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Article I. Special Permits- Authority

These rules and regulations are adopted by the Lynnfield Planning Board as authorized by M.G.L. c. 40A, §9, and c. 260 §10.5 of the Lynnfield Zoning Bylaw, for the purpose of establishing rules and procedures for conducting the business of the Planning Board under its jurisdiction as a Special Permit Granting Authority ("SPGA").

Article II. Definitions

<u>Applicant</u>- An application for a Special Permit may be filed by a property owner, a prospective purchaser, or other applicant provided that the documentation from the owner certifying the applicant's legal interest in the property and right to file accompanies the application.

<u>Abutters-</u> The owners of land located directly adjacent to a property for which an application has been filed, including owners of land directly opposite on any public or private street or way, as well as any owners of land not located directly adjacent to a property, but within three hundred (300) feet of the property line of the applicant as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town. The Lynnfield Assessor's Office shall certify the names and addresses of abutters and such certification shall be conclusive for all purposes. For purposes of special permit public hearing and decision notices, an abutter is a "party in interest" as defined below.

Building Inspector – The Building Inspector of the Town of Lynnfield.

<u>Drainage</u> - The control of surface water within the tract of land to be developed by any means of collecting, diverting, handling, dispersing, or disposal of surface runoff. Such control shall be designed by a registered professional engineer.

<u>De Minimus Change to Approved Special Permit</u> - an insignificant or minimal change request to the approved Special Permit and/or site plan.

<u>Engineer -</u> A registered professional engineer licensed to practice civil engineering in the Commonwealth of Massachusetts.

Lot - A continuous parcel of land with legally definable boundaries.

<u>Parcel -</u> An area of land in one ownership, with definite boundaries, which may or may not constitute a lot or group of lots available for use as the site of one or more buildings.

<u>Parties in Interest</u> - The applicant, the owner of record, and abutters as defined above, the Planning Board, and the planning board of every abutting city or town. Parties in interest are legally entitled to notice of special permit public hearings and decisions under M.G.L. c. 40A §11.

<u>Groundwater Protection Overlay District</u>- The special zoning district of the same name as described in §9.3 of the Lynnfield Zoning Bylaw.

<u>Person -</u> An individual, two or more individuals or a group or association of individuals, a trust, a partnership, limited liability company, or a corporation having common or undivided interests in a tract of land.

<u>Project - The proposed buildings, parking, roads, and so forth that are the subject of the special permit application.</u>

Scenic Road – Any one of the public rights of way specifically enumerated in the Lynnfield Scenic Roads Bylaw.

<u>Site -</u> The entire tract on which a proposed use or development is located.

Surveyor - A registered land surveyor licensed to practice surveying in the Commonwealth of Massachusetts.

<u>Town Engineer – The Lynnfield Town Engineer.</u>

<u>Town Planner</u> – The Lynnfield Town Planner or the Lynnfield Director of Planning and Conservation.

<u>Tract</u> - A continuous area of land, which may be subdivided or unsubdivided, may be crossed by roadways or streams and may be in single or multiple ownership, which is proposed for development under these Rules and Regulations.

Wetland - Land subject to the provisions of M.G.L. c. 131 §40.

<u>Zoning Enforcement Officer – The Town of Lynnfield Building Inspector.</u>

Article III. Application

3.1. Pre-application review

To promote better communication and to avoid misunderstanding, the applicant is strongly encouraged, prior to the preparation of a formal application, to meet with the Town Planner, Conservation Agent, Health Agent, Sewer and Water Superintendent, Town Engineer, Building Inspector, Police Chief, Fire Chief, and any other Town official, board, or commission for informal discussions regarding any issues relative to a proposed Special Permit. However, any advice, opinion, or information given to the applicant by any Town official or employee shall not be binding on the Planning Board.

3.2. Application forms

An application for a Special Permit shall be made on an appropriate official application form entitled "Town of Lynnfield Planning Board - SPECIAL PERMIT APPLICATION FORM" which can be found in Appendix A. Any communication purporting to be an application shall be treated as intent to seek Planning Board action until such time as an official, complete application form has been submitted. All information called for by the form shall be furnished by the applicant in the manner therein described. The forms to be used are hereby made a part of these Rules and Regulations.

3.3. Application filing and fees (See Appendix A for Application Forms and Fee Schedule)

Each application for a Special Permit shall be filed with the Town Clerk and include the following:

- 3.3.1. Two (2) copies of executed Site Plan/Special Permit Application.
- 3.3.2. Two (2) copies of executed Certificate of Ownership.
- 3.3.3. Fees for Filing Fee and Design Review Fee in two (2) separate checks made payable to the Town of Lynnfield.
- 3.3.4. Two (2) copies of the drainage calculations and supplement plans (if applicable).
- 3.3.5. 300-Foot Certified Abutters List and map. (The applicant shall arrange and pay for publications of the notices of the hearings as required by M.G.L. c. 40A § 11.)
- 3.3.6. Cover letters and/or supporting narrative
- 3.3.7. Relevant Supplemental Documentation (see section 3.5)
- 3.3.8. Site Plans Five (5) copies of the full-size site plan and eight (8) copies of reduced 11"x17" size site plan. Detail requirements for site plans can be found in Section 3.4.
- 3.4. Detail requirements for site plans
- 3.4.1. Plans must be prepared and stamped by an engineer and a surveyor and shall be prepared utilizing the most current release of AutoCAD or another Town-approved drawing package. The AutoCAD and PDF or TIF design shall be

submitted to the Planning Board electronically or via a method approved by the Department of Planning and Conservation. Supplemental plans may be prepared by a professional architect or landscape architect.

- 3.4.2. Prepared with an appropriate (1=2") scale indicated on each sheet. Datum shall be the Massachusetts Coordinate System, North American Datum 1983, with units of U.S. Survey Feet. The vertical datum shall be North American Vertical Datum 1988.
- 3.4.3. The location and boundaries of the site including a delineation of On-Site Disturbed Area (where it is not otherwise noted, the "disturbed area" shall be considered the proposed "limit of work"), proposed tree line and street address if applicable.
- 3.4.4. Locus, including abutting land use(s) and zoning district(s).
- 3.4.5. A legend or "key" describing the symbols and graphics used on each sheet.
- 3.4.6 Existing and proposed land and buildings uses.
- 3.4.7. Information regarding the ownership of adjacent land including street address if applicable.
- 3.4.8. Existing and proposed topography and proposed grading for the entire site.
- 3.4.9 Existing and proposed utilities in adjacent streets.
- 3.4.10. Existing and proposed on-site structures and all buildings within two hundred (200) feet of the property lines.
- 3.4.11. Existing and proposed driveways and driveway openings.
- 3.4.12. Existing and proposed parking and loading spaces.
- 3.4.13. Delineation of wetlands or other areas potentially subject to the Wetlands and Rivers Protection Act.
- 3.4.14. Delineation of areas included in any Flood Plain District and areas included in the Groundwater Protection Overlay District.
- 3.4.15. The location of any proposed structures, streets, ways, walls, hydrants, fences, outdoor lighting, open space areas, recreation areas, egresses, service entries, facilities for waste disposal or storage, snow storage area and parking with individual spaces identified.
- 3.4.16. The location, size and sketch of all proposed signs.
- 3.4.17. A Landscape Plan showing and labeling all proposed exterior landscape features, including trees, shrubs, ground cover, lawn areas, signage, utility boxes, decks, fences, hardscape (sidewalks, patios etc.), site lighting, topsoil stockpile, and any other features as requested by the Planning Board. For any new construction and/or commercial developments, a Tree Planting Plan will also be required under the Lynnfield Tree Preservation Bylaw. The plan will also show and label existing features (mature trees, walls, rock outcroppings, significant planted features etc.) that are to remain or to be removed. Removal, demolition or elimination of any site feature labeled to remain, even if unintentional, on an approved plan will require a Planning Board determination to ascertain if said action requires submittal of a Site Plan Modification or a De minimis change.
- 3.4.18. On-site existing and proposed water, drainage and sewage systems.
- 3.4.19. Sufficient data to determine compliance with the Rules and Regulations of the Architectural Barriers Board for handicapped parking, if applicable, as well as parking schedule requirements based on proposed uses.

- 3.4.20. A table showing sufficient data to determine compliance with the applicable Lynnfield Zoning Bylaw.
- 3.4.21. Data regarding traffic safety and capacity issues sufficient for the Planning Board to make a determination of whether a traffic impact analysis is necessary.
- 3.4.22. A photometric map showing on-site footcandle information.
- 3.4.23. Architectural elevations and floorplans.
- 3.4.24. Impact Reports Impact Reports for each development will be required to accompany site plans and shall address traffic, public services and fiscal impacts, environmental impacts, community impacts and any effect upon adjoining properties. See section 3.6 for a detailed list of reports.

3.5. Supplemental documentation

Throughout the Special Permit and/or Site Plan Review process, the applicant must submit supplemental and/or revised materials after the initial submittal. The following quantities shall be submitted:

- 3.5.1. Full Size Site Plans three (3) sets
- 3.5.2. 11"x 17" Site Plans eight (8) sets
- 3.5.3. Drainage calculations and supplement plans (if applicable)- two (2) copies
- 3.5.4. Cover letters and/or supporting narrative outlining the purpose of the supplemental materials and what, if any, changes have been made to the original application eight (8) copies.

3.6 Impact reports

3.6.1 Traffic and Parking

Applicant shall provide a projected total and peak-hour trip generations, capacity and pre- and post-project (buildout) level of service (LOS) of streets and intersections to be affected by the project, existing and proposed traffic controls and sight lines at the intersections of proposed driveways and streets. Level of service shall be analyzed using the procedures described in the most recent edition of the Highway Capacity Manual, published by the Transportation Research Board. Traffic generated by a proposed use shall be estimated in accordance with the most recent edition of Trip Generation, published by the Institute of Transportation Engineers (ITE).

3.6.2. Stormwater and Utilities

Stormwater management systems shall be designed in accordance with the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Policy Handbook and Technical Handbook, as most recently amended. Applicant shall submit to the Planning Board a plan detailing the ownership and rights of use of common drives and responsibilities and ownership of stormwater drainage facilities as well as a detailed plan of maintenance of such common drives and drainage facilities.

3.6.3. Public Services and Fiscal Impacts

Applicant shall provide projections of costs rising from increased demand for public services and infrastructure; projections of benefits from increased tax revenues, employment and infrastructure improvements; and impacts on adjacent property values.

3.6.4. Environmental Impacts

Applicant shall provide a written analysis of the project's potential impacts on the quality of air, surface water and groundwater; flooding potential; increases in impervious surfaces; stormwater management; compliance with

Groundwater Protection Overlay District requirements; hazards from radioactive emissions or other hazardous materials; solar access to adjacent properties; and noise and light impacts (including lighting and photometric plans).

3.6.5. Social and Community Impacts

Applicant shall provide an analysis of the project's impact on the surrounding neighborhood in terms of architectural character, pedestrian movement and overall character; impacts on nearby historic structures or sites; and an evaluation of the proposed project's consistency and compatibility with existing local and regional plans.

3.6.6. Waivers for Impact Reports

The Planning Board, as applicable, based on a preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements provided for Impact Reports. Such waiver shall be issued in writing with supporting reasons and included in the Planning Board Special Permit decision. (For further detail on Waivers, see Article XIII.)

3.7. Transmittal of Application for Review

Within five days of submission, the plan submitted with the Special Permit application shall be transmitted for review and comment to the Board of Health, Lynnfield Center Water District and/or Lynnfield Water District, Engineering Department, Conservation Commission, Building Department, Fire Department, and Police Department. Such boards and departments shall, within 35 days from receipt of the plan and other supporting application materials, file their written recommendations on the proposal with the Planning Board.

Article IV. Design Review (See Appendix A for fee schedule)

4.1. Applicability

So that the Planning Board may make the findings required under the Lynnfield Zoning Bylaw and ensure that the public safety will be protected, in addition to the Application Fee, the Planning Board may impose Design Review Fee(s) on those applications which require, in the judgment of the Planning Board, review by outside consultants due to the size, scale, and/or complexity of a proposed project, the 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 design review consultants, the Planning Board may engage engineers, planners, lawyers, designers, certified arborists, architects, consultants or other appropriate professionals able to assist the Planning Board and to ensure compliance with all relevant Town bylaws, rules and regulations.

4.2. Submittal of fees

Design Review Fees shall be submitted at a time to be determined by a majority vote of the Planning Board for deposit in an account established pursuant to M.G.L. c. 44, §53G (53G Account). Failure to submit the fee as required by the Planning Board shall require the Planning Board to discontinue or suspend the proceedings and no review work shall commence until the fee has been paid in full.

4.3. Replenishment of fees

When the balance in an applicant's 53G Account falls below twenty-five percent (25%) of the initial Design Review Fee, as imposed above, the Planning Board shall consider whether to require a supplemental Design Review Fee to cover the cost of the remaining project review.

4.4. Excess amount of interest

At the completion of the Planning 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 Planning Board with documentation establishing such succession in interest.

4.5. Appeal from the selection of the design review consultants

The applicant may appeal the selection of an outside design review consultant to the Planning Board. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications 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 applicant must specify the specific grounds which the applicant claims constitute a conflict of interest or a failure to meet minimum professional requirements. The appeal shall be to the Planning Board.

Article V. Performance Guarantees

5.1. Process

Before approving a special permit, the Planning Board may require that a bond or other performance guarantee be filed by the applicant in an amount determined by the Planning Board to be sufficient to cover the cost of roadway improvements, parking areas, stormwater management facilities, water quality monitoring programs, landscaping, or other items required by the Planning Board's permit decision and approved as to form and sureties by the Town Treasurer, conditioned upon the satisfactory completion of such improvements within such period of time, if any, as the Planning Board may specify in its decision.

5.2. Release of bond

A total or partial release from the performance guarantee may be obtained when the required improvements are complete, in whole or in part, as set forth in the bond or at the Planning Board's discretion. A full total release of said bond shall require an approved as-built plan, as described in §10.4.

5.3. Terms of use

In the event that the applicant fails to perform satisfactorily the requirements set forth in the special permit decision or any written agreement regarding the performance guarantee, within the specified period of time, if any, the then outstanding principal amount (penal sum) of the bond shall be payable to the Town as provided by law, to the extent of the reasonable cost to the Town of the completion of the improvements required under the bond. In such case, the Planning Board's approval of the special permit may also be rescinded following the procedures provided by law.

Article VI. Inspection Fees and Construction Oversight

6.1. Required inspection fees

The applicant shall be responsible for all costs associated with inspections to enable adequate construction oversight, outlined in the Planning Board Fee Schedule as required by the Lynnfield Zoning Bylaw or these Rules and Regulations.

6.2. Replenishment of inspection fees

The Planning Board, in consultation with the Town Engineer, shall determine the amount of any replenishment of Inspection Fee funds required.

6.3. Supplemental inspection fees

If it is determined that a supplemental Inspection Fee is required, the Planning Board shall notify the applicant by mail, postage prepaid, within seven (7) days of such decision. The required fee must be received by the Town within fourteen (14) days after the receipt of notification.

Article VII. Hearing

7.1. Hearing date and notice

Upon receipt of an application, the Planning Board shall set a date of the public hearing for the Special Permit application in compliance with M.G.L. c.40A §9, which shall be held within sixty-five (65) days of the application filing date. Notice of the hearing shall be advertised as required by M.G.L. c. 40A, §11. In addition, copies of the notice shall be sent by postage prepaid mail at least ten (10) days prior to the date of the hearing to all parties in interest. The required time limits for a public hearing of ninety (90) days may be extended by written agreement between the applicant and the special permit granting authority. A copy of such agreement shall be filed in the office of the Town Clerk.

7.2. Hearing procedure

- 7.2.1. Hearings will start at the time stated in the notice unless delayed because of prior hearings.
- 7.2.2. At the hearing the chairperson may administer oaths, summon witnesses, and call for the production of papers. The Planning Board may retain any record which has been introduced as evidence for reference in the consideration of the case.
- 7.2.3. At the hearing, any party, whether entitled to notice thereof or not, may appear in person or by agent or attorney.
- 7.2.4. No person shall address a hearing of the Planning Board without permission of the chairperson, and all persons shall, at the request of the chairperson, be silent.
- 7.2.5. The chairperson will open the hearing by reading, or causing to be read, the notice as advertised.
- 7.2.6. The petitioner or his representative will then present his case, stating fully the reasons why the petition or application should be granted.
- 7.2.7. When the petitioner or his representative has concluded the presentation, the chairperson shall read the comments and recommendations received from other Town boards, commissions, departments, and agents concerning the application.
- 7.2.8. The chairperson will then allow those in favor of the application to speak. Those who wish to speak will rise, address the chairperson, give their name and address, then proceed.
- 7.2.9. When all those in favor have spoken, the chairperson will then allow those in opposition a similar opportunity to be heard.
- 7.2.10. When all those in opposition have spoken, the chairperson may then allow the petitioner or his representative an opportunity to present rebuttals and concluding remarks.
- 7.2.11. Questions seeking information and deemed relevant by the Planning Board may be allowed at its discretion at any time.
- 7.2.12. Members of the Planning Board who are hearing the case, or any of the Planning Board's agents, may direct appropriate questions during the hearing.
- 7.2.13. When all presentations have been made, and speakers heard, the chairperson will close the hearing.

Article VIII. Actions by the Board

8.1. Voting requirements

The concurring vote of four (4) members of the Board must be obtained for the granting of a Special Permit. A majority three (3) members of the Board must be obtained for the granting of Site Plan Approval. The record shall indicate the vote of each member upon each question or, if failing to vote, indicating such fact and setting forth clearly the reason or reasons for its decisions, and of its other official actions, copies of which shall be filed with the Town Clerk, pursuant to M.G.L. c.40A §9.

8.2. Notice of decision

A copy of the Planning Board's decision or notice of said decision shall be mailed to the applicant, owner of the subject property, parties in interest, and those requesting notice. Notice shall be completed in accordance with the requirements of M.G.L. c. 40A §9, 10 and 11.

8.3. Withdrawal

An application may be withdrawn without prejudice at any time prior to the public hearing by notifying the Town Clerk in writing. After the opening of the public hearing but prior to the filing of the decision, an application may be withdrawn by mutual consent of the applicant and a majority of the Planning Board. Notification of the withdrawal after the opening of a public hearing must be filed with the Town Clerk.

8.4. Re-application

Only upon consent of the Planning Board, as regulated by M.G.L. c. 40A §16, may an application, having been acted unfavorably upon by the Planning Board, be allowed to be refiled with a proposal substantially similar to the denied application within a period of two (2) years following the date of filing such unfavorable decision with the Town Clerk.

8.5. Limitation on approval/extension

If an application for a Special Permit is approved by the Planning Board, all permits necessary for the execution of the work shall be obtained and substantial use thereof shall be commenced except for good cause within two (2) years from the date of filing of the Planning Board's decision in the Office of the Town Clerk, unless the Planning Board otherwise provides for a lesser period of time in the decision. A reasonable extension of said time shall be granted by the Planning Board in the case of an appeal to the Superior Court under M.G.L. c. 40A §17, or for good cause shown.

8.6. Waivers

Strict compliance with the requirements of these Rules and Regulations may be waived when, in the opinion of the Planning Board, such action is in the public interest and not inconsistent with the Zoning Bylaw of the Town of Lynnfield. Such waiver shall be issued in writing with supporting reasons in the Planning Board's Special Permit decision.

Article IX. Criteria for Approval

9.1. Criteria for Special Permit approval

Consistent with c.260 §10.5 of the Lynnfield Zoning Bylaw, Special Permits shall be granted by the Planning Board, only upon its written determination that the adverse effect of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in the Lynnfield Zoning Bylaw, the determination shall include consideration of each of the following:

- --Social economic or community needs which are served by the proposal;
- -- Traffic flow and safety, including parking and loading;

- --Adequacy of utilities and other public services;
- --Impacts on neighborhood character;
- --Impacts on the natural environment, including but not limited to water quality, groundwater protection, wetlands, tree preservation, and Scenic Roads; and
- --Potential fiscal impact(s) on Town services, tax base, and employment taking into account any proposed mitigation.

Article X. Special Permit: Decision submission, appeal, filing, and as-built plan

10.1. Decision submittal

The Planning Board will submit a copy of the Planning Board's decision to the Town Clerk, the property owner, the applicant if other than the property owner, and when applicable, other Town boards, commissions, and departments, and will send notices of its decision to parties in interest and every person present at the public hearing who requested that notice be sent and stated the address to which it is to be sent.

10.2. Appeal

Appeal of a decision of the Planning Board on a Special Permit shall be made directly to a court of a competent jurisdiction in accordance with the requirements of M.G.L. c. 40A §17.

10.3. Filing

The applicant is responsible for filing the certified decision of the Planning Board in the Registry of Deeds and for paying the recording fees. Special Permits only take effect upon the successful recording of the special permit at the appropriate Registry of Deeds, pursuant to M.G.L. c.40A §11. Proof of the recorded decision, certified by the Registry, must be submitted to the Planning Board before a building permit dependent on the Special Permit can be issued by the Building Inspector.

10.4. As-Built plan

As-built plans shall be submitted to the Planning Board after all Special Permit items have been completed for the project. The as-built plan shall be submitted in the same scale as the approved Special Permit site plan. The acceptable as-built plan shall be submitted with one (1) Mylar version, one (1) full-size black and white print, and digital copies of said plan.

The as-built plan shall contain the following information:

- Lot lines for the road right-of-way and of all lots part of the project, including any easements within the project. Bearings and distances shall not be a part of this plan.
- All granite bounds, including registered land surveyor's certification and stamp.
- Location and contours for the roadway(s), including center-line profile. The profile shall show the proposed grade as well as the as-built center line of the roadway(s) every fifty (50) feet.
- Location and contours for the sidewalk(s).
- Location and contours of all drainage within the project, including detention basins. The drainage structures shall have the rim, invert, and sump elevations. The locations and elevations of all drainage structures shall be drawn on the road profile. The detention basins shall have one-foot contours with spot elevations for the bottom and top of the embankments. There shall also be spot elevations for all spillways and elevations on pipes or structures instrumental in the operation of the basins.
- Water system, including all gates and hydrants.
- Streetlighting fixtures, utility poles, conduits, transformers, and utility boxes within the project.

- Major features of the land within the right-of-way such as driveways, houses, walls, fences, natural drainage courses, etc.
- Locations of street trees installed, including species details.
- Any and all benchmarks used within or surrounding the project.

Article XI. Related variances

An applicant shall be responsible for filing any request for required variances from the Zoning Board of Appeals prior to any application filed with the Planning Board in accordance with these Planning Board rules for Special Permits. The Planning Board recommends to the applicant that any request for Planning Board public hearings be delayed until action by the Board of Appeals, including any statutory appeal period in accordance with Massachusetts General Laws, has expired.

Article XII. Modification to an approved Special Permit site plan

12.1 Modifications

The Planning Board, where it is not otherwise inconsistent with these provisions or with the Town's bylaws or with any Special Permit(s) granted in conjunction with the Site Plan Approval, may hear a modification to a previously approved Special Permit and/or Site Plan. The applicant shall submit an *Application for Special Permit Site Plan Approval/Modification* with the requirements identified in Article III.

12.2. "De minimis Change" to an Approved Site Plan:

The Planning Board, where it is not otherwise inconsistent with these provisions or with the Lynnfield Zoning Bylaws and does not undermine the intent of any Special Permit(s) granted in conjunction with the Site Plan Approval, may approve de minimis changes to a previously approved Special Permit Site Plan.

12.3. Examples of De minimis Changes:

The Lynnfield Planning Board may approve de-minimis changes to include, but not be limited to:

- The total number of parking spaces.
- Parking space sizes and alignment.
- Drainage (surface/stormwater).
- Curb opening dimensions and locations, provided such opening has been approved by the Lynnfield Town Engineer or MassDOT.
- Removal of underground storage tanks and other underground utilities.
- Minor changes to water and/or sewer.
- Changes in site/building elevations, and topographic changes on portions of the site.
- Changes in walkways and Handicapped Access Ways.
- Changes in the type of screening/rubbish collection areas.

12.4. Procedure and Request for De-minimis Changes

Requests for approval of de minimis changes shall be submitted to the Planning Board using the *Application for Site Plan Approval/Modification* form (see Appendix A). Such written request shall be accompanied by two (2) full size and ten

(10) 11"x 17" size redlined plans indicating proposed changes and a statement supporting the basis for granting a de minimis change.

12.5. Written Notice

The Planning Board shall send written notice of its action to the applicant, Building Inspector, Town Engineer, and other affected departments and boards of its decision regarding a de minimis change.

APPENDIX A

- 1. APPLICATION FORMS
- 2. FEE SCHEDULE