

Bedford Planning Board
Bedford, Massachusetts



Site Plan Rules and Regulations

Effective December 14, 2021

I. Authority

Pursuant to Massachusetts General Laws Chapter 40A, Section 9 and Section 7.5 of the Bedford Zoning Bylaw, the Bedford Planning Board hereby adopts the following Site Plan Rules and Regulations governing certain construction activity in the Town of Bedford. These regulations shall be effective on and after May 15, 2021.

II. Requirement

In all Great Road, Business, Commercial, and Industrial Zoning Districts, and for detached Accessory Dwelling Units in all residential districts, and/or as designated by the Zoning Bylaw, no structure shall be constructed, reconstructed, altered, or used except in conformity with a site plan approved by the Planning Board. The requirements set forth herein are in addition to those set forth in Section 7.5 of the Bedford Zoning Bylaw.

Site plan review is intended as a means of managing the aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. Its purpose is to assure protection of the public interest consistent with a reasonable use of the site for the purposes permitted in the district. Site design shall consider the intended function and appearance of the property in relation to its surroundings, pedestrian scale and mobility, and its impact on the natural and manmade environment.

It is recommended that potential applicants arrange a pre-meeting with staff to review the proposed project and applicable submission requirements.

III. Application materials/process

1. An application for site plan approval shall be submitted to the Planning Board office with twelve (12) paper copies at 11"x17" and two (2) paper copies at 24"x36" of the Site Plan. Plans for an Accessory Dwelling Unit may be 8.5"x 11". An electronic version of the site plan and application materials shall also be submitted in pdf format to facilitate posting of the application on the Town website and review by pertinent Town Staff.
2. The application shall be accompanied by the required filing fee.
3. Applications for detached Accessory Dwelling Units shall also be accompanied by a certified abutters list, renderings of the proposed ADU, if available, and photographs as may be appropriate to assist the Planning Board in its evaluation of the proposed construction and impacts to the environment and the abutters.
4. The applicant shall submit such material as may be required regarding measures proposed to prevent pollution of surface or groundwater, soil erosion, increased runoff, changes in groundwater level and flooding.
5. The applicant shall submit such material as may be required regarding design features intended to integrate the proposed new development into the existing landscape, to enhance aesthetic assets, to screen objectionable features from neighbors, and how signage is proposed to be incorporated into building façade and/or site. This shall include addressing any requirement for a landscape buffer under Section 6.2.12.
6. The applicant shall submit such material as may be required to show the resulting traffic impact in the immediate vicinity of the site, on major intersections in the area and on streets in the

surrounding neighborhood. The applicant shall also submit material as may be required to describe measures that the applicant will use to mitigate the effects of such traffic impact and to what extent such measures will alleviate the impact. Common driveways or driveways between lots as described in Section 7.4.2.4 shall be used where they will improve the traffic circulation and appropriate agreements between landowners can be obtained.

7. In addition, where the site is located in Classes 1-4 of the Groundwater Supply Favorability Map or where the site plan shows more than 5,000 square feet of gross floor area or more than twenty (20) parking spaces, the site plan submission shall include a site analysis and evaluation of development impacts. The analysis and evaluation shall be prepared by the project engineer and other qualified professionals as may be required to prepare plans showing, in addition to the above requirements, the following information: the maximum groundwater elevation, the groundwater significance of the site, direction of the groundwater flow, the relationship of groundwater to any surface water or wetlands on or adjacent to the site and the vegetative cover and soil types (based on the U.S. Soil Conservation Service Soils Classifications Map).

The report shall evaluate the impacts and means of mitigating impacts to groundwater and surface water, effects on existing vegetation, the capacity of the site to support the development and the applicability of the project to the Wetlands Protection Act (MGL Chapter 131, section 40). Based on the findings of the report, the site plan shall include measures to control erosion, maximize groundwater recharge and protect groundwater quality.

The Planning Board may require that the site plan submission include stormwater drainage calculations in consultation with the Department of Public Works.

8. The Planning Board shall transmit copies of the Site Plan to the Code Enforcement Director/Inspector of Buildings, the DPW, the Board of Health, the Conservation Commission, the Police Department and the Fire Department who shall consider the plan and submit a report thereon with recommendations to the Planning Board within twenty (20) days of transmittal.

IV. Waiver of Requirements

The Planning Board may, in any particular case where such action is in the public interest and not inconsistent with the intent and purpose of Rules and Regulations, waive strict compliance with its Rules and Regulations and with the requirements herein.

V. Plan requirements

The Site Plan shall be prepared by a Registered Professional Engineer and/or Registered Land Surveyor. For detached ADUs, an existing stamped certified Plot Plan may be newly prepared or red-lined to depict the proposed changes to accommodate the detached ADU.

1. The site plan shall be tied into real world coordinates in feet on the North American Datum of 1983 (NAD83) and the North American Vertical Datum of 1988 (NAVD). All features shall be stored in Massachusetts State Plane Coordinate System and the coordinate values of at least two points shall be included in the submitted CAD file. The layering convention shall be submitted. Any revisions to the site plan shall be submitted in this digital CAD format and on 8 paper copies of the plan.

2. A title block in the lower right hand corner shall be included, stating the street address, lot number(s), or other identifying information; the date; the scale; all benchmarks; the names of the applicant and/or the owner; the name of the person who prepared the plan.
3. Where Site Plans consist of multiple sheets, a Cover Sheet should include: Street Address, Assessor's Map and Parcel Number, Owner & Applicant's Name, Address and Telephone Number, and a Key plan that references any partial plans.
4. A locus plan of a suitable scale is to be included on the plan or with the application to show the relationship of the subject property to the surrounding neighborhood and road network.
5. A signature block shall be provided on the plan, as follows:

Approved by the Bedford Planning Board

_____Chair

Application Filed_____

Plan Approved_____

6. All street lines, lot lines or other boundaries shall be accurately dimensioned and have a bearing consistent with existing street layouts. All surveying shall conform to the error of closure requirements of the Land Court of the Commonwealth of Massachusetts.
7. The horizontal scale shall be no less than forty (40) feet to the inch. For profiles the vertical scale shall be four (4) feet to the inch.
8. A North Arrow
9. The names of abutting property owners, based on most recent Assessor data, and to the extent practicable, the outline of abutting buildings and structures within 100 feet of the property line, which may be extrapolated from Town GIS data.
10. The names, widths and exterior lines of existing ways, public or private; the boundaries of existing areas dedicated to other public uses; and the location and character of other easements, public or private, side, front, and rear yards, and fire lanes, within or adjacent to the site.
11. Zoning boundary lines, and buffer zones where applicable.
12. All existing buildings, structures and manmade features such as fences, septic tanks, wells, pools, patios, both on the property and within 100 feet onto abutting properties and streets.
13. All existing natural features, including wetlands, waterways, flood plain or other natural features that may be subject to the jurisdiction of the Conservation Commission, large boulders or outcroppings of rock, trees twelve (12) inches or more in diameter.

14. Landscaping plans identifying existing landscaping to be retained and proposed landscaping. For detached ADUs, identify proposed landscaping or fencing intended as a buffer to abutters. See Appendix 1 and/or 2 for landscaping recommendations.
15. Topography, existing and proposed, at two (2) foot contour intervals, or of other intervals when requested by the Planning Board.
16. Size and location of existing and proposed water mains and their appurtenances, and all existing and proposed Fire Hydrants. Existing and proposed water usage calculations shall be shown on the plan or included in the application.
17. Size and location of existing and proposed sewers and their appurtenances.
18. Size and location of existing and proposed surface water drains and their appurtenances.
19. Existing and proposed drainage with calculations. No direct catchbasin to catchbasin connections are permitted, unless use of a connecting manhole is not required by the Department of Public Work. All catchbasins shall be installed with oil separator hoods/grease traps.
20. Intended size and location of existing and proposed electric and gas facilities, notwithstanding that the pertinent utility company may change the design in its final approval.
21. Existing and proposed driveways, parking and loading areas, and bicycle parking amenities.

The following criteria only apply in Great Road, Business, Commercial and Industrial Districts:

22. Sidewalks and Pedestrian pathways, including links to existing sidewalks, trails, transit stops or other connections as may be appropriate.
23. The location of dumpster storage areas, including the type of enclosure, no less than the height of the dumpster.
24. Snow storage areas.
25. Zoning Block Table, as follows:

Zoning Requirements Table

(Specify Zoning District Here)	Required	Existing	Proposed
Minimum Lot Area			
Minimum Frontage			
Minimum Front Setback			
Minimum Side Setback			
Minimum Rear Setback			
Max. Building – to – Ground Ratio			
Maximum Building Height			
% Impervious Surface			
% Wetland Area			
Maximum Floor Area Ratio			

26. Parking Table, as follows:

Parking Requirements Table

Total Square Feet of Floor Area (List all allocations of floor area among various uses and give minimum and maximum parking standard from Article VII of the Zoning Bylaw)	Required	Existing	Proposed
Example: Office Use - xxx sq. ft. Min. 2.5 spaces/1000 sq. ft. Max. 2.86 spaces/1000 sq. ft.			

VI. Application Fees:

The required application fee for Site Plan Review shall be based on one-tenth of one percent (.001) of the total estimated construction costs for the development.

In no case shall an application for Site Plan Approval be less than five hundred (\$500.00) dollars nor more than five thousand (\$5,000.00) dollars, except that the fee for a detached Accessory Dwelling Unit shall be \$200.00.

Municipal uses shall be exempt from Filing Fees. However, the applicable municipal department presenting said Site Plan or shall bear the cost of all required legal noticing.

VII. Peer Review

When reviewing an application for approval, 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 Planning Board may require that applicants pay a "project review fee" consisting of the reasonable costs incurred by the Planning Board for the employment of outside consultants engaged by the Planning Board to assist in the review of a proposed project, pursuant to MGL c.44

In hiring outside consultants, the Planning Board may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the Planning Board in analyzing a project to ensure compliance with all relevant Zoning Bylaw requirements and compliance with these Rules and Regulations. Such assistance may include but not be limited to analyzing the application, inspecting the project during construction or implementation, and monitoring the project for compliance with the Planning Board's decision.

Funds received by the Planning Board pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Planning Board without further appropriation.

Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose. Failure of an applicant to pay a project review fee shall be grounds for denial of the application.

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 an applicant's successor in interest shall provide the Planning Board with documentation establishing such succession in interest.

Any applicant may take an administrative appeal from the selection of the outside consultant to the Select Board. Such appeal must be made in writing and shall be taken only within twenty (20) days after the Planning Board has mailed or hand delivered notice to the applicant of the selection. 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. The minimum qualifications shall consist of an educational degree in, or related to, the field at issue and a professional certification. The required time limit for action upon an application by the Planning Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Select Board within one month following the filing of the appeal, the selection made by the Planning Board shall stand.

VIII. Review and Approval

The Planning Board may evaluate the proposed Site Plan at any regularly scheduled public meeting. Such review does not constitute a formal public hearing, but abutter and public comment shall be received, and any departmental comments shall be entered into the record. The decision of the Planning Board shall be made pursuant to the approval standards of Section 7.5.2.2 of the Zoning Bylaw.

IX. Amendments to Approved Plans:

The Planning Board, where it is not otherwise inconsistent with these provisions or with the Zoning Bylaw, may approve Engineering Changes to a previously approved Site Plan. The Board shall determine whether a change is major or minor if a change is not clearly able to be determined as major or minor by its Staff.

Requests for approval of major engineering changes shall be submitted to the Planning Board on Form V. A filing fee of five hundred dollars (\$500.00) shall be submitted with all applications for approval of Major Engineering Changes. Such written request shall be accompanied by six (6) redlined plans indicating proposed changes and a statement supporting the basis for granting a major engineering change. The Board shall send copies of the request to the Code Enforcement Director, DPW Engineer, and any other affected Departments based upon the nature of the proposed amendment(s).

Examples of major changes include:

1. Increase in the floor area of a building by more than 200 square feet.
2. Changes in building elevations/façade design where such building is subject to architectural design review
3. Increase in the total number of parking spaces by 5 or more spaces.
4. Significant change in parking space dimensions or alignment.
5. Relocation or redesign of the drainage system.
6. Changes in proposed curb opening dimensions and locations (provided such opening has been approved by the Department of Public Works).
7. Installation of new emergency generator(s).

8. Changes in proposed grading involving the placement or removal of retaining walls.
9. A reduction in the amount or area of landscaping or trees.

Notice of approval of an amendment shall be provided to the applicant, Code Enforcement, DPW Engineer, and if applicable to Fire, Police, Board of Health.

Requests for Minor Engineering Changes shall be submitted to the Planning Staff and Code Enforcement Director on Form V along with an application fee of \$100. Minor engineering changes that may be authorized by the Code Enforcement Director in consultation with the Planning Staff include:

1. Changes in Building Footprint which will not increase the gross floor area of the building or buildings within the approved Site Plan.
2. Changes in exterior doorways, or the location/placement/design of building facade details that maintain the overall intent of any approved renderings/ elevations.
3. The minor adjustment of parking space alignment or pedestrian pathways necessitated by on-site conditions.
4. The minor adjustment of manholes, catch basins, etc. in order to preserve existing trees or due to unexpected groundwater or ledge.
5. Minor changes in grading to preserve existing trees.
6. Changes in exterior stairways and loading docks.
7. Changes in the type of screening for rubbish collection areas.
8. Removal of underground storage tanks and other underground utilities.
9. Handicapped accessibility improvements to existing buildings, such as ramps, designated handicapped parking space location or allocation.
10. Substitution of plant species on an approved landscape plan.