

TOWN OF
RANDOLPH

PLANNING BOARD
SITE PLAN & DESIGN REVIEW
SPECIAL PERMIT
IN-LAW APARTMENT
TWO FAMILY DWELLING





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Site Plan/Design Review and Special Permit by Planning Board Information and Instructions

General

Site Plan and Design review may be required prior to the establishment or alteration of certain structures, properties, project scope and/or uses and a permit may be required as prerequisite to the establishment of certain uses in certain zoning districts. Uses requiring a *Special Permit* are specified by zoning district and can be found in the Table of Allowable Activity in the Town of Randolph Zoning Bylaws.

Tier 1 Administrative Review

Conducted by the Planning Board's designee(s) and findings reported to the Planning Board.

Thresholds for review are:

- Additions to a non-residential structure totaling less than or equal to 2,500 square feet for uses noted as a "Y" in the Table of Allowable Activity which affect the exterior appearance of a structure or site.
- Additional parking
- Modifications to the exterior of any non-residential, mixed –use or multi-family dwelling including
 - Changes to color
 - Removal of trees greater than 2 inches in caliper
 - Removal of living hedges or vines
 - Alterations, demolitions, removal or construction affecting the architectural appearance of the structure or site
 - Alterations to sign, sign type and sign faces

Tier 2 Planning Board Review

Conducted by the Planning Board at a regularly scheduled meeting. The Planning Board may appoint a Design Advisory Team (DAT) to assist in the review. The thresholds for review are:

- New non-residential structures up to 5,000 square feet for uses noted as a "Y" on the Table of Allowable Activity.
- Additions to a non-residential structure up to 7,500 square feet for uses noted as a "Y" in the Table of Allowable Activity which affect the exterior appearance of a structure or site.

Tier 4 Planning Board Special Permit with Site Plan and Design Review

Conducted at a noticed and advertised public hearing. The Planning Board may appoint a Design Advisory Team (DAT) to assist in the review. The thresholds for review are:

- New non-residential structures over 7,501 square feet for uses noted as a "Y" in the Table of Allowable Activity
- Additions to existing structures over 7,501 square feet
- Any uses that require a Special Permit noted as "SPPB" in the Table of Allowable Activity
- All new two (2) family dwellings and/or conversion to a two (2) family dwelling
- In-law apartment added to a single family dwelling

Who May Apply

The owner, a contract purchaser, a leasee, or other party with a legal interest in the property may submit application for Site Plan and Design Review or Special Permit.

For an in-law apartment, only the owner of the single-family dwelling may submit application.

Application Process

Applications are available on the Town of Randolph website and at Town Hall Planning Office. Applicants are encouraged to meet with the Planning Office to review the application prior to submission to ensure completeness. The applicant is responsible for submitting a complete application package - including required attachments; incomplete applications will not be held.

Once a complete application has been received, a meeting/hearing date will be scheduled as applicable.

Filing Fees

Application packages will not be processed unless the correct filing fee has been paid in full (see Fee Schedule). An applicant is entitled to a full refund of the filing fee if a written request to withdraw is received as follows:

Tier 1 – Within 5 business days following submission of a complete application

Tier 2 - Within 5 business days following the submission of a complete application

Tier 4 - Prior to the advertisement of the hearing in the local newspapers

An applicant considering withdrawal should contact the Planning Office to verify the last day to withdraw.

Notification Requirements

The applicant must provide notice of intent for Site Plan and Design Review or Special Permit (Tier 4) to abutters and interested parties as follows:

Tier 1 – No notification required

Tier 2 – A Notification Placard must be posted at the site location to be seen by the public for not less than 14 days prior to the meeting. Placards will be provided by the Planning Office.

Tier 4 - The applicant must provide a Notification Placard ***and*** written notice to all interested parties as follows:

- Abutters shall be notified by certified mail return receipt requested not less than 14 days prior to the hearing date.
- Abutters shall be:
 - abutters within 300 feet of the subject property
 - adjacent communities of Avon, Braintree, Canton, Holbrook, Milton, Quincy, Stoughton
- Applicants shall obtain a certified list of abutters from the Assessor's Office
- The certified list shall be provided to the Planning Office **at least 5 days prior** to the hearing date.
- Applicant is required to provide the list of abutters and associated "green cards" to the Planning Director five (5) days prior to the date of hearing.
- ***Failure to send correct legal notice as described will result in the application not being heard as scheduled.***

Review Process

Once the application package has been accepted, it will be assigned a case number and circulated to appropriate boards, commissions, departments for review if applicable. Such groups will review the application materials and provide comments and recommend conditions for the use within fifteen (15) days. The Planning Board designee(s) or Design Advisory Team may be assigned to review the application and prepare a staff report with a recommendation to the Planning Board.

During the review process, the proposed site may be visited to analyze existing conditions and determine the impacts the proposed use will have on the surrounding area. The applicant may be required to submit additional information and/or employ the services of professional consultants (i.e. engineer, architect, etc.).

Hearings

Discussion and decisions on the Site Plan & Design Review or Special Permit (Tier 4) are conducted at public meetings of the Planning Board. The applicant or agent must attend the meetings. Failure to attend the hearing will result in a deferral or possibly denial/dismissal of the application.

Tier 1 – regular meeting of the Planning Board

Tier 2 – regular or specially scheduled meeting of the Planning Board

Tier 4 – a noticed and advertised public hearing held by the Planning Board within 65 days of receiving a **complete** application

Decisions

The Planning Board renders decisions on Site Plan & Design Review or Special Permit (Tier 4) applications as follows:

Tier 1 – The Planning Board (by simple majority vote) or its designee(s) shall render a decision within 45 days of receipt of a completed application (unless extended by mutual agreement). A copy of the written decision will be provided to the Offices of the Town Clerk and Building Department and to the applicant. Failure of the Planning Board, or its designees, to act within 45 days of a complete application will be deemed approval.

Tier 2 – The Planning Board (by simple majority vote) or its designee(s) shall render a decision within 45 days of receipt of a completed application (unless extended by mutual agreement). A copy of the written decision will be provided to the Offices of the Town Clerk and Building Department and to the applicant. Failure of the Planning Board, or its designees, to act within 45 days of a complete application will be deemed approval.

Tier 4 – The Planning Board will consider the application and hold a public hearing within sixty-five (65) days of receipt of a completed application. A copy of the written decision will be sent to the Offices of the Town Clerk and Building Department and to the applicant. Failure of the Planning Board, or its designees, to act within 65 days of a complete application will be deemed approval.

Effective Period of Approval

Tier 1 - Within 14 days of review, the Planning Board or its designee will file the decision with the Town Clerk's office. Construction and/or use may begin with administrative approval by the Planning Board or its designee.

Tier 2 - Within 14 days of review, the Planning Board or its designee will file the decision with the Town Clerk's office. Construction and/or use may begin with administrative approval by the Planning Board or its designee.

Tier 4

Within 14 days following a vote, the Planning Board will submit the written decision to the Town Clerk. Construction and/or use may begin:

1. Upon certification by the Town Clerk that 20 days have lapsed and no appeal has been filed.
2. An appeal has been filed but dismissed or denied
3. The certified decision is recorded at the Registry of Deeds, indexed in the grantor index under the name of the owner of record or recorded and noted in the owner's certificate of title. The applicant records the decision at his own expense.

Construction or operation must be commenced within 24 months of the date a Special Permit is granted or the permit becomes void, unless an application to extend the permit is filed prior to the expiration date.

Appeals

Any person aggrieved by a decision of a Site Plan & Design Review or Special Permit has the right to file appeals as follows:

Tier 1 – File with Planning Board within 20 days after decision is filed at the Town Clerk's office

Tier 2 – File with Zoning Board of Appeals within 20 days after decision is filed at the Town Clerk's office

Tier 4 – File with Superior Court within 20 days after the decision is filed at the Town Clerk's office (in accordance with MGL Chapter 40A section 17)

Reapplication after Denial

If a Special Permit (Tier 4) is denied, it will not be considered again by the Planning Board for a period of two years in accordance with MGL Chapter 40A section 16. After the applicable period, the applicant is responsible for resubmitting the application package for reconsideration.

Revocation & Suspension

A Special Permit (Tier 4) may be revoked or suspended upon proof that the conditions set forth or any regulations or laws are not being followed.

Expiration

A Special Permit (Tier 4) shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Permit will expire on the occurrence of one or more of the following conditions:

1. If replaced or superseded by a subsequent permitted use or Special Permit.
2. If the applicant requests the rescinding of the Special Permit.
3. If a condition of approval/ included stipulation is not met by a certain date.
4. If the use is abandoned, moved or vacated for a period of one year.

Combined Application

When a Special Permit by Planning Board (Tier 4) under the Table of Allowable Activities or other section of the zoning bylaw is required for the proposed Site Plan & Design Review application, the applicant may submit a combine application and a joint public hearing to address the Special Permit and Site Plan & Design Review may be held.

In-law Apartments

Criteria for in-law apartments are outlined in section 200-46 of the Town of Randolph Zoning Bylaws

Two-Family Dwellings

Criteria for construction of or conversion to a two-family dwelling are outlined in section 200-46 of the Town of Randolph Zoning Bylaws

ATTACHMENTS

- I. Application
- II. Submittal Checklist
- III. Confirmation of Application
- IV. Notice of Public Hearing
- V. Fee Schedule



SITE PLAN & DESIGN REVIEW or SPECIAL PERMIT APPLICATION

Tier 1 Review

Tier 2 Review

Tier 4 Review

The information requested is required for a Site Plan and Design Review pursuant to *Sec XI Site Plan and Design Review* of the Town of Randolph Zoning Bylaws. All required supplemental information must be submitted with this application. For assistance, call 781-961-0936.

1. Subject Property

ASSESSOR'S PARCEL NUMBER(S):

Zoning District

SUBJECT PROPERTY ADDRESS OR SITE LOCATION:

NAME OF BUSINESS/ESTABLISHMENT, IF APPLICABLE:

2. Project Description (check all that apply)

New Construction Alteration to Exterior Addition to Structure Additional Parking

In-law Apartment Two Family Dwelling

Describe what is proposed. See instructions and checklist for additional required information.

3. Owner

NAME:

PHONE:

ADDRESS:

FAX:

CITY / STATE:

ZIP:

E-MAIL:

4. Applicant (If different from owner)

NAME:		PHONE:
ADDRESS:		FAX:
CITY / STATE:	ZIP:	E-MAIL:

5. Agent (If different from owner / applicant)

NAME:		PHONE:
ADDRESS:		FAX:
CITY / STATE:	ZIP:	E-MAIL:

6. Contact

Who is the primary contact regarding this application? Check one: Owner Applicant Agent

7. Owner / Applicant Certification

By my signature below, I hereby certify the following:

1. I understand that the **BURDEN OF PROOF** is on the applicant to substantiate the request.
2. I understand there is no guarantee - expressed or implied - that any permit will be granted. I understand that each matter must be carefully evaluated and after the evaluation has been conducted or the public hearing has been held, that staff's recommendation or decision may be revised to a different position taken in any preliminary discussions.
3. I understand that additional information, reports, studies, applications or fees may be required.
4. I understand that if my application is denied, there is no refund of fees paid.
5. I understand that submitting inaccurate or incomplete information may result in delays or denial of my application.
6. I certify that the information provided in this application, including attachments, is accurate and correct to the best of my knowledge.
7. I have read and understand the foregoing, and agree to the submittal of this application.

SIGNATURE (BLUE INK):	DATE:
PRINT NAME:	CHECK ONE: <input type="checkbox"/> Owner <input type="checkbox"/> Applicant



Site Plan & Design Review or Special Permit by Planning Board

SUBMITTAL CHECKLIST

For use with Tier 2 and Tier 4 applications

- Original application
- Seven (7) Copies of application, all plans, renderings and attachments
- Filing/hearing fee (see Fee Schedule) payable to “Town of Randolph”
- Site plan (if applicable) must include:
 - The date, north arrow, and scale. The scale shall not be less than one [1] inch equals twenty [20] feet for property under three [3] acres, and at least one [1] inch equals fifty [50] feet for those projects three [3] acres or more;
 - All lot and/or property lines are to be shown and dimensioned, including building setback lines;
 - The location and height of all existing and proposed structures located one and within three hundred [300] feet of the subject property;
 - The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, parking areas [showing dimensions of a typical parking space], unloading areas, and open space areas;
 - The location and the pavement and right-of-way width of all abutting roads, streets or alleys;
 - The location of all utility easements (including water, sewer, electric, power, stormwater, and telephone);
 - The location and dimensions of all landscaping, berms, fences, walls, screening, and buffering.
 - Traffic pattern & controls
 - Hours of operation (if applicable)
 - Floor plan
- Verification of paid property taxes (current year)
- List of abutters, green cards, receipts and notice (Tier 4 only)



Site Plan & Design Review or Special Permit by Planning Board

CONFIRMATION OF APPLICATION

Hearing Date

- Planning Board Hearing: ____/____/____
 - Public Hearing Date: ____/____/____
- Reminder - Applicants are required to attend hearings*

Notice Periods

Tier 2 Project

- Notification placard must be in place between ____/____/____ and ____/____/____.

Tier 4 Project

- Abutter notice must be mailed between ____/____/____ and ____/____/____.
- First public advertisement must be posted by ____/____/____
- Second public advertisement must be posted by ____/____/____
- Notification placard must be in place between ____/____/____ and ____/____/____.
- Green Cards and Abutters List must be returned no later than ____/____/____.

Planning Use Only

Case Number: _____ Fee Rec'd: _____ Check #: _____

Application reviewed by: _____ Date found complete/incomplete ____/____/____

Application reviewed by: _____ Date found complete/incomplete ____/____/____



NOTICE OF PUBLIC HEARING

Date: ____/____/____

Dear Property Owner:

You are hereby notified of the following public hearing to be held by the Planning Board as described below.

RANDOLPH PLANNING BOARD

Town Hall
41 South Main Street

DATE: ____/____/____ TIME: _____ LOCATION: _____

ISSUE DESCRIPTION: _____

PROPERTY ADDRESS: _____

TAX ASSESSMENT MAP NUMBER: _____

As a party in interest, you are invited to attend these meetings and express your views concerning the above issue.

Sincerely,

Applicant Signature

Applicant Name (printed)

(____) _____ - _____
Telephone



Site Plan and Design Review

FEE SCHEDULE

Applications for Special Permits must be accompanied by the related fee(s) as specified. These fees are non-refundable filing fees to cover the administrative costs of processing applications.

ITEM	FEE
Tier 1 – Administrative Review	\$0.00
Tier 2 – Planning Board Review	\$150.00
Tier 4 – Special Permit by Planning Board – <i>commercial/business</i>	\$250.00
Tier 4 – Special Permit by Planning Board – <i>residential</i>	\$250 plus \$25 per additional unit
Continuation of Hearing	\$150.00
Notification Placard	Paid for and provided by applicant
Advertisement of Public Hearing	Prepared and paid by applicant to pertinent agency
Abutter Notification	Prepared and paid by applicant to pertinent agency
Two family construction/conversion	\$200 per lot
In-law apartment	\$250

Advertising

All expenses for the placard, publication of notices and notification to abutters shall be borne solely by the applicant and payable directly to the pertinent agency.

Project Review Fee(s)

Expenses for any and all consultants deemed necessary for plan review (i.e. engineering, professional planners, legal assistance, etc.) shall be paid by the applicant. Funds shall be provided to the Planning Office prior to plan review of an amount determined by estimates received from the consultant(s) plus 10% handling charges. Any funds remaining after final determination of a plan will be returned to the applicant within 60 days of such final determination.

Waivers

All or a portion of a required application fee may be waived if a majority of the SPGA members present at a meeting agree that one or more of the following criteria are met:

1. **Reasonable Fee.** The project is at such a scale that the cost to the Town for the level of review of the application is substantially lower than the amount of the fee which is otherwise required to be paid.
2. **Town Agency Applicant.** The applicant agency is a department or agency of the Town of Randolph.

NOTES:

- a) Waiver of any portion of a required application or inspection fee is solely at the determination of the Board.
- b) Any request for a waiver of an application fee must be made in writing to the Planning Board 30 days prior to the date the applicant is intending to submit an application for Planning Board review. The request must detail the reasons the applicant feels such a waiver is warranted. This request must clearly demonstrate how one or more of the above criteria are satisfied.