

**ARTICLE VII
RULES AND REGULATIONS FOR SITE PLAN APPROVAL
WARREN PLANNING BOARD**

SECTION 1 - AUTHORITY

These Rules and Regulations are adopted by the Planning Board under the authority in Section 5.33.1 of the Warren Zoning By-Law. These Rules and Regulations shall go into effect upon adoption by the Board at a public meeting after holding a public hearing. The Planning Board shall make every effort to expedite its review of the application and file a decision at the earliest possible date.

SECTION 2 - APPLICATION PROCEDURE

The Inspector of Buildings/Zoning Enforcement Officer shall review every application for a zoning permit. Upon making a determination that Site Plan Approval is required, s/he shall issue a Rejection.

The Applicant/Agent shall submit the Rejection to the Town Clerk along with two copies of all plans and supporting documentation. The Town Clerk shall furnish the Applicant/Agent with a Site Plan Approval Application. The Town Clerk shall certify the date and time of filing on the Application and return one copy of the form to the Applicant/Agent. The Town Clerk shall forward a second copy of the Application, including any plans/documents, to the Planning Board.

Any communication purporting to be an application shall be treated as merely advisory and no notice shall be deemed to have been given until it is made on the official application form and filed with the Town Clerk. The Applicant/Agent shall furnish the information called for by these Regulations in the manner herein prescribed. The date certified by the Town Clerk shall be considered to be the date on which the application has been filed with the Planning Board.

The Applicant/Agent shall forthwith submit the following materials to the Planning Board:

1. The Site Plan Approval Application Form certified by the Town Clerk
2. Nine (9) copies of all plans and supporting documentation
3. A check for the applicable site plan approval fees (see Section 4). Checks shall be made payable to the "Town of Warren".
4. The names and addresses of the parties entitled to receive a notice of the public hearing from the Assessors' office. These include the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner.

It shall be the responsibility of the Applicant/Agent to furnish all supporting documentation as required. The Board's agent will review the application materials for completeness. The Planning Board shall not take final action on the site plan application until the applicant submits all required information. The Planning Board may deny site plan approval if an applicant fails to submit such information.

SECTION 3 - SUBMISSION REQUIREMENTS

Site plans shall be prepared by a registered professional engineer, architect or landscape architect at a scale of 1" = 40' on standard 24" x 36" sheets, (or another scale or size previously approved by the Planning Board) and shall contain the following information:

1. Name of the project, property boundaries, location map, date, north arrow and scale, and the name and address of the owner and registered engineer, architect or landscape architect who prepared the plan.
2. The location of all existing and proposed buildings and structures within the development, including dimensions, height, and floor area.
3. The zoning district of the site and the required zoning setback lines on the property.
4. The location of all existing and proposed roads, driveways, parking and loading areas, sidewalks, fences and walls; and the number of parking and loading spaces provided. The site plan shall contain a tabular summary of the gross floor area of all proposed uses and a calculation of the parking spaces provided.
5. The location, height, size, and design of all proposed signage and lighting fixtures.
6. Proposed landscaping, including the size and type of plant material. A Landscape Plan shall show existing trees and shrubs and all proposed landscape features and improvements, including walks, planting areas with size and type of stock of each shrub or tree; walls, fences, and outdoor lighting. Where the plan specifies a facility of 10,000 square feet or more of gross floor area, or a facility requiring 40 or more parking spaces, a Registered Landscape Architect shall prepare the Landscape Plan.
7. The location of existing and proposed utility systems, including water supply, sewage or septic system, storm drainage system, and other utilities.
8. Existing and proposed topography at two (2) foot contour intervals, including natural features, water courses, wetlands, wetland buffer zones, riverfront areas, and the 100-year flood plain.
9. The location where earth removal or filling is proposed and the volume of material to be removed.
10. Elevations for all exterior facades of the proposed structure including the type and color of materials to be used.

Upon written request from the applicant, the Planning Board may waive the submission of such information, plans, studies or analyses, or parts thereof of the above requirements, as may not be necessary for the consideration of the application. The decision shall be written and shall be recorded in the Planning Board's minutes and/or records.

SECTION 4 - SITE PLAN FEES

The applicant shall pay following fees at the time of application. Where a use requires both a Special Permit and a Site Plan Approval fee, the applicant need only pay the larger amount.

A. Public Hearing Advertisement

The application shall include a fee of \$200.00 to cover the cost of publishing the required Legal Notice twice in a newspaper of general circulation in the Town.

B. Mailing Fee

The Planning Board shall mail the notice of the public hearing to the parties identified on the list provided by the Assessors' office, and mail a "Notice of Decision" after the Board files its decision with the Town Clerk. The applicant shall submit a fee to cover the cost of two first class letters to each name provided on the Assessors' list.

C. Review Fee for Outside Consultants

1. The Planning Board may determine that the assistance of outside consultants is warranted due to the size or scale of the proposed project or because of the project's potential impacts. The Board may engage traffic engineers, civil engineers, planners, landscape architects, lawyers or other appropriate professionals who can assist the Board in analyzing a project.
2. The Board may require the applicant to pay a review fee to cover the actual costs of the outside consultants engaged to review the application. The Board shall obtain an estimate from its consultants for their services. The Board shall provide a copy of the estimate to the applicant, and the applicant shall submit the estimated cost of the review to the Town Treasurer prior to the start of the review.
3. The Town Treasurer shall deposit funds received pursuant to this section in a special account established for this purpose. Expenditures from this account shall be made at the direction of the Planning Board without further appropriation and shall be made only in connection with the review of a specific project for which a review fee has been collected. Failure of an applicant to pay a review fee shall be grounds for disapproval of the site plan. When the review fee account is depleted, the applicant shall submit additional fees as the Board specifies.
4. Review fees may only be spent for services rendered in connection with the specific project for which they were collected. At the completion of the Planning Board's review of a project, any excess amount in the account shall be repaid to the applicant or to the applicant's successor in interest. The Board shall provide a final report of the account to the applicant or the applicant's successor in interest upon request.
5. Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to those stated in Chapter 593 of the Acts of 1989.

SECTION 5 - MINOR SITE PLAN REVISIONS

The Planning Board may approve modifications to an approved site plan that are deemed minor by the Board without fees or a public hearing. Examples include revising parking layouts or adding architectural features that do not significantly change the use or appearance of the building.

SECTION 6 - REVIEW BY TOWN DEPARTMENTS

The Planning Board shall refer copies of the site plan to the Board of Health, Conservation Commission, Inspector of Buildings, Water Districts, Sewer Department, Highway Superintendent, Fire Chief, Police Chief and other boards or officials as deemed necessary. These parties shall have thirty (30) days in which to review and comment on the plan. Failure to submit written comments within thirty (30) days shall be interpreted as lack of opposition to the approval of the site plan.

SECTION 7 – WAIVER

Any of the requirements of these Site Plan Rules & Regulations may be waived in part or in total at the discretion of the Planning Board, if the Board determines the waiver(s) will not be detrimental to the purpose of this section.

SECTION 8 – ADOPTION

The Planning Board hereby adopts the foregoing Rules and Regulations this ____ day of _____, 2009.

H. William Ramsey, Chairman

Marc. W. Richard, Vice Chairman

Susan A. Libby

Peter H. Krawczyk

David M. Messier