee for a preliminary site plan public hearing, if requested, is \$100.00 to cover advertising and administrative costs.

2.4 Preliminary Approval.

Within 45 days after the public hearing or pre-application conference, the Planning Board will present the applicant with written comments about the proposed project. Comments will address how the plan conforms with these regulations, the Zoning Bylaws, the Master Plan and other planning documents, and previous findings on similar projects that may be relevant to the planning of the proposed project.

SECTION III. SITE PLAN PROCEDURES

3.1 Site Plan Submission Requirements.

All Site Plans shall be prepared by a registered architect, landscape architect, or professional engineer. All Site Plans shall be on standard 24" by 36" sheets, be prepared at a scale of 1" = 40', with continuation on 8 1/2" by 11" sheets as necessary for written information. Items required for submission include the following:

- (1) The project name, north arrow, date, scale, name and address of record owner and applicant, engineer, architect and their proper seals of registration. Names of all abutters within 300 feet of the site boundaries as determined from the latest tax records. If the property owner is not the applicant, a statement of consent from the property owner should be included with the application.
- (2) Existing and proposed topography at a minimum contour interval of two feet, including all wetlands and the 100' buffer, streams, water bodies, drainage swales, areas subject to flooding, significant trees, historic features, and unique natural land features.
- (3) The dimensions of the lot, the frontage, location and footprint of all structures, existing and proposed, total area of buildings in square feet, parking areas, service areas, adjacent ways, streets and driveway openings within 300 feet of the site boundaries.
- (4) The location and description of all proposed septic systems, water supply, storm drainage systems, utilities, and refuse and other disposal methods.

- (5) Landscape Plan showing planting areas, signs, fences, walls, walks and lighting, both existing and proposed. Location type, and screening details for all abutting properties and waste disposal containers.
- (6) The location, height, size, materials, and design of all proposed signage.
- (7) The location height, intensity, and bulb type of all external lighting fixtures, the direction of illumination, and methods to reduce glare onto adjoining properties.
- (8) Location and description of proposed open space and recreation areas.
- (9) A locus plan at the scale of 1" = 200'. A table of information showing how the plan conforms to the Zoning Bylaw.
- (10) The location of zoning districts, and overlay zoning districts within the locus of the plan.
- (11) Building elevation plans at a scale of 1/4" = 1' showing elevations of all proposed buildings and structures and indicating the type and color of materials to be used on all facades.
- (12) Evaluation of Impact on Water Resources. The applicant shall submit such materials on the measures proposed to prevent pollution of surface and ground water, erosion of soil, excessive runoff of precipitation, excessive raising or lowering of the water table, or flooding of other properties. The evaluation shall include the predicted impacts of the development on the aquifer, and if applicable, and compare the environmental impacts to the carrying capacity of the aquifer.
- (13) Evaluation of Impact on Landscape. The applicant shall submit an explanation, with sketches as needed, of design features intended to integrate the proposed new buildings, structures and plantings into the existing landscape to preserve and enhance existing aesthetic assets of the site, to screen objectionable features from neighbors and public areas.
- (14) Evaluation of Traffic Impacts. The applicant shall submit an evaluation of the development's impact on the existing traffic network. The evaluation shall include:
 - a.) The projected number of vehicle trips to enter and depart the site shall be estimated for an average day and peak hours;
 - b.) The projected traffic flow patterns for both vehicular and pedestrian access, including vehicular movements at all intersections likely to be affected by the proposed development;
 - c.) The impact of traffic upon existing streets in relation to levels of service and road capacities; and
 - d.) The proposed mitigating measures. The traffic study requirement may be waived by the Planning Board if the proposed use will not generate more than 75 vehicle trips per day.

- (15) The proposed use or uses of the site, i.e. retail, office or storage, number of employees, and maximum seating capacity (where applicable).

3.2 Site Plan Filing.

The Site Plan Application (Appendix A) and a copy of the Site Plan shall be filed by the petitioner with the Town Clerk. A copy of the application including the date and time of filing certified by the Town Clerk shall be filed forthwith by the petitioner with the Planning Board. Applications shall be filed with eight (8) additional prints of the plans. A Site Plan submission shall be deemed complete before a public hearing is scheduled. If the application is incomplete the applicant shall be notified within 15 days.

3.3 Referrals.

Upon receipt of the Site Plan, the Planning Board shall transmit one copy each to the Conservation Commission, the Board of Appeals, the Building Inspector, the Selectmen, the Police Chief, the Fire Chief, the Superintendent of Streets and any other department the Planning Board deems appropriate. Such agency shall, within 25 days of receiving such copy, report to the Planning Board about their concerns and questions. Agencies may recommend conditions or remedial measures to accommodate or to mitigate the expected impacts of the development. All boards and departments are expected to provide a written response even if only to say they have no comments. The Planning Board shall not render a decision until it has received all Board reports or said 25 days has elapsed.

3.4 Procedures.

Site Plan Approval shall be obtained before the applicant applies for a building permit. If a development requires both a Board of Appeals Special Permit and Site Plan Approval, it is recommended that the applicant obtain Site Plan Approval before applying for a Special Permit.

3.5 Public Hearing.

Within 35 days after the filing of a complete Site Plan Review Application, the Planning Board shall hold a public hearing, notice of time and place as well as the subject matter of such hearing shall be given by the Board in a paper of general circulation in the Town of Boxborough once the first notice being not less than 7 days before the day of such hearing. Copies of said notice shall be mailed by the Planning Board to the applicant and to all parties of interest as defined by G.L. c.40A, Section 11. All mailing costs shall be borne by the applicant. The hearing date may be extended by written agreement between the applicant and the Planning Board.

3.6 Decision.

A decision regarding the site plan shall be rendered within thirty (30) days of the close of the public hearing. The Planning Board shall notify the applicant in writing of its decision. The decision of the Planning Board shall be upon majority vote of those present. The required time limit for filing a decision may be extended by written agreement between the applicant and the Planning Board.

3.7 Fees.

Filing Fees. A Filing Fee as determined by the most recent Planning Board Fee Schedule shall be submitted with the Site Plan. Failure to submit the fee at the time of submitting the application, shall be deemed an incomplete application.

Review Fees. In addition to Filing Fees which are fees to cover advertising, administrative costs, the Board may also require Review Fees. When reviewing a site plan application, or when conducting inspections in relation to, the Board may determine that the assistance of outside consultants is warranted. The Board may require the applicant to pay a "project review fee" at the time of submission or at any time in the review process. The fee will consist of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of a proposed project.

In hiring outside consultants, the Board may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, 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 decision or regulations, or inspecting a project during construction or implementation.

Funds received by the Board pursuant to this section shall be deposited with the town treasurer who shall establish a special account for this purpose. Expenditures from this account may be made at the direction of the Board without further appropriation. Expenditure from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose. Failure of an applicant to pay a project review fee shall be grounds for denial or revocation of the permit.

At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project 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 regulation, 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 outside consultants to the Board of Selectmen. Such appeal must be made in writing and may be taken only within 20 days after the Planning Board has mailed or hand-delivered notice to the applicant of the selection. The grounds for such an appeal shall be limited to the claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications 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 or a related field. The required time limit for action upon an application by the Board shall be extended during the administrative appeal. In the event that the Board of Selectmen does not render a decision within 30 days following the filing of an appeal, the Planning Board's selection shall stand.

SECTION IV. DESIGN STANDARDS

4.1 Paving Requirements.

- (1) The total number of parking spaces shall be determined by the Zoning Bylaw. The Zoning Bylaw provides that the required size and number of parking spaces may be reduced as part of the Site Plan Approval process. Reduced parking space sizes of 9' x 18' may be allowed, if it is determined that the spaces are likely to be occupied for more than three hours (i.e. for employees rather than shoppers) and provided that no more than 30 percent of the space are so designated.
- (2) Reductions in the number of paved parking spaces may be allowed as part of the Site Plan Approval process. In such cases all other features of the Site Plan that relate to the parking area, such as calculations of impervious area, setbacks, and required yards shall be made as if all of the required spaces were to be constructed at the 10' x 20' standard. The site plan shall show all the required spaces, and the location of the deferred spaces must meet all requirements for grading and regulatory permits. The conditions of the special permit may specify circumstances under which the deferred spaces shall be constructed.
- (3) Along Massachusetts Avenue parking lots shall be sited to minimize the obtrusiveness of parking areas on the visual quality of the Route 111 Corridor. The Board recognizes the variable nature of topography and site constraints, however, the Board's preference is to site parking to the rear and side of the proposed structure(s). No parking is permitted in the required front yard setback.
- (4) When proposed, loading areas shall be provided to the rear of the structure or along a side street or alley.

- (5) Parking areas shall be oriented for pedestrian traffic through the use of cross walks, marked walkways, alternative paving materials, usable landscaped islands, benches, pedestrian amenities, and abundant shade trees among other design attributes. Traffic calming techniques are strongly encouraged and should be used to provide a safe shared environment for pedestrians and vehicles.
- (6) Bicycle parking shall be provided at a rate of 10% of auto spaces provided. These bicycle spaces shall be located within twenty-five (25) feet of the entrance to the building served by such spaces. Such bicycle parking shall be permanent in nature and shall be approved by the Board as to location and design.

4.2 Driveway and Circulation and Access Standards.

A safe and convenient driveway and circulation system shall be provided for each development. The following guidelines shall apply:

- (1) Each development shall be limited to one point of entry per street, except when separate entrance and exit driveways may be provided where necessary to safeguard against hazards and to avoid congestion. At the main entrance, one combined entrance/exit location is encouraged to facilitate traffic movement; such an entrance may be divided by a landscaped traffic island with separate in and out movements. Additional access points may be granted by the Planning Board particularly for, but not limited to, large tracts and projects of extensive scope, if traffic flow in the street will be facilitated by the additional connection; and upon finding that due to topography, location, or other unusual conditions affecting the property, the requirements of this Section would unreasonably restrict the use of the property or would be detrimental to the orderly development of the area.
- (2) Where topographic and other conditions warrant, shared access driveways are encouraged on lots with similar existing or potential uses. To minimize turning movements onto adjacent public ways developers are encouraged to provide internal circulation systems that connect to adjacent developments. When several adjacent lots front onto one street, the Board may require such lots to share a single driveway, or that the lots be accessed by an internal service road. Where such sharing cannot be achieved in the short run, the means and location for future long-term inter-parcel connections may be required through right-of-way reservation and/or dedication.
- (3) Vehicular entry points to parking lots shall receive special paving accents (paving stones, stamped, dyed pavement, etc.) where the drive crosses the public sidewalk and/or the Route 111 Trail.
- (4) Entrance and exit driveways shall be located to maximize sight distances where the proposed road meets the existing way.

- (5) Entrance and exit driveways shall be located to align with existing driveways or maximize the distance from existing and proposed access connections of adjacent properties.
- (6) Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, sidewalks, and traffic controls within the streets.
- (7) Commercial access shall not be provided through residential areas unless authorized by the Board.

4.3 Traffic and Trip Reduction Standards.

The proposed use shall not degrade the existing levels of service of surrounding roads and intersections below Level of Service (LOS) D, based on peak-hour traffic volumes. When the proposed LOS is below LOS D, the proponent shall propose mitigation to maintain or improve performance indicators. Traffic information shall be submitted by a registered Traffic Planner/Engineer.

All manufacturing, light manufacturing, or office/R &D uses shall prepare a trip reduction plan as a condition for issuance of a site plan permit. The trip reduction plan shall describe traffic impact mitigation strategies designed to reduce traffic generation and may include strategies such as company-sponsored carpooling/vanpooling; bicycle and pedestrian incentive measures; and/or variable work hour or flextime programs. The applicant shall also present a plan for future enforcement of proposed trip reduction measures following permit issuance.

The applicant shall be responsible for mitigating traffic impacts attributable to the proposed development. The Board may also require that a developer contribute his fair share, based on a pro rata formula, of the costs associated with a Traffic Study and mitigating measures recommended therein. The applicant's share shall be determined based on metering of traffic to and from the subject property, compared to all sites included within the study area, as determined by the Board. The applicant shall submit an agreement stating that he shall assume all costs associated with the traffic metering, as well as traffic mitigation costs, based on a pro rata, fair share basis.

4.4 Landscaping and Buffers.

- (1) Landscape design shall give preference to the maintenance of existing healthy trees and groundcover. Landscape design shall give preference to indigenous species and shall enhance the wildlife habitat value of the site. The development of large lawn areas shall be minimized and 'green', low impact landscaping and storm water practices are strongly encouraged. For a list of preferred and discouraged landscaping materials see Appendix C.

- (2) Street trees shall be planted on each side of public and private ways, driveways, or other ways as determined by the Board.
- (3) Solid waste storage, air conditioners, loading areas and the like shall be shielded from view by walls, dense vegetation, or fences. Such shielding shall also reduce any noise associated with such utility or service. Loading areas shall be screened from pedestrian ways, parking areas, public streets, and main entry points to the structure. Parking areas shall be screened from the public road and adjacent properties. Large parking areas containing 25 or more parking spaces shall be subdivided with landscaped islands. Exposed storage areas, machinery, HVAC equipment, service areas, dumpsters, truck loading areas, utility buildings and structures shall be screened from view from adjacent properties and streets by dense evergreen plantings, earthen berms, walls, or fences complemented by evergreen plantings.
- (4) Parking lots shall be planted with at least two (2) shade trees per five (5) spaces, with each tree being surrounded by no less than twenty (20) sq. ft. of permeable, unpaved, landscaped area and each tree providing shade to the parking area. Only trees providing shade to the parking area shall be counted as meeting this requirement. Species shall be native, indigenous shade trees as approved by the Board. (See Appendix C.)
- (5) In the Town Center District the use of bituminous paving (asphalt) shall be minimized. Alternative paving materials such as paving stones, brick, and stamped and dyed concrete are encouraged.
- (6) Where an industrial or commercial building abuts residentially zone property or land used for residential purposes, the Planning Board may require that the front/side or setbacks be increased to minimize disturbance to residential areas.
- (7) All landscaped areas shall be maintained in a healthful condition. Trees and shrubs that die shall be replanted during the next growing season.

4.5 Route 111 View and Tree Protection.

- (1) The Route 111 Corridor is an important visual landmark for the Town of Boxborough. Each development shall recognize the visual quality of its site in relation to the scenic qualities of the immediate area and the Corridor as a whole. The applicant shall submit photographs of the area to the Board and describe the most prominent features of existing visual quality. Through means of sketches or computer simulations, the applicant shall document the impacts of the proposed development on visual quality. This analysis shall present how the project will be viewed from Route 111 from both directions and how views from the site to the surrounding area will be integrated into

the development to enhance the project design. Within the development site itself, the applicant shall preserve open vistas of important features such as lakes, farms, forests, historic sites, and signature trees.

- (2) One of the defining characteristics of the Rt. 111 corridor is the presence of a large quantity of mature trees that form a canopy over the Corridor. It is the intent of this Section that a proposed development be so designed as to minimize the disturbance and/or destruction of any existing healthy trees on the site and along the Corridor.
- (3) All trees with a breast height diameter of fifteen (15) inches or greater shall be located, tagged, and displayed on the site plan; the plan should indicate whether each tree is proposed to be retained, removed, or relocated. If a tree meeting the above minimum diameter is approved by the Board for removal, the Planning Board may require replacement trees as appropriate. The Board shall approve the number, location, size, and species of the replacement trees. If replacement trees are infeasible, trail improvements or donations to the Route 111 Trail Fund may be required in lieu of the replacement trees.
- (4) Tree protection measures shall be taken where construction or other disturbance would have a potentially negative impact on the tree. A Tree Protection Plan shall be submitted by an Arborist or Landscape Architect.

4.6 Siting and Appearance Guidelines.

Buildings, parking and other structures shall, to the extent possible, be located to protect and preserve unique natural areas, scenic vistas, wetlands, wetlands buffers, rare and endangered plant species, rare or endangered animal habitat, trees with 15 inch dbh or greater, historic features, and flood plain areas.

Building designs should be compatible with the recommended architectural styles in the Design Review Guidelines in terms of character, scale, and building materials. Proposed buildings should relate harmoniously to each other. Buildings should be located to preserve and complement natural, historic and scenic areas, and to reduce the visual impact of the buildings from adjacent properties.

4.7 Sidewalks and Walking Paths.

- (1) Where determined necessary by the Planning Board, sidewalks shall be provided along the site's road frontage. Walking and foot paths are encouraged in all developments. Walking and foot paths may be constructed using alternative pavement materials such as stone dust. Sidewalks may be constructed with pavers, stamped concrete or other alternative surfaces than bituminous concrete.
- (2) The proposed Route 111 Trail is a critical cultural and economic development resource. Developments along the Corridor shall be consistent with the Route 111

Trail Master Plan and shall therefore plan for, enhance, construct, and/or contribute to, the proposed Route 111 Trail. A Route 111 Trail Fund has been established for this purpose. If, due to topography, location or other unusual conditions affecting the property, onsite improvements to the Route 111 Trail are infeasible, the Board may require a donation to the Trail Fund in lieu of onsite improvements.

4.8 Utilities and Lighting.

All utilities shall be located underground. Lighting shall conform to the Boxborough Zoning Bylaws.

4.9 Erosion Control.

Erosion and soil sedimentation of streams and water bodies shall be minimized by using the following erosion control practices:

- The development shall be designed to fit the physical characteristics of the site, including the topography, soils and natural drainage systems;
- Once construction activities are underway, the amount of area and duration of exposure shall be kept to a minimum;
- Temporary erosion control measures such as hay bales or fabric filters shall be used during construction;
- Exposed or disturbed areas due to stripping of vegetation, soil removal, and regrading shall be permanently stabilized within six months of occupancy.
- Permanent vegetation and mechanical erosion control measures shall be installed as soon as possible after construction ends.

4.10 Stormwater Drainage and Management.

All site plans shall conform to the drainage requirements specified in the Rules and Regulations Governing the Subdivision of Land. Increases in run-off shall be recharged on site by being diverted to vegetated surfaces for infiltration, or through the use of detention ponds. Dry wells shall be used only where other methods are infeasible and shall require oil, grease, and sediment traps to facilitate removal of contaminants prior to discharge to the ground. All drainage structures shall be maintained on a regular basis.

4.11 Pollution and Hazardous Materials.

Where applicable, the applicant shall maintain a hazardous materials plan on file with the Fire Chief. The purpose of the plan is to assist the Town with necessary information in

the event of a spill, fire, or other emergency and to ensure compliance with the Zoning Bylaws.

4.12 Ground Water Monitoring.

The Board will require the applicant to install ground water monitoring wells, and provide the Town with access to these wells for the purpose of drawing water samples. The sampling parameters shall include: Safe Drinking Water Act, heavy metals, volatile organic compounds (EPA method 524.2), sodium, iron, manganese, calcium, potassium, chloride, sulfate, nitrate-N, and nitrite N, specific conductivity, pH, alkalinity, and hardness. Wells shall be constructed in accordance with Appendix B. The applicant shall reimburse the Town or Littleton Water Company for two biological and/or chemical analysis of the samples per year. The purpose of the ground water monitoring program is to provide the Town with timely warning of any accidental contamination of ground water supplies, and to verify that no proscribed materials are being discharged into the groundwater. Location and structure of the monitoring wells shall be determined by the Board of Health and/or the Littleton Water Department. The Board may also require that storm drainage system testing be performed and analyzed with the samples from the monitoring wells. The purpose of this requirement is to detect any contaminants which may pose a present or potential health hazard.

4.13 Storage Tank Vaulting and Monitoring.

If heating oil, gasoline, kerosene, diesel fuels, or any chemicals are to be used and stored underground on the site, they shall be contained in a holding tank. The tank shall be vaulted and equipped with an automatic monitoring system to detect any leakage from the tank. On-site storage of liquid petroleum products shall require a special permit from the Board of Appeals.

Permission to use a site does not include permission to generate radiation (acoustic, geophysical, electromagnetic, radioactive or other), except for noise and lighting from normal activities and common low-power radio equipment, that leaves the site and may affect people or property off the site. Applicant's seeking a Site Plan Approval for uses that generate any such radiation shall prove that such uses are not detrimental to other persons or property.

4.14 Off-Site Radiation.

Permission to use a site does not include permission to generate radiation (acoustic, geophysical, electromagnetic, radioactive or other), except for noise and lighting from normal activities and common low-power radio equipment, that leaves the site and may affect people or property off the site. Applicant's seeking a Site Plan Approval for uses that generate any such radiation shall prove that such uses are not detrimental to other persons or property.

The applicant shall provide assurances that no potential groundwater contaminants are included in any fill materials used in site preparation. Stump burial is considered a waste dump activity and as such requires a permit from the Board of Health.

4.15 Fill Materials and Stump Burials.

The applicant shall provide assurances that no potential groundwater contaminants are included in any fill materials used in site preparation. Stump burial is considered a waste dump activity and as such requires a permit from the Board of Health.

Fire and emergency vehicle access shall be provided to each building shown on the site plan. The emergency access shall be maintained and kept in a passable condition at all times. Fire Ponds and dry hydrants, or other fire protection measures shall be required for all developments as specified by the Fire Chief. All fire pond designs shall include information on the grading of the pond and the height of the water table. All fire pond designs shall contain the engineer's seal and signature.

4.16 Fire Safety and Protection.

Fire and emergency vehicle access shall be provided to each building shown on the site plan. The emergency access shall be maintained and kept in a passable condition at all times. Fire Ponds and dry hydrants, or other fire protection measures shall be required for all developments as specified by the Fire Chief. All fire pond designs shall include information on the grading of the pond and the height of the water table. All fire pond designs shall contain the engineer's seal and signature.

SECTION V. ADMINISTRATION

5.1 Bonding.

Prior to the issuance of an occupancy permit the Planning Board may require a performance guarantee to ensure compliance with the plan and conditions set forth in their decision.

5.2 Permit Lapse.

Any Special Permit with site plan approval issued under this section shall lapse within two years if a substantial use thereof has not commenced except for good cause.

5.3 Appeals.

Appeal of the Planning Board decision may be made in accordance with MGL ch. 40A s. 17.

5.4 As Built Plans.

Final "As Built Plans" showing the location of, all buildings and structures, all utilities, including the septic system, leaching area, underground piping, vent pipes, drainage

facilities, the well, the well pipes, electric, gas, and phone lines shall be submitted and approved prior to the issuance of an occupancy permit.

APPENDIX A

APPLICATION FOR SITE PLAN APPROVAL, SECTION 5400 OF THE BOXBOROUGH ZONING BY-LAW

This application shall be filed by the petitioner with the Town Clerk. A copy of said application including date and time of filing certified by the Town Clerk shall be filed forthwith by the petitioner with the Planning Board. Applications shall be filed with eight (8) prints of the plan.

The applicability of the site plan approval requirement and of the particular zoning by-law to a particular proposal is discussed in Section 5400 of the Boxborough Zoning By-Law. Applicants should also note Section 6200 DEFINITIONS, especially those for Lot: Acre, Coverage, Frontage, Line, Width, and for Setback, Sign, Structure, and Yard (Front, Rear and Side.)

The following sections of the application describe supplementary information that must be submitted, and those aspects of the proposed site development that will be evaluated by the Planning Board.

1. Full name of owner(s) and address of land to which this application applies:

2. Full mailing address of owner(s) of land to which this application applies or full name and mailing address of the applicant if different from above.

3. Submit with this application a listing of abutters as certified by the Board of Assessors containing full names and addresses of abutting owners of land and those directly opposite on any public or private street or way and owners of land within 300 feet of the property line, according to the most recent tax list. Also submit a certified list of abutting property owners of surrounding towns (if any) certified by the assessors of that town.

4. Location of Property: Map _____ Section _____ Parcel _____

5. Zoning District(s) (Including all overlay districts) _____

6. Describe briefly the development for which Site Plan Approval is sought:

7. Describe briefly the uses or activities for which site plan approval is sought:

Uses will be reviewed for conformity with those described in the Zoning By-Law. These may be the specific intended uses of the site if known, or lists of potential uses of the site if the uses are not known at this time.

Note: If the uses are not known at the time of application, present "worst-case" (most intensive) estimates of water consumption, sewage discharge, parking requirements, and traffic impacts, along with your assumptions used to develop these estimates. Site plan and building permits for such sites will be valid only for occupancy that does not exceed these estimates.

8. The application must include a plan of the site and proposed developments as specified in the Rules and Regulations.

The plan will be reviewed for the following features, please provide:

- Lot Area _____, Frontage _____, Building Height _____, Number of Stories _____.

Building	Front	Rear	Left Side	Right Side
- Setbacks:	Setback: _____	Setback: _____	Setback: _____	Setback: _____

Parking	Front	Rear	Left Side	Right Side
- Setbacks:	Setback: _____	Setback: _____	Setback: _____	Setback: _____

- Lot Coverage (buildings, parking, paving): _____

- Floor Area Ratio (Industrial-Commercial & Office Park Districts): _____

- Adequate walkways and pedestrian access: _____

- Adequate access, driveways and private ways: _____

- Adequate waiting areas for drive-in uses: _____

- Appropriate loading docks and/or access for trucks: Number: _____ Location: _____

- Is there any proposed site work within the vegetated wetlands or within 100 feet of the vegetated wetlands? Yes: _____ No: _____

If yes, has the Conservation Commission issued an Order of Conditions?: _____
Date: _____.

- Is there any proposed site work within the W-District or Lands Bordering the W-District? (See sections 4200 and 4300)

Yes: _____ No: _____

- List any special permits required from the Board of Appeals: _____

- Is the project within the Flood Plain District? Yes: _____ No: _____

If yes, what is the base flood elevation? (100 year storm): _____

Watertight floodproofing elevation: _____

(If watertight floodproofing is used, provide appropriate certifications of the methods and of the fact that no increase in flood level will occur. Any changes of the contour affecting the Flood Plain Map must be submitted to the U.S.F.C.M.A., and proof of such submission must accompany the "As Built" plans submitted after construction.

- Is the site or portion of the site within the Aquifer Protection District (See Section 4100)? Yes: _____ No: _____

If yes,

a. What is the recharge rate of runoff? _____

b. Lot coverage (percentage)? _____

c. Percent of land left natural? _____

d. Potential sources of pollution _____

e. Is septic system within the Aquifer?

f. Any storage of liquid petroleum? _____

g. Any removal of earth within 10 feet of high groundwater table? _____

- Does the driveway access a State Highway?

Yes: _____ No: _____

If yes, has a State DPW curb cut been issued? _____ Date: _____

- Has a driveway permit been issued by the Board of Selectmen? Date: _____

9. Provide an evaluation of the impact of the development on Water Resources. (Submit information on measures proposed to prevent pollution of surface or ground water, erosion of soil, excessive runoff of precipitation, excessive raising or lowering of the water table, flooding of other properties.)

10. Sewage Discharge Rate (gallons per day) _____

Water Usage (gallons per day) _____

(For developments using more than 440 gpd per acre, the application shall submit a professionally prepared estimate of water availability during 10 year drought conditions and an evaluation of the impact of groundwater withdrawal on adjacent lots.)

11. Submit calculations of the storm run-off from buildings and paved areas, and a description of the run-off disposal system and its capacity. Include a description of the extent and depth of flooding anticipated during storm conditions. _____

12. Indicate the estimated parking requirements, and provide a count of the proposed number of parking spaces: _____

13. Location and number of spaces that can be added on additional land set aside for such purpose if full development of parking area is not proposed in the initial construction: _____

Number_Provided_ "Paved": _____ #_Available_for_Future_Development: _____

Number_Required: _____ How_Estimated: _____

14. Describe here and show on the plans the curbing, marking or other methods used to define the parking areas and to prevent vehicles from encroaching on required yards:

15. Estimate the Daily Traffic: No. of Employees: _____ Total No. of Trips: _____, Peak A.M.: _____, Peak P.M.: _____, Sight distance along the road for vehicles using the access driveway: _____

For developments where the number of trips exceed 75 per day, submit an expert's evaluation of the impact of such traffic on adjacent town roads. (Any permits or approvals necessary for construction of the driveway/access/curb cut [state or local] shall be submitted with this application.

16. Describe any proposed signs:

17. Describe any proposed outdoor lighting (include hours of use, lighting type [e.g. mercury vapor] and spectral filtering, directional shielding, and height of fixtures:

18. Visual Impact of the Development: (additional information shall be submitted to allow for this evaluation). For elaborate developments additional sketches or artist's renderings or the like may be desirable.

19. Describe the proposed landscaping plan, including parking lot landscaping and the location, structure and screening of on-site holding facilities (e.g. "dumpsters").

20. Discuss any hazardous materials or wastes to be used or generated on site, including quantities, safety procedures, storage and disposal methods: _____

21. Indicate any sources of loud noise, vibration, glare, odors, air or water pollutants, or electrical disturbances that should be reviewed for conformity with the pollution control subsection of the by-law. _____

22. Electric and telephone utility connections: Above Ground: _____
Underground: _____ Describe the proposed heating system:

23. Describe the fire control system in the building (sprinklers, etc.). Include any proposed fire ponds on the plan (Section 6 of the application).

24. Describe access to such ponds(s), and proposed dry hydrant construction and location. _____

25. Applicants should note that the Planning Board may require the posting of a bond to assure proper ways or access and may also require a bond to assure the public safely in the event projects are not completed. The Planning Board may also require increases in the front, side or rear yards, screening of parking or other areas or modifications of the location or exterior features of structures to assure harmony with the intent of the zoning by-law. In the Aquifer Protection Overlay District, as much land as possible should be left in a natural or near-natural condition. Applicants may submit any additional information they feel is pertinent to these issues.

26. All applications shall be accompanied by a filing fee in the amount of one hundred (\$100) dollars plus \$.25 per square foot of gross floor space in each proposed building, including the basement (if any) all as described in the application. This fee is to cover the expenses of publication and notice of the hearing and administration of the special permit.

27. In the event of an application of unusual complexity or expense, the Board shall charge a fee to the applicant measured by its estimate of the costs that the Town shall incur to process, consider and evaluate said application. In the event that such fee shall exceed the actual costs incurred by the Town in connection with such application the Board may refund such excess to the applicant.

28. State the full name, mailing address and phone number of any person or attorney who is authorized by you to appear and represent you before the Board other than yourself: _____

DATE: _____

SIGNATURE OF OWNER: _____
(Owner must sign application or authorize the Applicant to file an application)

You will be notified of the date of the public hearing to be held on this application or petition at the mailing address as stated in Item #2 of this application.

The checklist given below is suggested to cover all major items of site analysis. Specialized developments such as planned unit development, industrial parks, and large shopping centers may require additional items to be covered. This list is not meant to be ALL inclusive, but suggests the realm of considerations necessary.

- Soils and subsoil compatible to type and intensity of development.
- Surface drainage, level of water table and periodic flooding accounted for.
- Ground coverage by structures and impervious surface coverage consistent with drainage and soil considerations.
- Topography incorporated into site plan.
- Compatibility with adjacent land uses achieved.
- Compatibility of internal land uses achieved.
- Pollution controls provided: air, water noise.
- Circulation: right-of-way, pavement width, horizontal and vertical alignments, cul-de-sacs, turnarounds, curbs, sidewalks and bonding to cover the cost thereof.
- Connection with existing transportation network satisfactory.
- Parking sufficient space for primary users plus service, loading and guest space provided.
- Building orientation: regard for slope, sun, wind, microclimate used to best advantage, ingress and egress location and site accommodations for pedestrian traffic.
- Building mass, shape, facade and skyline, (i.e. the visual impact) compatible with community.
- Security: lighting details.
- Storm drainage consistent with building and surface coverage, grades, slopes, soils and water table.

- ___ Water distribution sufficient in volume and pressure for fire needs, hydrant placement satisfactory, looped system.
- ___ Sewerage layout sufficient to handle flow, adequate size and connections.
- ___ Garbage collection screened or within buildings, special consideration for on-site incineration.
- ___ Other utilities placed underground, night-lighting esthetic and sufficient.
- ___ Easements as necessary have been provided, these and existing easements protected from encroachment.
- ___ Open space provisions sufficient in size and arrangement, compatible with adjacent uses; will not become nuisances and safety hazards, functional, esthetic and easily maintained.
- ___ Landscaping and retention of existing growth maximized.
- ___ Type of heat in building and how fuel supply therefore shall be contained/screened, etc. on site.
- ___ Aquifer 20% coverage
- ___ Aquifer septic system requirements.

APPENDIX B

Groundwater Monitoring Wells

APPENDIX C

DISCOURAGED AND PREFERRED LANDSCAPE MATERIALS

Plant Species to be avoided

Because of the adverse impacts to the ecology in the North East, it is recommended the following plants not be used for landscaping.

Trees:

Olive, Russian or Autumn
Norway maple
Osage orange
Silver poplar
Sycamore maple
Tree of heaven
White mulberry
White cottonwood

Shrubs & Small Trees:

Barberry, japanese
Winged euonymus
Honeysuckle, Amur, Japanese, Tartarian
Privet, including blunt-leaved, common/hedge, and Japanese
Buckthorn, including common, smooth and shiny/glossy
Rose, specifically Multiflora, Rugrose & Japanese

Vines:

Bittersweet nightshade
Porcelain berry
Oriental bittersweet
Honeysuckle, Japanese or Morrow's/Morrow's X Tartarian/Tartarian
Silver fleece/lace vine
Kiwi vine
Kudzu
Japanese Wisteria

Herbaceous plants:

Garlic mustard
Hairy willow-herb
Yellow flag iris
Purple loosestrife
Japanese knotweed
Wild thyme

Other:

Barnyard grass
Black locus
Wort, black swallow and money
Bushy rock-cress
Canada bluegrass
Common mullien
Creeping buttercup
Curly pondweed
Cypress spurge
Dame's rocket

water-milfoil, Eurasian and variable
Fanwort
Giant waterweed
Goutweed or Bishop's weed
Hair fescue
Japanese hops
Lesser naiad
Live forever or Orpine
Phragmites, Reed/Reed canary grass
Sea- or horned poppy
Sheep fescue
Sheep-sorrel
Spotted knapweed
Sweet reedgrass
True forget-me-not
Water chestnut
Watercress
Wetsern catalpa
Yellow floating heart

Plant Species that are encouraged

Native trees:

Flowerwing dogwood
Sycamore
American Beech
White Spruce
White Pine
Eastern hemlock
Eastern red cedar
Red maple
Red oak
American linden

Native Wildflowers:

American columbine
Butterfly weed
Spike gayfeather
New England aster
Cardinal flower
Lanceleaf Coreopsis
Spotted geranium
Blue flag
Obedient plant
Cutleaf coneflower

Native Groundcovers & Grasses:

Canada Anemone
Foam flower
Wild ginger
Labrador violet
Bearberry
Virginia creeper
Virgin's bower
Switchgrass
Indiangrass
Little bluestem

Wild rye

Native Shrubs:

Elderberry

Bayberry

Winterberry

Red Osier Dogwood

Silky dogwood

Blueberry, lowbush and highbush

Sweet pepperbush

Highbush cranberry

Pinxterbloom Azalea