

TOWN OF FREETOWN ZONING BOARD OF APPEALS

RULES AND REGULATIONS GOVERNING COMPREHENSIVE PERMITS

1.0 PURPOSE & AUTHORITY

These rules establish procedures for applications to the Freetown Zoning Board of Appeals for comprehensive permits granted under the Anti-Snob Zoning Act (Chapter 774 of the Acts of 1969). M.G.L.c. 40B, Sections 20-23. They are required by M.G.L. c. 40B, Section 21, as amended by Stat. 1989, c. 593, and by 760 CMR 30.01. The purpose of these rules is to facilitate the review and permitting of affordable housing in Freetown.

- 1.2 These rules and regulations may be adopted and from time to time amended by majority vote of the Freetown Zoning Board of Appeals members present and voting, provided such adoption or amendment is taken after a properly advertised public hearing.
- 1.3 These rules and regulations are effective when voted, and a copy filed with the office of the Town Clerk. Copies may be filed with the Bristol County Registry of Deeds and the Commonwealth of Massachusetts Land Court, with appropriate endorsements, such as:

Date of adoption:

Date filed with Town Clerk:

Amendments:

2.0 DEFINITIONS

- 2.1 *APPLICANT (or petitioner)* means the person, corporation, party, etc. who files an application or petition for a Comprehensive Permit under M.G.L. c. 40B. The applicant may include a property owner, agent, or prospective purchaser who submits certification (such as an executed purchase and sales agreement) or property interest and authority to file.
- 2.2 *BASE FLOOD ELEVATION* The "Base Flood Elevation" shall be the level of flooding having a one percent chance of being equaled or exceeded in any given year, (100 year flood) as designated on the most current Flood Insurance Rate Map (FIRM), as prepared by the Federal Emergency Management Agency (FEMA), or, in the absence of such designation, to be determined by the Planning Board based upon the best available information regarding flood hazards, including any available United States Geologic Survey, Soil Conservation Service, and Corps of Engineers studies.
- 2.3 *BOARD* means the Freetown Zoning Board of Appeals (Z.B.A.) established under M.G.L. c 40A Section 12.
- 2.4 *BRIDGE* The term "bridge" shall apply to any structure whether single or multiple span construction that spans a body of water, depression, highway or railway, and affords passage for pedestrians, or vehicles of any kind, or any combination thereof having a total length of ten feet (10') or more or a height greater than five feet.

- 2.5 *BRIDGE HEIGHT* The "height" of a bridge shall be considered from the road centerline finish grade to the finish grade below the bridge.
- 2.6 *BRIDGE LENGTH* In general, the "length" of a bridge is that distance measured horizontally along the centerline of roadway between extreme centerlines of bridge shoes or bearings, or when shoes or bearings are not used the distance between vertical faces of abutments, or spring lines of arches, or extreme ends of openings for multiple reinforced concrete boxes.
- 2.7 *CERTIFIED BY* "Certified by (or endorsed by) the Zoning Board of Appeals", as applied to a plan or other instrument required or authorized by M.G.L. c. 40B to be recorded, shall mean bearing a certification or endorsement signed by a majority of members of the Zoning Board of Appeals.
- 2.8 *CULVERT* A structure not classified as a bridge which provides an opening under the roadway.
- 2.9 *DESIGNER* Professional Civil Engineer or Land Surveyor registered to practice in Massachusetts. All work defined as professional engineering or surveying shall be done under the direct supervision of a Registered Professional Engineer or Land Surveyor.
- 2.10 *DEVELOPER* A person (as hereinafter defined) who develops a plan approved under these Rules and Regulations.
- 2.11 *EASEMENT* A right acquired by public authority or other person to use or control property for a utility or other designated purpose.
- 2.12 *LOCAL BOARD* means any local board or official, including, but not limited to any board of survey; board of health; planning board; conservation commission; historical commission; water, sewer, or other commission or district; fire, police, traffic, or other department; building inspector or similar official or board; city council or board of selectmen. All boards, regardless of their geographical jurisdiction or their source of authority (that is, including boards created by special acts of the legislature or by other legislative action) shall be deemed local boards if they perform functions usually performed by locally created boards.
- 2.13 *LOT* An area of land in one ownership, with definite boundaries. (Section 81-L of Chapter 41, M.G.L.)
- 2.14 *MONUMENT* A permanent marker to indicate a boundary.
- 2.15 *MUNICIPAL SERVICES* Sewers, water drains, water pipes, gas pipes, electrical lines, telephone lines, cable television, fire alarm systems and their respective appurtenances.
- 2.16 *OWNER* The person holding the ultimate fee simple title to a parcel, tract or lot of land, as shown by the record in the Land Registration Office, Registry of Deeds, or Registry of Probate.
- 2.17 *PERSON* An individual, or two or more individuals, or a group or association of individuals, a partnership, trust or corporation having common or undivided interest in a tract of land.
- 2.18 *PLAN* The plan as submitted (with appropriate application) to the Board for approval, to be recorded in the Registry of Deeds or filed with the Land Court when approved by the Board, and such plan when approved and recorded.

- 2.19 *ZONING BOARD AGENT* Town employee or consultant authorized by the Zoning Board of Appeals to review applications and/or administer the regulations.
- 2.20 *RECORDED* "Recorded" shall mean recorded in the Registry of Deeds of Bristol County, except that as affecting registered land, it shall mean filed with the Recorder of the Land Court. (Section 81-L of Chapter 41, M.G.L.)
- 2.21 *RETAINING WALL* A wall built to resist lateral pressure.
- 2.22 *ROADWAY* The portion of a street intended for vehicular travel.
- 2.23 *SIGHT DISTANCE*
1. The minimum distance that can be seen in all directions when stopped at an intersection from a point nine feet (9') behind the curb line, three and one half feet (3 1/2') high, observing an object four feet and three inches (4.25') high in the center of the approaching travel lanes.
2. Stopping sight distance as defined by the American Association of State Highway and Transportation Officials (AASHTO).
- 2.24 *STREET, DEAD-END* A segment of a street which only intersects another street at one end. For the purposes of this regulation any proposed street which intersects solely with a dead end street shall be deemed to be an extension of the dead end street.
- 2.25 *STREET, MAJOR* A street which, in the opinion of the Board, is being used or will be used as a thoroughfare within the Town of Freetown, or which will otherwise carry a heavy volume of traffic (generally, over fifteen hundred (1500) vehicles per day). In residential areas, volume per day shall be computed at the rate of ten (10) trips per dwelling day.
- 2.26 *STREET, MINOR* A street which, in the opinion of the Board, is being used or will be used primarily to provide access to abutting lots, and which will not be used for through traffic.
- 2.27 *STREET, PRIMARY* A street which connects two existing major streets.
- 2.28 *STREET, SECONDARY* A street intercepting one (1) or more minor streets and which, in the opinion of the Board, is used or will be used to carry a substantial volume of traffic (generally, over four hundred (400) vehicles per day) from such minor street(s) to a major street or community facility, and normally including a principal entrance street to a shopping center, industrial park, planned unit development, or a large subdivision or group of subdivisions, and any principal circulation street within such subdivision. In residential areas, volume per day shall be computed at the rate of ten (10) trips per dwelling day.
- 2.29 *SUBDIVISION* "Subdivision" shall mean the division of a tract of land into two or more lots and shall include resubdivision, and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the Town Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan therefore approved and endorsed in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in Freetown, having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such

frontage shall be of at least such distance as is then required by zoning by-law, for erection of a building on such lot. Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in Freetown into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision. (Section 81-L of Chapter 41, M.G.L.)

- 2.30 *SUBDIVISION CONTROL* "Subdivision control" shall mean the power of regulating the subdivision of land granted by the Subdivision Control Law, Chapter 41, Section 81-A through GG inclusive as hereinafter amended.
- 2.31 *TOWN* Town of Freetown.
- 2.32 *WALL* See Retaining Wall.
- 2.33 *WAY* A way is synonymous with the terms road, street, highway, and avenue, and shall denote any such line or route for passage, whether public or private.

3.0 SOURCE OF INFORMATION REQUIRED

In those cases in which the land shown on the plan is abutted by land of an owner not the owner of the land as shown, the Board may require a statement from the person who prepared the plan as to the source or sources of the information about the location of boundaries. A separate form for such statement will be furnished by the Board, see Form D, Designer's Certificate, Freetown Rules and Regulations of the Planning Board governing the Subdivision of Land, as amended.

4.0 APPLICATION FOR COMPREHENSIVE PERMITS

- 4.1 Submission of an Application. Any person who submits an application to the Zoning Board of Appeals for approval under M.G.L. c. 40B shall file with the Board or the Town Clerk the following (all items required in paragraphs 4.1 and 4.2 of this section shall be submitted for an application to be "duly submitted" in accord with the General Laws of Massachusetts):
- 4.1.1 An original reproducible drawing of the Plans and twelve (12) contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval. The Board should distribute a set of plans, Form Z, and requests of waivers to the Board of Health, Board of Selectmen, Conservation Commission, Planning Board, Highway Department, Fire Department, Police Department, Water Commission, Assessor's Office, and other Town agencies along with the notice of the Public Hearing within five (5) business days of the receipt of the application.
- 4.1.2 An original properly executed application Form Z (attached), Comprehensive Permit Application and a letter requesting waivers of all local requirements and regulations, including local code ordinances, bylaws or regulations, and twelve (12) copies of each, including the time within which the public utilities in the project shall be provided; Form D, Designer's Certificate including three (3) copies; and Form E, Certified List of Abutters including three (3) copies. Approval of all plans shall be upon the condition that all ways shown thereon and public utilities required by the Board shall be completed and installed within the time estimated by the utilities and specified by the developer. See the Freetown Subdivision Rules and Regulations, as amended, for Forms D and E. The Board shall send copies of the Forms D and E to the Board of Selectmen and Planning Board along with the plans per paragraph 4.1.1.
- 4.1.3 The applicant shall submit all required fees per Section 5.0 with the submission made to the Zoning Board of Appeals.

- 4.1.4 The applicant shall file by delivery or registered mail a complete submittal (per Section 4.0) with the Town Clerk stating the date of submission to the Board for such approval.
- 4.1.5 The applicant shall file with the Zoning Board of Appeals clerk a Municipal Lien Certificate.
- 4.1.6 The applicant shall file an original and two (2) copies of the covenant (See Form F of Subdivision Rules and Regulations, as amended) if a covenant is the method chosen by the applicant to secure the project. The ZBA shall send a copy of the covenant to Town Counsel and the Planning Board with the plans per paragraph 4.1.1.
- 4.1.7 The applicant shall file an original and four (4) copies of the Maintenance Association Agreement. The ZBA shall send a copy of the Maintenance Association Agreement to the Board of Selectmen, Town Counsel and the Planning Board with the plans per paragraph 4.1.1.
- 4.1.8 Where appropriate, the Zoning Board of Appeals may require at the expense of the applicant soil surveys and percolation tests utilizing the Department of Environmental Protection's Soil Evaluation Procedures under Title V to establish the suitability of the land for the proposed storm drainage and septic installations, and proposed street construction. Such soil surveys and tests must be filed with all of the plans.
- 4.1.9 All financial disclosure information for the project. Include all Federal, State and private funding sources.
- 4.2 Contents. The Plan shall be prepared by a professional engineer and land surveyor registered in Massachusetts and shall be clearly and legibly drawn in black India ink upon linen or mylar. The plan shall be at a scale of one inch (1") equals forty feet (40'), or such other scale as the Zoning Board of Appeals may accept to show details clearly and adequately, and shall include plans and profiles of each individual street at a scale of one inch (1") equals forty feet (40') horizontal and one inch (1") equals four feet (4') vertical. All elevations shall refer to the U.S.G.S. Datum. Sheet sizes shall be twenty-four by thirty-six inches (24" x 36") including a three quarter inch (3/4") border. All plans shall be accompanied by a sheet showing the entire project and adjacent streets and dimensions of the lots and streets and lot numbers. The Plan shall contain the following information:
- 4.2.1 A title on each sheet, appearing in the lower right-hand corner of the plan, showing the name of the project, if any; the date; scale; the names and addresses of the applicant; and the names of the designer, engineer and surveyor who made the plan.
- 4.2.2 North point on all appropriate sheets, benchmark at U.S.G.S. datum, and boundaries of the subdivision.
- 4.2.3 Location and ownership of abutting property as it appears on Form E, Certified List of Abutters unless the applicant shall have more recent knowledge of such abutters, including all abutting land owned by the applicant, and all other land within three hundred feet (300') of the boundaries of the land shown on the plan including across an existing street. A Certified List of Abutters (Form E) is required from an abutting Town if the proposed project is within three hundred feet (300') of a Town line.
- 4.2.4 Intersecting boundary lines of abutting lands.
- 4.2.5 Major features of the land, such as existing waterways, all wetlands and water bodies (per the Wetland Protection Act), rivers and riparian zones (per 310 CMR10.0), natural drainage courses, walls, fences, structures, underground structures, utilities, historic markers, milestones, bridges,

clearly defined trails, large trees, wooded areas, outcroppings and ditches which exist on or are contiguous and relevant to the site at the time of survey.

- 4.2.6 Lines of existing and proposed streets, ways, buildings, lots, lot numbers or other designation of each lot, easements (including purposes), and public or common areas within the project. (The proposed names and numbers of proposed streets and lots shall be shown in pencil until they have been approved by the Board.)
- 4.2.7 Sufficient data to determine the location, direction and length of every street and way line, lot line, boundary line, easement line, and to establish these lines on the ground. This shall include the lengths and bearings of plan and boundary lines of all project lot lines including lot frontage on the streets, of the boundary lines of all streets, easements etc., and the lengths, radii, tangents, and central angles of all curves in lot lines, street lines, easements etc. All angle points, or intersections of tangents along the street lines, shall be shown, areas of lots with sequential lot numbers and the area and frontage on public ways as set forth in Section 81-L of Chapter 41, M.G.L. of adjoining lands of the applicant not included in the project will be shown.
- 4.2.8 Location of all permanent monuments properly identified as to whether existing or proposed.
- 4.2.9 Location, names, status (public or private) and present widths of public ways or private ways bounding, approaching or within reasonable proximity (within 300') of the project, showing both roadway widths and rights-of-way widths.
- 4.2.10 Indication of all easements, covenants or restrictions applying to the land and their purposes.
- 4.2.11 If the property that comprises the project or any part or boundary thereof has been examined, approved, and confirmed by the Massachusetts Land Court, such information shall be noted on the plot with case numbers and other pertinent references to Land Court Procedure, and the same requirement shall apply to any adjoining parcels of land of the applicant.
- 4.2.12 Suitable space on every plan sheet to record the action of the Zoning Board of Appeals and the signatures of the Board, including the date of approval and the date of endorsement.
- 4.2.13 Proposed layout (including plans and profiles) of street construction, storm drainage, water supply, sewage disposal systems, and all other utilities, including details required for construction as deemed by the Board (size, grades, inverts, location by station and offset, and material type).
- 4.2.14 Existing roadway profiles drawn in fine black line for existing centerline, dotted for left and dashed for right side, and the proposed profile of the existing finished center-line drawn in thick black solid line of proposed streets at a horizontal scale of one inch (1") equals forty feet (40') and vertical scale of one inch (1") equals four feet (4'). At least two (2) benchmarks, with descriptions, are to be shown on the plans and profiles, and existing and proposed grade elevations at every 50 foot (50') station on tangents and at every twenty five foot (25') station within vertical curves. All existing and proposed intersections and sidewalks shall be shown with all proposed grade elevations calculated. The plan and profile of one (1) street only shall be drawn on each sheet.

Plan and profiles of easements are required to verify maintenance equipment accessibility.

Elevations are to be referred to as either mean sea level or zero equals mean low water as established by the Coast and Geodetic Survey. Gradient shall be shown by figures expressed in percent. Elevations and locations of vertical curve Point of Vertical Curvature's, Point of Vertical Tangency's, high points, low points, "K" values and curve lengths must be shown.

- 4.2.15 Existing and proposed topography at two foot (2') contour intervals. The Board may require additional information on abutting land, whenever it is deemed necessary, to ensure compatibility of grades and drainage. Reference benchmarks, including descriptions must be identified. The road stationing shall be shown on the grading plans.
- 4.2.16 A signed statement that all surveying conforms to Land Court Standards shall appear on the original "plot" sheets.
- 4.2.17 Boundary traverse closure tables showing the areas and precision will be supplied for all lots, streets and easements.
- 4.2.18 Location and results of soil, percolation, and water table tests using the Department of Environmental Protection Soil Evaluation procedures under Title V. Water table tests are required under all proposed drainage detention facilities and adjacent to any road cuts greater than three feet (3').
- 4.2.19 Drainage design. Existing drainage characteristics of the general area of the proposed project, and the effect of the proposed use and any proposed drainage facilities on the existing drainage characteristics, shall be included with the plan.
- A drainage plan will be prepared by a Registered Professional Engineer in the Commonwealth of Massachusetts and show existing and proposed streets, lots, two foot (2') contours, and other pertinent data; the drainage limits and acreage of the area tributary to each storm-water inlet and culvert, location and type of inlets proposed; and location, size, length, invert elevations and slope of proposed drains and culverts, structural details of inlets, manholes, pipes, headwalls, and all other drainage structures required to complete the plan shall be attached. The grading plan may be used provided that it includes all the information required. The drainage design and construction must adhere to all requirements of Section IV, Design and Construction Standards, Part D, Drainage and Runoff Control of the Freetown Subdivision Rules and Regulations as amended, and details of the drainage standards, appendix B of the Freetown Subdivision Rules and Regulations, as amended.
- 4.2.20 Location and species of proposed street trees will be shown including the location of trees to be retained as determined in the field by the Highway Surveyor.
- 4.2.21 Cross sections typical of each street, roadway and sidewalk to be constructed.
- 4.2.22 In tabular form as follows for each sheet of the project plan as submitted:
- 4.2.22.1 The total property area of the project which is being subdivided on each sheet.
 - 4.2.22.2 The total area of lot(s) included on each sheet.
 - 4.2.22.3 The total of areas dedicated for street purposes, drainage, sewer or utility easements on each sheet.
 - 4.2.22.4 The total of areas reserved for parks, schools, and other public use on each sheet.
- 4.2.23 Locus map at a one inch (1") equals two thousand feet (2000') scale with a minimum of two (2) existing streets shown.
- 4.2.24 All "plot" sheets to be stamped and signed by a Professional Land Surveyor licensed in the Commonwealth of Massachusetts and all other sheets to be signed and stamped by a Registered Professional Engineer licensed in the Commonwealth of Massachusetts.
- 4.2.25 Zoning Classification and location of any Zoning Districts boundaries that may lie within the locus of the plan. Dimensional regulations currently in effect shall also be listed including any conflicts.

- 4.2.26 Each lot shall be shown in its entirety on at least one "plot" sheet.
- 4.2.27 The following Covenant note shall be supplied on all the plot sheets if not posting other security:

**PLAN APPROVED (DATE) , SUBJECT TO COVENANT CONDITIONS
SET FORTH IN A COVENANT EXECUTED BY (APPLICANT) ,
(DATE) , AND TO BE RECORDED HERewith.**

- 4.2.28 Notice of any decisions by the Board of Appeals, Planning Board, Conservation Commission and any other Town, State, or Federal agency including but not limited to variances and exceptions, regarding the land or any buildings thereon.
- 4.2.29 Elevation and limits of the base flood.
- 4.2.30 All sheets consecutively numbered.
- 4.2.31 Location of adjacent private water supplies and septic systems within one hundred feet (100') of the projects property line.
- 4.2.32 Distance to nearest public water supply (if within two thousand five hundred feet (2500') or a Zone II or III).
- 4.2.33 Existing curb cuts within fifty feet (50') of any new proposed intersection.
- 4.2.34 Registry of Deeds block on all sheets.
- 4.2.35 A note that states: "All construction shall conform to the Rules and Regulations of the Town of Freetown Planning Board, and Water Commission and Highway Department specifications."
- 4.2.36 A Town Clerk note on each "plot" sheet that states:

**FREETOWN TOWN CLERK CERTIFICATION
I, , CLERK OF THE TOWN OF FREETOWN,
HEREBY CERTIFY THAT THIS PLAN WAS APPROVED
BY THE ZONING BOARD OF APPEALS ON . NO NOTICE OF APPEAL
WAS RECEIVED DURING THE TWENTY DAYS NEXT FOLLOWING**

DATE

TOWN CLERK

- 4.2.37 Proposed driveway locations.
- 4.2.38 Construction standard detail sheets consisting of Freetown Standards germane to the applicant's project, (See Appendices of the Subdivision Rules and Regulations, as amended).
- 4.2.39 The location of existing or proposed building(s) on the lot(s) shall be shown with the total square footage and dimensions of all buildings and building elevations and floor plans, and perspective renderings, prepared by a registered architect in the Commonwealth of Massachusetts.

- 4.2.40 A landscape plan to include the total square feet of all landscape and recreation areas, and depiction of materials to be used, and the quantity, size, methods, and species of plantings, prepared and stamped by a registered landscape architect in the Commonwealth of Massachusetts.
- 4.2.41 Percent of building lot coverage and percentage of paved (impervious) are used for parking, loading, and access within the property.
- 4.2.42 The location and description of proposed open space or recreation areas.
- 4.2.43 The application shall also furnish a narrative summary of the vital statistics of the project. Such statistics shall include: Total gross and net square footage, number of parking spaces, and estimated amounts of water consumption and sewer discharge.
- 4.2.44 Projections of down gradient concentrations of nitrogen, phosphorus, and other relevant chemicals to be disposed of on-site, at property boundaries and at other locations deemed pertinent by the Board, prepared by a Hydrogeologist or Registered Professional Engineer possessing experience and education in Water Supply Protection and Hydrology.
- 4.2.45 Any additional information which the Board may require. The Board may engage a Massachusetts Professional Engineer experienced in groundwater evaluation, hydrogeology or hazardous and toxic materials to review the application for completeness and correctness and shall require the applicant to pay for the cost of the review.

4.3 Layout and Design Guidelines:

- 4.3.1 All streets, drainage, water system, sewerage, utilities, grading, and other improvements shall be made in accordance with the Rules and Regulations governing the Subdivision of Land in the Town of Freetown, Section IV and appendixes A through E, as amended.
- 4.3.2 Fencing as required by the Board for safety and or screening.
- 4.3.3 All exterior lighting shall be limited to 15 feet in height and shall cast a maximum of eight (8) foot candles of light on the ground. Lighting shall also be directed not to blind vehicle or pedestrian traffic within or abutting the site.
- 4.3.4 All rubbish and trash containers shall be screened from view by fencing or landscaping. Said containers shall have heavy duty plastic tops to reduce noise when being serviced.
- 4.3.5 The wastewater treatment system shall meet a ten (10) parts per million (PPM) of nitrate-nitrogen limitation on the overall property.
- 4.3.6 Buildings shall be a maximum height of 2.5 stories.
- 4.3.7 For attached unit buildings the minimum setback from the property lines shall be two (2) times the height of the building. The setback between attached unit buildings shall be equal to the height of the highest building.
- 4.3.8 Utilities shall be underground, starting from the property line.
- 4.3.9 Off road parking shall be per the Freetown Planning Board's Special Permit Regulations, as amended. Additional spaces are required for office area visitors and staff.
- 4.3.10 Periodic monitoring shall be required when the site location and land use activities indicate a significant risk of contamination to the water supply, which risk shall be as determined by the Board

based upon recommendations of the Freetown Water Commission, Board of Health and Conservation Commission. Such monitoring may include analyses of water for appropriate substances and the installation of groundwater monitoring wells constructed and located as specified by the Water Commission or Board of Health. All costs shall be borne by the owner of the premises.

- 4.3.11 Drainage from loading areas for toxic or hazardous materials shall be separately collected for safe disposal. All drainage structures including outlets shall have a minimum thirty (30) foot vegetated buffer to wetlands.
- 4.2.12 Soil shall not be lowered to finished exterior grade less than five (5) feet above maximum groundwater elevation, unless technical evidence are to be provided showing to the Board's satisfaction that groundwater quantity or quality will not be detrimentally affected. Technical evidence may include, without limitation, a determination of soils and geologic conditions where evaporation/transpiration occurs.
- 4.3.13 All drainage and design construction must conform to the Department of Environmental Protection Stormwater Management Regulations.
- 4.3.14 A secondary access roadway shall be required if deemed by the Zoning Board of Appeals.
- 4.3.15 All signage shall be per the Freetown Planning Board's Special Permit Regulations, as amended
- 4.3.16 Where a public water system is located within four hundred feet (400') of a project, the developer shall connect to the public water system and the entire project shall be serviced with fire protection and potable water.

4.4 Maintenance Association Agreement

- 4.4.1 A Maintenance Association Agreement shall be submitted to the Zoning Board of Appeals, reviewed and approved of by the Town Counsel, and the Zoning Board of Appeals.
- 4.4.2 Upon approval, the Maintenance Association Agreement shall be recorded at the Registry of Deeds (or Land Court as applicable) prior to any construction beginning.
- 4.4.3 The Maintenance Association Agreement shall establish an association of all the property owners within the project that will have the authority to guarantee that all aspects of the project shall be maintained, repaired, reconstructed, etc. as needed in perpetuity assuming no "outside" or Town of Freetown assistance. Maintaining includes, snow plowing, street patching, repairing, street lights, street sweeping, catchbasin cleaning, landscaping, pipe cleaning, painting common public areas inside and outside, building maintenance, mowing, water system maintenance, sewer/septic maintenance and solid waste removal, etc.
- 4.4.4 The applicant shall make whatever initial monetary deposit as required into a special account to ensure the required funding for the Maintenance Association Agreement in perpetuity. The funds shall be deposited and the Maintenance Association Agreement shall be in full effect prior to the first occupancy permit being issued.

5.0 **FEEES**

All applications shall be accompanied to Freetown by two certified checks made payable to the order of the Town of Freetown. One check shall be for Administrative fees and the second check shall be submitted as Consultant Review Fees and shall be deposited by the Town Treasurer into an individual special account. Any additional payments required shall be made within thirty (30) days of the billing date.

5.1 Administrative Fee

The administrative filing fee for a comprehensive permit shall be fifty dollars (\$50.00) per dwelling unit or a minimum of two hundred sixty dollars (\$260.00), whichever is greater plus an additional \$0.50 (50 cents) per foot of road to be constructed and five dollars (\$5.00) for every abutter submitted on the Form E Certified List of Abutters (See Subdivision Rules and Regulations, as amended). Additional costs incurred by the Board for advertising and sending notice to abutters by certified mail shall be borne by the Applicant. Approval and endorsement will be withheld from plans with improper filing fee payment.

5.2 Consultant Review Fee/Special Account

The fees of any professional consultants engaged by the Board to evaluate and provide information on Comprehensive Permits shall be borne by the applicant, as provided by pursuant to M.G.L. Chapter 44, Section 53G.

5.2.1 When reviewing an application for, or when conducting inspections in relation to an application, the Board shall obtain the assistance of outside consultants if warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town lacks the necessary expertise to perform the work related to the application. The Board shall require that applicants pay a "project review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of a proposed project.

5.2.2 In hiring outside consultants, the Board may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances/bylaws, good design principals and regulations. Such assistance may include, but not limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decision or regulations, or inspecting a project during construction or implementation.

5.2.3 Funds received by the Board pursuant to these regulations shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose. Failure of an applicant to pay a review fee prior to the public hearing being closed shall be grounds for denial of the application.

5.2.4 At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

5.2.5 Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen. Such appeal must be made in writing and may be taken only within 20 days after the Zoning Board of Appeals has mailed or hand delivered notice to the applicant of the selection. The grounds for such appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In

the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Board shall stand.

5.2.6 The technical/legal review deposit shall be two hundred and fifty dollars (\$250.00) plus fifty dollars (\$50.00) per dwelling unit or unit or one dollar (\$1.00) per linear foot of roadway, whichever is greater shall be submitted with the application and used as compensation to a qualified consultant. Surplus funds are to be returned to the applicant. However, if the account is depleted prior to the technical review completion, the applicant will be required to supplement the account in an amount that the Board may feel is reasonably necessary to complete the review. Failure by the applicant to make the above referenced filing deposit prior to the closing of the public hearing, or supplementary deposit within ten (10) days of the request, shall be justification for project disapproval.

5.2.7 All applications shall be accompanied by a check payable to the order of the Town of Freetown.

6.0 REVIEW, PUBLIC HEARING AND DECISION

6.1 Before taking any action to approve, modify and approve or disapprove a Comprehensive Permit, the Board shall hold a hearing at which parties in interest shall have an opportunity to be heard (in accordance with M.G.L. Chapter 40A, Section 11), in person or by agent or attorney. Notice of the time and place of such hearing and the subject matter (in accordance with M.G.L. c40A, Section 11), sufficient for identification shall be published in a newspaper of general circulation in the Town of Freetown once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days and the second not less than seven (7) days before the date of the hearing and by mailing a copy of such advertisement to the applicant and to all owners of land abutting the land and all owners of land within three hundred feet (300') of a property line of the land shown on the plan as shown on the most recent tax list, including across an existing street.

6.2 Review by Other Town Agencies:

Prior to its formal review, the Zoning Board of Appeals should distribute copies of the plans, etc. (within five (5) business days of the receipt of the application) per Section 4.1. The Departments, Commission and Boards shall have thirty (30) days to review and submit first round written comments to the Board.

The applicant shall resubmit new information if requested (one (1) original and twelve (12) copies) to the Zoning Board of Appeals and the ZBA should redistribute said information within five (5) business days per Section 4.1. The Departments, Commissions and Boards shall have thirty (30) days to review and submit new comments to the Board.

6.3 The Board shall properly advertise and open a public hearing on the application within thirty (30) days of its receipt unless such time period is extended by written agreement of the Board and the applicant. It may request the appearance at the hearing of such representatives of local officials as it considers necessary or helpful in reviewing the application. In making its decision, the Board shall hear all interested parties both for and against and shall take into consideration the recommendations of local officials.

6.4 The Board shall render a decision, based on a majority vote of the Board, within forty (40) days after termination of the public hearing, unless such time period is extended by written agreement of the Board and the applicant. The hearing is deemed terminated when all public testimony has been received and all information requested by the Board has been received.

6.5 The Board may dispose of the application in the following manner:

- a. approve a comprehensive permit on the terms and conditions set forth in the application,
- b. deny a comprehensive permit as not consistent with local needs or these regulations, or

- c. approve a comprehensive permit with conditions that do not render the construction or operation of such housing uneconomic.

7.0 APPEALS

- 7.1 If the Board approves the comprehensive permit, any person aggrieved may appeal within twenty (20) days and to the court provided in M.G.L. c40A S.17.
- 7.2 If the Board denies the comprehensive permit or approves the permit with unacceptable conditions or requirements, the applicant may appeal to the Housing Appeals Committee as provided in M.G.L. c. 40B S.22 within twenty (20) days.
- 7.3 Recording:
 - 7.3.1 No comprehensive permit shall take effect until a copy of the approved plan endorsed by the Board, bearing the certification of the Town Clerk, that twenty (20) days have elapsed after the filing of the decision and no appeal has been filed, and all requisite documents (covenants etc.) are recorded in the Registry of Deeds or Land Court (if applicable) and is indexed under the name of the record owner of the land.
 - 7.3.2 The applicant shall file all approved plans, documents, covenants, etc. at the Registry of Deeds or Land Court if applicable, and shall notify the Board in writing, presenting evidence of the recording of the plan and the documents. The Building Inspector shall not issue any building permits for the project until evidence of the recording of the plans, documents, and covenants have been received by the Board. The Applicant shall deliver to the Board one (1) copy of the approved and recorded Definitive Plans, and a copy of an affidavit filed by the owner stating that the title to the premises shown on said plan and appurtenances thereto are in the name of the applicant and free of all encumbrances or with encumbrances as set forth. Failure to do so within six months will permit the Board to vote to rescind said plan.

8.0 PERFORMANCE GUARANTEE

- 8.1 Before endorsement of its approval of the Plan by the Zoning Board of Appeals, the applicant shall agree to complete the required improvements (construction of ways, site work, buildings, and installation of municipal services) specified for the entire project on the approved plans, documents, etc., such construction and installation to be secured on one or in part by one and in part by the other, of the following methods which may from time to time be varied by the applicant:
 - 8.1.1 Final Approval with Covenant. The applicant shall file a Covenant (see Form F, Subdivision Rules and Regulations as amended), executed and duly recorded by the owner of record, running with the land, whereby such ways and services as shown on the approved plans, documents, etc. not covered by bond or deposit under 8.1.2 hereof, shall be provided to serve any lot or portion of the project before such lot may be built upon or conveyed, other than by mortgage deed.
 - 8.1.2 Final Approval with Bonds or Surety. The applicant shall either file a performance bond or a deposit of money or negotiable securities or bank passbook in an amount determined by the Zoning Board of Appeals to be sufficient to cover the cost of all or any part of the improvements specified in the plans, etc. not covered by a Covenant under 8.1.1 hereof. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Town Treasurer and shall be contingent on the completion of such improvements within a reasonable time period specified by the Board.

- 8.1.3 The period for completion in 8.1.1 and 8.1.2 may be extended by the Board at the written request of the applicant accompanied by satisfactory proof that such extension is necessary and in the public interest.
- 8.1.4 If said performance guarantee shall lapse before completion and certification of final inspection by the Board, a new guarantee shall be filed expeditiously by the application/controller of the land and/or project.
- 8.1.5 Sum of bond shall be determined by the engineer or engineers as set forth by the Z.B.A. to be the total cost of roadways, septic system, parking areas, municipal services and such estimated by our engineer and shall include a fifteen percent (15%) contingency.

9.0 ADMINISTRATION

- 9.1 After endorsement the applicant will supply to the Board all of the approved plans on computer disk compatible with AutoCad, Version 12.
- 9.2 Approval of the Plan does not constitute the laying out or acceptance by the Town of streets shown on the plan.
- 9.3 If the ways in any subdivision or project are not completed and the utilities aforesaid are not installed within the time so agreed to by the applicant or so required by the Board, any such bond may be enforced and any such deposit may be applied by the Board for the benefit of the Town. Ways, site work, buildings or portions thereof not completed within the time required shall thereafter be completed in accordance with the design and construction standards of the Board in effect upon the expiration of such time.
- 9.4 The endorsement of the plan approval by the Board shall be valid for a period of four (4) years from the date of said endorsement. Beyond four (4) years following the date of endorsement of the Plan, any undeveloped areas must conform to the current Protective By-Laws and the Rules and Regulations of the Town of Freetown, as amended.
- 9.5 The period for completion in 8.1.1 and 8.1.2 may be extended by the Board at the written request of the applicant accompanied by satisfactory proof that such extension is necessary and in the public interest.

10.0 RELEASE OF PERFORMANCE GUARANTEE

- 10.1 Upon the completion of ways, site work, buildings and the installation of municipal services in accordance with these Rules and Regulations, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant may send by registered mail to the Town Clerk a written statement in duplicate that the said construction or installation in connection with which such bond, deposit or covenant has been given, has been completed in accordance with said Rules and Regulations, such statement to contain the address of the applicant, and said Clerk shall forthwith furnish a copy of said statement to the Zoning Board of Appeals. If the Zoning Board of Appeals determines that said construction or installation has been completed, it shall release the interest of the Town in such bond and return the bond or deposit to the person who furnished the same, or release the covenant by appropriate instrument, duly acknowledged, which may be recorded.

Final Release of Performance Guarantee will not be made until an As-Built plan and an Acceptance Plan (if applicable and requested by the Zoning Board of Appeals) meeting this Section are submitted, reviewed, all construction work deemed acceptable and a revised As-Built, and/or an Acceptance Plan (meeting this Section) submitted if any field corrections were deemed required.

- 10.2 If the Board determines that said construction or installation has not been completed, it shall specify to the applicant, in writing the details ("Punch List"), wherein said construction and installation fails to comply with its Rules and Regulations and do so within forty-five (45) days after the receipt by said Clerk of said statement. Said "Punch List" items shall be completed within a six (6) month period. Upon failure of the Board to act on such application within forty five (45) days after the receipt of the application by the Town Clerk all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void. In the event that said forty-five (45) day period expires without such specification, or without the release and return of the bond or return of the deposit or release of the covenant acknowledged, the Town Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.
- 10.3 **A Utility As-Built Plan prepared by a Professional Land Surveyor licensed in the Commonwealth of Massachusetts, will be supplied by the applicant (on mylar and twelve (12) contact prints), for review by the Zoning Board of Appeals. The Zoning Board of Appeals after consultation with the Planning Board, Highway Surveyor, Conservation Commission, Building Inspector, and Water Commission shall approve the work (within thirty (30) days of the As-Built submission) before any bituminous concrete is installed. If any construction modifications are required they also will be performed, a revised Utility As-Built submitted, reviewed (within thirty (30) days of the As-Built submission) and approved by the Board prior to any bituminous concrete being installed. The Utility As-Built Plan must meet all applicable criteria of Section 10.4 above. All applicants must plan ahead sufficiently to allow adequate time for the Board(s) review and approval.**
- 10.4 The applicant shall file with the Zoning Board an As-Built plan, prepared by a Professional Land Surveyor licensed in the Commonwealth of Massachusetts, on mylar and on a computer disk compatible with AutoCad, Version 12 of the completed street or streets, utilities and easements together with proper legal descriptions for initiating an article in the Town Warrant pursuant to the acceptance of the ways by the Town Meeting (if applicable) and shall grant a deed to the Town of the streets, utilities and easements, as contained in the plan said deed to be recorded by the Town upon acceptance of the streets by the Town Meeting (if applicable). Eleven (11) contact prints must also be supplied.
- 10.5 The As Built plan will meet the following criteria:
- 10.5.1 Scale one inch (1") equals forty feet (40')
- 24" X 36" sheets
 - Index plan at one inch (1") equals one hundred feet (100') or otherwise approved by the Board.
 - A signature block for the Zoning Board of Appeals to sign when the road construction and as-built plan are complete and acceptable.
 - Professional Land Surveyor's stamp and signature
 - Lot numbers
 - Name of subdivision
 - Name of street(s)
 - Date
 - Name of owner
 - Name of applicant
 - Name of engineer
 - North point and reference
 - Bench marks
 - Locus map (1"=2000')
 - Intersecting boundary lines of abutting land

- 10.5.2 All necessary bearings, lengths of lines and radii, tangents, arc lengths, and central angles of curves of all lot lines, street lines and boundary lines, etc. needed to adequately describe but not limited to the following:
- streets
 - ways
 - lots
 - easements
 - common or public areas
- 10.5.3 Sufficient data to determine the locations, elevation, direction and length of:
- streets
 - ways
 - lot lines
 - boundary lines
 - pavement and right of way widths
 - location of permanent monuments
 - location and names of streets intersecting the subject area
- 10.5.4 Locations of the following (station and offset where appropriate):
- storm drains and all appurtenances
 - water mains and all appurtenances
 - sewer mains and all appurtenances
 - other underground and above ground utilities (electric, telephone, gas, etc.) and all appurtenances.
 - hydrants
 - water services, gate valves and sewer services including ties to buildings and other permanent structures.
 - street signs
 - headwalls
 - wheelchair ramps
 - guardrails
 - curbing and/or berms
 - edge of pavements
- 10.5.5 Sizes and material type of the following:
- storm drains
 - water mains
 - sewer mains
 - gas mains
- 10.5.6 Rim and invert elevations of the following:
- storm drains
 - sewer mains
- 10.5.7 Sidewalks and driveways.
- 10.5.8 U.S.G.S. elevation datum.
- 10.5.9 U.S.G.S. bench marks.
- 10.5.10 Original datum bench mark described.
- 10.5.11 Rates of gradients for drainage and sewer mains.
- 10.5.12 Roadway centerline stationed.
- 10.5.13 Offsite easements shown and completely described.
- 10.5.14 Profiles should meet the following requirements:
- Horizontal scale: 1"=40'
 - vertical scale: 1"=4'
 - Proposed center line grades-heavy line

Grade elevations at 50' stations
Locations of the following (station and offsets as appropriate):
 storm drains and all appurtenances
 sewer mains and all appurtenances
 headwalls

Sizes and material type of the following:
 storm drains
 sewer mains

Rims and inverts of the following
 storm drains
 sewer mains

U.S.G.S. elevation datum
Rates of gradients for drainage and sewer mains.
Roadway centerline stationed.
Off street easements shown with all utilities.

10.6 At the time the street or way or portion thereof is ready for acceptance (if applicable) and to facilitate acceptance by the Town of Freetown, the developer shall have prepared and certified by a Professional Land Surveyor licensed in the Commonwealth of Massachusetts, a "Plan of Acceptance" that meets the following criteria:

10.6.1 Scale: 1"=40'

10.6.2 North Arrow and reference

10.6.3 They must be supplied on the original material (linen or mylar) along with two sets of sepia prints and eleven sets of contact prints.

10.6.4 24" x 36" sheets

10.6.5 Street name

10.6.6 3 1/2" by 3 1/2" registry block

10.6.7 Certification and stamped by a Professional Land Surveyor licensed in the Commonwealth of Massachusetts.

10.6.8 Locus map

10.6.9 Location of all monuments

10.6.10 Dimensions of streets (widths, areas, etc..)

10.6.11 All necessary bearings, lengths of lines and radii, tangents, arc lengths, and central angles of curves of all street lines and boundary lines, etc. needed to adequately describe but not limited to the following:
 streets
 ways
 easements
 common or public areas

10.6.12 Ownership of abutting lots

10.6.13 Lot lines within one hundred feet (100') of the street right-of-way and/or easements

10.6.14 The acceptance plan must be recordable at the Registry of Deeds or Land Court as applicable.

10.6.15 A signature block for the Planning Board to sign when the road is acceptable for acceptance by the Town of Freetown.

10.6.16 A blank space (4" x 8") shall be provided on the lower right hand corner on the plan for a title block to be filled in by the developer. The Surveyor shall place a certification on the plan stating "The street (or way or portion thereof) is laid out and the bounds have been set as shown on this plan" and shall be dated, signed and the surveyor's stamp affixed thereon. The plan shall be submitted to the Board of Selectmen.

11.0 SEVERABILITY OF PROVISIONS

The provisions of these Rules and Regulations are severable. If any provision of these Rules and Regulations is held invalid, the other provisions shall not be affected thereby. If the application of these Rules and Regulations, or any of its provisions to any person or circumstances is held invalid, the application of these Rules and Regulations and their provisions to other persons and circumstances shall not be affected thereby.

12.0 WAIVER OF COMPLIANCE

Full compliance with these Rules and Regulations may be waived by the Zoning Board of Appeals provided such waivers are deemed to serve the public interest and are not conflicting with M.G.L. Chapter 40B. Requested waivers (original and twelve (12) copies) shall be submitted in writing at the time of the application.

13.0 VIOLATIONS

Written notice of any violations of this regulation shall be provided by the Building Inspector to the owner of the premises, specifying the nature of the violations and a schedule of compliance, including cleanup of any spilled materials. This compliance schedule must be reasonable in relation to the public health hazard involved and the difficulty of compliance. In no event shall more than thirty (30) days be allowed for either compliance or revitalization of a plan for longer-term compliance. In the enforcement of this regulation, the Building Inspector shall notify the Board of Health, Zoning Board, Planning Board and Conservation Commission of any violations.

14.0 MODIFICATION OF COMPREHENSIVE PERMIT

Any request for a modification of the land covered by the approved permit shall be governed by the regulations then in force. Such modification shall show clearly the areas being replatted and the reference number(s) of all previous plans of these same areas, together with filing dates. Plans shall clearly indicate previously existing lot lines by dashed lines. These lines shall be clearly identified with proper notations. Petitions for modification must be submitted per Section 4.0 of this regulation.

15.0 BUILDING PERMIT

No building shall be erected within the project without written permission from the Zoning Board by release of covenant, bond, or securities resulting from the fulfillment of developed obligations.

The Building Inspector shall not issue any permit for the erection of a building until he is first satisfied that the lot on which the building is to be erected has sufficient access (as determined by the ZBA in consultation with the "Inspection Team" {see section 16} and the Planning Board). No occupancy permits shall be issued until the above paragraph is met, all binder course asphalt is installed and sufficient securities are being held by the Board to ensure the completion of the project.

16.0 INSPECTION NOTICES

The developer shall notify the individual members (as applicable) of the "Inspection Team" at least 48 hours prior to the time at which each one of the required inspections should take place. The inspection team includes (but not limited to) the Building Inspector, Wiring Inspector, Plumbing Inspector, Highway Surveyor, Gas Inspector, Water Commission, Engineer designated by the Board and anyone else designated by the Board. The developer shall provide safe and convenient access to all parts of work for inspection by the inspection team, Board members or agents. **No work shall be approved that has been backfilled before the required inspection.**

To assure compliance, the following procedure must be followed:

- 16.1 The developer must notify each member of the inspection team and the Board in writing seven (7) days before the start of construction.
- 16.2 The developer must notify the Highway Surveyor, Water Commission and Electrical Inspector (as applicable) and the engineer designated by the Board when underground utilities and drainage are installed in order that inspection may be carried out before any backfilling is done.
- 16.3 The subgrade must be approved by the Highway Surveyor and the engineer designated by the Board before the application of the gravel base course.
- 16.4 The gravel base course must be approved by the Highway Surveyor and the engineer designated by the Board before the application of bituminous concrete (street or sidewalk). A Utility As-Built Plan (per Section 12.0) shall also be submitted, reviewed and approved by the Zoning Board of Appeals before the application of bituminous concrete (street or sidewalk).
- 16.5 The developer must notify the Highway Surveyor and the engineer designated by the Board forty-eight hours (48) prior to the start of each application of bituminous concrete on the street and sidewalk and of placement of curbing.
- 16.6 The developer must keep the Highway Surveyor and the engineer designated by the Board informed when materials and other items of work are ready for inspection such as the installation of bounds, loam and seeding, and general cleanup.
- 16.7 The developer is responsible to ensure that every aspect of construction of the project is inspected by the appropriate municipal official prior to backfilling or covering said inspection item. Any items not inspected shall not be accepted. The developer shall be required to uncover all covered work for municipal inspection.
- 16.8 Approval of the work completed, to the satisfaction of the Board, including approval of materials used, for each of the inspected items must be granted prior to the continuance of subsequent work activities.
- 16.9 A deposit of one thousand dollars (\$1,000.00) plus five dollars (\$5.00) per linear foot of roadway (center line measurement) shall be posted in advance of any construction activity in the project. These funds are to be used as compensation for site visits, construction inspections, meetings attended and administrative responsibilities tended to, by a consultant, on behalf of the Zoning Board. Said funds are to be held in a

special account by the Treasurer and disbursed under the direction of the Zoning Board to a qualified consultant as provided by Chapter 593, Acts of 1989, pursuant to MGL Chapter 44, Section 53G. Unexpended funds will be returned to the owner upon satisfactory completion of the project; conversely, should the funds prove to be insufficient, the owner will be required to supplement the account with additional deposits.

FORM Z
TOWN OF FREETOWN
APPLICATION FOR APPROVAL OF COMPREHENSIVE PERMIT PLAN

Date: _____, _____

To the Zoning Board of Appeals of the Town of Freetown:

The undersigned, being the applicant as defined under Chapter 40B, Sections 20-23, for approval of a proposed comprehensive permit shown on a plan entitled _____

By: _____

Dated: _____ and described as follows: located: _____

Assessor's Map Number: _____ Lot number _____ Book _____

Page _____ Purchase date of property _____, Number of lots

proposed _____, total acreage of tract _____

Frontage _____ Depth _____ Lot Area _____ (Square Feet)

total feet of proposed roadway _____, hereby submits said plan in accordance with the Rules and Regulations of the Freetown Zoning Board of Appeals and makes application to the Board for approval of said plan.

The undersigned title to said land is derived from _____ by deed dated _____ and recorded in the Bristol County Registry of Deeds Book _____, Page _____ registered in the _____ Registry of Land Court, Certificate of Title No. _____; and said land is free of encumbrances except for the following _____

Have you previously filed an application with the Zoning Board of Appeals for this property? _____

If so, what was the filing date? _____ File Number? _____ Hearing Date? _____

What is the Federal funding source or sources? _____

What is State funding sources? _____

Are there any other funding sources? _____

Do you have a letter of support from the selectmen? _____

Please attach copy of the Selectmen letter of support. _____ Date of letter? _____

The undersigned hereby applies for the approval of said plan by the Board, in belief that the plan conforms to the Board's Rules and Regulations. Permission is hereby granted to the Zoning Board of Appeals or any other municipal official or their agent, acting on official business, to enter and inspect the premises.

NOTE: APPLICANT OR DESIGNEE MUST BE PRESENT AT ZONING BOARD HEARING!

ALL STATEMENTS MADE HEREIN, ARE UNDER THE PAINS AND PENALTIES OF PERJURY AND ARE CORRECT. SIGN BELOW AFTER READING THE PERJURY STATEMENT. (FALSE STATEMENTS SHALL BE CAUSE FOR REVOCATION OF THIS PERMIT, AND IT WILL BECOME NULL AND VOID!)

Applicant's signature _____
Print applicant's name _____
Applicant's address _____

Applicant's phone _____
Applicant's Fax _____
Owner's signature and address if not the applicant or applicant's authorization if not
the owner _____

Received by Town Clerk

Date _____

Signature _____

A DETAILED DRAWING WITH ALL DIMENSIONS, TO SCALE, AND ALL OTHER SUBMITTAL REQUIREMENTS UNDER SECTION 4.0 OF THE ZONING BOARD OF APPEALS COMPREHENSIVE PERMIT REGULATIONS, MUST BE ATTACHED TO THIS APPLICATION AT THE TIME IT IS FILED. (There must be twelve (12) copies enclosed.)