



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upon adoption by the Board at a public meeting and supersede all previous regulations of the Board, which are hereby repealed.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)

The applicant is encouraged to appear before the Development Coordination Group (DCG) and any other appropriate department and utility, if they have not already done so, for review and feedback of the proposal, prior to submittal of the site plan to the Town Clerk.

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 including project narrative stamped by the Town Clerk
- Plans: 5 Large Standard Size Sets and 10 sets reduced to 11" x 17". All plan sets shall be stapled together as complete plan sets and may be submitted folded or rolled.
- PDF File of the Plans and application to the Town Planner
- 4 Copies of the drainage calculations and plan (if applicable)
(Note: The Planning Board may request additional copies of the plan in some cases.)



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- 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
 2. Mailing fee
 3. Advertising costs(See fee schedule for all relevant fees.)

3. Project Narrative

- a. There shall be a description of the proposed project, including:
 - Description of the proposed use, including proposed hours of operation, number of employees, noise generation, storage/use of hazardous substances, etc.
 - Size of proposed structures, lot size, building coverage area
 - Size of existing building or portion of building proposed for new use
 - Number of existing and/or proposed parking spaces, including ADA accessible spaces
 - Description of water and sanitary sewer needs and proposed infrastructure
 - Data regarding traffic safety and capacity issues sufficient for the Board to make a determination of whether a traffic impact analysis is necessary
- b. Description of permits and approvals from other permitting authorities
- c. Proposed development schedule, including the beginning of construction, rate of construction and development and estimated date of completion
- d. Description of the drainage system

4. 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. If the property owner is not the applicant and the property owner is retaining ownership then the property owner must sign a statement agreeing to conditions placed on the property as approved by the Planning Board.
3. The name, phone number and email of the primary project contact and emergency contact
4. The name and stamp of the Registered Land Surveyor and/or Professional Engineer
5. Zoning Determination Form
6. Zoning districts of all areas shown of the plan
7. A locus plan at a scale of one inch equals 1,000 feet



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8. Proposed use(s)
9. Location of all buildings, structures, and loading and unloading areas, existing and proposed
10. All parking, including employee, customer and ADA accessible spaces. Include a table summary of spaces required and provided
11. The limits of all paving and open storage areas
12. All onsite existing and proposed facilities for water (mains, services, valves, hydrants etc.), sewage, waste disposal and drainage
13. Proposed system of drainage, surface and subsurface, including existing waterways, floodplains, wetland areas, and wetland buffer zones
14. Existing and proposed topography at no more than two-foot contour intervals
15. 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
16. Lighting plan
17. 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 no more than two-foot intervals.
18. 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.
19. Traffic Data, safety and capacity (vehicle queue, drive-up, pick up/drop off) pedestrian safety
20. Documentation of availability and adequacy of water and sewer
21. The location, size and sketch of all proposed signs
22. Snow storage and potential loss of parking
23. Vehicle circulation though the site (i.e. Fire Department vehicle turning) entrance, exit, drive thru
24. Stormwater Operation and Maintenance Plan shall be a separate stand-alone



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document

25. Alternatives analysis shall be conducted as required by the Planning Board

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.

5. Application fees

Fees shall be paid at the time of the application. 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.

6. 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.

7. Public Hearing Notice

The applicant shall also be responsible for the cost of publication of required legal notices in a newspaper of general circulation. The cost of the publication-- 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.

8. 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.



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9. Review by Town Departments

The Planning Board shall transmit forthwith a copy of the application and plan(s) to other boards, departments or committees and water districts 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.

10. 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 a work-stop order; Town Planner has authorization to issue the work-stop order. 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



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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.
- f. The Planning Board shall give written notice to the applicant of the selection of an outside consultant; this notice shall state the identity of the consultant, the amount of the fee to be charged to the applicant, and a request for payment of said fee in its entirety and in advance.
- g. The Town Planner shall facilitate all communication with the peer reviewer and the applicant. No direct communication should occur between the applicant and the peer reviewer as this could be construed as a conflict of interest.

11. Approval

If a Site Plan or Special Permit application is approved by the Planning Board, the applicant shall submit the following information after a decision is granted and a minimum of seven (7) days prior to scheduling a pre-construction meeting. The Plan set shall contain a note referencing the Planning Board decision.

- a. Complete Full-size Set of Plans-One (1) Mylar, Two (2) paper copies
- b. Cover sheet and utilities only-Three (3) copies
- c. Cover Sheet, layout and materials only-Five (5) copies
- d. A digital copy (pdf) of all final plans and documents shall be sent to the Planning Board

12. Performance Guarantees

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 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 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 Board may specify in its



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decision.

13. Modifications

All requested modifications must be submitted directly to the Planning Board. Modifications shall be submitted in both paper and electronic (pdf) format. Modified plans must contain at least three full size copies and seven sets reduced to 11" x 17" copies. Note that more copies of the revision may be required depending on the scope of the modifications. Revised plans must be submitted by the Wednesday at noon before a Planning Board meeting, before a continued hearing/meeting date to be considered as an agenda item.

14. 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.

15. Special instructions for Special Permit applications for Ground Mounted Solar Energy Systems Please refer to Section 3.10 of the Auburn Zoning By-law to review the purpose, criteria and procedures for Special Permits for Ground Mounted Solar Energy System prior to submitting an application

16. 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.

17. Construction Inspection

The Applicant shall be responsible for all costs associated with inspections, outlined in the Planning Board Fee Schedule as required by the Zoning Bylaw or these Rules and Regulations. The Planning Board or designee, in consultation with the Town Engineer/Peer Reviewer, shall determine the amount of any additional Inspection Fee funds that are required. (See Construction Inspection Regulations)