

# **TOWN OF STOW STOW, MASSACHUSETTS**



## **ZONING BYLAW**

### **May 2009 ZONING BYLAW AMENDMENTS**

## ANNOTATED COMPARISON

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### 5.4 ACTIVE ADULT NEIGHBORHOOD (AAN)

5.4.1 Purpose - Stow cherishes the wisdom and experience of our citizens, and encourages continuity and participation in the town by its residents. This bylaw is intended to provide housing designed for adult residents age 55 and older who no longer want to maintain a single-family home. Preference shall be given to Stow residents and shall be achieved by local preference requirements as established, in accordance with all applicable law, by the Town of Stow Planning Board under its Rules and Regulations. An AAN shall be designed to:

- promote a sense of community among its residents;
- fit into the surrounding neighborhood while minimizing visual impacts;
- be in harmony with the natural terrain and consistent with Stow's rural New England architectural and village traditions;
- promote community through clustering of BUILDINGS, provision of community gathering spaces such as gardens and commons;
- emphasize protection of existing resources on the site, including natural resources, agriculture, recreation and trail linkages.

5.4.2 Applicability - An AAN shall only be permitted by Special Permit, and any amendments thereto from the Planning Board, acting as the Special Permit Granting Authority, in accordance with MGL Ch. 40A, s.9 on land located in the AAN District.

#### 5.4.3 AAN District

This district shall be an overlay district and shall include parcels of land depicted on a map dated May 13, 2002 and entitled “Active Adult Neighborhood District”, or any amendments thereto. This map is hereby adopted coincident with the adoption of this Bylaw. Development in an AAN District is subject to all provisions of the remainder of the Zoning Bylaw, except to the extent provided in Section 5.4, ACTIVE ADULT NEIGHBORHOOD (AAN). Section 8.9, Inclusion of Affordable Housing, ***does not apply applies*** to the AAN District, ***except for the restriction in Section 8.9.5.1.C.iii, which states that the total number of MULTI-FAMILY DWELLINGS shall not exceed 10% of the lots in the development.***

5.4.4 Permitted Uses - There shall be permitted in any AAN:

5.4.4.1 Single-family DWELLINGS, single-family DWELLINGS with ACCESSORY APARTMENTS. For the purposes of this Bylaw, an ACCESSORY APARTMENT shall be considered a DWELLING UNIT; and

5.4.4.2 MULTI-FAMILY DWELLINGS that are designed to be consistent in character with the single-family DWELLINGS in the same development. Such MULTI-FAMILY DWELLINGS may be allowed, provided there shall be no more than four (4) DWELLING UNITS in any residential BUILDING; and

5.4.4.3 Accessory uses and structures incidental to principal uses indicated above.

5.4.5 Procedural Requirements

5.4.5.1 Any new AAN and any proposed modification of an AAN shall be allowed only by Special Permit from the Planning Board in accordance with MGL Ch. 40A, s.9, subject to the requirements, conditions and limitations contained herein and in the regulations adopted by the Planning Board.

5.4.5.2 AAN Regulations

The Planning Board shall adopt and maintain a set of regulations that contains the necessary policies, procedures, and requirements to implement the provisions of this Section.

5.4.5.3 Application for an AAN Special Permit

An application for an AAN Special Permit shall be submitted in writing that meets the requirements set forth herein and all other information that may be required by the Planning Board under its Rules and Regulations.

5.4.6 Dimensional Requirements - There shall be no minimum LOT area, FRONTAGE, FLOOR AREA RATIO, LOT width or YARD requirements within an AAN or for any LOT or BUILDING within an AAN except as provided in this section. However, an AAN shall comply with the applicable requirements of the Water Resource Protection and Flood Plain/Wetlands Districts. The Planning Board may impose appropriate additional conditions on the location, layout and size of BUILDINGS, STRUCTURES and OPEN SPACE.

An AAN shall be built according to the following dimensional standards:

Minimum TRACT OF LAND area	25 acres
Minimum frontage of TRACT OF LAND	No Minimum Required
Minimum TRACT OF LAND width	No Minimum Required
Minimum SIDE and REAR YARDs of TRACT OF LAND	No Minimum Required
Minimum setback of BUILDINGS, pavement areas other than ACCESS DRIVEWAYs and walkways from all boundaries of the TRACT OF LAND	50 feet
Minimum separation between BUILDINGS and/or STRUCTURES	20 feet
Maximum height of Principal and Accessory STRUCTURES	35 feet
Minimum OPEN SPACE	40% <b><u>(OPEN SPACE shall not contain more than 50% wetlands, as defined in MGL Ch. 131, S.40 and the Stow Wetlands Protection Bylaw.)</u></b>
Maximum density	3 DWELLING UNITS per acre of DEVELOPABLE SITE AREA
Maximum DWELLING UNITS per BUILDING	4

5.4.7 Special Standards

5.4.7.1 No more than 66 on-site DWELLING UNITS may be permitted under an AAN Special Permit. In no case shall the total number of DWELLING UNITS in the AAN Overlay District

exceed six percent (6%) of the total number of single-family DWELLING UNITS in the Town of Stow.

- 5.4.7.2 Access Roads and Driveways - In the event that the land that comprises an AAN is located in different zoning districts, it shall be a permitted use in each such zoning district not in the Active Adult Neighborhood Zoning District for roadways and driveways to provide access to land and BUILDINGS in the Active Adult Neighborhood Zoning District.
- 5.4.7.3 Each DWELLING UNIT in an AAN shall have at least one separate ground floor entrance/exit, unless the Planning Board permits otherwise as part of its Special Permit. In addition, the Planning Board may establish design guidelines for AANs.
- 5.4.7.4 The Planning Board, in granting a Special Permit for an AAN, may impose reasonable conditions to protect the environment, and the health, safety and welfare of the neighborhood, of residents in the proposed development, and of the general public. Such conditions may include, but shall not necessarily be limited to, requirements for the tertiary treatment of wastewater effluent, the location of wastewater effluent disposal, and necessary limitations on the total number of DWELLING UNITS to prevent negative impacts on the groundwater and other existing or potential water resources.
- 5.4.7.5 DWELLING UNITS for Handicapped Persons - The Planning Board may require that some of the DWELLING UNITS be constructed so as to be suited for access and occupancy by a handicapped person or persons.
- 5.4.7.6 Performance Guarantee - Before the issuance of any building permits for the AAN, the petitioner shall agree to complete the required improvements specified in the decision, such construction and installation to be secured in accordance with performance guarantee requirements of the Town of Stow Rules and Regulations Governing the Subdivision of Land to the extent applicable and/or the regulations adopted pursuant to the Active Adult Neighborhood Bylaw for this purpose. Exceptions to the Regulations that may be adopted pursuant to this bylaw may be authorized by the Planning Board in granting a Special Permit hereunder, provided the Board determines such exceptions are in the public interest and are consistent with the purposes of Section 5.4 of the Bylaw.
- 5.4.7.7 Revisions and Amendments of an AAN Special Permit - Any change which, in the sole opinion of the Planning Board, would alter the character of an AAN, including, but not limited to, an increase in number of total DWELLING UNITS within the AAN, an increase in the number of parking spaces, a decrease or cessation of any recreation amenities or similar use, structural change or alteration, shall require an amendment of the Special Permit or the filing of an application for a new Special Permit, as the Planning Board may determine.
- 5.4.7.8 Streets and Utilities - All streets and ways, whether public or private, wastewater disposal systems, drainage facilities, drinking water supplies, and utilities shall be designed and constructed in compliance with the Town of Stow Rules and Regulations Governing the Subdivision of Land, as amended, whether or not the Active Adult Neighborhood is a subdivision.
- 5.4.8 Occupancy - Each DWELLING UNIT in an AAN shall be occupied by at least one person age fifty-five (55) or older.

- 5.4.8.1 Children under the age of eighteen (18) may not reside in a DWELLING UNIT located in an AAN for more than six (6) months in any nine (9) month period.
- 5.4.9 Occupancy Income Range - The AAN shall be designed to provide housing for occupants earning a broad range of incomes, as defined by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD) for the Town of Stow. ~~**At least 10% of the DWELLING UNITS shall be built, or otherwise provided in accordance with this Bylaw, to sell at a price affordable to low income and/or moderate income QUALIFIED AFFORDABLE HOUSING PURCHASERS, and an additional The AAN shall comply with the provisions of Section 8.9 Inclusion of Affordable Housing. In addition, at least 5%**~~ 5% of the DWELLING UNITS shall be built to sell at a price affordable to middle income households, as defined by Executive Order 418 for the Town of Stow. All low income and moderate income and middle income DWELLING UNITS shall contain deed restrictions and comply with the provisions of MGL Ch. 184, s.31 as to resale price and shall provide for notice of any proposed resale and a right of first refusal to the Town of Stow, prior to any such sale.
- A. Low income or moderate income DWELLING UNITS created under this section shall be restricted as such in perpetuity and comply with the provisions of MGL Ch. 184, s.31. Middle income DWELLING UNITS created under this section shall be restricted as such in perpetuity and comply with the provisions of the Regulations promulgated in accordance with this Section 5.4.
- B. ~~**- This subsection deleted at the May 4, 2009 Annual Town Meeting -**~~  
~~**The Planning Board may approve compliance through using the following methods and provisions for AFFORDABLE DWELLING UNITS.**~~
- ~~**i. On-site location - If all AFFORDABLE DWELLING UNITS are to be constructed on site, then 10% of the DWELLING UNITS shall be for low income or moderate income QUALIFIED AFFORDABLE HOUSING PURCHASERS.**~~
- ~~**ii. Off-site AFFORDABLE DWELLING UNITS - The developer may provide off-site AFFORDABLE DWELLING UNITS from existing Stow housing stock by the conveyance of land and/or building or by providing cash payments in lieu of DWELLING UNITS. If this option is chosen, at least half of the required 10% AFFORDABLE DWELLING UNITS shall be constructed on-site and 150% of the remaining AFFORDABLE DWELLING UNITS provided by one of the following approaches. In all cases, deed restrictions shall be placed on all DWELLING UNITS to provide for AAN restrictions and/or Low/Moderate income restrictions in perpetuity, as the Planning Board may determine.**~~
- ~~**a. Providing off-site DWELLING UNITS - Affordable off-site DWELLING UNITS may be located in an existing DWELLING UNIT, provided that the requirement that said DWELLING UNITS be designated as qualifying low or moderate income DWELLING UNITS under the Subsidized Housing Inventory compiled by the Department of Housing and Community Development (DHCD).**~~
- ~~**b. Conveyance of land and/or buildings - The developer may donate to the Town of Stow or its designee, and the Town of Stow or its designee may accept land and/or buildings suitable for housing use. The developer**~~

~~shall document fee simple title ownership of said land and/or buildings or a legal right to purchase the same, at the time of application for a Special Permit. Such land and/or building shall have a current appraised fair market value no less than the value determined in accordance with the method below. Donations of land and/or buildings for said purchase shall be conveyed to the Town of Stow, or its designee, and shall be used solely for purposes of providing AAN housing affordable to a QUALIFIED AFFORDABLE HOUSING PURCHASER.~~

~~c. Cash Payment - Cash payments may be made in lieu of the above options. The cash payment shall be determined by the following formula:~~

- ~~• Cash Payment = The number of required off-site units times 35% of the average sale price of new construction AFFORDABLE DWELLING UNITS.~~
- ~~• Incremental payments will be made in accordance with the AAN Rules and Regulations. Such cash payments shall be made payable to the Town of Stow. Such payments shall be reserved by the Town of Stow in a separate account, independent and distinct from the Town's general fund, and shall be used solely for the purpose of the creation or continuation of low income and moderate income housing.~~

~~C. - This subsection deleted at the May 4, 2009 Annual Town Meeting -Restrictive documents - Each low income or moderate income DWELLING UNIT shall be rented or sold, subject to applicable deed covenants, contractual agreements and/or other mechanisms, restricting such features as the USE and occupancy, rent levels, and sales prices of such DWELLING UNITS to assure their affordability.~~

~~D. - This subsection deleted at the May 4, 2009 Annual Town Meeting -Resale controls - Each low income or moderate income DWELLING UNIT created in accordance with this Section 5.4 shall have limitations governing its resale that must be satisfied before its owners can sell the property. The purpose of these limitations is to preserve the long-term affordability of the DWELLING UNIT and to ensure its continued availability to low income or moderate income households. The resale controls shall be established through deed or lease restrictions or otherwise, subject to approval by the Planning Board, and shall be perpetual and in compliance with the provisions of MGL Ch. 184, s.31. The Town of Stow, through standard procedures provided by applicable state law, shall establish the resale controls in such a manner so as to be enforceable.~~

~~E. - This subsection deleted at the May 4, 2009 Annual Town Meeting -Resale Price - Resale price shall be determined at the time of issuance of a Special Permit, in accordance with existing laws that apply to resale of affordable units.~~

~~F. - This subsection deleted at the May 4, 2009 Annual Town Meeting -Right of first refusal purchase - The Planning Board shall include as a condition of a Special Permit approval, the requirement that the purchaser of an affordable~~

~~**housing DWELLING UNIT created as a result of this Bylaw shall agree to execute a deed rider prepared by the Town of Stow, granting, among other things, the Town of Stow's right of first refusal for a period of not less than one hundred and eighty (180) days to purchase the property or assignment thereof, in the event that despite diligent and documented efforts to sell the property, a subsequent qualified purchaser cannot be located. The offered price to the Town of Stow shall be the lesser value of the resale price, as determined in Paragraph 5.4.9 E above or the appraised value of the DWELLING UNIT determined by a Commonwealth of Massachusetts approved appraiser.**~~

- G. Rights and privileges - QUALIFIED AFFORDABLE HOUSING PURCHASERS and middle income purchasers shall have all rights, privileges and responsibilities given to owners or renters of market rate DWELLING UNITS, including access to all amenities within the development.
- H. A Special Permit issued under this Bylaw shall include the provision that no building permit shall be issued in reliance on said Special Permit, unless and until the Town of Stow has received written correspondence from the Department of Housing and Community Development (DHCD) that the low or moderate income DWELLING UNITS, authorized as a result of the Special Permit, will be included in DHCD's Subsidized Housing Inventory of low income or moderate income housing DWELLING UNITS for the purposes of compliance with the provisions of Massachusetts General Laws Chapter 40B, § 20-23. The correspondence from DHCD must provide documentation that the low or moderate income DWELLING UNITS will be treated as if they were created pursuant to an application for a Comprehensive Permit and qualifying programs thereunder.
- I. Purchaser/tenant selection - Procedures for the selection of purchasers and/or tenants shall be subject to approval by the Town of Stow or its designee.
- J. Timing of commitments - All contractual agreements with the Town of Stow and other documents necessary to ensure compliance with this Section shall be executed prior to and as a condition of the issuance of any Special Permit required to commence construction.
- K. Timing of construction - As a condition of the issuance of a Special Permit under this Section, the Planning Board may set a time schedule for the construction of both low income or moderate income and market-rate DWELLING UNITS. No Certificate of Occupancy shall be issued for any market-rate DWELLING UNIT in a development, subject to the requirements of this Section, until there have been issued Certificates of Occupancy for low income or moderate income DWELLING UNITS in an amount equal to the percentage of low income or moderate income UNITS, which are to be constructed in the development or provided off-site.
- L. The above provisions apply to all on-site, off-site, buildings and existing housing stock made affordable with AAN provided funds.

#### 5.4.10 Planning Board Action

- 5.4.10.1 In evaluating the proposed AAN, the Planning Board shall consider the general objectives of this Bylaw and of AAN in particular: the existing and probable future development of surrounding areas, the appropriateness of the proposed layout, the configuration, and use of the OPEN SPACE in relation to the characteristics of the tract

of land in question. The Planning Board may grant a Special Permit for an AAN if it finds that the AAN meets the purposes of this Bylaw as set forth herein:

- A. meets the intended purposes of this Bylaw as set forth herein;
- B. provides a useful addition to the housing inventory of Stow;
- C. protects and enhances the rural character and environment of Stow;
- D. provides OPEN SPACE which is of a size, shape and location and has adequate access so as to benefit the town and the residents of the AAN;
- E. is appropriate to the natural terrain of the tract of land to be developed;
- F. provides for the convenience and safety of vehicular and pedestrian movement in the development in a manner that is compatible with the narrow, tree-lined country roads of Stow;
- G. the application set forth a specific plan for maintenance of all common facilities including but not limited to waste disposal and drainage facilities, roadways and other improvements to be constructed in an AAN;
- H. will result in the creation of DWELLING UNITS that count toward the Town's "quota" requirements as established by MGL Ch. 40B s. 20-23;
- I. complies with all other legal requirements for a Special Permit and the Zoning Bylaw, including those for an AAN; and
- J. is consistent with the Stow Master Plan or succeeding plan, as amended.

5.4.10.2 The Planning Board shall consider the recommendations of the Board of Health, the Conservation Commission and the Town's consulting engineer, and other Boards, Departments and experts, in making said findings.

5.4.10.3 The Planning Board may require changes to the "AAN Site Plan" and impose additional conditions, safeguards and limitations, as it deems necessary, to secure the objectives of this Bylaw.

5.4.11 The provisions of this Bylaw are severable from each other, and the invalidity of any provisions or section shall not invalidate any other provision or section thereof.

5.4.12 ACTIVE ADULT NEIGHBORHOOD UNITS constructed under a Special Permit issued in accordance with this section are exempt from Section 8.6, Phasing of Growth.



## ANNOTATED COMPARISON

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### 1.3 DEFINITIONS

DEVELOPABLE SITE AREA - The DEVELOPABLE SITE AREA of existing or proposed LOT(s) shall be calculated by subtracting from the LOT area all land, which is located in:

- a wetland, which shall mean a "freshwater wetland" as defined in Chapter 131, Section 40 of the General Laws and the Stow Wetlands Protection Bylaw, Article 9 of the General Bylaws;
- a Flood Plain/Wetlands District as defined in the Stow Zoning Bylaw;
- another zoning district in which the principal use of the LOT is not also permitted; and
- an access or right of way easement; and
- ~~any portion of the site with grades greater than 15%.~~

### 4.1 Standard Dimensional Provisions:

4.1.1 No BUILDING, STRUCTURE or land, or part thereof, may be constructed, altered, enlarged, repaired or moved, occupied and used for any purpose which violates any section of this Bylaw or any of the provisions of the bylaws of the Town of Stow.

4.1.2 Only one main BUILDING may be built or placed on any LOT within the Town except within a business, commercial, or industrial district. Any main BUILDING hereafter ERECTED shall be on a LOT which has frontage upon a STREET as defined in this Bylaw.

4.1.3 A LOT on which there existed at the time of the adoption of this Bylaw two (2) or more DWELLING houses may be divided into as many LOTS as there were DWELLING houses thereon, providing the LOT is divided in such manner that the resulting LOTS shall conform to the area and frontage requirements of this Bylaw, except upon special permit granted by the Board of Appeals. No other LOT may be changed so as to result in a LOT or LOTS having less than the minimum area and frontage requirements.

4.1.4 No BUILDING except piers, wharfs and other STRUCTURES to service boats shall be ERECTED below the flood contour lines as shown on the maps and plans set forth in Section 2.3.8 of this Bylaw, as indicated on and incorporated in by reference on the zoning map accompanying this Bylaw, except upon a special permit granted by the Board of Appeals as hereinafter provided for in Section 5.1.1.7.

- 4.1.5 Any construction or use for which a permit was legally issued prior to the adoption of this bylaw or any amendment thereto shall be permitted, notwithstanding non-compliance with the requirements of this bylaw or amendment thereto, provided such construction or use was commenced within six (6) months after the issuance of the permit and carried on to completion within two (2) years, unless a special permit for a longer period of time is granted by the Board of Appeals.
- 4.1.6 This section is intended to provide additional rights to build single family DWELLINGS on certain LOTS in the Residential District that do not conform to zoning area and frontage requirements in effect, and is in no way intended to limit any rights set forth as to such LOTS in Chapter 40A, as from time to time amended. The Board of Appeals shall grant a special permit for the construction of a single-family DWELLING to the owner of any LOT of at least 40,000 square feet area and at least 150 feet of contiguous LOT frontage in the Residential District, which was separately shown, laid out or described in a plan, deed or certificate of title duly recorded or registered at the Middlesex South District Registry of Deeds, and met all requirements of the Bylaw then in effect, prior to the first publication of notice of the public hearing required before any amendment of the Zoning Bylaw pursuant to said Chapter 40A, increasing such area or frontage requirements, or both, for a residential LOT, and situated on a STREET as defined in the Zoning Bylaws open for use by the public at such date of publication, upon a finding that the conditions in Section 4.1.6.1 are met.
- 4.1.6.1 Any adjoining LOT to the LOT described in the application for a special permit, held in common ownership with the LOT described in the application for the special permit, had an existing lawful BUILDING thereon, or a building permit had issued for such a BUILDING (on which construction was commenced within six [6] months from the date of the permit and continued through to completion as continuously and expeditiously as reasonable) before the date of the publication of the first notice of the public hearing on the amendment to the Zoning Bylaw, increasing such area or frontage requirements, so that such adjoining LOT is not available for use in combination with the LOT which is the subject of the application at the time of filing the application.
- 4.1.6.2 Provided, however, that the Board of Appeals shall grant such special permit for only one LOT to any owner owning such LOT in common with a LOT unavailable for use in combination therewith as defined in this section which permit shall run with the land; and shall impose as conditions to such special permit that any proposed DWELLING is to be located on such LOT so as to conform with all other minimum requirements of FRONT, SIDE and REAR YARD setbacks of the Zoning Bylaws in effect; and the further condition that, unless the LOT is sold and thereafter is in separate ownership, a special permit granted under this section shall lapse within a specified period of time, not more than two (2) years thereafter if a building permit has not been issued and construction has not begun by such expiration date except for good cause shown and an extension of such special permit by the Board of Appeals granted upon a showing of good cause.
- 4.1.6.3 Provided further, that the Board of Appeals may impose additional conditions and safeguards, where appropriate, to assure harmony with the general purpose and intent of the Zoning Bylaws.

**4.1.7 No BUILDINGS and STRUCTURES, except for driveways, roads and septic systems, shall be located outside the DEVELOPABLE SITE AREA.**

**9.3.11 Site Plan Design Criteria** - The purpose of the following site plan design criteria is to ensure that adequate consideration will be given to the natural resources and characteristics of a site, to its topographic, hydrologic and geologic conditions, to public convenience and safety, and to the suitability of a proposed use on a site. Before the granting of any site plan approval, the Site Plan Approval Granting Authority shall determine compliance with the following:

- 9.3.11.1 The development shall be integrated into the existing terrain and surrounding landscape and shall be designed to protect abutting properties or ways, the neighborhood, community amenities or the Town of Stow in accordance with, but not limited to, the following:
1. Site development shall minimize impacts on wetlands, steep SLOPES, flood plains, hilltops;
  2. Site development, including building sites and STRUCTURES proposed thereon, should not obstruct scenic views from publicly accessible locations;
  3. Sites shall be developed so as to preserve unique natural or historical features;
  4. Site development shall minimize deforestation, vegetation and soil removal and shall avoid grade changes;
  5. Development of the site shall be in accordance with OPEN SPACE provisions of the Bylaw; and
  6. Screening of objectionable features, including, but not limited to, exposed storage areas, storage tanks, machinery, service areas, truck loading areas, and utility BUILDINGS and STRUCTURES, from abutting properties and roadways shall be year-round and provided in the site development plan;
- 9.3.11.2 ~~**The DEVELOPABLE SITE AREA shall be clearly identified on the plan and shall meet the requirements of the definition in Section 1.3; No BUILDINGS and STRUCTURES, except driveways, roads and septic systems, shall be located outside the DEVELOPABLE SITE AREA, and the DEVELOPABLE SITE AREA shall be clearly identified on the plan and shall meet the requirements of the definition in Section 1.3;**~~
- 9.3.11.3 Architectural style should be in harmony with the prevailing character and scale of BUILDINGS in the neighborhood and the town through the use of similar building materials, screening, roof and wall lines and other architectural features. Variation in detail, form and siting should be used to provide visual interest and avoid monotony. Proposed site development shall provide adequate light, air circulation and separation between BUILDINGS;
- 9.3.11.4 The development shall be served with adequate water supply and waste disposal systems. For STRUCTURES to be served by on-site waste disposal systems, the applicant shall submit a septic system design prepared by a registered professional engineer and approval by the Board of Health;
- 9.3.11.5 The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways. Unless waived by the Site Plan Approval Granting Authority, a traffic study plan shall be prepared by a registered professional engineer and shall prescribe estimated average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for

- vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site;
- 9.3.11.6 The site plan shall show adequate proven measures to prevent pollution of surface or GROUND WATER, to prevent erosion and sedimentation, and to prevent significant changes in GROUND WATER levels, increased runoff and potential for flooding. Drainage shall be designed so that the rate and volume of runoff from the site shall not be increased, and abutting properties and ways, the neighborhood and community amenities will not be adversely impacted;
- 9.3.11.7 The development shall not excessively burden town services and infrastructures. To that end, the development shall place no more than the minimum demands on town services and infrastructures as may be reasonably taken care of on site or by alternate means. If the foregoing is not reasonably feasible, the site plan approval shall include provisions to assure that adequate provision for any significant increase in demands on town services and infrastructures which result from the development are provided or secured by the applicant;
- 9.3.11.8 Electric, telephone, natural gas, cable television and other such utilities and services shall be underground unless otherwise authorized by the Site Plan Approval Granting Authority;
- 9.3.11.9 The site plan shall comply with all zoning requirements for parking, loading, lighting, dimensions, environmental performance standards, and all other provisions of this Bylaw; and
- 9.3.11.10 Before approval of a site plan, the Site Plan Approval Granting Authority may request the applicant make modifications in the proposed design to ensure that the above criteria are met.