

SENIOR HOUSING DEVELOPMENT
SUBMISSION REQUIREMENTS AND PROCEDURES MANUAL
Adopted August 9, 1999, Amended June 16, 2003

These Submission Requirements and Procedures explain the procedures and submission requirements of the Senior Housing process as it pertains to certain zoning districts pursuant to Chapter 210, Hopkinton Zoning Bylaw, Art. XVIA. Senior Housing Development. The purpose of the requirements and procedures is to guide the applicant and others through the application process and to detail the requirements for submission.

The application process for a Senior Housing Development is comprised of two steps. In the first step, the applicant submits a Senior Housing Concept Plan Special Permit application. If the Special Permit is granted by the Planning Board, the applicant then submits a Senior Housing Site Plan application to the Planning Board. Two separate public hearings, one for the special permit and one for the site plan, must be held.

The purpose of the concept plan stage is to give guidance to the applicant as to the whether a proposed development meets the objectives of the Bylaw and the Town, to further define and identify any information needed at the site plan stage, and to make these determinations prior to the expenditure of significant funds on the part of the applicant. It is the intent that developments which do not meet the objectives of the Bylaw would be denied. Approval of the Concept Plan Special Permit allows the applicant to move to the site plan stage and does not authorize any construction. Submission of the Concept Plan Special Permit application is mandatory.

Roadway design, construction and inspection shall conform to the Subdivision Rules and Regulations.

It is requested that applicants consult the Design Guidelines as adopted by the Design Review Board when designing a Senior Housing site, and meet and review plans with the Design Review Board prior to submission to the Planning Board.

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A. SENIOR HOUSING CONCEPT PLAN SPECIAL PERMIT

1. Submission Requirements

- a) Completed application form.
- b) Submission Fees:
 - 1) Administrative Fee: \$500 plus \$10 per dwelling unit proposed.
 - 2) Deposit for Consultant Review: \$2,000 plus \$500 for every 5 acres over 30 acres. Costs for consultant review in excess of this amount shall be sole responsibility of the applicant. Any funds not spent for consultant review shall be returned to the applicant.
 - 3) Legal Advertisement in Newspaper: Cost of the legal advertisement, paid directly to the newspaper publishing the notice.
 - 4) Notification of Abutters: One envelope for each abutter on the certified list of abutters, stamped with postage sufficient to send certified mail, return receipt requested.
- c) Certified list of abutters within 300 feet of the property, from the Assessors office. The list shall include abutters across any street and in adjacent communities, where applicable.
- d) Narrative briefly describing the proposed project, including information on:
 - 1) Proposed number of dwelling units;
 - 2) Projected increase in traffic trips;
 - 3) Projected Town water and sewer demand, if any;
 - 4) Building size(s) proposed and computation of proposed lot coverage;
 - 5) Proposed number of parking spaces;
 - 6) Proposed methods of screening the premises and parking from abutting property and the street;
 - 7) How the project conforms with the Master Plan and Open Space and Recreation Plan;
 - 8) Impact on municipal services and finances;
 - 9) An analysis of the environmental impact of the proposed development.
- e) Narrative indicating how the proposed development meets each approval criteria contained in the Zoning Bylaw:
 - 1) That the proposed development constitutes a desirable development in the neighborhood and in the Town.
 - 2) That the proposed development will not be detrimental to the neighborhood or the Town.
 - 3) That the plans generally provide adequately for convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, property or improvements, with the understanding that review of such items will be more detailed at the site plan stage.
 - 4) That the plans appear to provide adequate methods of disposal of sewerage, refuse and other wastes, adequate methods for drainage for surface water and seasonal

- flooding, if any, and adequate provision of water for domestic purposes, with the understanding that review of such items will be more detailed at the site plan stage.
- 5) That the plan complies with the Master Plan.
 - 6) That the provisions of bylaw sections General Intent and Purposes and General Objectives of the have been met.
- f) Seven (7) copies of the concept plan at a scale of 1" = 40', on sheet sizes 24" x 34" prepared by a registered professional engineer or registered architect, unless indicated otherwise by the Board, containing the following information:
- 1) Locus plan at a scale of 1" = 800';
 - 2) Zoning district boundaries;
 - 3) Proposed parking areas;
 - 4) Existing and proposed wetlands, flood plains, streams, rivers and water bodies, if any;
 - 5) Existing and proposed topography at 5' contour intervals;
 - 6) Existing and proposed roadways, driveways, sidewalks, curbs and curb cuts with proposed dimensions indicated;
 - 7) Existing and proposed landscape features including trees, stone walls, plantings and walkways;
 - 8) Existing and proposed boundaries and easements;
 - 9) Adjacent streets;
 - 10) Existing structures on adjacent properties within 50' of the property line;
 - 11) Existing significant environmental features such as ledge outcrops, scenic views and large trees;
 - 12) Estimated location and dimensions of existing structures;
 - 13) Proposed structures including setbacks, exterior dimensions and exterior elevation drawings, in a conceptual manner;
 - 14) Proposed stormwater management system, in a general manner;
 - 15) Location of proposed sewage disposal systems, in a general manner;
 - 16) Proposed recreation areas and open space;
 - 17) Study model of the site to demonstrate the relationships and scale of the proposed development to the surrounding landscape and streetscape. It shall show the architectural characteristics of the proposed building design and relationship to natural features to be permanently retained.
 - 18) Impact of the proposed development on existing views within, into and out of the site. Indication of new long views to be created by the development.

The application is deemed to be submitted only when all of the required items are delivered to the Planning Board office, complete and in the required number of copies and a copy of the application filed with the Town Clerk by the applicant.

An applicant may request, in writing, that the Planning Board waive the submission of specific items listed above. The Board may waive the submission of specific items if it determines that the item is not necessary or not applicable to a specific project.

2. Application Procedure

- a) The applicant should first submit plans sufficient to judge the scope of a project to the Zoning Enforcement Officer (Director of Municipal Inspections) and Planning Director for determination of whether the proposed project complies in general with bylaw requirements. The Planning Board encourages potential applicants to attend a Planning Board meeting to discuss the general concept prior to submission, for feedback and guidance.
- b) Applicant submits the required materials to the Planning Board and the Town Clerk.
- c) After a Senior Housing Concept Plan Special Permit application has been submitted, no tree removal, no utility installation, no ditching, grading or construction of roads, no grading of land or lots, no excavation except for purposes of soil testing, no dredging or filling, and no construction of buildings or structures shall be done on any part of the site until the application has been reviewed and approved.
- d) The Planning Board will transmit copies of the plan and application within 7 days of its receipt, to the Board of Selectmen, Director of Public Works, Conservation Commission, Fire Department and Board of Health for comment and recommendations. Those Boards and officials have up to 35 days to make recommendations to the Board. The Board cannot act on the application until the comments are received or 35 days has elapsed, whichever is sooner.
- e) The Planning Board will transmit copies of the plan and other information submitted to its consultant for review. Applicants are urged to work with the consultants to resolve any outstanding issues prior to the public hearing.
- f) The Planning Board will hold a public hearing within 65 days of submission. Abutters will be notified of the hearing date and time by the Board.
- g) The Planning Board is required to make its decision and file it with the Town Clerk within 90 days from the close of the public hearing. The criteria for approval are listed below.
- h) After the decision has been filed with the Town Clerk, there is a 20 day appeal period from the date the Board files its decision. If the permit is granted, the applicant must file the decision with the Registry of Deeds.
- i) The special permit is valid for two years.

3. Approval Criteria

Before the Planning Board may issue the Special Permit, it shall determine each of the following criteria are met. The submission information should be sufficient to illustrate to the Board how the conditions will be met. Please note that the issuance of a special permit is discretionary, and

it is the responsibility of the applicant to provide all information necessary for the Board to make an informed decision.

- (1) That the proposed development constitutes a desirable development in the neighborhood and in the Town.
- (2) That the proposed development will not be detrimental to the neighborhood or the Town.
- (3) That the plans generally provide adequately for convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, property or improvements, with the understanding that review of such items will be more detailed at the site plan stage.
- (4) That the plans appear to provide adequate methods of disposal of sewerage, refuse and other wastes, adequate methods for drainage for surface water and seasonal flooding, if any, and adequate provision of water for domestic purposes, with the understanding that review of such items will be more detailed at the site plan stage.
- (5) That the plan complies with the Master Plan.
- (6) That the provisions of bylaw sections General Intent and Purposes and General Objectives have been met.

Approval of the Senior Housing Concept Plan Special Permit application is not considered approval of any construction and the plan is not recorded in the Registry of Deeds. The approval is considered preliminary, with the intent to give guidance to the applicant as to the development of the site plan and whether the proposed concept meets the objectives of the Bylaw and the Town.

A Special Permit decision approving the concept plan must be recorded in the Registry of Deeds by the applicant.

B. SENIOR HOUSING SITE PLAN

1. Submission Requirements

- a) Completed application form.
- b) Submission Fees:
 - 1) Administrative Fee: \$900 plus \$10 per dwelling unit proposed.
 - 2) Deposit for Consultant Review: \$4,000 plus \$500 for every 5 acres over 30 acres. Costs for consultant review in excess of this amount shall be sole responsibility of the applicant. Any funds not spent for consultant review shall be returned to the applicant.
 - 3) Legal Advertisement in Newspaper: Cost of the legal advertisement, paid directly to the newspaper publishing the notice.
 - 4) Notification of Abutters: Stamped envelope sufficient to send the public hearing notice to each abutter by mail.

- c) Certified list of abutters within 300 feet of the property, from the Assessors office. The list shall include abutters across any street and in adjacent communities, where applicable.
- d) Narrative briefly describing the proposed project, including information on:
 - 1) Proposed number of dwelling units;
 - 2) Projected increase in traffic trips;
 - 3) Projected Town water and sewer demand, if any;
 - 4) Building size(s) proposed and computation of proposed lot coverage;
 - 5) Proposed number of parking spaces;
 - 6) Proposed methods of screening the premises and parking from abutting property and the street;
 - 7) How the project conforms with the Master Plan and Open Space and Recreation Plan;
 - 8) Proposed off-site improvements;
 - 9) Performance guarantee estimate.
- e) Three (3) copies of a traffic study. The purpose shall be to document the existing traffic volumes, capacities, road condition, hazards and level of service on the site and streets and intersections adjacent to the site, assess the projected impact of such changes, and to propose and discuss management and structural improvements and mitigation measures, both on and off the site. The study shall cover vehicular, bicycle and pedestrian traffic.
- f) Three (3) copies of an Environmental Analysis. The Analysis shall be prepared by a qualified Environmental Scientist, with qualifications including training, education, etc. provided to the Board. The person performing the Environmental Analysis shall: 1) have at least a masters degree in ecological science from an accredited college or university, or 2) be another competent professional with at least 2 years experience in environmental analysis. The Analysis shall analyze the impact the development will have on the environment within and adjacent to the development.

The Analysis shall include, but shall not be limited to, the evaluation of pre-development conditions and post-development impacts on:

- 1. Surface and ground water quality.
- 2. Groundwater recharge of upper aquifers and perched groundwater layers.
- 3. Wildlife habitats and corridors.
- 4. Wetlands and bodies of water, including streams and rivers, both localized and general.
- 5. Existing and potential domestic water supplies.
- 6. Species of special concern in Massachusetts.

The Analysis shall include an evaluation of pre-development conditions and post-development impacts of:

- 1. Road salt.
- 2. Fertilizer loading.

The Analysis shall include proposed mitigation of the post-development impacts identified. Mitigation measures requiring ongoing or periodic maintenance shall be identified and a maintenance plan shall be included with the Environmental Analysis.

- h) Seven (7) copies of the site plan at a scale of 1" = 40', on sheet sizes 24" x 34" prepared by a registered professional engineer or registered architect, unless indicated otherwise by the Board, containing the following information:
- 1) Locus plan at a scale of 1" = 800';
 - 2) Zoning district boundaries;
 - 3) Proposed parking areas;
 - 4) Proposed phasing plan;
 - 5) Landscape Plan;
 - 6) Existing and proposed wetlands, flood plains, streams, rivers and water bodies, if any;
 - 7) Existing and proposed topography at 5' contour intervals;
 - 8) Existing and proposed roadways, driveways, sidewalks, curbs and curb cuts with proposed dimensions indicated;
 - 9) Lighting plan, including lighting pattern with proposed foot-candle levels, and proposed hours of illumination;
 - 10) Existing and proposed boundaries and easements;
 - 11) Adjacent streets;
 - 12) Existing structures on adjacent properties within 50' of the property line;
 - 13) Location and dimensions of existing structures;
 - 14) Proposed structures including setbacks, exterior dimensions and exterior elevation drawings;
 - 15) Location of existing and proposed utilities;
 - 16) Proposed stormwater management system;
 - 17) Erosion and Sedimentation Control Plan;
 - 18) Roadway and sidewalk construction details including a typical roadway cross section. Roadways and sidewalks shall be designed to the standards contained in the Subdivision Rules and Regulations.
 - 19) Location of proposed sewage disposal systems;
 - 20) Location of fire protection system and domestic water service;
 - 21) Proposed recreation areas and open space;
 - 22) Study model of the site to demonstrate the relationships and scale of the proposed development to the surrounding landscape and streetscape;
 - 23) Signature block for the Planning Board to sign an approved plan. The block shall be in the same location on every sheet within the plan set.

The application is deemed to be submitted only when all of the required items are delivered to the Planning Board office, complete and in the required number of copies and a copy of the application filed with the Town Clerk by the applicant.

2. Application Procedure

- a) Applicant submits the required materials to the Planning Board with a copy of the application to the Town Clerk.
- b) The Planning Board will transmit copies of the plan and application within 5 days to the Board of Selectmen, Director of Public Works, Conservation Commission, Fire Department and Board of Health for comment and recommendations. Those Boards and officials have up to 35 days to make recommendations to the Board. The Board cannot act on the application until the comments are received or 35 days has elapsed, whichever is sooner.
- c) The Planning Board will transmit copies of the plan and other information submitted to its consultants for review. Applicants are urged to work with the consultants to resolve any outstanding issues prior to the public hearing.
- d) The Planning Board will hold a public hearing within 45 days of submission. Abutters will be notified of the hearing date and time by the Board.
- e) The Planning Board is required to make its decision and file it with the Town Clerk within 90 days from the date of submission. This time may be extended by mutual agreement between the applicant and the Board. The criteria for approval are indicated below.

3. Approval Criteria

Before the Planning Board may approve the Site Plan, it shall determine each of the following:

- 1) That the plans provide adequately for convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, property or improvements.
- 2) That the plans assure the adequacy of the methods of disposal of sewerage, refuse and other wastes and the methods of drainage for surface water and seasonal floodings, if any.
- 3) All provisions of the Bylaw have been complied with, and all necessary special permits and variances have been granted by the Board of Appeals.

If the Planning Board does not make all of the above determinations, it will deny the application, stating the reasons for denial.

C. CONDITIONS OF APPROVAL

Conditions of approval may include the following:

- 1) A phasing plan of the senior housing site plan construction.

- 2) A requirement for a performance guarantee to be posted with the Town to guarantee completion of improvements to be made in compliance with the approved plans. The Board may also require that an amount be included for land restoration not having to do with the construction of improvements. The amount of security will be determined by an estimate from the applicant's engineer which may be confirmed or increased by the Board. The Town may use the secured funds for their stated purpose in the event that the applicant does not complete all improvements in a manner satisfactory to the Board within 2 years from the date of approval, or the final date of the last extension of such approval, if any. The term "improvements" does not include the construction of buildings.
- 3) Off-site improvements to correct conditions directly caused by the Senior Housing development.
- 4) Duration of approval and a specified completion date.

D. MODIFICATIONS TO APPROVED PLAN

An approved site plan may be modified or amended by the Board on its own motion or upon application by the developer. If the Board determines that the proposed modifications are significant, it will hold a public hearing.

The submission fees for modification of an approved plan are:

- 1) Administrative fee: \$300
- 2) Consultant review fee: Actual cost of review, with an estimate received from the Board's consultant upon application. An amount equal to the estimate shall be deposited with the Town prior to review of the plan. Costs for consultant review in excess of this amount shall be sole responsibility of the applicant. Any funds not spent for consultant review shall be returned to the applicant.
- 3) Legal Advertisement in Newspaper: Cost of the legal advertisement, paid directly to the newspaper publishing the notice.
- 4) Notification of Abutters: Stamped envelope sufficient to send certified mail, return receipt requested, to each abutter.

The applicant is required to submit any and all plans necessary for the Board to act on the proposed modification and review by its consultant.

E. INSPECTION

Inspection of infrastructure and roadways during construction shall be in accordance with the procedures in the Subdivision Rules and Regulations. The cost of the inspections shall be the sole responsibility of the developer. An inspecting engineer will be retained by the Planning Board in accordance with the procedures in the Subdivision Rules and Regulations.

F. COMPLETION

Upon completion of construction of all site work and building construction, the applicant must file a "completion certificate" with the Director of Municipal Inspections, such certificate to state that the site development, conservation and building construction has been completed in conformity with the approved plans.

The applicant must submit two As-Built Plans showing the entire site and including, but not limited to, the following: utilities; structures; roadways; open space; recreation area. The contents of the As-Built plan shall conform to the requirements of Section 11.3 of the Subdivision Rules and Regulations.

After submission of the completion certificate and As-Built Plans, the Board will review the information and if such As-Built Plans conform to the Site Plan as approved and modified or amended, release the remaining performance guarantee, if any.