CITY OF WORCESTER
PLANNING BOARD

RULES AND REGULATIONS
FOR
SITE PLAN APPROVALS

Adopted and Effective

April 11, 1991

Amended April 1, 1992

Amended August 13, 2003

Amended July 18, 2007

Amended June 4, 2008

Amended June 24, 2009

PLANNING BOARD

CITY OF WORCESTER

MASSACHUSETTS

RULES AND REGULATIONS FOR SITE PLAN APPROVAL

Adopted and effective

April 11, 1991

RECEIVED
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ARTICLE I - GENERAL PROVISIONS

Section 1 - Purpose and Authority

The following Rules and Regulations are hereby adopted by the Worcester Planning Board as provided in Article V of the City of Worcester Zoning Ordinance, for the purpose of establishing uniform procedures for the approval of site plans.

Section 2 - Adoption and Amendment

These Rules and Regulations may be adopted and from time to time amended by majority vote, provided such adoption or amendment is submitted in writing at a meeting of the Planning Board. If the matter proposed for adoption or amendment receives a positive vote, then such matter shall be placed on the agenda of the next meeting of the Board for a hearing. After the hearing, the Planning Board may vote final approval, which vote shall be by roll call.

Section 3 - Effective Date

These rules and regulations were finally approved and adopted in public meeting by the Planning Board on April 11, 1991, and shall be effective when voted.

Section 4 - Filing

A copy of these Rules and Regulations shall be filed in the office of the City Clerk.

Section 5 - Powers

A. The Planning Board shall have the power to hear and decide site plan approval applications under the provisions of Article V, Section 2 of the City of Worcester Zoning Ordinance.

Section 6 - Advice, Opinion or Information

A. Any advice, opinion or information given by any Planning Board member, or any employee or official of the City of Worcester shall not be binding on the Planning Board.

Section 7 - Waiver

A. The Planning Board may, in its discretion, waive and or modify provisions of these Rules and Regulations where such action is not inconsistent with the intent and purpose of the Worcester Zoning Ordinance and such waivers and/or modifications will better achieve the purposes and intent of Article V, thereof.

B. To be effective, any action under this section shall require the concurring affirmative vote of a majority of those

members present and voting.

Section 8 - Severability of Provisions

A. The provisions of these Rules and Regulations are severable. If any provision of these Rules and Regulations is held invalid, the other provisions shall not be affected thereby.

B. If the application of these Rules and Regulations, or any of its provisions to any person or circumstances is held invalid, the application of these Rules and Regulations and their provisions to other persons and circumstances shall not be affected thereby.

Section 9 - Coordination with General Laws and/or Zoning Ordinance

A. All matters upon which these Rules and Regulations are silent shall be determined by the applicable provisions of G.L. c. 40A and/or the Worcester Zoning Ordinance.

B. In the event of any conflict between these Rules and Regulations and any provision of the Worcester Zoning Ordinance, the Zoning Ordinance shall control.

ARTICLE II - APPLICATIONS TO THE BOARD

Section 1 - Applicant

A. An application for a site plan approval may be brought by a property owner, agent, or prospective purchaser who submits certification of a property interest and authority to file the application.

Section 2 - Pre-Application Conference (Optional)

A. The Planning Board may hold non-binding pre-application conferences at any regular meeting of the Board, or a special meeting of the Board called for such purpose. An informal sketch, or plan, may be submitted for discussion purposes to assist in the identification of the nature of information necessary to meet the requirements for approval.

1. The above-mentioned plan, or sketch, can include the following:

   a. a sketch site plan, drawn approximately to a designated scale;
   b. name and address of applicant;
   c. proposed name and location of development;
   d. total acreage of development;
   e. tentative street and lot layout;
   f. site topography; and
   g. any other information the applicant believes necessary to discuss and clarify the development proposal and relevant ordinance requirements.

Section 3 - Preliminary Application (Optional)

A. At the option of the applicant, an application for Preliminary site plan approval shall be submitted for consideration of the Planning Board in the form and manner hereinafter set forth. A Preliminary application shall demonstrate, by a narrative report and/or schematic drawings, how the proposed development impacts upon each of the standards for review provided in Article V, Section 5(2) of the Worcester Zoning Ordinance, with particular reference to the following:

1. Any significant natural, topographical or physical features of the property, including but not limited to wetland resource areas as defined in G.L. c. 131, section 40;

2. The number, use and description of proposed buildings and existing buildings, including height, floor area ratio, total ground

coverage and number of dwelling units;

3. Dimensions and number of all vehicular and pedestrian circulation elements, including streets and roadways, driveways, entrances, curbs, curb cuts, parking spaces, loading spaces, access aisles, sidewalks, walkways and pathways;

4. All existing and proposed surface and subsurface drainage facilities, including detention or retaining ponds;

5. The total area of all useable open space or common property and the extent to which it is to be improved;

6. Impact upon traffic and pedestrian movement, police and fire protection, water and sewer and public roadways;

7. Such other and further information or documentation as the Planning Board may deem to be necessary and appropriate to a full and proper consideration and disposition of the particular application.

B. The applicant shall file the Preliminary application in accordance with Section 5, hereof, and shall pay one half (1/2) of the applicable fee calculated pursuant to Section 8, hereof. The fee paid for a Preliminary application shall be applied towards the fee for a subsequent submission of a Definitive site plan approval application.

C. A complete Preliminary application shall consist of the following:

1. An original and fifteen (15) copies of a completed application form;

2. Payment of applicable fee;

3. An original and fifteen (15) copies of the narrative report and/or schematic drawing described in Section 3(A), above.

D. The Planning Board shall render its decision on a Preliminary application within forty-five (45) days of its being filed. The Planning Board shall specify that,

1. the Preliminary application has been approved; or

2. the Preliminary application has been approved with modifications suggested by the Planning Board; or

3. specific issues of potential adverse impact to the standards for site plan approval, as set forth in the Zoning Ordinance, have not been resolved by the Preliminary application.

E. As part of its Preliminary application decision, the Planning Board shall specify the additional issues to be addressed by the Definitive application for site plan approval, and the additional information or documentation necessary to properly address those issues; including, if necessary, one of the two site plans described in Section 7, below.

Section 4 - Application Form

A. Preliminary or Definitive applications for site plan approval shall be made on an official form, as approved by the Planning Board, which shall be furnished by the Office of Planning and Community Development ("OPCD"). Any communication not on an official form shall be considered as a notice of intention to apply and not as an application.

B. All information indicated on the form shall be supplied by the applicant. Failure to meet this requirement may be considered a failure to submit an application, in which case the form will be returned and no public meeting will be scheduled. If an application is found to be incomplete after a public meeting thereon has been scheduled, and the applicant fails or refuses to supply the required information, such failure or refusal may constitute grounds for denial of the application.

Section 5 - Filing of an Application

A. The applicant shall file its Preliminary or Definitive application for site plan approval with the Planning Board in care of the OPCD, which shall conduct a preliminary review for completeness and collect the applicable fee.

B. The OPCD shall endorse its receipt of the applicable fee upon the original of the application and the applicant shall then file a copy of the application in the office of the City Clerk.

C. Copies of the Preliminary or Definitive application shall be sent by the OPCD to the following City of Worcester departments, boards and commissions:

1. Department of Code Inspection;
2. Department of Public Works;
3. Department of Public Health;

4. Parks and Recreation Department;
5. Department of Traffic Engineering
6. School Department;
7. Conservation Commission;
8. School Department;
9. Bureau of Land Use Control;
10. Law Department;
11. Fire Department; and
12. Any other department, board or commission deemed appropriate by the Planning Board.

Transmittal to the above entities shall take place not more than three (3) business days after the date the OPCD receives the certified copy of the application.

D. Any City department, board or commission to which an application is referred for review, shall make such recommendations as deemed appropriate. Copies of the recommendations shall be sent to the Planning Board, in care of the OPCD, and to the applicant. Failure of any such department, board or commission to make its recommendations within twenty-one (21) days of receipt of a Preliminary application, thirty-five (35) days of receipt of a Definitive application, or such lesser timeframe as may be required by the Planning Board, shall be deemed lack of opposition thereto.

Section 6 - Contents of a Definitive Application

A. If no Preliminary application has been submitted to the Planning Board, a complete Definitive application shall consist of the following, unless expressly excused in writing by the Planning Board:

1. An original and fifteen (15) copies of the completed application form;

2. Payment of applicable fee;

3. An original and fifteen (15) copies of the site plan required under Section 7, below;

4. An Impact Statement analyzing how the proposed development impacts upon each of the standards for approval, as set forth in Article V, section 5(2) of the Zoning Ordinance. Particular reference shall be made to how the proposed development will impact upon the natural, built and operating systems of the City; including open space, housing, traffic and pedestrian

movement, education, police and fire protection, water, sewer, roads, recreation and other similar amenities;

5. A certified listing from the Worcester Assessing Department containing the names and addresses of "parties in interest", as that term is defined by G.L. c. 40A, s.11.

B. If the applicant has previously submitted a Preliminary application, a complete Definitive application shall consist of the following, unless expressly excused in writing by the Planning Board:

1. All original and fifteen (15) copies of the completed application form;

2. Payment of the balance of the applicable fee;

3. Any additional information required by the Planning Board in its Preliminary decision (one original and fifteen copies);

4. The certified list of "parties in interest" as set forth in section 6(A)(5), above.

Section 7 - Site Plan

A. All applications for Definitive site plan approval which were not preceded by a Preliminary application shall include an original and fifteen (15) copies of the plan described in paragraph (B) below. The Planning Board however, in its discretion and upon the applicant's written request, may allow the submission of the site plan described in paragraph (C), below.

B. The plan referred to in paragraph (A), above, shall be drawn to a scale of not less than forty (40) feet to the inch, on one or more sheets, prepared by a Professional Engineer, and a Professional Land Surveyor when applicable, illustrating the proposed development and use, with appropriate title block information to identify location, applicant, owner and party responsible for preparing the plan, and including the following:

1. The boundary lines and dimensions of the subject property, existing subdivision lots, available utilities, easements, roadways, railroads, rail lines and public rights of way crossing and adjacent to the subject property,

a Locus Plan showing the site of the proposed development in relation to the immediate and general street network and such other features of the natural and/or built environment as are relevant to the review of the site plan and a summary of zoning classification and requirements.

2. Any proposed regrading of the subject property and any significant natural, topographical or physical features of the property including, at least, watercourses, marshes, flood plain and wetlands, trees in excess of nine (9) inches in diameter, soil types and existing contours at two (2) feet in one hundred (100) feet.

3. The location, size, use, attributes and arrangements of proposed buildings and existing buildings which will remain, if any, including height in stories and feet, floor area ratio, total floor area, total square feet of ground area coverage, number and size of dwelling units by number of bedrooms, exterior materials and elevations at appropriate scale.

4. Minimum yard dimensions and, where relevant, relation of yard dimensions to the height of any building or structure.

5. Location, dimensions, number and construction materials of all vehicular and pedestrian circulation elements, including streets and roadways, driveways, entrances, curbs, curb cuts, parking spaces, loading spaces, access aisles, sidewalks, walkways and pathways.

6. All existing and proposed surface and subsurface drainage facilities, including detention or retaining ponds. Drainage circulations with data on pre-development and post-development conditions to be provided.

7. Location, size, and arrangement of all signs and lighting.

8. Proposed landscaping (noting how the existing vegetation is to be retained and used) including the type, location and quantity of all plant materials, location and height of fences or screen plantings and the type or

kind of building materials or plantings to be used for fencing and screening.

9. Location, designation and total area of all useable open space or common property and the extent to which it is to be improved.

10. Methods and locations of erosion and sedimentation control devices for controlling erosion and sedimentation during the construction process as well as after.

C. Upon written permission of the Planning Board, the site plan required to be submitted with an application hereunder, may be as follows:

1. The size of the plan shall be at least 8 1/2" x 11" or 11"x17", and drawn to a minimum scale of 1 inch equals 40 feet; it shall have a north point, names of streets, zoning districts, and names of owners of properties up to abutters of abutters within 300 feet of the applicant's property lines. The location of any existing buildings or use of the property and distances from adjacent buildings and property lines shall be verified in the field and shown on the plan. The dimensions of the lot, and the percentage of the lot covered by the principal and accessory buildings, proposed and existing, and the required parking spaces shall be shown. Entrances, exits, driveways, etc. shall also be shown.

2. Any of the information required under paragraph (B), above, which the Planning Board deems necessary for the proper review and decision of the particular application shall also be included. Any of the paragraph (B) requirements which the Planning Board may require shall supersede any conflicting criteria listed in paragraph (C)(1), above.

Section 8 - <u>Fees</u>

A. All applications shall be accompanied by a check for the filing fee, made payable to the City of Worcester.

B. Calculation of the filing fee for each application shall be based upon the following:

Residential - $125.00 plus $50.00 per unit ($175.00) minimum)

Non Residential - $100.00, plus:

a) Manufacturing - $0.25 per square foot

b) Business - $0.20 per square foot

c) General - $0.15 per square foot

C. Notwithstanding anything above to the contrary, the fee for any one application shall not exceed Five Thousand Dollars ($5,000.00).

D. Upon written request, and for good cause shown, the Planning Board may waive or reduce filing fees.

Section 9 - Amendments to Applications

The Planning Board shall only vote on applications pending before it. Any modifications, amendments or alterations of an application initiated by the applicant, and found by the Planning Board to be more than a de minimis change, must be presented to the Planning Board for its consideration at a subsequent public meeting. If the Petitioner presents revised plans which differ substantially from those originally submitted, the Planning Board may require that the petition be withdrawn. Nothing in this section is intended to, nor does it have the effect of, preventing the Planning Board to suggest or require any modifications, amendments or alterations to the application as a condition to approval.

ARTICLE III - MEETINGS

Section 1 - Pre-Application Conference

A. To both promote communication and avoid misunderstanding, applicants are encouraged to submit, informal materials to the Planning Board for a pre-application conference, as set forth in Article II, section 2 of these rules and regulations.

Section 2 - Procedural Requirements

A. The Planning Board, acting as the Site Plan Approval Authority, shall follow all procedural requirements of the City Manager's Procedural Rules and Regulations for Boards and Commissions of the City of Worcester.

B. The attendance of three (3) members shall be required in order to constitute a quorum whenever the Planning Board is acting upon a site plan approval application.

Section 3 - Public Meeting

A. Every Definitive application for site plan approval shall be scheduled for a public meeting and a decision on such application shall be made within sixty-five (65) days from the date of filing of such application with the OPCD.

B. Every Preliminary application for site plan approval shall be scheduled for a public meeting and a decision on such application shall be made within forty-five (45) days from the date of filing such application with the OPCD.

C. The time limits within which to hold the required public meeting, and take such action as is required following the public meeting, may be extended by written agreement between the applicant and the Planning Board. Such agreement shall be filed with the OPCD and a copy thereof shall be filed in the office of the City Clerk.

Section 4 - Notice of Definitive Application Meeting

A. Notice of the public meeting for Definitive applications shall be made by publication in a newspaper of general circulation in the city, once in each of two successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing, and by posting such notice in a conspicuous place in City Hall for a period of not less than fourteen (14) days before the day of such meeting.

B. Notice shall also be sent by mail, postage prepaid, not less than fourteen (14) days before the day of the meeting, to all "parties in interest" as that term is defined in G.L. c. 40A,

section 11, as amended, which reads as follows:

1. "Parties In Interest", shall mean the applicant, abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within three hundred (300) feet of the property line of the applicant as they appear on the most recent tax list (notwithstanding that the land of any such owner is located in another city or town), [the Planning Board], and the planning board of every abutting city or town.

C. The applicant is responsible for preparing notices to such parties in interest. The prepared notices shall be verified by the OPCD for conformity with the certified list from the Assessing Department which will have been submitted with the application. Such certified list shall be conclusive for all purposes relative to determining "parties in interest".

D. All notices and pre-addressed, stamped envelopes required hereunder shall be delivered to the OPCD. After review of the notices as provided for in Section 4(C), above, the OPCD shall transmit the notice for publication, send copy of the notice to the City Clerk's office for posting, and shall cause all other copies of the notice to be mailed accordingly.

E. The Planning Board may accept a waiver of notice from, or an affidavit of actual notice to any party in interest or, in his stead, any successor owner of record who may not have received a notice by mail, and may order special notice to any such person, giving not less than five (5) nor more than ten (10) additional days to reply.

Section 5 - <u>Contents of the Notice</u>

A. Publications and notices required under Section 4, above, shall contain the name of the applicant, a description of the area or premises, street address, if any, or other adequate identification of the location of the area or premises which is the subject of the application, the date, time and place of the public meeting, and a statement that the applicant is seeking site plan approval.

Section 6 - <u>Attendance by the Applicant</u>

An applicant may appear in his own behalf, or be represented by an agent or attorney. In the absence of any appearances on behalf of an applicant, the Planning Board may consider the request based upon the application and any other evidence presented to it during the public meeting.

ARTICLE IV - DISPOSITION OF DEFINITIVE APPLICATIONS

Section 1 - Decisions

A. The Planning Board shall render its decision on a Definitive application within sixty-five (65) days of its being filed with the OPCD, unless a longer timeframe is agreed upon by the parties.

B. The Planning Board shall take the following action upon each application:

1. Approve;
2. Approve with conditions; or
3. Disapprove

C. The Planning Board may regulate the proposed use through the imposition of reasonable conditions relating to one or more of the identified areas of concern as set forth in Article V, Section 5(2) of the Zoning Ordinance. The reasonable conditions imposed shall be designed to protect the public interest to the degree that they are consistent with the reasonable use of the site as approved under the Zoning Ordinance.

D. The Planning Board may disapprove the application if it fails to furnish adequate information on the various review criteria set forth in the Zoning Ordinance under Article V, Section 5(2). The Planning Board may also disapprove an application which reflects a situation so intrusive on the needs of the public with respect to one or more of the identified areas of concern, that, despite best efforts, no form of reasonable conditions could be devised to mitigate the situation.

Section 2 - Voting Requirement

A. Any site plan approval issued by the Planning Board, either with or without conditions, shall require a concurring affirmative vote of three (3) members of the Planning Board.

B. The concurring affirmative vote of a majority of the Planning Board members present and voting shall be sufficient to adopt or approve any other matter or question.

Section 3 - Performance Guarantee

A. As a condition to the issuance of site plan approval, the Planning Board may, in situations it deems appropriate, require the applicant to post a bond or provide other safeguards in the form and amount or penal sum acceptable to the Planning Board.

1. The purpose of the bond shall be to guarantee the applicant's performance in meeting any conditions the Planning Board may attach to

its approval. The penal sum of the bond shall reflect the estimated cost to the City of completing the required work should the applicant fail to do so.

2. The type and form of the performance guarantee shall be as approved by the City's Law Department.

B. The posting of any performance guarantee required hereunder, shall be a condition precedent to its endorsement of approval.

Section 4 - Timeframe for Performance

A. The Planning Board may establish completion dates for any work necessary to satisfy the conditions of the plan's approval.

ARTICLE V - APPROVAL STANDARDS

Section 1 - General Standards

A. The Planning Board shall issue its decision based upon the review standards set forth in Article V, section 5(2) of the Zoning Ordinance.

Section 2 - Specific Standards

A. In addition to the approval criteria set forth in Section (1), above, each application shall be subject to any additional approval standards which may be specifically set forth under the provisions of the applicable Article of the Worcester Zoning Ordinance.

PROPOSED REVISION TO ARTICLE III, SECTION 4
OF THE WORCESTER PLANNING BOARD'S RULES
AND REGULATIONS FOR SITE PLAN APPROVAL

To delete the existing Paragraph A of Article III, Section 4 and replace it with the following new Paragraph A:

A. Notice of the public meeting for Definitive applications shall be made by one publication in a newspaper of general circulation in the city, said publication to be not less than fourteen (14) days before the day of the hearing, and by posting such notice in a conspicuous place in City Hall for a period of not less than forty-eight (48) hours, including Saturdays but not Sundays, prior to the meeting.

APPROVED
WORCESTER PLANNING BOARD
PSH
~~CLERK~~
April 1, 19[illegible]
DATE

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CITY OF WORCESTER, MASSACHUSETTS

Michael V. O'Brien
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2006 APR 25 P 2:19

April 25, 2006

David Rushford
City Clerk
City Hall
Worcester, MA 01608

Re: Amendment to the Planning Board Rules and Regulations for Site Plan Approval

Dear Mr. Rushford:

Attached is a copy of an amendment to the Planning Board Rules and Regulations for Site Plan Approval, which was approved by the Planning Board on August 13, 2003 and never filed with your office.

At this time, I am requesting this item be filed and certified by your office.

Sincerely,

Robin Bartness

Robin Bartness, AICP
Chief Planner

The Worcester Planning Board's Rules and Regulations for Site Plan Approval, adopted on April 11, 1991, be and are hereby amended as follows:

I. Each reference to the Office of Planning and Community Development ("OPCD") contained within the Planning Board Rules and Regulations for Site Plan Approval is hereby deleted and inserted in lieu thereof is the following:

"Department of Code Enforcement"

II. Article II, section 5 entitled "Filing of an Application" is deleted in its entirety and the following new section 5 is inserted in lieu thereof:

A. An applicant shall file a preliminary or definitive application for site plan review with the City of Worcester Planning Board c/o the City's Department of Code Enforcement.

Applications for site plan review must be filed with the Planning Board at least twenty-eight (28) days prior to the scheduled date of the public meeting at which the site plan is to be reviewed by the Planning Board. The site plan reviewed by the Planning Board shall be the site plan on file with the Department of Code Enforcement as of the advertising of said public meeting.

At the time the plan is received, the Department of Code Enforcement shall collect the applicable fee. This fee shall be waived for one resubmission of an application which has been rejected during the administrative review process and for which an application fee has already been paid. Waivers for re-submissions after the first resubmission may be made only by a majority vote of the Planning Board upon a written request for such waiver.

B. Upon receipt of a preliminary application for site plan approval, the Department of Code Enforcement shall conduct an administrative review for completeness and to assure compliance with the requirements set forth in Article II, sections 3 (Preliminary Application) and 4 (Application Form) of the Planning Board's Rules and Regulations for Site Plan Approval. The administrative review shall assess only the form and completeness of documents submitted and shall not include any substantive review under the standards set forth in Article 5, Section 5 of the Worcester Zoning Ordinance.

C If a preliminary application is incomplete or otherwise fails to meet the requirements of sections 3 and 4 of Article II of the Rules and Regulations for Site Plan Approval, the Department of Code Enforcement shall provide written notice to the applicant that the application has been rejected based upon the administrative review standards. The notice shall

state the specific reason(s) for the rejection of the application and identify any provision(s) of city's Zoning Ordinance or the Rules and Regulations for Site Plan Approval where the application has been deemed to be deficient. A preliminary application which is rejected at the administrative review stage shall not be considered to have been "submitted to the Planning Board" for site plan purposes.

D. Upon receipt of an application for definitive site plan approval, the Department of Code Enforcement shall conduct an administrative review for completeness and to assure compliance with the requirements of Article II, sections 4 (Application Form), 6 (Contents of Definitive Application) and 7 (Site Plan) of the Planning Board's Rules and Regulations for Site Plan Approval. The administrative review shall assess only the form and completeness of documents submitted and shall not include any substantive review under the standards set forth in Article 5, Section 5 of the Worcester Zoning Ordinance.

E. If a definitive site plan application is incomplete or otherwise fails to meet the requirements set forth under sections 4, 6 or 7 of Article II of the Rules and Regulations for Site Plan Approval, the Department of Code Enforcement shall provide written notice to the applicant that the application has been rejected based upon the administrative review standards. The notice shall state the specific reason(s) for the rejection of the application and identify any provision(s) of the Worcester Zoning Ordinance or the Rules and Regulations for Site Plan Approval where the application has been deemed to be deficient. A definitive site plan application which is rejected at the administrative review stage shall not be considered to have been "submitted to the Planning Board" for site plan purposes.

F. Copies of preliminary and definitive applications received by the Department of Code Enforcement shall be sent to the following:

1. City Planner;
2. Department of Code Enforcement;
3. Department of Public Works (3 copies);
4. Fire Department;
5. School Department; and
6. Any other department, board or commission deemed appropriate by the Planning Board.

G. Transmittal to the above-noted entities shall take place not more than three (3) business days after the date that the Department of Code Enforcement has completed its administrative review - but not more than ten (10) days after the site plan application has been received by the Department of Code Enforcement. The transmittal shall specify the date and time of the

Planning Board meeting at which the application is to be considered. If a definitive or preliminary application is rejected under the administrative review criteria no transmittal to the above-noted entities shall be required. A transmittal made in accordance with this section shall not constitute an approval under the administrative review standards.

H. Any city department, board or commission to which an application is referred for review, shall make such recommendations as deemed appropriate. Copies of the recommendations shall be sent to the Planning Board in care of the Department of Code Enforcement. Failure of any such department, board or commission to make its recommendation prior to the meeting date indicated on the transmittal shall be deemed lack of opposition thereto.

ADMINISTRATIVE REVIEW
SITE PLAN APPROVAL

APPLICATION

1. Applicant's name and address and interest in the subject property, and, if different, owner's name and address along with signed and notarized consent to file the application. *Worcester Zoning Ordinance, Article V, § 2 (A), 2(B).* _____

2. Street Address of the property. *Worcester Zoning Ordinance, Article V § 2(c).* _____

3. Original signed application and fifteen (15) copies. *Rules and Regulations for Site Plan Approval §6 (A) (1).* _____

4. Application Fee – *Worcester Zoning Ordinance,* Article 5, § 3(3). _____

5. Certified List of Abutters. *Rules and Regulations for Site Plan Approval §6 (A) (5).* _____

6. One (1) stamped, addressed envelope for each Party on the certified list of abutters and one (1) stamped, addressed envelope for the petitioner. *Rules and Regulations for Site Plan Approval, Article III, § 4 (B) - 4 (D).* _____

7. Impact Statement. *Worcester Zoning Ordinance, Article V, § 4 (2)(F).* _____

SITE PLAN

1. Original and fifteen (15) ***folded*** copies of the Site Plan with a scale of not less than 40 feet to the inch. *Rules and Regulations for Site Plan Approval, Article II, § 7(A)* _____

2. Professional Engineer's stamp or request for waiver stating reasons therefore. *Worcester Zoning Ordinance, Article 5,§ 4 (2)(G)* . _____

3. Title block indicating the location, applicant, owner and party responsible for preparing the plan. *Rules and Regulations for Site Plan Approval, Article II, Section 7(B).* _____

4. Names of all public and private rights of way depicted. *Rules and Regulations for Site Plan Approval, Article II, Section 7(B).* _____

5. Locus plan and summary of zoning classification. *Worcester Zoning Ordinance, Article 5, § 4(G)(1).* _____

6. Location, size and use of all buildings depicted, including: Height, Floor to Area Ratio, Total Floor Area, number and size of dwelling units. *Worcester Zoning Ordinance, Article 5, § 4(G)(3).* _____

7. Landscaping information, including: adequacy, type and arrangement of trees, shrubs and other landscaping elements in accordance with the Landscaping Design Standards. *Rules and Regulations for Site Plan Approval, Article II, Section 7(8); Worcester Zoning Ordinance, Article 5 § 4 (2)(G)(8).* _____

8. Drainage facilities and calculations. *Article II, § 7(B)(6); Worcester Zoning Ordinance, Article 5, § 4(2)(G)(6).* _____

9. Location of snow storage or indication that snow is to be removed from site. _____

10. Where outdoor trash storage is planned, a depiction of its location and type of enclosure.

City of Worcester, Massachusetts

Michael V. O'Brien
City Manager

Julie A. Jacobson
Assistant City Manager
Office of Economic and Neighborhood Development

Joel J. Fontane, AICP
Director
Planning and Regulatory Services Division

Memorandum

To: David Rushford, City Clerk

From: Joel Fontane, AICP – Director, Planning & Regulatory Services Division

Date: August 1st, 2007

Re: Amendment to Planning Board Rules & Regulations for Site Plan

Enclosed for filing, please find an amendment to the Site Plan Rules and Regulations of the Planning Board. The Worcester Planning Board voted at its meeting on July 18, 2007 to amend Article II, Section 8 related to fees (see attached for filing).

RECEIVED
WORCESTER CITY CLERK
2007 AUG -1 P 4: 21

Office of Economic and Neighborhood Development, Planning and Regulatory Services Division
44 Front Street, Suite 510, Worcester, Massachusetts 01608
Telephone: (508) 799-1400 Fax: (508) 799-1393
E-Mail: planning@ci.worcester.ma.us
Website: www.ci.worcester.ma.us

APPLICATION FEES
WORCESTER PLANNING BOARD

Effective August 1, 2007

Definitive Site Plan	Special Permits	Definitive Subdivisions
Residential Uses (5 units or more, or lots in subdivisions) $185.00 + $60.00 per DU **Non-Residential Uses** $185.00 + $0.25 per SF of GFA over 10,000 SF **Other Site Plan Triggers:** Airport Environs, Billboards, Lodging House, Historic (National Register) & Slope-15% $185.00	**Adaptive Reuse, Arts Overlay, CCRC, Cluster, Common Drive, Density Bonus, Flexible Parking, Mixed Use, Water Resources.** $250.00 ea. **Wind Energy Conversion Facilities** $500.00	$1250.00 + $60.00 per lot **Preliminary Subdivisions** $625.00 + $30.00 per lot **More Than One Building on a Lot** **Definitive or Preliminary Plan** (see Site Plan & Preliminary Site Plan fee - fee not applicable if site plan required)
Preliminary Site Plan	**Other Special Permits:**	**81-G Street Opening**
All Triggers, Thresholds & Types $185.00	$250.00	$0 **ANR** $100.00
Parking Plan		**Frontage Subdivision**
$185.00 + $5.00 per parking space		$100.00

Other Applications Types

Amendments
$250.00, or filing fee whichever is lower.

Extension of Time
$100.00

General Notes

If more than one trigger is met for site plan, the greater of the two fees applies.

Preliminary fees, if any, shall be deducted from Definitive fee total.

All applications shall be accompanied by cash or check for the filing fee, payable to the City of Worcester.

Filing fees shall be no more than $5,000.00 for any combination of Planning Board applications filed at the same time.

Approved July 18, 2007

City of Worcester, Massachusetts

Michael V. O'Brien
City Manager

Julie A. Jacobson
Assistant City Manager
Office of Economic and Neighborhood Development

Joel J. Fontane, AICP
Director
Planning and Regulatory Services Division

Memorandum

To: David Rushford, City Clerk

From: Joel Fontane, AICP – Director, Planning & Regulatory Services Division

Date: June 30, 2009

Re: Amendment to City of Worcester Planning Board's Rules and Regulations – Site Plan, related to Priority Development Sites

Enclosed for filing, please find an amendment to the Planning Board's Rules and Regulations. The Worcester Planning Board voted at its meeting on June 4, 2008 to amend its Rules and Regulations, Site Plan, Article II, Section 8 (C) which relieves projects or land uses in Priority Development Sites that require a special permit of the requirement to obtain site plan approval and establishes new fees for such projects. (See attached for filing).

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WORCESTER CITY CLERK
2009 JUL -1 P 3:52

Office of Economic and Neighborhood Development, Planning and Regulatory Services Division
44 Front Street, Suite 510, Worcester, Massachusetts 01608
Telephone: (508) 799-1400 Fax: (508) 799-1393
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City of Worcester, Massachusetts

The Worcester Planning Board's Rules and Regulations for Site Plan Approval adopted on April 11, 1991, be and are hereby amended as follows:

1.) Insert a new paragraph at the end of Article II, Section-8(C) Planning Board's Rules and Regulations for Site Plan Approval :

Fees for a special permit review in a priority development site will be the sum of the special permit fee and site plan fee.

City of Worcester, Massachusetts

Michael V. O'Brien
City Manager

Julie A. Jacobson
Assistant City Manager
Office of Economic and Neighborhood Development

Joel J. Fontane, AICP
Director
Planning and Regulatory Services Division

Memorandum

To: David Rushford, City Clerk

From: Joel Fontane, AICP – Director, Planning & Regulatory Services Division

Date: July 1, 2009

Re: Amendment to City of Worcester Planning Board's Rules and Regulations - Site Plans

Enclosed for filing, please find an amendment to the Planning Board's Rules and Regulations. The Worcester Planning Board voted at its meeting on June 24, 2009 to amend its Rules and Regulations, Site Plans, Article II, Section 8 related to fees. (See attached for filing).

RECEIVED
WORCESTER CITY CLERK
2009 JUL -1 P 3: 52

Office of Economic and Neighborhood Development, Planning and Regulatory Services Division
44 Front Street, Suite 510, Worcester, Massachusetts 01608
Telephone: (508) 799-1400 Fax: (508) 799-1393
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APPLICATION FEES
WORCESTER PLANNING BOARD

Effective July 1, 2009

Definitive Site Plan	Special Permits	Definitive Subdivisions
Residential Uses (5 units or more, or lots in subdivisions) $225.00 + $70.00 per DU **Non-Residential Uses** $225.00 + $0.30 per SF of GFA over 10,000SF **Other Site Plan Triggers:** Airport Environs, Billboards, Lodging House, Historic (National Register) & 15% Slope $225.00	**Adaptive Reuse, Arts Overlay, CCRC, Cluster, Common Drive, Density Bonus, Flexible Parking, Mixed Use, Water Resources.** $300.00 ea. **Wind Energy Conversion Facilities** $600.00 ea.	$1,500.00 + $70.00 per lot **Preliminary Subdivisions** $750.00 + $35.00 per lot **Frontage Subdivision** $150.00 **ANR** $150.00
Preliminary Site Plan	**Other Special Permits:**	**More than One Building on a Lot**
All Triggers, Thresholds & Types $225.00	$300.00 ea.	Definitive or Preliminary Plans: $0
Parking Plan		**81-G Street Opening**
$225.00 + $6.00 per parking space		$0

Other Applications Types

Amendments

$300.00 or filing fee (whichever is lower)

Significant site plan amendment (See Attachment A) - $600.00 or filing fee (whichever is lower)

Extension of Time

$150.00

General Notes

If more than one trigger is met for site plan, the greater of the two fees applies.

In cases where flat fee site plans also include changes that would otherwise trigger parking plan approval the greater of the two fees shall apply.

Preliminary fees, if any, shall be deducted from Definitive fee total.

All applications shall be accompanied by a check for the filing fee, made payable to the City of Worcester.

Filing fees shall be no more than $5,000.00 for any combination of Planning Board applications filed at the same time.

Approved June 24, 2009

Fee List - Attachment A – Site Plan Amendments

Minor Site Plan Amendments.

For the purposes of determining site plan amendment fees, a minor site plan amendment shall include, but is not limited to the following modifications:

1. All underground changes;
2. Any change less than or equal to two feet (2') in the location of buildings, parking, retaining walls or drainage facilities, caused by unexpected field conditions, as long as the new location does not penetrate the applicable setback required for the underlying zoning district or a non-zoning related setback specifically designated in the Planning Board's Site Plan Approval or Special Permit Approval;
3. Changes in the location of less than, or equal to, 10% of the total area devoted to parking;
4. Changes in the number of compact parking spaces, provided that the number of compact spaces is less than or equal to 25% of the total number of spaces provided;
5. Changes in the location and types of lighting provided that they meet the intent of the zoning ordinance;
6. Changes in the dimensions of landscape buffers, location of plantings, and materials used, provided that they meet the intent of the zoning ordinance;
7. Changes in the location of signs provided that it meets the new location requirements of the Zoning Ordinance;
8. Any reduction in area of impervious surfaces;
9. The addition of nonhabitable accessory structures that meet the by-right requirements of the zoning ordinance;
10. Changes in grade that do not change the height of buildings by more than 5% provided that the resulting height of all structures meet the maximum height requirements of the zoning ordinance and that it does not create or disturb a slope greater than or equal to 15%; and
11. Any other changes the Division of Planning & Regulatory Services, at its discretion, considers insubstantial, excluding those classified as substantial site plan amendments.

Substantial Site Plan Amendments.

For the purposes of determining site plan amendment fees, a substantial site plan amendment shall include, but is not limited to the following modifications:

1. Any change in the location of buildings, parking, retaining walls or drainage facilities greater than two feet (2') from the location approved.
2. Changes to building envelope that result in a larger footprint, an increase in height, an increase in volume, an increase in floor area, or any combination of such changes;
3. An increase in the land area devoted to parking, loading, or traffic circulation;
4. Changes to the architectural character including the color and style of materials used for the exterior façade of buildings;
5. Changes that result in a reduction of open space by more than 10%; and
6. Other changes the Planning and Regulatory Services Division, at its discretion, considers substantial in the context of the approved project.