

SPECIAL TOWN MEETING
JANUARY 28, 2025

ARTICLE 18

To see if the Town will vote to amend its Zoning Bylaw, being Chapter 145 of the Town Code, Article IX, entitled "Special Provisions," as follows:

- (i) by adding to Section 42, entitled "Site plan review special permit," Subsection B, the following new further Subsection (3):

"(3) No Site Plan Review Special Permit shall be required for Accessory Apartments constructed in accordance with Section 145-36. Accessory Apartments subject to Site Plan Approval shall instead be subject to Section 145-42.1 of this bylaw"; and

- (ii) by adding a new Section 42.1, as follows:

§145-42.1 Site Plan Approval

The provisions of §145-42, Site Plan Review Special Permit, shall not apply to Accessory Dwelling Units. Accessory Apartments subject to Site Plan Approval shall be reviewed by the Planning Board in accordance with the provisions of §145-42.1 of these bylaws. The Planning Board in granting site plan approval may impose such reasonable terms and conditions as it deems to be appropriate to serve the purposes of this section.

- A. **Applicability.** The construction of an Accessory Dwelling Unit shall be subject to review under this section by the Planning Board as described in §145-36, Accessory Dwelling Units in Residential Districts.
- B. **Submission Requirements.** As part of any application for Site Plan Approval, the Applicant must submit the following documents to the Planning Board:
 - (1) Application and fee for Site Plan Approval.
 - (2) Site plans that show the position of the buildings on the site, points of vehicular access to and from the site and vehicular circulation on the site, parking, stormwater management, utilities, and planned and existing landscape treatments including any screening of adjacent properties.
 - (3) Elevations of the building(s) showing the architectural design of any buildings being constructed or altered.
 - (4) All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of

Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one inch equals forty feet (1"=40') or larger, or at a scale as approved in advance by the Planning Board.

- C. Timeline. The Planning Board shall conduct a public meeting within 65 days of the filing of any application for Site Plan Approval, and shall file a decision with the Town Clerk within 90 days of receipt of the application. The Planning Board may, when appropriate, seek the input of other municipal boards or officials.
- D. Site Plan Approval. Site Plan approval for uses requiring review under this section shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied.
 - (1) The Applicant has submitted the required fees and information as set forth in Townsend's requirements for a Building Permit and Site Plan Approval; and
 - (2) The project as described in the application meets the applicable requirements set forth for such projects in the appropriate section(s) of this Zoning Bylaw.
- E. Waivers. The Planning Board may in its reasonable discretion reduce, alter or waive any or all of the foregoing site plan requirements upon demonstration by an applicant of just cause for such a reduction, alteration or waiver; provided that the Planning Board also finds that the reduction, alteration or waiver would advance the purpose of this section and further the public interest;

or take any other action in relation thereto.

SUBMITTED BY: Planning Board

MOTION: I move that the Town amend Townsend's Zoning Bylaw, being Chapter 145 of the Town Code, Article IX, entitled "Special Provisions," as printed in the warrant.

READ BY: Veronica Kell

VOTED: Passed unanimously.