

4.6 Site Plan Review

4.6.1 Purpose and Authority

4.6.1.1 Site Plan Review is a means of protecting the public interest through evaluating impacts of new development and redevelopment of land and structures within the Town of Reading. Site plan review is designed to manage aesthetics, minimize the potential for conflicts among uses and limit the impacts, through imposition of reasonable conditions, of uses that are otherwise permitted in the applicable district.

The CPDC administers the Site Plan Review process for the following purposes:

- a To protect and promote the health, safety, convenience, and general welfare of the inhabitants of the Town of Reading, and to ensure the integrity of its neighborhoods;
- b To oversee acceptable site planning practices and to promote desirable architectural design within the Town of Reading;
- c To address development issues comprehensively while ensuring a streamlined and efficient development review process;
- d To provide for appropriate mitigation measures as a result of increased impacts to municipal services and infrastructure;
- e To ensure consistency in the application of development standards and guidelines, and;
- f To ensure proper monitoring and enforcement of Reading zoning and development regulations.

4.6.1.2 Guidelines, Regulations and Standards

- a The CPDC may adopt reasonable Guidelines, Regulations and Standards governing procedures to be used for the administration of Site Plan Review.
- b The proposed Guidelines, Regulations and Standards shall be submitted to all CPDC members at least 48 hours prior to any vote on their adoption, provided, however, that the CPDC may make such amendments to the proposed Guidelines or Regulations as it deems appropriate at said meeting.
- c Upon adoption of any Guidelines, Regulations and Standards by the CPDC, a copy thereof shall be filed with the Town Clerk.

4.6.2 Applicability

4.6.2.1 Single-family and two-family structures are exempt from Site Plan Review. Routine maintenance, and in-kind replacement of lighting, mechanical systems and landscape features are exempt from Site Plan Review.

Comment [JM1]: How do we define this?

4.6.2.2 Except as otherwise specified in Section 4.6.2.1, Site Plan Review is required if the proposed construction or site alteration involves any of the following:

- a An increase in gross floor area of 500 square feet or more; or
- b A change of use (from one use category to another) within an existing institutional, commercial, or multi-family structure, or that requires the addition of 2 or more parking spaces, a change to the layout or location of 2 or more parking spaces, an increase in pavement of more than 300 square feet, or the alteration of any driveway.

Comment [JM2]: Is this too low?

4.6.2.3 Except as otherwise specified in Section 4.6.2.1 or Section 4.6.2.2, Minor Site Plan Review is required if the proposed construction or site alteration involves any of the following:

- a Exterior alteration of 500 square feet or more of horizontal or vertical area that is limited to doors, paint, awnings, railings, step replacement, handicapped ramps or building code compliance measures, for a site within the Business B Zoning District;
- b Redevelopment or alteration of a site, or the interior of a building, in such a manner that the proposed site or building function is anticipated to generate unreasonable

visual or auditory impacts to abutters.

- c An existing site that becomes a nuisance to public health, safety or welfare (i.e. due to routine traffic spillover, excessive noise, site illumination beyond the hours of operation, etc.) as evidenced by substantiated complaints to the Police Department and/or Public Services Office.

4.6.2.4 Coordination with Special Permit

- a Where proposed construction or site alterations require both site plan review and one or more Special Permits, the CPDC shall be the SPGA.
- b Where both a Special Permit and Site Plan Review are required, the applicant shall seek both forms of relief simultaneously, and the CPDC shall generally conduct its review of both applications contemporaneously.

4.6.3 Minor Site Plan Review

- 4.6.3.1 The CPDC, through regulation, may authorize the Community Development Director to grant Administrative Approval for a Minor Site Plan Review with or without conditions provided the proposed construction, expansion or alteration is not anticipated to result in any adverse impact on surrounding areas.

4.6.3.2 Minor Site Plan Review Procedures

The Applicant shall submit to the CPDC through the Community Development Director, one electronic copy and six (6) sets of plans showing the following:

- 1 A written narrative explaining the proposed changes;
- 2 Photographs of the existing site or area to be altered; and
- 3 A rendering, site plan, plot plan or sketch.

For Minor Site Plan Review by the CPDC, the Applicant shall also submit one (1) set of stamped addressed envelopes in order for the Community Development Director to mail notification of the Minor Site Plan Review to abutters.

The Minor Site Plan Review shall not be considered complete, and a building permit shall not be issued, until a written approval is issued by the CPDC.

4.6.3.3 Waiver of Loading Zone Space Requirements

Upon the applicant's request and submission of supporting documentation, the Community Planning and Development Commission may waive the requirements of Section 9.1 of the Zoning Bylaw as to the number of loading zone spaces upon a finding that there will be no adverse impact on surrounding areas.

4.6.3.4 Waiver of Parking, Loading Space and Related Design Requirements in the Business Districts

Upon the Applicant's request and submission of supporting documentation, the Community Planning and Development Commission may waive or reduce the requirements of Section 9.1 for a site located in the Business Districts upon a finding that there will be no adverse impact on surrounding areas.

4.6.4 Site Plan Review

4.6.4.1 Procedures

- a An Applicant shall submit to the CPDC through the Community Development Director, for review and decision in accordance with the provisions of Section 4.6, the following:
 - Five (5) full size (24x36) copies of the site plan & architectural drawings;
 - Six (6) half size (11x17) copies of the site plan & architectural drawings;
 - Ten (10) copies of the application, narrative & supporting materials;

- Four (4) drainage reports; and
 - One (1) electronic version of everything submitted.
- b** The contents of the application shall be as specified in the CPDC Site Plan Review Guidelines, Regulations and Standards. The CPDC may, at its discretion, waive the requirement to submit any required materials that it determines are not needed.
- c** Within ten (10) business days of submitting an application for a Site Plan Review, the Community Development Director shall notify the Applicant of any issues related to the completeness of the application. If all required materials have been submitted, the application shall be date stamped by the Community Development Director. If all required materials have not been submitted, the Applicant shall be issued a written notice identifying which specific items are outstanding. No hearing date shall be scheduled until the Community Development Director deems the application to be complete.
- d** Within five (5) days of the date stamp, the Town Planner shall transmit one (1) copy of the application and plan to the Building Inspector, Director of Public Works, Fire Chief, Police Chief, and any other Town official whose review is requested. Such officials may, at their discretion, investigate the application and report their recommendations in writing to the CPDC.
- e** The CPDC shall schedule a public hearing for all Site Plan Review applications to be held within forty-five (45) days of the date stamp. This public hearing shall be advertised in the local newspaper once in each of two successive weeks prior to the meeting and a notice shall be sent to property owners within 300 feet of the subject property. Within forty-five (45) days of conclusion of the public hearing, the CPDC shall, approve, approve with conditions, or deny the Site Plan Review application and file a written decision with the Town Clerk.
- f** The Applicant may request, and the CPDC may grant, an extension of the time limits set forth herein.
- g** The Applicant shall satisfy or comply with all of the conditions of a Site Plan Approval prior to the issuance of a building permit except for those conditions that, by their terms, are intended to be satisfied during construction or later. The building permit application shall be accompanied by one (1) paper copy and one (1) electronic copy, in a format acceptable to the Building Inspector, of the plan that received Site Plan Approval, as well as a letter issued by a registered professional engineer, registered architect or registered landscape architect certifying, under pains and penalties of perjury, that such plan is consistent in all respects with the plan approved by the CPDC, and that all required conditions of Site Plan Approval have been satisfied.
- h** The Applicant shall satisfy or comply with all of the conditions of a Site Plan Approval prior to the issuance of a final certificate of occupancy unless otherwise specifically stated in the Site Plan Approval.

4.6.5 Review Criteria

- 4.6.5.1** All construction and site alterations subject to Site Plan Review shall be designed, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the proposed construction and/or alteration, so as to:
- a** Minimize the volume of cut and fill, the number of removed trees six inch (6") caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, the amount of soil erosion, and the threat of air and water pollution;
 - b** Maximize pedestrian, bicycle and vehicular access and safety, both on the site and entering and exiting the site;
 - c** Minimize obstruction of scenic views from publicly accessible locations;
 - d** Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or from residential properties;

- e Minimize glare from headlights and light pollution emitted from on-site lighting fixtures;
- f Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places;
- g Ensure compliance with applicable regulations governing on-site waste-water disposal systems;
- h Minimize contamination of groundwater from operations on the premises involving the use, storage, handling, or containment of hazardous substances;
- i Provide appropriate landscaping and other site amenities so as to enhance the visual character of the property;
- j Minimize environmental and other impacts to adjacent properties through appropriate restrictions of hours of operation, deliveries, noise, rubbish removal and storage, or by other appropriate means.
- k Provide adequate access to each structure for fire, public safety and emergency service equipment;
- l Provide adequate utilities and water and sewer service;
- m Provide stormwater drainage and roadway and driveway layouts consistent with the functional requirements of the Town of Reading's Subdivision Rules and Regulations, any applicable federal, state and local regulations, and the standards of the Department of Public Works;
- n Minimize impacts to abutting residential development; and
- o Otherwise demonstrate compliance with the Zoning Bylaw.

4.6.5.2 The CPDC shall apply the criteria set forth in Section 4.6.5.1 to determine whether an application for Site Plan Review should be approved, approved with conditions or denied.

4.6.6 Lapse

A Site Plan Approval shall lapse two (2) years after the date of its issuance if construction pursuant thereto has not begun; provided however, that the CPDC may grant an extension of the two (2) year period, for a maximum of one (1) year, upon a finding of good cause, including the need to obtain other local, state, and federal permits duly applied for, at the written request of the applicant, if submitted to the CPDC at least thirty (30) days prior to the expiration of the two (2) year period.

4.6.7 Approval, Conditions, & Continuation of Site Plan Review

The CPDC shall file a written decision with the Town Clerk stating that the application is approved as submitted, approved with conditions, or denied in accordance with Section 4.6.4.1 (e). The CPDC may impose conditions on any Site Plan Approval that it deems necessary or desirable.

4.6.8 Advertising, Consultant Fees and Reports

In addition to any application or advertisement fees required by the CPDC's Guidelines, Regulations and Standards, the CPDC is authorized, at any point during the hearing or deliberations prior to a final decision, to require an Applicant to pay a consultant fee upon a finding that additional information, available only through an expert consultant, is necessary prior to making a decision.

Any Applicant aggrieved by the CPDC's selection of an outside consultant may appeal such selection to the Board of Selectmen; provided, however, that the grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess either 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.

Any unused portion of the consultant fee shall be returned to the applicant unless the CPDC decides at a public meeting that additional services will be required.

The CPDC may, at its own discretion, waive any application or filing fee or consultant fee if the application is submitted by a government agency, including the Town and

all its departments.

4.6.9 Modifications to Approved Site Plan

4.6.9.1 Major Modification

If, at any time before or during development, it becomes necessary or desirable for an Applicant to make modifications to a Site Plan, the Applicant shall appear at a regular meeting of the CPDC and submit, if required by the CPDC, plans showing the modification. Modification requests shall be processed in accordance with the rules governing Site Plan Review unless, upon review and determination by the Community Development Director, the proposed changes qualify as a Minor Modification pursuant to Section 4.6.9.2.

The following changes shall be deemed to qualify as a Major Modification:

- a** Any relocation or shifting of structures or parking areas;
- b** Any increase in the gross floor area of structures or any changes to the building envelope;
- c** Any change that requires additional water or sewer usage or the relocation of water and sewer utilities;
- d** Any increase in impervious areas, either by changes to structures or paved parking areas;
- e** Substantial changes to the approved architectural drawings, including changes in building materials and color.
- f** A meeting with the Community Development Director prior to filing a modification request is recommended.

4.6.9.2 Minor Modification

At the discretion of the Community Development Director, Minor Modifications may require that the Applicant appear at a regular meeting of the CPDC, or may be granted through an Administrative Approval.

A proposed change may qualify for Administrative Approval as a Minor Modification if it would not substantially alter the concept of the approved Plan in terms of the qualities of the specific location, the proposed land use, the design of building form and approved building details and materials, site grading or egress points, and minor changes in site layout, topography, architectural plans, landscaping plan, traffic circulation, parking, lighting plan, signage or open space.

Upon approval of a Site Plan Modification, the Applicant shall submit one (1) paper copy and one (1) electronic copy, in a format acceptable to the Building Inspector, of the modified plan, as well as a letter issued by a registered professional engineer, registered architect or registered landscape architect certifying, under pains and penalties of perjury, that the modified plan is consistent in all aspects with the approved modification and that all conditions of approval have been satisfied.

4.6.10 Appeal

Any person aggrieved by a decision of the CPDC pursuant to Section 4.6 may appeal such decision to the Zoning Board of Appeals within twenty (20) days of the date filed with the Town Clerk.

