



## RULES AND REGULATIONS

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### 974 CMR 3.00 SITE PLAN

#### 3.02 : Requirements

1. Site Plan Review is required when a proposed project involves one or more of the following:
  - (a) Construction of a new building, regardless of land use;
  - (b) Extension or increase in the area of a nonconforming use in an existing building;
  - (c) Construction or expansion of a parking lot, structure, or loading dock;
  - (d) Construction of an ancillary building on-site (denoting use for storing equipment, maintenance supplies, and similar items, or for housing building systems equipment), if the building contains more than 800 square feet of gross floor area; and
  - (e) Construction of a project that will result in changes to the existing land surface area of 10% or more of the lot size, or that will disturb one acre or more. This includes disturbances of less than one acre that are part of a larger common plan of development that will disturb one acre or more.
  - (f) Construction or improvement(s) of Streets and/or Roads in conjunction with residential developments
2. **Submission Requirements.** When the Site Plan is submitted with other Unified Permit components, submission of duplicate information shall be minimized. Specific submission requirements shall be established by the Director during the scoping session prior to the pre-permitting conference. An Applicant for Site Plan review shall file the following:
  - (a) A completed Permit Submission form.
  - (b) The required Administrative and Peer Review Fee.
  - (c) Seven (7) copies of the Site Plan, unless another number of plans has been specified by the Director. A digital copy of the Site Plan and all supporting information shall also be provided, in a format approved by the LUA.
  - (d) A List of Abutters, certified if abutters are not located in Devens and a sketch plan showing the proximity of the abutters to the site.
  - (e) Stormwater management design and accompanying drainage calculations and Stormwater Operations and Maintenance Plan prepared by an Engineer in accordance with 974 CMR 3.04(4) and 974 CMR 4.08.
  - (f) Request for Determination of Applicability (RFD) or a Notice of Intent (NOI) shall be submitted in accordance with Article XII of the By-Laws and 974 CMR 1.05.
  - (g) Copies of all existing Easements, covenants, restrictions and Institutional Controls applying to the lot.
  - (h) Soil suitability tests and analysis.

- (i) A list of Waivers requested by the Applicant, identified as Waivers of Submission and Plan Form and Contents requirements or Design Standards, with the applicable section of the Regulations clearly identified or a statement that no waivers are being requested.
- (j) Copy of any variance applying to the land, granted or filed concurrently with the Site Plan.
- (k) A narrative demonstrating compliance with the Reuse Plan and By-Laws meeting the specifications of 974 CMR 1.02.
- (l) If proposed by the Applicant, a plan for the phasing of the construction of the required improvements, including a description, schedule, and plan showing the location of each phase.
- (m) A written statement of compliance with the Devens Open Space and Recreation Plan (DOSRP) and the Devens Main Post Trails report dated July 2001, to determine the effects, if any, of proposed development on Resource Areas, proposed trail Rights-of-Way, active and passive recreation areas, and other amenities included in the DOSRP.
- (n) If an Applicant proposes parking lot construction phasing, a written statement demonstrating that the portion to be constructed is sufficient for the needs of the users of the proposed structure, comparing the number of spaces required by the By-Laws to the number the Applicant believes are adequate, written certification that no building or permanent accessory structure will be placed on the area reserved for additional parking spaces, and a draft covenant that the parking will be built when the DEC determines it is required.
- (o) An estimate of the number of vehicle trips daily and for the morning and evening peak periods (trip generation rates shall be based on the ITE "Trip Generation Manual" most recent edition, and, if applicable, data about similar developments in Massachusetts) and a description of traffic mitigation measures proposed including traffic management plans, trip reduction methods, and car/vanpooling preferential parking. The LUA may require a traffic study. In all cases, Applicants shall provide a written statement agreeing to participate in the Devens Transportation Demand Management Program (TDM) to reduce single occupancy vehicle trips and promote alternative forms of transportation.
- (p) An erosion and sedimentation control plan as per 974 CMR 3.04(4) and the Devens Stormwater Pollution Prevention Plan.
- (q) A landscape treatment maintenance and water management plan as per 974 CMR 3.04(8)(m).
- (r) A narrative demonstrating compliance with the Industrial Performance Standards.
- (s) The sustainable sites section of US Green Building Council LEED™ Green Building Rating System™ Checklist (<http://www.usgbc.org/>) most recent version, the remainder of the completed checklist to be submitted when the building permit application is submitted. For residential projects, Applicants shall submit a completed copy of the most recent version of the LEED for Neighborhood Development Checklist (all sections at time of application).
- (t) Building elevations or perspectives of those portions of the building visible from Streets and residential and open space zoning districts showing the general appearance, massing, building materials, proposed colors, and relationship to abutting premises, and, prior to the Public Hearing, the design review letter from Mass Development.
- (u) Building design review materials and if located within the Viewshed District, viewshed impact analysis.
- (v) All Slope Resource Areas as identified in 974 CMR 3.06 Appendix B Figures (13) Figure M within the proposed plan area shall be shown on the site plan.

- (w) Climate change mitigation, adaptation and greenhouse gas emissions mitigation measures in accordance with the requirements of 974 CMR 4.11.
- (x) Residential projects shall comply with the applicable provisions of 974 CMR 2.04, 2.06 and 2.07, 974 CMR 5.00, and include the following:
1. Location and proposed uses of Open Space and a narrative demonstrating compliance with the DOSRP.
  2. List the number of Single, Two-Family, and Multi-Family Dwelling Units, whether they are rental and or for sale, and the number of bedrooms for each Dwelling Unit.
  3. Show on a plan, the location of each type of Dwelling Unit.
  4. Provide model drawings of all housing styles.
  5. List the number and style of Moderate-Income Dwelling Units and show where they will be located.
  6. Provide a narrative and plans of methods (including traffic calming measures) to be used to foster the creation of a Universal Design, pedestrian and bike-friendly community, to control truck and non-resident traffic through the development, and to control vehicle operating speeds at or below the design speed limit(s).
- (y) All project submittals subject to DEC review shall require the stamp and signature of a registered Professional Engineer in the Commonwealth of Massachusetts certifying that the project complies with the requirements of 974 CMR 3.04(4), Stormwater Management Design Standards, and 974 CMR 4.08. General: Stormwater Management.

### 3. Plan Form and Contents.

- (a) **Surveying and Drafting Plan Requirements.** The Site Plan shall be 24" x 36" and at a scale of 1" = 40', unless an alternative scale is authorized by the Director. The Site Plan must comply with 974 CMR 2.04(3), Plan Form and Contents, and conform to the Registry of Deeds requirements for recording. The Site Plan must also show:
1. The names and addresses of the record owner of the land and the Applicant and the name, seal, and address of the designer, Engineer, Surveyor, and Registered Landscape Architect who made the plan, all of which shall appear in the lower right-hand corner.
  2. The name of the development, scale, date of plan, and legend.
  3. A locus plan indicating the general location of the site in relation to all adjacent and nearby roads, railroads, and waterways.
  4. Ties from the development site to the nearest town and county bounds if within 1000' of the site. Bearings and curve data/distances of all lot lines, names of all adjoining property owners as they appear in the most recent tax list, and the location of Easements, Rights-of-Way, and public and private ways.
  5. Devens Parcel ID number, if available.
  6. Topography for the entire site in 2' intervals with contours and principal elevations of significant existing and proposed features related to the National Geodetic Vertical Datum (NGVD) of 1929. Existing contours shall be shown as dashed lines and, along with all other existing features, shall be screened. Proposed contours are to be shown as solid lines.
  7. A space for the DEC's endorsement of the Site Plan by a majority of the members of the DEC on the front sheet and space for the chairperson or designee to sign all other sheets.
  8. Lines of existing abutting Streets and Roads showing drainage and driveway locations and curb cuts.
  9. ~~Surveyed property lines showing distances and monument locations, all existing and proposed Easements, Rights-of-Way, utilities and other encumbrances, the size of the~~

~~10.9.~~ entire parcel, and the delineation and number of square feet of the land area to be disturbed.

(b) **Administrative Plan Requirements.** The Site Plan shall also include:

1. Zoning district(s) and any boundary of zoning districts within the site, along any existing or proposed lot line, or within 50 feet.
2. The location, dimensions (including height), and general use of all existing and proposed buildings and structures to remain, including ground coverage, gross floor area, open area uses, and other facilities and improvements. Location of buildings existing on the site to be developed and on adjacent land under the same ownership within 500' of the lot line, indicating whether existing buildings are to be retained, modified or removed.
3. A statement noting the area of the site, the percentage of the site to be covered by impervious surfaces (such as buildings and parking areas), the area to be devoted to open space, the area to be paved for Streets, Roads, parking, driveways, loading spaces, and sidewalks, the number of proposed parking spaces and the number required by the By-Laws, the number of employees expected per shift, and the gross floor area of each proposed (commercial, industrial, office, or other) use. This data shall be tabulated to show the relationship of the required versus the proposed quantities.
4. Existing and proposed Front, Side, and Rear Yard setback dimensions.
5. Driveways, parking lots and loading docks, showing entrances and exits designed for safe ingress and egress, curb cuts, layout of parking spaces, aisles, off-street loading facilities, pedestrian walks, bicycle racks or storage facilities, handicap ramps, and representative cross-sections of service and parking areas and driveways.
6. Landscape Treatment:
  - a. Existing and proposed landscape features such as street trees, fences, walls, planting areas, wooded areas, and walks. Scattered trees to be preserved shall also be shown as well as all "specimen trees" (trees exceeding a minimum caliper of 12" within 100' of existing or proposed lot lines have been identified and indicated on the plan. All existing landscape features, especially existing trees and woodland to remain, shall be shown on ALL site plan sheets, such as site preparation and demolition, layout, grading, utilities, and erosion control, as well as planting plans. Landscaping Plans, Planting Plans, Planting Detail sheets, Landscape Maintenance Plans, and Planting Specifications shall be prepared by a Landscape Architect registered in the Commonwealth of Massachusetts and shall bear the seal and signature of the Registered Landscape Architect who prepared them.
  - b. Planting Plans shall indicate the locations of proposed Street, Road and site lighting, even if site lighting is shown elsewhere on a separate plan and designed by separate consultant. Planting plans shall also include details and locations for walks, walls, and fences including dimensions, materials, and finishes.
  - c. Quantities, species, and spacing of plantings in lot setback areas, screens, parking and loading areas, and other landscaped areas shall be shown at a minimum scale of 1"=40'. Detail plans for areas such as landscape treatments adjacent to buildings, tree clusters or shrub beds, landscaped islands in parking areas, or other densely landscaped areas shall be shown at a scale of 1"=20'.
  - d. If an irrigation system is proposed, the Submission shall include an irrigation plan complying with 974 CMR 8.09(11) showing the complete layout and of all components, complete schematic diagrams of all systems, a functional and sequential description of all systems, and irrigation details for installation of all components, including but not limited to piping, valves, valve boxes, sprinkler

heads, backflow preventers, automatic control systems, pumps, meters, associated cabinets, and all appurtenances as needed.

7. Proposed means of fire equipment access.
8. Proposed traffic circulation systems, including the volume and proposed direction of traffic flows into, out of, and within the site for both vehicles and pedestrians for an average day and for peak hours.
9. Location and dimensions (including height) of all storage facilities for equipment, material, and other like items and the location of all aboveground and underground fuel, combustible, and flammable liquid storage tanks greater than two hundred and fifty (250) gallons.
10. Location and dimensions (including height) of facilities for garbage, rubbish, recycling, and other waste collection and disposal.
11. Garage and pedestrian entrances and exits.
12. Maximum size vehicle, including trailers, expected to use the site after construction, by length, width, height, and American Association of State Highway and Transportation Officials (AASHTO) designation.
13. Location and dimensions (including height) of existing and/or proposed free-standing signs and the manner of illumination. All proposed signs shall conform with Article XIII of the By-Laws and 974 CMR 6.00: Sign Control.
14. Existing and proposed public and private utilities, above and below grade, along with their type, size, and class.
15. If the project is to be phased, a plan for the phasing of the construction of the required improvements, including a description, schedule, and plan of affected areas.
16. Any additional details that may be pertinent or required by the Director during the scoping or Pre-Permitting sessions.

**(c) Industrial Performance Standards Plan Requirements.**

1. The site lighting information shall be provided on the Site Plan, including types of fixtures, heights, wattage, foot candle output directly under the light source, foot candle output at the lot line, and a photometric layout/diagram showing direction and intensity of outdoor lighting. The plan shall also designate which lights (if any) shall remain on overnight (between 11 p.m. and 7 a.m.) to provide adequate illumination for night operations.
2. Notes shall be provided on the Site Plan stating:
  - a. Existing or proposed use will not generate electromagnetic interference to any sensitive receptor. Interference with the Harvard-Smithsonian radio telescope (1400-1720 MHz) is specifically prohibited.
  - b. Proposed or existing use will not cause pronounced, multiple patterns of noise or vibration nuisance to, or interfere with, any sensitive receptor.
  - c. Either "A Massachusetts Department of Environmental Protection (DEP) air quality permit application has been made" or "A DEP air quality permit is not required."
3. Locations or uses deemed by the Director to be sensitive receptors in any given area of impact may be subject to field identification of the receptor and/or special documentation or field data that helps to clarify the existence or absence of subject impacts. This documentation and data includes existing secondary data and studies, limited field testing

by the Applicant, or in the worst case scenario, retention of additional professional consultants to conduct further testing. Specifications for any additional information will be identified by the Director during the pre-permitting conference and shall be incorporated in the Site Plan Submission.

(d) **Resource Areas/Flood Plain Plan Requirements.** The Site Plan shall include:

1. All Resource Areas as defined by 974 CMR 4.06, , Federal Emergency Management Agency (FEMA) flood plain elevations on and/or adjacent to the lot, Flood Insurance Rate Map (FIRM) panel number, zone designation, and base flood elevation;
2. Erosion and Sediment Control Plan in accordance with 974 CMR 3.02(3)(e);
3. Location of all private wells on or within 200' of the boundaries of the property;
4. Location of all public and community water supply wells on or within 1,000' of the boundaries of the property;
5. Proposed conservation restrictions and Easements, if any;
6. For any site plan that stores fuel, combustible and flammable liquids, as defined by 42 U.S.C. section 6901-6922i, G.L. c. 148, and 527 CMR 9.00, compliance with 974 CMR 4.09 and an addendum to the DSPCC and the location of on-site materials and equipment for spill response in accordance with its specific DSPCC are required.

(e) All site plan submissions shall include an Erosion and Sediment Control Plan containing sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls. The plan shall include such detail as is necessary to demonstrate that the proposed development will comply with Massachusetts Department of Environmental Protection Stormwater Management Standards, the Devens Stormwater Pollution Prevention Plan and 974 CMR 3.04 design standards. The Erosion and Sediment Control Plan shall also include the following:

1. Location and description of Resource Areas including:
  - a. Watercourses and water bodies, wetlands (including a 100' upland review area, riparian zones and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map;
  - b. Existing vegetation including tree lines, shrub layer, ground cover and herbaceous vegetation, and trees with a caliper 12" or larger, noting specimen trees and forest communities;
  - c. Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, Potential Vernal Pools, and Priority Habitats of Rare Species within 500' of any construction activity.
2. Existing soils (type, hydrologic group, erodibility) and the volume and nature of imported soil materials.
3. Drainage patterns, watersheds and sub-watersheds, with calculations of proposed land disturbance within each sub-watershed and areas of soil to be disturbed in each watershed throughout the duration of the proposed land disturbance activity.
4. A description of construction and waste materials expected to be stored on-site. The Plan shall include a description and details of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.

5. Location and details of all erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both Operation and Maintenance for structural and non-structural control measures and best management practices, interim grading, and material stockpiling areas in accordance with the Devens Stormwater Pollution Prevention Plan and Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas. Such narrative and Operation and Maintenance Plan for temporary and permanent erosion control measures during Construction, shall be included on the erosion and sediment control plan and include but not be limited to, the following requirements:
  - a. Prior to any land disturbance activities commencing on the site, the Applicant/contractor shall be responsible for physically marking the limits of construction on the site with tape, signs, or orange construction fence, so that workers understand the areas to be protected. The physical markers shall be inspected daily and repaired as necessary throughout the duration of the project.
  - b. Perimeter sediment control system shall be installed prior to soil disturbance and maintained to contain soils on-site. Areas outside of the perimeter sediment control system must not be disturbed unless the Applicant has obtained prior approval from the DEC.
  - c. Measures shall be taken to control erosion within the project area. Sediment in runoff water shall be trapped and retained within the project area and street sweeping of adjacent Streets and Roads shall be included where necessary.
  - d. All Resource Areas shall be protected from sediment.
  - e. Monitoring and maintenance of erosion and sediment control measures throughout the course of construction shall be required. Sediment shall be removed once the volume reaches  $\frac{1}{4}$  to  $\frac{1}{2}$  the height of the erosion control.
  - f. Divert runoff from offsite and undisturbed areas away from construction to minimize soil erosion and sedimentation on and off-site. Temporarily stabilize all highly erodible soils and slopes immediately.
  - g. Land disturbance activities exceeding ~~two-one~~ acres in size shall not be disturbed without a sequencing plan that requires stormwater controls to be installed and exposed soils stabilized, as disturbance beyond the ~~two-one~~ acres continues. A construction phasing plan, including erosion and sediment control plan for each phase, shall be submitted to the DEC prior to any construction on the site. Mass clearings and grading of the entire site shall be avoided.
  - h. Soil stockpiles must be stabilized or covered at the end of each workday. Stockpile side slopes shall not be greater than 2:1. All stockpiles shall be surrounded by sediment controls.
  - i. Disturbed areas remaining idle for more than 14 days shall be temporarily or permanently stabilized.
  - j. Permanent seeding shall be undertaken in the spring from March through May, and in late summer and early fall from August to October 15. During the peak summer months and in the fall after October 15, when seeding is found to be impractical, an appropriate temporary mulch and/or non-asphaltic soil tackifier with winter rye shall be applied. Permanent seeding may be undertaken during the summer if plans provide for adequate mulching and watering.
  - k. Anti-tracking pad(s) shall be constructed at all entrance/exist points of the site to reduce the amount of soil carried onto roadways and off the site. Dust shall also be controlled at the site.

- l. All slopes steeper than 3:1 (h:v, 33.3%), as well as perimeter dikes, sediment basins or traps, and embankments must, upon completion, be immediately stabilized with sod, seed and anchored straw mulch, or other approved stabilization measures.
  - m. Temporary sediment trapping devices must not be removed until permanent stabilization is established in all construction areas associated with the project. Similarly, stabilization must be established prior to converting temporary sediment traps/basins into permanent (post-construction) stormwater management facilities. All facilities used for temporary measures shall be cleaned and re-stabilized prior to being put into final operation.
  - n. All temporary erosion and sediment control measures shall be removed after final site stabilization. Disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days of removal.
6. Other applicable controls and/or information as may be required by the DEC.
  7. All plans, reports and calculations required as part of the erosion and sediment control plan must be stamped and certified by a professional engineer.
  8. Projects disturbing one acre or more are required to obtain a Construction General Permit (CGP) from the US EPA. A copy of the CGP must be filed with the DEC prior to issuance of a building permit for all applicable projects.

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