

Schedules

SCHEDULE A

<p style="text-align: center;">LUNENBURG PLANNING BOARD GUIDELINES FOR GRANTING WAIVERS</p>
--

PURPOSE

The purpose of guidelines for granting waivers is to promote reasonable relief to submittals that are of nature or size to the use of the land that is developed in a creative manner and still engage the integrity of the Protective Bylaw of the Town of Lunenburg, Section 4.2.3., Rules and Regulations Governing the Subdivision of Land, Section 6.1., Regulations of the Planning Board of the Town of Lunenburg Governing the Design, Construction and Maintenance of Off-Street Parking and Loading Areas, Section 5.2. and Town of Lunenburg Planning Board Rules and Regulations for Conduct of Planning Board Functions, Meetings and Hearings, Section 12.0.

The Planning Board may grant waivers from requirements under the following provisions:

1. Protective Bylaw of the Town of Lunenburg, Section 4.2.3.
Waivers (modification) of requirements of 4.2.3., 5.4. and 6.4. for a Mixed Residential Development or a Planned Residential District.
2. Rules and Regulations Governing the Subdivision of Land, Section 6.1.
Waivers may be granted when such action is in the public interest and not inconsistent with the Subdivision Control Law.
3. Regulations of the Planning Board of the Town of Lunenburg Governing the Design, Construction and Maintenance of Off-Street Parking and Loading Areas, Section 5.2.
Waivers are limited to:
 - (1) design of parking areas for compact cars, and loading areas for pickup trucks;
 - (2) construction standards where use is infrequent or does not necessitate compliance with the standards.
4. Town of Lunenburg Planning Board Rules and Regulations for Conduct of Planning Board Functions, Meeting and Hearings, Section 12.0.
Waivers may be granted when such action is in the public interest.

In exercising the authority to grant waivers, the following general principles shall apply.

1. The applicant shall have requested the waiver and shall have demonstrated in writing why the requested waiver is in the public interest.
2. Waivers may be granted if they promote the public safety and do not otherwise appreciably derogate from the purposes of the regulations.
3. Waivers may be granted if they promote the goals of the Town and if they are not detrimental to the public health, safety and general welfare.

4. In lieu of strict compliance the Planning Board will require such conditions as are necessary to substantially serve the same objective as the regulation waived.
5. If the item is listed on the following tables, the waiver shall be in accordance with the table.

TABLE I

GUIDELINES BY CATEGORY

Required Item	Condition for Waiver
Submission Requirements Tree plan	May be omitted if area is wooded and remains wooded or if the subdivision has less than ten (10) residential lots.
Tabular summary	May be omitted if the subdivision has less than ten (10) residential lots.
Environmental Impact Statement	Transportation, air pollution and socio-economic elements may be omitted if the development has less than ten (10) dwelling units.
Percolation Tests	May be omitted if sewers are available and the Planning Board's engineer agrees that the tests eliminated by the waiver are unnecessary.
Length of dead-end-street	In addition to topography, local conditions may include the number of units served. If there are five or less units, length may be increased with the consent of the Police and Fire Chiefs, up to 1,200 feet.
Pavement type	See equestrian and recreational use.
Pavement width or depth	May be reduced in width or depth, when engineering information is provided showing that the reduction will not affect the ability of car road to handle projected traffic.
Sidewalks	May be omitted, required if ten (10) or less single family homes on lots of 40,000 square feet or in industrial parks with no commercial facilities.
Common driveway	In an equestrian or residential development of up to five (5) units, a common driveway may exceed two hundred and fifty (250) feet, if the driveway has a cul-de-sac or "T" intersection at each residence and further provided that the driveway intersects a street within the subdivision of a least six hundred (600) feet in length.
Street grade	A residential street grade may exceed the minimum required if the street serves five (5) or less dwelling units and if the Planning Board reviewing engineer agrees that safety is not jeopardized.
Trees	May be omitted when other natural resources are preserved, e.g. unusual ground cover.

TABLE II

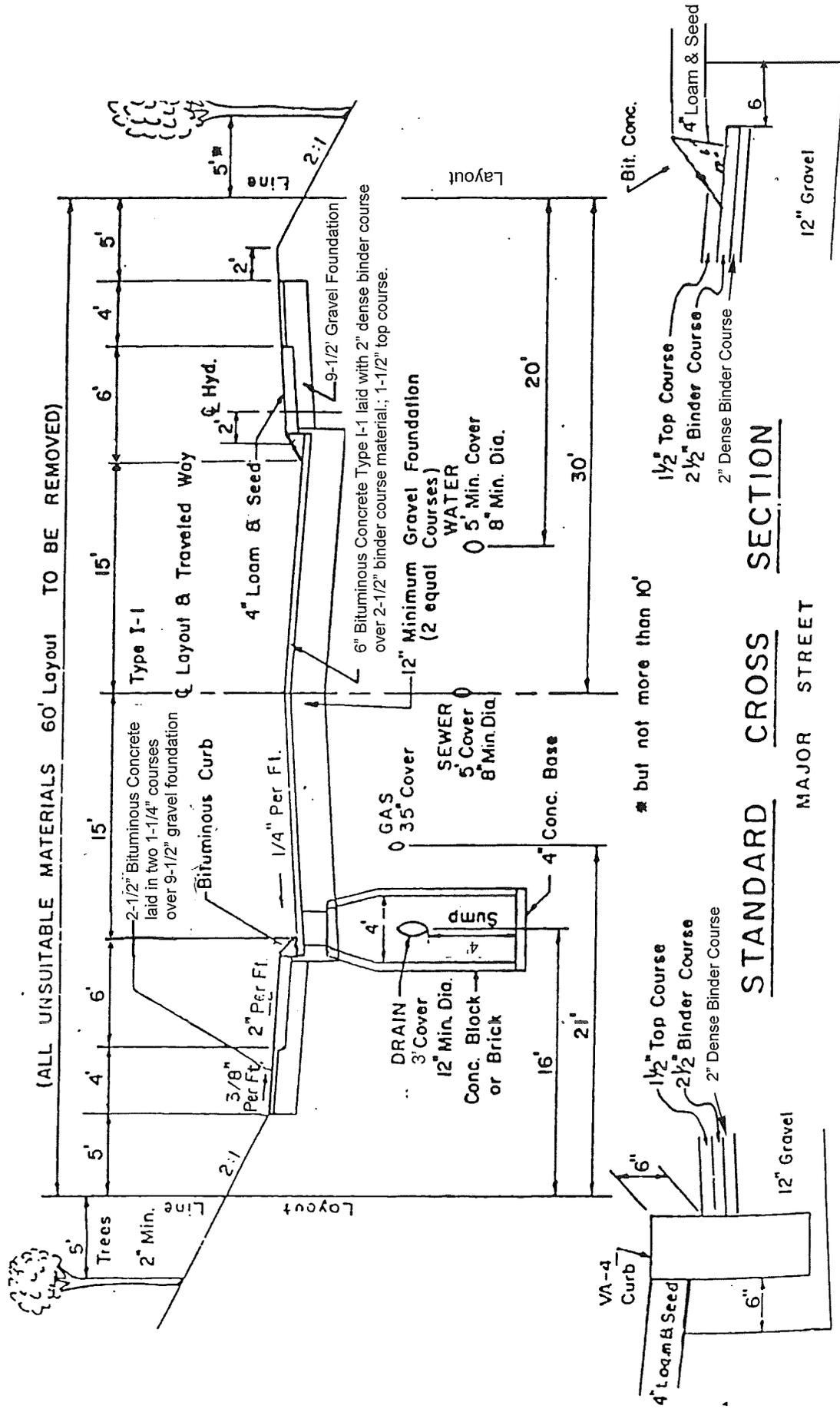
GUIDELINES BY DEVELOPMENT TYPE

Development Type	Condition for Waiver
Farm-Agricultural	Pavement surface and curbs may be waived if public safety is not jeopardized.
Equestrian Development	Pavement surface, curbs and road or cul-de-sac length may be waived if the development is devoted to farm buildings, animals and dwellings and if dwellings are at a density of one (1) unit to five (5) acres, and if the public safety is not jeopardized, e.g. emergency vehicles must be able to reach each building.
Recreation Use	Pavement surface and curbs may be waived if public safety is not jeopardized.
Subdivision of 1-5 units	See Table I Submission requirements. Minimum street length of six hundred (600) feet may be extended by common driveways, provided each driveway has a turnaround or "T" turn at the end of the residence. Pavement width in the residential development may be reduced to eighteen (18) feet if the lots all exceed 40,000 square feet in area.
Subdivision of 6-10 Units	See Table I Submission requirements. "T" turn may be substituted for a cul-de-sac when approved by the Planning Board reviewing engineer.
Affordable Housing	Sidewalks, trees and underground wires may be waived when the developer satisfies the Board that the waiver is needed to provide affordable units, in the same manner as required in the CMR.
Office Park	Parking spaces may be reduced when use or hours are staggered.
Commercial Use-Retail	Parking spaces may be reduced when use or hours are staggered
Industrial Park	Grass plot, if adequate landscaping is available elsewhere on site.
Mixed Residential Development and Planned Residential Area	Any requirements permitted by the zoning when advantageous to the design of the mixed development or planned area, when the public safety is not jeopardized and when the Town character is preserved.

Frontage Variance Granted by the Zoning Board of Appeals

When frontage has been approved through a variance granted by the Zoning Board of Appeals, a subdivision plan is required; then the Planning Board may waive any requirement if it does not jeopardize the public health, safety and general welfare.

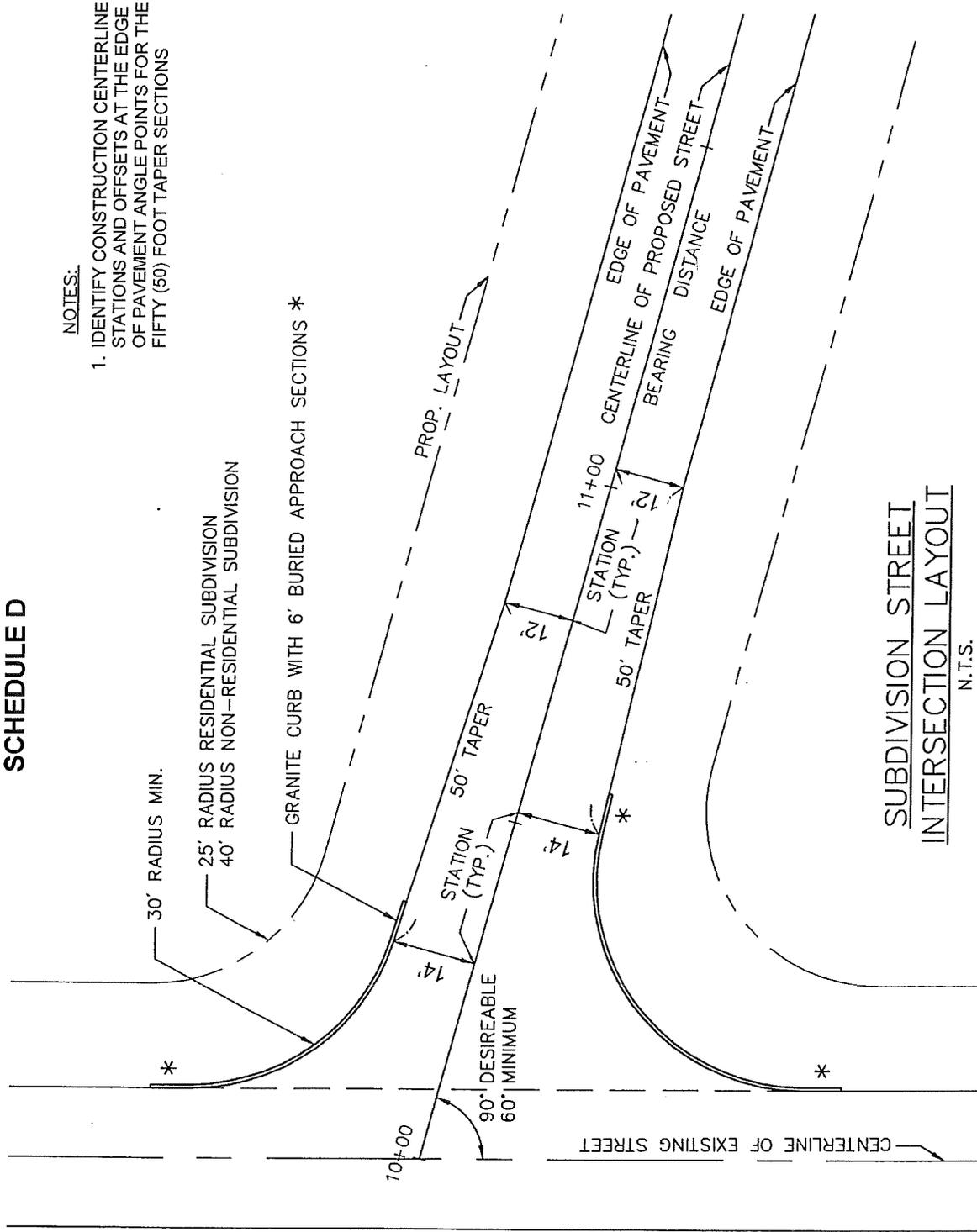
LUNENBURG
SCHEDULE B



GRANITE CURB DETAIL

BIT. CONCRETE CURB DETAIL

**LUNENBURG
SCHEDULE D**

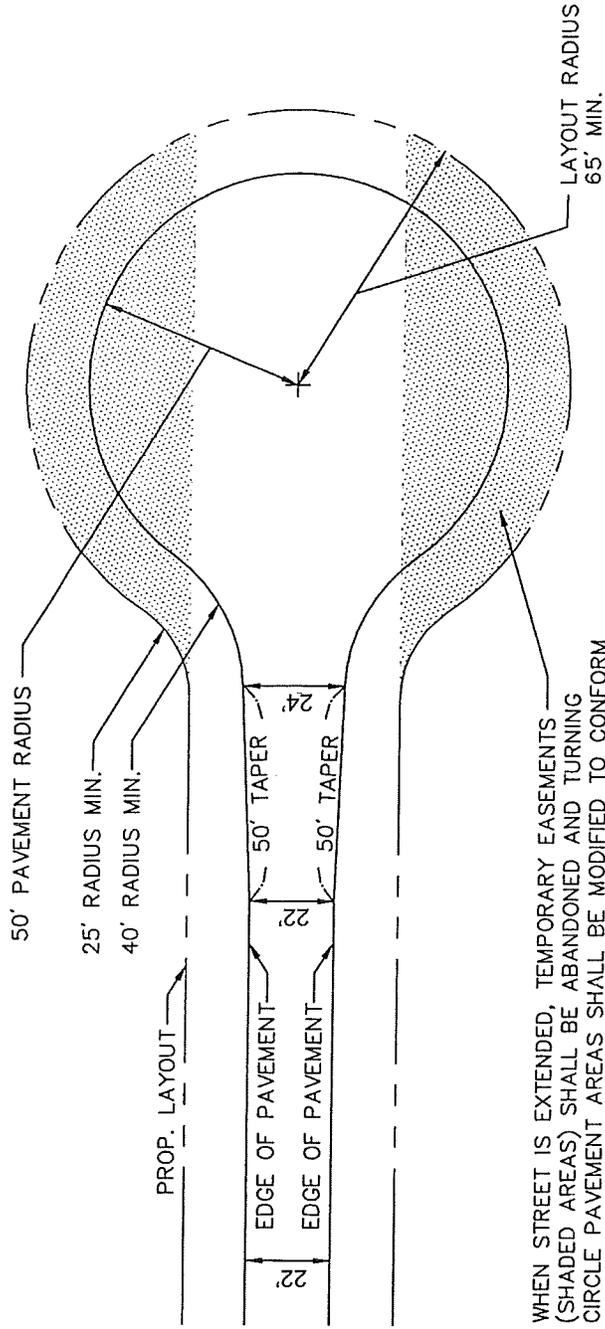


NOTES:

1. IDENTIFY CONSTRUCTION CENTERLINE STATIONS AND OFFSETS AT THE EDGE OF PAVEMENT ANGLE POINTS FOR THE FIFTY (50) FOOT TAPER SECTIONS

**SUBDIVISION STREET
INTERSECTION LAYOUT
N.T.S.**

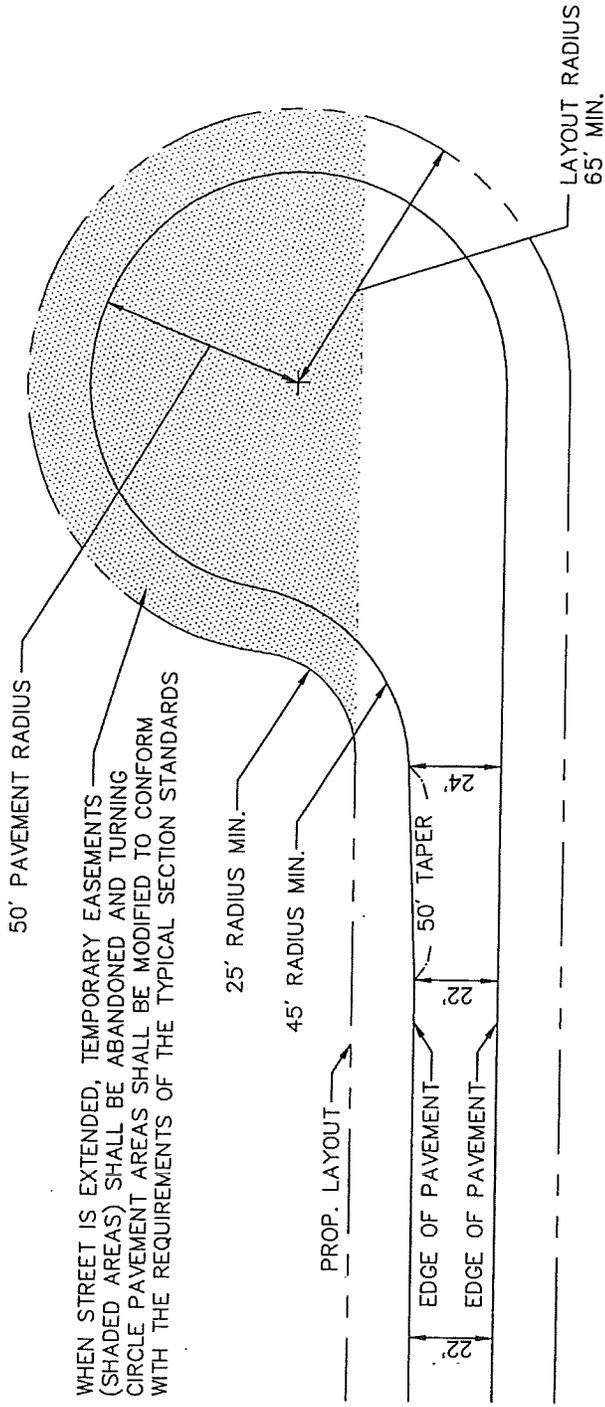
LUNENBURG
SCHEDULE E



WHEN STREET IS EXTENDED, TEMPORARY EASEMENTS (SHADED AREAS) SHALL BE ABANDONED AND TURNING CIRCLE PAVEMENT AREAS SHALL BE MODIFIED TO CONFORM WITH THE REQUIREMENTS OF THE TYPICAL SECTION STANDARDS

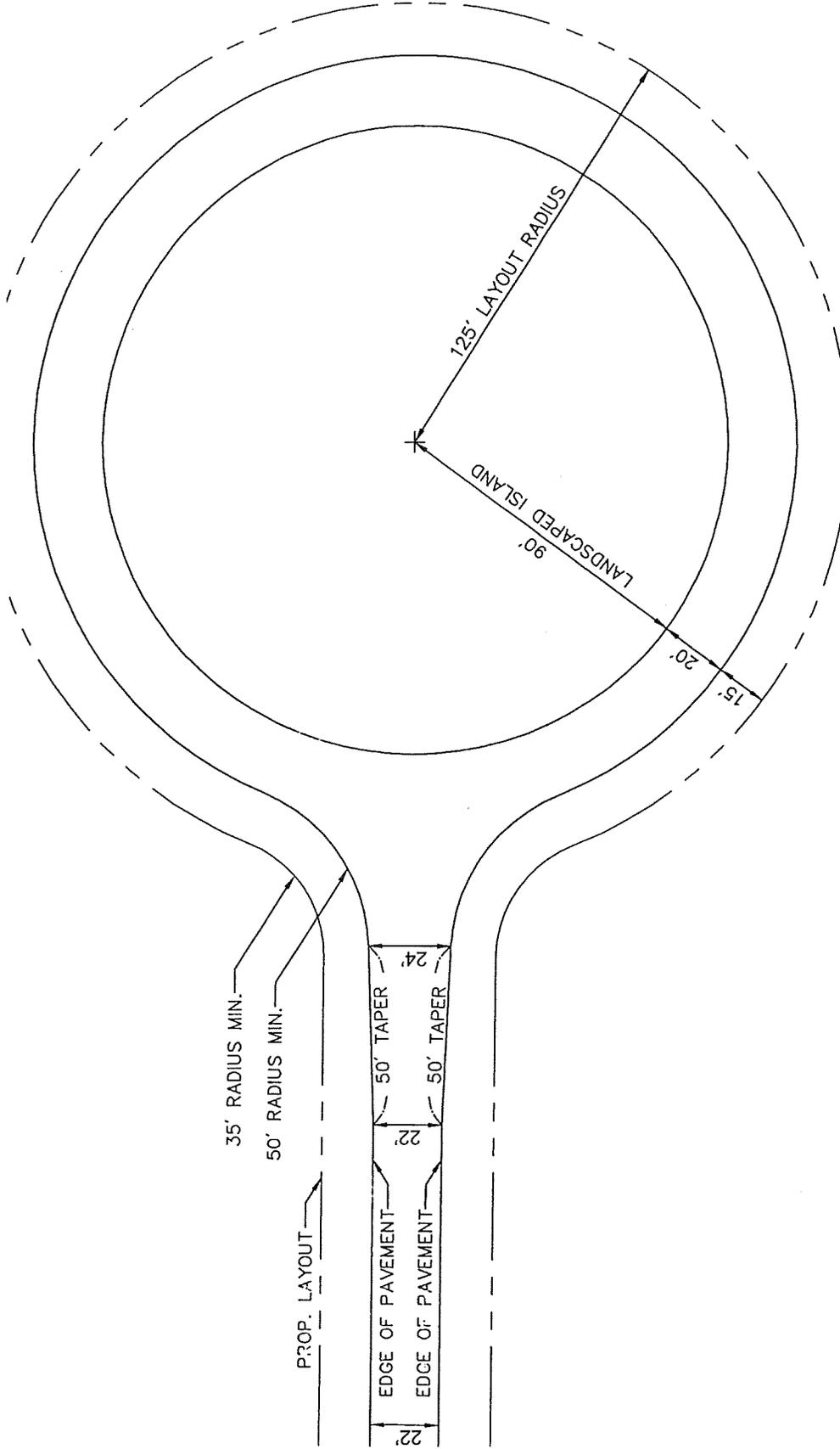
SUBDIVISION STREET
TYPICAL TEMPORARY TURNING CIRCLE LAYOUT
WITHOUT LANDSCAPED ISLAND
N.T.S.

LUNENBURG
SCHEDULE F



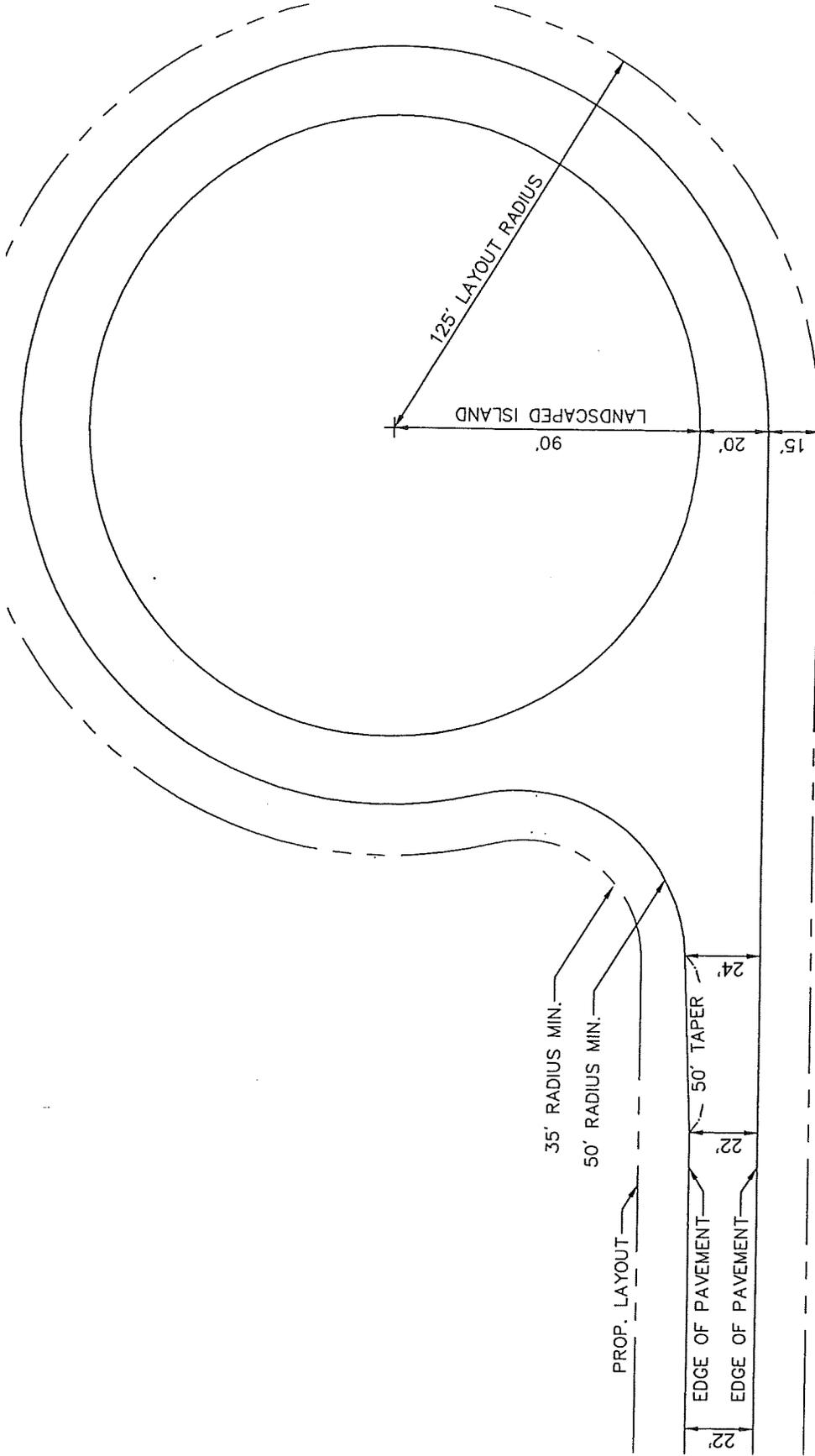
SUBDIVISION STREET
TYPICAL TEMPORARY TURNING CIRCLE LAYOUT (OFFSET)
WITHOUT LANDSCAPED ISLAND
N.T.S.

LUNENBURG
SCHEDULE G



SUBDIVISION STREET
TYPICAL PERMANENT TURNING CIRCLE LAYOUT
WITH LANDSCAPED ISLAND
N.T.S.

LUNENBURG
SCHEDULE H



SUBDIVISION STREET
TYPICAL PERMANENT TURNING CIRCLE LAYOUT (OFFSET)
WITH LANDSCAPED ISLAND
N.T.S.

SCHEDULE I

PROJECT INFORMATION SUMMARY

PROJECT INFORMATION SUMMARY (PIS) INSTRUCTION SHEET

This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please fill out this form as accurately as possible. Answers to these questions will be considered as part of the application for approval of a subdivision and may be subject to further verification and public review.

Please submit any additional information to document how any known impacts, whatever the magnitude, will be dealt with in the design process. This additional information will help in the review of the PIS, and will reduce time delays by addressing potential impacts early on in the process.

Applicants need not fill out every part in the PIS. Please complete only those parts applicable to the type of project proposed.

The Planning Board will, in its review of the application, determine what elements of the Environmental Impact Statement must be included in the application for approval of the Definitive Plan for a proposed subdivision.

PROJECT INFORMATION SUMMARY FORM

PART I - GENERAL INFORMATION

Name of Project: _____

Name and Address of Subdivider:

Name and Address of Consultant/Engineer:

(Name)

(Name)

(Street)

(Street)

(P.O.) (State) (Zip)

(P.O.) (State) (Zip)

Business Phone: _____

Name and Phone of Contact Person: _____

Name and Address of Owner

(Name)

(Address)

Description of Project: (Briefly describe type of project): _____

A. PROJECT INFORMATION

1. ___ Variance of Special Permit - Specify: _____

___ Rezoning - From: _____ To: _____

___ Residential Development - # of units: _____

___ Business Development - Type: _____

___ Industrial Development - Type: _____

___ PUD/Cluster

2. Project Location

a. Address: _____

b. Distance and direction from nearest intersection (s): _____

c. Tax Account Number: _____

3. Present Zoning: _____
4. Dominant Zoning within 1/4 mile of site: _____
5. Present land use: _____
6. Dominant land use within 1/4 mile of site: _____
7. Project Extent
- a. Total number of acres in parcel: _____ acres
- b. Number of acres already developed: _____ acres
- c. Number of acres to be developed under this application: _____ acres
- d. Anticipated construction dates - From: _____ To: _____
- e. Anticipated capital expenditure: \$ _____
- f. If expansion of existing project: _____ % expansion
8. Total height of tallest proposed structure _____ feet

B. NATURAL FEATURES OF SITE

1. Approximate acreage of site by use (Note: land should not be classified in more than one category. Total current acreage = total after completion):

	<u>Current</u>	<u>After Completion</u>
Meadow or Brushland	_____ acres	_____ acres
Active Agriculture	_____ acres	_____ acres
Idle Agriculture	_____ acres	_____ acres
Wetlands and Aquifers	_____ acres	_____ acres
Water Surface Area (ponds, lakes, streams)	_____ acres	_____ acres
Unvegetated (rock, gravel)	_____ acres	_____ acres
Roads, Buildings, Pavement	_____ acres	_____ acres
Active Recreation Facility	_____ acres	_____ acres
Other (specify: _____)	_____ acres	_____ acres
Total	_____ acres	_____ acres

2. Will disturbed area be in or within 100' of any of the following? (If YES, please specify):

<u>YES</u>	<u>NO</u>	<u>SPECIFY</u>
_____	_____	Stream_____Classification:_____
_____	_____	Waterbody_____
_____	_____	Wetland_____
_____	_____	Woodlands_____
_____	_____	Steep Slopes_____
_____	_____	Agricultural Land_____
_____	_____	Unique Ecological Feature_____
_____	_____	Unique Geological Feature_____
_____	_____	Designated Open Space_____
_____	_____	Designated Sensitive Environmental Area_____
_____	_____	Parkland_____
_____	_____	Recreational Facilities_____
_____	_____	Historic Site_____
_____	_____	Known Archeological Site_____
_____	_____	Unique Architectural Site_____
_____	_____	Plant or animal species identified as threatened or endangered (specify)_____

3. Are there any known drainage ways, drainage ditches or seasonal flows of water on or through the site? NO__YES__ (specify on separate sheet).

C. PLANNING CONSIDERATIONS

1. Is the site served by:
 - a. Sanitary sewer_____Septic systems_____Other_____

- b. Storm sewer _____ Open drainage _____
- c. Public water _____ Wells _____ Other _____
- d. Other utilities (specify) _____

2. Is the site contiguous to any of the following?

- _____ State Road
- _____ County Road
- _____ Town Street
- _____ Undesignated Road

3. Is there a property line boundary within 100' of the proposed disturbed area?
 NO _____ YES _____

4. Is the site served by public transportation? NO _____ YES _____

5. Are any of the following within 1000' of the site?

- | | |
|-----------------------|--|
| _____ School | _____ Firehouse |
| _____ Library | _____ Ambulance Station |
| _____ Church | _____ Government of Public Building |
| _____ Cultural Center | _____ Electrical Generating Facility |
| _____ (Museum, etc.) | _____ High Voltage Electrical Transmission |
| _____ Cemetery | _____ Line |

6. Will the action result in the preservation of any open space? NO ___ YES ___
 Is site presently used by the community as open space or recreation
 area? NO _____ YES _____

7. Will the project result in any major visual impacts? NO _____ YES _____

8. Will the project affect any important views or vistas? NO _____ YES _____

9. Special Planning Considerations: is the site within any of the following?

- _____ Flood Plain District
- _____ Historic Preservation District
- _____ 500 feet of a state or county road, parkland, or municipal boundary.
- _____ 100 year floodplain as defined by FEMA Flood Insurance Maps

10. Has any provision been made for solar or other alternative sources of energy for
 this project? NO _____ YES _____

(specify: _____)

11. Has provision been made for siting the project to make use of natural solar heating or shading? NO _____ YES _____

12. Will this project require the relocation of any other project or facility?

NO _____ YES _____ (specify: _____)

PART II - GEOLOGY & HYDROLOGY

A. What is the predominant soil type (s) on the project site? _____

B. What is the depth to bedrock? _____ feet (Info. Source): _____

C. Are there any bedrock outcroppings on the site? NO _____ YES _____

D. What is the general slope of the land?

0-10% _____ % 10-15% _____ % 15% or greater _____ %

E. What is the depth to the water table? _____ feet (Info. sources: _____)

F. Will surface area of any existing lakes, ponds, streams, bays or other surface water areas be increased or decreased by project? NO _____ YES _____ (specify on separate sheet)

G. Will any stream channels be modified? NO _____ YES _____

H. What additional percentage of the site will be covered by impervious materials as a result of the project? _____ % more than existing

I. Are any mitigation measures being designed into the project to minimize the effects of impervious surfaces on drainage and runoff? NO _____ YES _____ (if YES, please attach a narrative explanation on separate sheet)

J. Are there any existing drainage problems on the site, upstream, or downstream? NO _____ YES _____ (if YES, please attach a narrative explanation on separate sheet)

K. How much on-site storage of runoff will be provided? _____ acre-feet

L. Are Sedimentation ponds to be provided? NO _____ YES _____

M. 1. Are retention or detention ponds to be provided? NO _____ YES _____

2. Which? Temporary _____ Permanent _____

PART III - GRADING AND SITE DEVELOPMENT

A. How much natural material will be removed from the site of the property?

Rock _____ cubic yards Topsoil _____ cubic yards

Subsoil _____ cubic yards

B. How much natural material will be brought onto the site of the project?

Rock _____ cubic yards Topsoil _____ cubic yards

Subsoil _____ cubic yards

C. How much natural material will be redistributed on the site of the project?

Rock _____ cubic yards Topsoil _____ cubic yards

Subsoil _____ cubic yards

D. How many square feet of vegetation (trees, shrubs, ground cover) will be disturbed on this project site? _____ square feet

E. Are there any plans for revegetation? NO _____ YES _____ (specify on separate sheet)

F. Will blasting occur during construction? NO _____ YES _____

G. How will demolition debris (if any), vegetation waste, and similar materials be disposed of? _____

H. Will existing contours be altered by more than 3 feet of:

Cut: NO _____ YES _____

Fill: NO _____ YES _____

I. 1. What will be the maximum gradient of roadways within the project? _____%

2. What will be the maximum gradient of driveways within the project? _____%

PART IV - RESIDENTIAL

A. Is project to be single phased _____, or multi-phased _____?

B. If multi-phased project: a. total number of phases anticipated: _____
b. anticipated date of phase I commencement (including any
necessary demolitions): month _____ year _____
c. approximate date of completion of final phase:
month _____ year _____
d. is phase #1 financially dependent upon subsequent phase?
NO _____ YES _____

C. Number and type of housing units to be constructed:

One Family Two Family Multi-Family Condominium or Co-op

Initial _____ _____ _____ _____

Ultimate _____ _____ _____ _____

D. If project is not on public sanitary sewers

1. Type of on-site sewerage system (s) to be installed:

_____ standard leach field (s)

_____ raised fill systems

_____ package plant

_____ other (specify: _____)

2. If any surface outflow, name of stream into which effluent will be discharging

E. If project involves storm sewers:

1. Where do storm sewers discharge? _____

2. What volume of storm water runoff is planned for? _____ cfs at point of discharge

F. Solid Wastes: 1. Where will solid wastes be disposed of?

Name of facility _____ location _____

2. Will any waste not go to a sanitary landfill? NO ___ YES _____

G. 1. If water supply is from existing wells, indicate pumping capacity:

_____ gal/min

2. If water supply is to be from new wells, what impact can be expected on the local water table? _____

3. If water supply is from source other than public water supply, what is the quality of the water to be provided? _____

H. Total anticipated water usage per day: _____ gal/day

Number of off-street parking spaces: _____ existing _____ proposed

PART V - BUSINESS

A. Orientation of development: _____ Neighborhood _____ Regional

B. Estimated employment generated: during construction: _____

during operation: _____

C. Total gross floor area proposed: _____ square feet

D. Number of off-street parking: _____ existing _____ proposed

E. 1. Is surface or subsurface liquid waste disposal involved? NO ___ YES _____

2. If YES to #1, type of waste: _____

3. If surface outflow, name of stream into which the effluent will be discharged:

F. If not on public sanitary sewers, how will liquid wastes be treated?

G. If project is on public sanitary sewers, name of sewage treatment facility to which the effluent will be directed: _____ location _____

H. If project involves storm sewers:

1. Where do storm sewers discharge? _____

2. What volume of storm water runoff is planned for? _____ cfs at point of discharge

I. Maximum vehicular trips generated per hour upon completion of project: _____

J. If multi-phased project: a. total number of phases anticipated: _____

b. anticipated date of Phase I commencement (including any

necessary demolition): month _____ year _____

c. approximate date of completion of final phase:

month _____ year _____

d. is phase #1 financially dependent upon subsequent phases?

NO _____ YES _____

K. Solid Wastes: 1. Where will solid wastes be disposed of?

Name of facility _____ location _____

2. Will any wastes not go to a sanitary landfill? NO__ YES _____

3. Will compactors be utilized for on-site waste? NO__ YES _____

4. Have provisions been made for on-site storage? NO__ YES _____

5. If project involves a take-out food facility, have any provisions been made to restrict carry-out litter? NO__ YES _____ (specify) _____

L. Will project routinely produce odors (more than 1/hr/day)? NO__ YES _____

M. Will project produce noise exceeding the local ambient noise levels:

*during construction? NO _____ YES _____

* after construction? NO _____ YES _____

N. Will dust control techniques be employed during or after construction of this project?

NO _____ YES _____ (specify on separate sheet)

O. Will the project result in any potential contraventions of any State or Federal air quality standards? NO _____ YES _____ (specify: _____)

P. Will project use herbicides? NO _____ YES _____ (specify: _____)

Q. Will project use pesticides? NO _____ YES _____ (specify: _____)

R. Will project be landscaped to provide visual and sound screening?
NO _____ YES _____

S. Has project been designed for energy efficiency? NO _____ YES _____
If YES, please specify: _____

PART VI - INDUSTRIAL

Please complete Part V - Business, and continue below:

A. Are any liquid (or solid) substances produced as wastes that cannot be adequately treated
(or safely disposed of) at a standard municipal sewage treatment plant (or sanitary landfill)?
NO _____ YES _____ (if YES, please explain on separate sheet)

B. Are any hazardous toxic materials produced (NO _____ YES _____)
or utilized (NO _____ YES _____)

C. Have any provisions been made to utilize any waste heat produced for productive purposes? NO _____ YES _____ (specify: _____)

PART VII - PERMITS AND/OR APPROVALS REQUIRED

A. Does the project involve any State or Federal funding or financing?
NO _____ YES _____ (specify: _____)

B. Status of Permits and/or Approvals:

<u>AGENCY</u>	<u>APPROVAL REQUIRED (TYPE)</u>	<u>SUBMITTED (DATE)</u>	<u>APPROVED (DATE)</u>
Board of Selectmen	_____	_____	_____
Planning Board Zoning Board/and or Board of Appeals	_____	_____	_____
Dept. of Public Works	_____	_____	_____
Board of Health	_____	_____	_____
Other Municipal Agency	_____	_____	_____
Massachusetts DEP Mass Dept. of Public Health	_____	_____	_____
Mass Highway Dept.	_____	_____	_____
MEPA Filing	_____	_____	_____
Other State Agency US Army Corps of Engineers	_____	_____	_____
US Dept. of Trans- portation	_____	_____	_____
US Environmental Protection Agency	_____	_____	_____
Other Federal Agency	_____	_____	_____

Attach any additional information as may be required to clarify your project. If there are or may be any adverse impacts associated with the proposal, please discuss such impacts and the measures which can be taken to mitigate or avoid them.

I hereby certify that the information given above is true and accurate to the best of my ability to provide such information.

Preparer's Signature: _____ Date: _____

Title: _____

Representing: _____

SCHEDULE J ENVIRONMENTAL IMPACT STATEMENT

1. The environmental impact statement shall clearly and methodically assess the relationship of the implementation of a proposed development to the natural and man-made environment of the Town. The statement shall utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in the planning and designing of the proposed project. The elements of statement shall be prepared by professionals registered in Massachusetts to practice in their fields where so specified or by authorities recognized in their field having reached a professional status or its recognized equal.
2. To insure the adequate preparation and consideration of the statement, it is strongly recommended that a draft statement be prepared and submitted together with the submission of the preliminary plan of the proposed development.
3. It is intended that the statement be a guide to the Planning Board in its judgment and deliberation on the proposed development and its compatibility with existing conditions and planning efforts of the Town. Failure of the plans or of the impact statement of the proposed development to indicate such compatibility may be grounds for re-examination and/or the re-submission thereof at the determination of the Planning Board.
4. An environmental impact statement shall be prepared when required by the Planning Board, other Town bylaws, State or Federal Laws or Regulations.
 - (a) The Planning Board may require any private person, firm or corporation to prepare an environmental impact report for any and all work, project or activity which may cause damage to the environment, and for which no funds of the Commonwealth are to be expended.
 - (b) This report shall be limited in scope to the purposes of the Subdivision Control Law, Sections 81-K through 81GG.

Further, the environmental statement concerning each character of subdivision shall contain at least the elements required as noted except as modified or required by the Planning Board.

5. Each environment statement shall consist of four (4) separate sections, each section to address one of the following concerns:
 - (a) The environmental impact of the proposed development (see paragraph 6 below for required elements of impact disclosure).
 - (b) Any adverse environmental impacts which cannot be avoided should the proposed development be implemented.
 - (c) Alternatives to the proposed development which are expressly allowed or allowed by permit by the Zoning Bylaw.
 - (d) All measures available, and those measures to be used to minimize adverse environmental impacts (or maximize beneficial impacts).

6. The section on environmental impact shall consist of the elements and sub-elements as required by the Planning Board.

(a) A Physical Element to consist of the following sub-elements:

(i) Air Pollution - Changes in local air quality caused by the proposed development shall be predicted. Sources shall be identified, and consideration shall be given to changes in air quality both during construction and after completion of the project. Except in large residential developments (one hundred (100) dwelling units or more) or in high density multi-family developments and in non-residential subdivisions, air pollution impacts may be identified and expressed in relative terms. For these large and/or high density residential developments and for non-residential developments, the Planning Board may require a detailed, technical report to be prepared. This sub-element shall consider not only impacts caused by the proposed development and its alternatives, but also impacts on it by adjacent existing or proposed developments.

(ii) Noise Pollution - The same requirements for air pollution sub-element shall govern.

(iii) Surface and Sub-surface Water Pollution - Impact of storm water run-off on adjacent and downstream surface water bodies and sub-surface ground water and the water table shall be detailed. Coordination with State and Town water quality agencies including the Board of Health and Conservation Commission is recommended so that necessary agreements and responsibilities can be included in the study of the proposed development and its alternatives. The relationship of the proposed development to navigable streams and flood plains and municipal water supply impoundment's and reservations shall be shown.

(iv) Soils - The potential dangers of erosion and sedimentation caused by both the construction, operation and maintenance of the proposed development and its alternatives shall be detailed and may also be related to sub-element (iii) above. It shall also deal with the compatibility of existing soils with the proposed development.

(v) General Ecology - The relation of the proposed development to the major botanical, zoological, geological and hydrological resources of the site shall be examined. Consideration of these resources adjacent to the site shall also be made where deemed appropriate by the Planning Board. Consideration shall also be given to rare or endangered species of plant and wildlife found on the site.

(b) A Transportation Element to consist of the following sub-elements:

(i) Traffic Generation - Existing traffic volume, composition, peak hour levels and street capacities shall be shown. Overall average daily traffic generation, composition, peak hour levels, and directional flows shall be estimated. The methodology used to derive these predictions shall be included.

(ii) Street Maintenance - Methods, responsibility, and projected cost to the Town shall be detailed. Coordination with the Highway Department is recommended.

(iii) Mass Transit - Consideration shall be given to the relation of the proposed development to existing mass transit (bus, rail or other modes) and how the proposed development may be served.

(c) A Public Utility Element prepared by a professional engineer registered in Massachusetts, to consist of the following sub-elements:

(I) Water Supply and Distribution - The average daily and peak demand; method to supply the buildings on the site including sizes of mains, existing and proposed; and the cost and the proposed responsibility for bearing or sharing the cost shall be detailed. Coordination with the Lunenburg Water District strongly recommended so that necessary agreements and responsibilities can be included in the study of the proposed development and its alternatives.

(ii) Sewage Treatment - The average daily and peak demand; and any unusual composition or concentration of component flows into the public system, the method to serve the buildings on the site including size of pipe, existing and proposed, the cost and proposed responsibility for bearing or sharing the cost shall be detailed. Coordination with the Board of Health, and if deemed advisable, appropriate State agencies, is strongly recommended for the reasons in (i) above.

(iii) Storm Drainage - The same requirements for the water supply and distribution sub-element shall govern.

(iv) Solid Waste - The average weekly demand; expected contents; recycling potential; on-site incineration, reduction or compaction; and method of delivery to the Town facilities shall be detailed. Coordination with the Board of Health is strongly recommended, for the reasons in (i) above.

(d) A Neighborhood and Community Element to consist of the following sub-elements.

(I) Schools - The expected impact on the school system pre-primary, primary and secondary levels, by type of housing (single-family, garden apartment, - townhouse, high rise, etc.), and by bedroom (one-bedroom, two-bedroom, etc.). The number of students; school bus routing changes if found necessary; and impact if any on parochial systems. Coordination with the Superintendent of Schools is recommended, particularly for large residential developments.

(ii) Police - The expected impact on police service, time and manpower needed to protect the proposed development; provision for special alarm or warning devices or agents and other needs shall be presented. Coordination with the Police Department is recommended.

(iii) Fire - Expected fire protection needs; on-site fire fighting capabilities; on-site alarm or other warning devices; fire-flow water needs, source and delivery

system and other needs shall be presented. Coordination with the Fire Department is recommended.

(iv) Recreation - On-site recreation provisions shall be detailed and off-site recreation demands shall be estimated. Provision for public open space, either dedicated to the Town or available to its residents shall be described. Open space available primarily or exclusively for residents or employees shall also be described. Coordination with the Park and Recreation Committee is recommended.

(v) Existing Neighborhood Land Use - Compatibility with adjacent or nearby existing land uses, or approved private development plans, if known, for adjacent or near by land use changes to occur during the life of the proposed development. If not compatible, reasons therefore shall be detailed. Consultation with the Planning Board is strongly recommended.

(e) A Socio-Economic Element to consist of the following sub-elements:

(I) Population - In residential development, the overall population; ranges in expected family size by housing type, and bedroom count; ranges in expected income and other relevant social data shall be estimated.

(ii) Low/Moderate Income Housing - In residential developments, provisions for low and/or moderate income housing shall be identified as to type of housing and bedroom count; State or Federal subsidies proposed to be applied; and indication, if any, from the appropriate agencies including the Housing Authority as to its desirability and feasibility for its location, financing, and operating subsidy.

(iii) Employment - In all non-residential developments and in large residential developments the number and types of job skills to be employed shall be detailed. This shall include both construction labor and full-time work force when the development is in operation; employment by shift; estimates as to the amount of local labor which is intended to be used; and minority-group labor opportunities. Coordination with the Development and Industrial Committee is recommended for industrial and commercial development.

(f) An Aesthetics Element to consist of the following sub-elements:

(I) Architecture - The type of style of architecture of the buildings shall be described; its relation to prevailing types of architecture for similar buildings; and its compatibility with the function of the building and to the architecture of adjacent buildings. Sketches, photos, elevations and renderings are encouraged to illustrate architectural appropriateness as well as innovation. Consultation with the Building Inspector is recommended.

(ii) Lighting - The type, design, location, function and intensity of all exterior lighting facilities shall be described. Attention given to safety, privacy, security, and daytime and nighttime appearance shall be detailed. Consultation

with the Highway Department and with the Fitchburg Gas and Electric Company is recommended.

(iii) Landscaping - Provisions for landscaping shall be described including type, location and function. Consultation with the Highway Department is recommended.

(iv) Visual - Attention given to views into the site and from the site shall be described. Included shall be long-distance views as well as to and from adjacent properties. Visual impact may be related to the preceding sub-elements concerning the overall aesthetics of the proposed development.

(g) A Master Plans Element to detail the compatibility of the proposed development and its alternatives to established plans of record of the Planning Board, Conservation Commission, Highway Department, and other Town and State agencies as applicable. If not compatible, the reasons therefore shall be detailed.

(h) A Municipal Benefit/Cost Element - A primary part of this element shall be an analysis of the net benefit or cost of the Town in dollars, as complete as is practicable. This municipal benefit/cost analysis should follow standard and usual procedures and parameters for measuring both the benefits to be derived and costs to be incurred by the Town of Lunenburg as a result of the implementation of the proposed development. It will be helpful to provide one or more benefit/cost analyses for alternative uses to provide for a basis for comparison. Except in unusual cases, or when the construction of a proposed development is scheduled to take in distinct and separate phases and each phase may be functional and operable without any or all of the others, the municipal benefit/cost analysis may assume full and complete development and occupancy. In phased development or in other unusual cases, the Planning Board may require more than one analysis (an analysis for each phase) and/or more than one environmental impact statement. This element may also estimate net benefits or costs of non-qualifiable environmental impacts.

7. The remaining three (3) sections (paragraph 5 (b) - (d) above) of the environmental statement shall be in sufficient detail to enable the Planning Board to determine whether unavoidable impacts have been fully recognized; whether alternatives to the proposed development have been fully explored; and whether all reasonable measures to minimize adverse or unavoidable impacts (or maximize beneficial impacts) have been taken.

SCHEDULE K

BOARD OF HEALTH REVIEW

Review by the Board of Health as to Suitability of the Land

At the time of filing of the Definitive Plan, the applicant shall also file with the Board of Health two (2) contact prints of the Definitive Plan, dark line on white background, together with the following information:

- a. A statement in writing concerning the status of the proposed project in relationship to the removal fill or dredge of any bank flat march, meadow or swamp bordering on any inland water. (Hatch Act - General Laws C. 131 Sec. 40.).
- b. If the disposal system is to be on site, the applicant must comply with all the provisions of the State Environmental Code, including 310 CMR 15:00 covering percolation tests. Arrangements at the applicant's cost shall be made to conduct said tests in accordance with said regulations in the presence of the Board of Health if so required. The applicant must file a written report signed by a registered professional engineer or registered sanitarian with the Board of Health within thirty (30) days of filing of the Definitive Plan, which indicates exactly the procedure used and test results and a conclusion based upon the test results concerning whether the soil conditions on each lot are suitable for the sewerage disposal purposes intended.
- c. The Board of Health reserves the right to make further and additional requirements as in its judgement it may determine to be necessary in a particular case.
- d. Failure to comply with this procedure may result in the Board of Health's disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report, and, where possible, shall make recommendations for the adjustment thereof. Every lot shall be provided with a sewerage system or sewer connection satisfactory to the Board of Health.

**RULES AND REGULATIONS
OF THE LUNENBURG PLANNING BOARD
FOR TELECOMMUNICATION AND CELLULAR TOWERS
FEBRUARY 26, 1996
AMENDED, APRIL 22, 1996
AMENDED DECEMBER 10, 1996
AMENDED OCTOBER 6, 1997
AMENDED SEPTEMBER 18, 2001
AMENDED JUNE 23, 2008**

Telecommunication and cellular towers, are subject to the following conditions to minimize the adverse visual impacts of towers including the scenic, historic, environmental and natural or man-made resources of the Town, to avoid damage to adjacent properties, to lessen impacts on surrounding properties, to lessen traffic impacts, to minimize use of towers, to reduce the number constructed and to limit emissions in order to minimize potential adverse effects on human and animal health, including attractive nuisance, noise and falling objects and regard to the overall general safety, welfare and quality of life in the community.

Standards and requirements shall be submittals, applications and procedures for approval and for regulation, placement, construction, monitoring, design, modification and removal of wireless communicational facilities. They shall provide a procedural basis for action within a reasonable period of time for requests to place, construct operate or modify wireless communication facilities, encourage use of certain existing structures and towers, minimize the total number and height of towers located within the community and require tower sharing.

1. Submittal An application for a special permit shall be filed in accordance with Section 8.0. and shall be accompanied by six (6) copies of the following:
 - a) The site plan prepared by a professional engineer at a scale of 1:40 which will show the following:
 1. Tower location, including guy wires, if any, and tower height
 2. Accessory building for switching equipment
 3. Topography
 4. Other feasible sites, if any
 5. Fencing and landscaping
 6. Access and parking
 7. Lighting
 8. Areas to be cleared of vegetation and trees
 9. Site boundaries
 10. Abutters
 11. Eight (8) view lines in a one (1) mile radius from the site, shown beginning at True North and continuing clock-wise at forty-five (45) degree intervals.
 - b) The locus map at a scale of 1:1000 which shall show all streets, bodies of water, landscape features, historic sites, habitats for endangered species within two-hundred (200) feet, and all buildings within five-hundred (500) feet.
 - c) Reports prepared by one or more professional engineers, which shall:
 1. Describe the tower and the technical, economic, aesthetics and other reasons for the tower design.

2. Demonstrate that the tower complies with all applicable standards of the Federal and State governments.
 3. Describe the capacity of the tower including the number and type of transmitter receivers that it can accommodate and the basis for the calculation of capacity.
 4. Demonstrate that the tower and site comply with this regulation.
- d) A copy of the certification received by the applicant from the Federal Communications Commission (FCC), and a written report by a certified Radio Frequency Engineer that the proposed tower complies with the FCC certification to the applicant, or that the tower is exempt from any FCC regulations. A copy of said exemption shall be submitted in writing. If such response is not received within sixty (60) days, the application will be considered incomplete. *When reviewing the application, the Board may request an extension in writing from the applicant of the statutory deadline if the Board deems it necessary to wait to review such response.*
 - e) Between submittal and the date of the advertisement of the public meeting, a balloon shall be put in place at the height of the proposed tower. The balloon shall be of a size and color that can be seen from every direction for a distance of one (1) mile. *The applicant shall provide the Planning Board 10 days advance notice for the date and time of the balloon test.*
2. Approval Site Plan Approval and a Special Permit shall be granted by the Planning Board in accordance with the (Massachusetts General Law) Massachusetts Zoning Act, and the provisions of the Bylaw relative to Special Permits.
 1. All legal documentation including a copy of the leased area between the Applicant and the Town or the private land owner shall be submitted prior to approval.
 - a) Any extension, addition of cells or construction of new or replacement towers or transmitters shall be subject to an amendment to the Special Permit, following the same procedure as for an original granting of a Special Permit.
3. Adequate Coverage Requirements
 - a) Coverage is adequate within the area served by a (base station) *an applicant's service tower* where the predicted or measured median field strength of the transmitted signal required by an applicant is such that the majority of the time, transceivers properly installed and operated will be able to communicate with the (base station) *tower* without (objectionable noise) *static* and without calls being dropped. In the case of cellular communications in a low-density area, a determination shall be made for adequate signal strength for that area as not to require (over coverage with) additional towers. It is acceptable for there to be minor temporary loss of signal within the area of adequate coverage if such loss is due to the topography or other natural or environmental hindrances.

- b) The Applicant shall provide written documentation that any facility sites in Town and/or in abutting towns or cities do not already provide or do not have the potential to provide by (site adjustment) *tower location*, adequate coverage.
 - c) The Applicant shall provide written documentation that it has examined all facility sites located in the Town and abutting Towns to determine whether those existing facility sites can be used to provide adequate coverage in portions of the Town of Lunenburg.
 - d) The Applicant shall provide written documentation that the proposed facility uses the least disruptive technology by which it can provide adequate coverage in conjunction with all facility (sites listed above) *sites referred to subsections 3.b) and 3.c) above*. Factors to be considered include aesthetics, environmental issues, noise and traffic.
4. Location and Site Requirements The tower and its appurtenances shall be located in accordance with the Federal Communication Commission (FCC) in effect at the time of construction and further that the operation shall comply with all requirements of these agencies.
- a) (Irrespective of the requirements of Section 5.0., the setback from property lines shall be a one and half minimum of a distance at least equal to the height of the tower, plus ten feet from each lot line of the site). *In addition to the requirements of Section 5, below, the setback from the property lines shall be one and a half times the height of the tower, plus ten feet from each lot line of the adjoining lots.* If an antenna is attached to an existing tower, the Planning Board will determine that the addition of the antenna does not materially (alter the basis) *change the structure* of the existing tower and no new set-back is needed. A waiver on Town owned land to allow a (less) *reduced* setback can be granted if *the Planning Board* finding that such (lesser) a *reduced* setback does not negatively impact the appearance and character of the neighborhood, *or invoke a safety hazard*.
 - b) Setback from designated wetlands, *as defined in G.L. c 131, S40*, water bodies and areas with a slope in excess of five (5) percent shall be at least one hundred and fifty (150) feet.
 - c) Distance from all existing buildings shall be at least five hundred (500) feet, unless otherwise approved by the Planning Board.
 - d) Distance between towers shall be a minimum of two and one half miles from each other unless it is determined by a qualified engineer, registered in the Commonwealth of Massachusetts, *or other qualified radio frequency expert*, that a closer proximately is needed for adequate coverage. (Town may hire a consultant to render a determination at the applicant's expense).
 - e) No tower or facility shall be placed in or within one-hundred (100) feet from a Massachusetts or Federally regulated wetland, certified vernal pool, or two-hundred (200) feet from any river or perennial stream. Determination shall be made by the Conservation Commission.

- f) No tower or facility shall be placed within a distance equal to the overall height of stealth or camouflaged facilities to any property line unless incorporated within an existing building.
- g) No tower or facility shall be placed in the front yard setbacks.
- h) Fencing shall be provided to control access to the base of the tower which fencing shall be compatible with the scenic character of the Town and shall not be of barbed wire or razor wire.
- i) Access shall be provided to a site by a roadway, which respects the natural terrain, does not appear as a scar on the landscape, and is approved by the Planning Board and the Fire Chief to assure emergency access at all times. Consideration shall be given to design, which minimizes erosion, construction on unstable soils and steep slopes. A registered copy of said area, known as 'lease area' shall be presented to the Planning Board.
- j) The Applicant shall demonstrate to the satisfaction of the Planning Board that the location of the tower is suitable and that the type, size and height is the minimum necessary for the purpose.
 - Type: Monopole, camouflaged towers, concealed, (facility within a building or other structure), stealth or any new technical tower type that is small in size and/or is an attachment to an existing building or structure, but not including fences.
 - Size: Conducive to surrounding area as not to invade residential, or scenic areas.
 - Height: In no case shall the height exceed one hundred and fifty (150) feet as measured from existing ground level at the base of the proposed tower (ex. *Example-* monopole type) or in the case of an addition or attachment to an existing structure shall the attachment be more than fifteen (15) feet higher than the existing structure, unless otherwise approved by the Planning Board.
- k) There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty-four (24) hour basis. All signs shall conform to the sign requirements of this Bylaw and shall be subject to Development Plan Review.
- l) Accessory uses shall be limited to one (1) structure per use per (tower) *antenna array or other installation on the tower and*, shall not exceed ten (10) structures per tower. If more than one (1) use, the accessory buildings may be connected by a common wall. Each structure shall not exceed four hundred (400) square feet in size and ten (10) feet in height, and shall be of the same design and color. All structures shall be compatible with the surrounding area. Determination of amenities to achieve this will be determined during the Planning Board review. On the case of a stealth type or comparable types, determination for accessory housing of accompanying apparatus will be made in the Planning Board review as to the suitability to the existing structure.
- m) Clearing shall be performed in a manner, which will maximize preservation of natural beauty and conservation of natural resources, which will minimize marring and scarring of the landscape or silting of streams.

1. The time and method of clearing right-of-ways should take into account soil stability, the protection of natural vegetation, the protection of adjacent resources, such as the protection of natural habitat for wildlife, and appropriate measures for the prevention of silt deposition in water courses.
2. Clearing of natural vegetation should be limited to that material which poses a hazard to the tower.
3. The use of "brush blades" instead of dirt blades on bulldozers is recommended in clearing operations where such use will preserve the cover crop of grass, low growing brush or other vegetation.
4. Areas should be cleared only when necessary to the operation, maintenance, and construction of the tower.

5. Development Requirements Visual impacts of the tower shall be minimized.

- a) The Applicant shall demonstrate that the proposed tower is the minimum height necessary to accommodate transmitter receiver.
- b) All towers shall be types as described in Section 4j or as approved by the Planning Board.
- c) Silver paint or a galvanized finish shall be used on the tower above the tree line to blend with the landscape. Green paint to blend with the landscape shall be used to the tree line. A cellular tower constructed within one hundred (100) feet of a Residential District shall be camouflaged.
- d) Night lighting of towers shall be prohibited unless required by the Federal Aviation Administration. Lighting shall be limited to that needed for emergencies and/or as required by the FAA.
- e) Siting shall be such that the view of the tower from other areas of Town shall be as minimal as possible.
- f) Shared use of towers is to be encouraged. When technically not practical, towers shall be separated on the site so that, if the support structure of one falls, it will not strike another.
- g) The tower shall be designed to accommodate the maximum number of uses technologically practical, and wherever practical use may be made of existing Town or suitable existing structures, (such as water towers) as determined by the Planning Board. The type of attachment should be compatible to the structure as determined by the Planning Board.
- h) There shall be a minimum of one (1) parking space for each tower, to be used in connection with the maintenance of the tower and the site, and not to be used for the permanent storage of vehicles.

6. Conditions of Use The Applicant shall be required that:

- a) Any material change or proposed change to a facility including but not limited to power input or output, number of antennas, change in antenna type or model, repositioning of antenna(s), or change in number of channels per antenna above the maximum number approved under an existing permit or special permit shall be required to seek an amendment to the present permit or apply for a new special permit.
- b) Towers shall be removed within one (1) year of cessation of use.

7. Approval Criteria Before approval, the Planning Board shall consider the following:

- a) That existing coverage is inadequate.
- b) That an existing facility site is unable to provide adequate coverage.
- c) That a proposed facility minimizes any adverse impact on historic resources, scenic views, residential property values, natural or man made resources.
- d) That a plan is presented that will implement all reasonable measures to mitigate the potential adverse impacts of proposed facilities.
- e) That the plan provides a description of existing and proposed coverage. In the case of new tower proposal, that the applicant demonstrate the inadequacy of a ten-mile radius of the proposed site of any existing site that cannot be reasonably modified to provide adequate coverage.
- f) That the applicant provide a written five-year plan for use of the proposed wireless communication facility as well as plans for additional development and coverage within the Town of Lunenburg.

8. Conditions and Terms of Approval

- a) By January 15th of each year, the service provider shall provide to the Planning Board the name of the operator, name of property owner or tenants, insurance certificates, and all emergency telephone numbers.
- b) By January 15th of each year, the service provider shall certify the structural integrity from a structural engineer and evidence of continuing compliance with the industry standards, including compliance with updates and modifications.
- c) By January 15th of each year the service provider shall supply the Planning Board data regarding the operational aspects of the facility including but not limited to the amount of power consumption, power radiation, frequency transmission, the number location and orientation of antennas and type of service provided.
- d) A Special Permit shall be valid for a fixed or conditional period of time as determined by the Planning Board for a maximum of fifteen (15) years. Said facility shall be removed by the carrier or a new Special Permit shall be required (unless facility is abandoned).

9. Performance Guarantees

- a) Insurance in a reasonable amount determined and approved by the Planning Board after consultation at the expense of the Applicant with one (1) or more insurance companies shall be in force to cover damage from the structure, damage from transmissions and other site liabilities. Annual proof of said insurance shall be filed with the Town Clerk.
- b) An annual maintenance bond shall be posted for the access road, site and tower(s). The amount will be approved by the Planning Board.
- c) Annual certification demonstrating continuing compliance with the standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute shall be filed with the Building Official by the Special Permit holder.
- d) The Applicant must post a bond with the Town to cover the cost of removal in the event that the owner does not remove the tower and any accessory structures within six months of the date that the facility ceases to be used. The Applicant shall submit, in writing to the Planning Board, notification of the date the use is terminated.

SCHEDULE N

Lunenburg Planning Board Lunenburg, Massachusetts

PLANNING BOARD POLICY CRITERIA FOR COMMON DRIVEWAY APPROVAL ZONING BYLAW, SECTION 6.4.3.4. Single Family Homes

INTENT

The intent of this section of the Bylaw is to accommodate difficult terrain and /or other undesirable impacts.

Section 6.4.3.4. clearly states that said driveways shall be located through the frontage or access strips of each lot that a common driveway will serve.

Section 6.4.3.4. b) notes that if a common driveway cannot be placed as determined in Section 6.4.3.4., a determination may be made by the Planning Board and Building Official for other acceptable locations.

A common driveway shall not be used to subvert the Rules and Regulations of the Planning Board Governing the Subdivision of Land, thus avoiding subdivision design. Said driveway should not avoid complying with the requirements of a minor street.

A common driveway shall not be designed to create irregular or convoluted lots to enable an increased number of building lots in a division of land.

A common driveway shall not be laid out in a manner that violates the topography or creates drainage problems. A common driveway shall be contained within the lots it is serving.

A common driveway design shall insure the following:

Drainage shall not occur on the access street or on adjacent lots.

The grade shall not exceed nine (9) percent.

The radius of curve shall not exceed the requirement for a minor street. (Subdivision Rules and Regulation Section 4.2.2.)

The width of a common drive shall be 12 feet wide.

The driveway width may need to be extended at intervals, as determined by the Planning Board, if necessary due to the terrain.

There shall be a leveling area where the common driveway intersects a public street or a street approved for frontage.

The maximum length of a common driveway shall be 250 feet.

The maximum length can be extended provided a turnaround suitable for all vehicles, including emergency vehicles, is provided at each residence.

The driveway shall have a paved surface, or other surfaces, as approved by the Planning Board, that shall provide a satisfactory and safe passable way year around.

Consideration shall be given to the following:

Design to the standards for a minor street.

Spacing of entrances.

Appropriate drainage design.

Disturbance to the topography.

Attainment of a covenant or similar document between parties to assure proper maintenance of the drive.

Small subdivisions as defined in Lunenburg Planning Board Guidelines by Development Type.

Review shall include a design plan study with a narrative and a site visit.

The Board will seriously consider the difficulty of the terrain through the lot frontages when considering a common driveway approval.

The above policy references Zoning Sections 6.4.3.4, 6.4.3.5., Subdivision Section 4.2.2.2., Off-Street Parking & Loading Regulations Section 2. 5. 1., and Guidelines for Granting Waivers (Schedule A of Subdivision Regulations).