

**Auburn Planning Board
104 Central Street
Auburn, Massachusetts 01501
(508) 832-7704**

**RULES AND REGULATIONS
FOR
APPLICATIONS
FOR
SPECIAL PERMITS
AND
SITE PLAN APPROVALS**

1. Authority

These Rules and Regulations are adopted by the Planning Board under the authority in MGL Chapter 40A, Section 9, and Sections 9.3.1 and 9.4.2 of the Auburn Zoning By-law. These Rules and Regulations become effective upon adoption by the Board at a public meeting and supersede all previous regulations of the Board, which are hereby repealed.

2. Application procedure

All information noted in these regulations and by the applicable Site Plan and Special Permit sections of the Zoning By-law shall be submitted to the Town Planner's office for review. The Town Planner will review the application materials for completeness prior to filing with the Town Clerk's office. The item will not be accepted for filing at the Town Clerk's office, nor put on the Planning Board's agenda, nor will a Planning Board public hearing be scheduled, until all application materials are completed or a waiver of the applicable requirements is requested in writing. (See waiver form attached.)

Any person requesting a Special Permit or Site Plan Approval from the Planning Board shall follow these procedures:

- Submit ten (10) copies of the application and plan to the Town Planner.
(Note: The Planning Board may request additional copies of the plan in some cases.)
- File the appropriate Special Permit or Site Plan application and proposed plan with the Town Clerk.
- Submit a check payable to "Town of Auburn" for:
 1. Application fee (see Section 4)
 2. Mailing fee (see Section 5)
 3. Advertising costs of the required Public Hearing notice (see Section 6)

3. Application and Plan

All applications for Site Plan Approval and Special Permits shall include a site plan with the following information:

1. The name of the property owner and the applicant, if different
2. The name and stamp of the Registered Land Surveyor and/or Professional Engineer
3. Zoning districts of all areas shown of the plan
4. A locus plan at a scale of one inch equals 1,000 feet
5. Proposed use(s)
6. Location of all buildings, structures, signs, parking and loading areas, existing and proposed
7. The limits of all paving and open storage areas
8. All facilities for sewage, waste disposal and drainage
9. Proposed system of drainage including existing waterways, floodplains, wetland areas, and wetland buffer zones
10. Existing and proposed topography at two-foot contour intervals
11. The site plan shall include that portion of any adjacent land owned or used by the applicant on which the use is similar to or connected with the use for which permission is sought
12. Lighting plan

13. Landscaping plan

Note: 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, the Landscaping Plan must be prepared by a Registered Landscape Architect. In any case, a Landscaping Plan shall show the limits of work, the existing tree line and all proposed landscape features and improvements, including walks, planting areas with size and type of stock of each shrub or tree, walls, fences, outdoor lighting and existing and proposed contours of the land at two-foot intervals.

14. A Building Elevation Plan, prepared by a Registered Architect or Registered Professional Engineer, where the plan specifies a facility of at least 10,000 square feet of gross floor area. A Building Elevation Plan shall show the front elevation of the building and floor plan(s) for the building(s), showing the layout of each floor, including a tabular summary of the net floor area used to calculate the required parking and the proposed uses to be conducted on each floor.

These items may be waived in part or in total at the discretion of the Board. However, the Planning Board reserves the right to request additional information, if necessary.

4. Application fees

The following fees shall be paid at the time of the application. If the fees are paid and the application is withdrawn prior to any Planning Board action, the fees will be refunded minus a \$25.00 administrative fee.

Special Permit fees:

Hammerhead lot	\$100.00 per lot
Earth removal/Earth Fill	\$200.00
Multiple business use	\$100.00
Open Space Residential Development	\$100.00 plus \$50.00 per lot
Other commercial/industrial	\$200.00 plus \$1.00 per parking space

Site Plan fees:

Commercial/industrial use	\$200.00 plus \$1.00 per parking space
Multifamily residential use	\$100.00 per dwelling unit
Revision of approved site plan	\$ 50.00

(Note: The Planning Board may waive fees for minor revisions to an approved plan. For revisions that require a public hearing, the applicant will be responsible for the application fees and the cost of advertising and notice to abutters)

Where a use requires both a Special Permit and a Site Plan application fee, the applicant need only pay the larger of the two fees.

Where the applicant is a non-profit, religious or government organization, or in other special circumstances, the Site Plan fees may be waived at the discretion of the Planning Board.

5. Mailing fees

For applications that require a Public Hearing, the Planning Board shall arrange for sending the required Public Hearing Notice to "Parties of Interest," property owners within 300 feet of the site, and sending a Notice of Decision after a decision on the application for Special Permit or Site Plan Approval has been made. The applicant shall be responsible for the cost of this notification. Please contact the Auburn Assessor's Office to secure a certified list of abutters. Changes in First Class Mail rates will require the mailing fees to be adjusted accordingly.

6. Public Hearing Notice

The applicant shall also be responsible for the cost of publication of required legal notices in the Auburn News or another newspaper of general circulation. The cost of the publication--\$90.00, payable to "Town of Auburn"--must be submitted at the time of the application. If the application is withdrawn, the applicant will still be responsible for the cost of the publication unless the Auburn News can be given sufficient notice of the cancellation.

7. Minor Site Plan revisions

Modifications to an approved site plan that are deemed minor by the Board may be approved without fees or a public hearing. Examples of this include: expansion of a building or structure by

up to 25% of the total area of the building, revision of parking layouts, additional architectural features that do not significantly change the use or appearance of the structure.

8. Review by Town departments

The Planning Board shall transmit forthwith a copy of the application and plan(s) to other boards, departments or committees as it may determine necessary or appropriate for their written reports. Any such board or agency to which petitions are referred for review shall make such recommendation or submit such reports as they deem appropriate and shall send a copy thereof to the Planning Board and to the applicant. Failure of any such board or agency to make a recommendation or submit a report within 35 days of receipt of the petition shall be deemed a lack of opposition.

The Planning Board shall not render a decision on said application until it has received and considered all reports requested from Town departments and boards or until the 35-day period has expired, whichever is earlier. Where circumstances are such that the 35-day period is insufficient to conduct an adequate review, the Planning Board may, at the written request of the applicant, extend such period to 60 days.

9. Review fees

- A. When reviewing a Special Permit or Site Plan application, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project or because of a project's potential impacts. The Board may require that applicants pay a "review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants to assist in the review of an application.
- B. In hiring outside consultants, the Board may engage traffic engineers, civil engineers, lawyers or other appropriate professionals who can assist the Board in analyzing a project.
- C. 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 shall be made at the direction of the Planning Board without further appropriation and shall be made only in connection with the review of specific projects for which a review fee has been or will be collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the Special Permit. The amount of the review fee to be paid by the applicant shall be estimated by the Board on an individual project basis. When the review fee account is depleted, an additional deposit shall be made by the applicant.
- D. Review fees may only be spent for services rendered in connection with the specific project for which they were collected. Accrued interest may also be spent for this purpose. 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 to 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 party claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.
- E. 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.

10. Special instructions for Special Permit applications for Personal Wireless Service Facilities

Please refer to Section 9.3.11 of the Auburn Zoning By-law to review the purpose, criteria and procedures for Special Permits for Personal Wireless Service Facilities prior to submitting an application.

11. Waiver

Any of the requirements of these Rules & Regulations may be waived in part or in total at the discretion of the Planning Board, if the Board determines the waiver will not be detrimental to the purpose of this section. However, the requirement that a use requires Site Plan Approval may itself not be waived.