

SCHEDULE "R"
RETREAT LOT SPECIAL PERMIT PLAN CHECKLIST
Date: May 8, 2018
Middleborough Planning Board

Name: _____ Location: _____ Lots: _____ Date: _____

Signatures on Special Permit Application:

Status Box:

All owners to sign – Must match plan	
• via (Corporation), Pres./VP & Treasurer/Authorized Agent Signature & documents presented.	
• via Realty Trust; All Trustees (unless Trust specifies otherwise) sign and trust documents presented	
• via LLC, (Limited Liability Corp.), Resident Agent & documents presented	
• via LLP, (Limited Liability Partners), Authorized partner sign & documents presented	

Submission of Special Permit Application, Plan & Fees (ZBL Sect. 7.4.4)

• Fees:	
Application: \$500.00	
Legal Ad: Estimated \$300	
• Notice to Tax Collector: All Owners, Applicants/Petitioners	
• Mylar and five (5) prints	
• P. Dept. Date, Paid & Record Stamps, Make Copy for Town Clerk, Town Clerk Time/Date Stamp.	

Special Permit Notification & Hearing Procedure:

• (Zoning Act Sect. 9 Special Permit): 65 days to hold hearing from date of filing; 90 days to make decision from date of hearing; 20 Day Appeal Period	
• (Zoning Act Sect. 11 Notice for Public Hearing):	
Legal Ad: Published 2 successive weeks, to be published >14 days prior to hearing. Posting is to be for a period of at least 14 days and > 14 days prior to hearing.	
Parties of Interest: petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within 300' of the property line. Cert. Mail: Certified Abutters List Expires in 60 days, if multiple towns: Need to notify P. Board of surrounding towns of both owns. – Direct abutters to be shown on the plan including across the street, see below.	
• 20 Day Appeal Period:	
Start: After P. Board approves, Town Clerk to sign & date Special Permit	
End: Town Clerk to sign & date Special Permit and plan	

Zoning Bylaws, Section 7.4.3.1-20: Retreat Lot Requirements

1. The Retreat Lot conforms to the requirements of Section 3.0 with respect to uses allowed as of right and by special permit.	
2. Minimum lot size shall be 5 x the minimum lot area in which the Retreat Lot is located.	
3. The Retreat Lot shall have a minimum of 40' of continuous frontage on a street.	
4. 50% of the minimum lot area shall be upland excluding WPA, except Riverfront Area.	
5. 40' ≤ Access Area ≤ 100' wide, & ≥ 50 If measured from street line. If Access Area is > 100' wide throughout then areas can be counted toward the minimum lot area or % upland area calculations. Access Area shall be as straight as possible: 2 straight line with one angle point maximum.	
6. Any area of the lot which is less than 100' wide shall not be counted toward the minimum lot area or % upland area calculations.	
7. Shape Factor (SF) $SF = P^2/A \leq 60$, shall not include Access Area unless 100' wide throughout; A lot may have a SF >60 if of a portion of the lot, itself, meets all of the requirements of this section and has a SF ≤ 60.	
8. Upland Building Area ≥ 40,000 sf, circle (D=225.68'), square (200'x200') or rectangle with sides ≥ 180	

9. $\geq 75\%$ of the footprint of any dwelling shall be located within the upland building area.	
10. No Retreat Lot access shall abut another Retreat Lot access area and must be separated by a parcel land having at least 150' of frontage and an area of 7,500 sf.	
11. A Retreat Lot and its access area shall serve as access to the Retreat Lot and no other lot.	
12. Access to a dwelling on a Retreat Lot shall be exclusively within the Retreat Lot including through the access area of the Retreat Lot.	
13. Driveway length is to be $\leq 2,000$ lf from street line unless allowed by P. Board.	
14. Driveway is to be $\geq 10'$ from lot line unless allowed by P. Board.	
15. Not more than one single family dwelling shall exist on a single Retreat Lot.	
16. Proposed structures to be $\geq 50'$ from lot line, shall not apply to existing structures constructed prior to Special Permit Application.	
17. The Retreat Lot shall not be further subdivided. It shall be a condition of the special permit that there is a prohibition against further subdivision. A deed restriction preventing further subdivision (enforced the Town of Middleborough or any citizen of the Town) shall also be recorded with the plan.	
18. The following notes shall be placed on the plan: "The Retreat Lot shown on this plan shall not be further subdivided and No building permit shall be issued for the Retreat Lot on this plan until a copy of the recorded deed restriction and special permit is delivered to the Planning Board."	
19. No Retreat Lot shall be approved by the Planning Board if vehicular egress from the lot results in a hazard due to grade, visibility or other natural or artificial limitations than would be normal for standard lot in the same vicinity.	
20. Existing drainage patterns shall not be disrupted by the construction of a driveway on the Retreat Lot. A grading plan showing existing and proposed conditions may be subject to appropriate conditions or safe guards if deemed necessary by the Planning Board.	

Special Permit Plan Review & Plan Notes:

Planning Board's Signature Block with the following statements:	
<ul style="list-style-type: none"> • "Approval Under Subdivision Control Law Not Required" • "The Middleborough Planning Board's endorsement makes no determination as to compliance with zoning." • Provide a Date line for approval of plan 	
Town Clerk's Signature Block with the following statement:	
<ul style="list-style-type: none"> • "I certify that no notice of appeal was received during the twenty (20) recording days next after receipt and of notice from the Planning Board of the approval of this plan". • Place the words (Date) & (Town of Middleborough) underneath the Town Clerk Signature line 	
Special Permit Block:	
<ul style="list-style-type: none"> • "Special Permit under the Retreat Lot Zoning By-law Section 7.4 was approved by the Middleborough Planning Board on (Date Line). Special Permit to be recorded here with" 	
Plan Title Block:	
<ul style="list-style-type: none"> • "Retreat Lot & Special Permit Plan, (Street Name) in Middleborough, Massachusetts, (name of owner of record & applicant)" • Owner's & Applicant's mailing addresses – must match the Special Permit Application • Date, revisions & # of pages • Locus map at an appropriate scale showing lots as they currently exist • Engineer & surveyor stamp and signature 	
Zoning/Overlay Districts, & Dimensional Requirement Block:	
<ul style="list-style-type: none"> • Districts: Residence A (RA), Residence B (RB), Residence R (RR), General Use (GU) & General Use X (GUX) Show Zoning District Lines. • Overlay Districts (ZBL Sect. 8.0): Flood Plain (FPD), Water Resource Protection District (WRPD), Development Opportunities (DOD), SOLAR-R & SOLAR-G (SGC) Show Overlay District Lines. 	
WRPD Z1: (ZBL Sect. 8.2.6) Allowed uses: 310 CMR 22.00	
WRPD Z2: (ZBL Sect. 8.2.7) Allowed uses: 310 CMR 15.00 Septic system flows to be ≤ 110 gpd/10,000 sf and $\geq 100'$ from BVW; Lots $\geq 60,000$ sf; Building structures $> 100'$ from BVW; disturbance $< 15\%$ of 100' buffer area; disturbance $> 25'$ from BVW.	

Show both 25' & 100' Buffer Lines	
WRPD Z3: (ZBL Sect. 8.2.8) Allowed uses: 310 CMR 15.00, 440 gpd/20,000 sf; Lots \geq 20,000 sf; buildings, structures & disturbance > 25' from BVW. Show 25' Buffer Line	
WRPD Z4: (ZBL Sect. 8.2.9) Allowed uses: buildings, structures & disturbance > 25' from BVW. Show 25' Buffer Line	
• Zoning classifications and dimensional requirements (ZBL Sect. 4.0)	
Plan View: (ZBL Section 7.4.4)	
• Statement: "The purpose of this plan is to create a Retreat Lot through the issuance of a Special Permit by the Middleborough Planning Board, pursuant to Section 7.4 of the Town of Middleborough Zoning By-law."	
• Statement: "Vital access standards met and not illusory"	
• Statement: "Wetlands Delineated by (Name of Person & Firm), on (Date), indicate status of Conservation Commission Order of Condition, etc., the location of any wetlands and does wetland impact frontage?"	
• Bar scale & north arrow	
• Remaining land shown (in entirety in locus or plan view with dimensions)	
• Names of abutters	
• Names and status of streets, w/layout decree # or date (dimensions both sides of street)	
• Bearings and distances of all lines of the lot or lots including easements and right-of-ways	
• Location of all buildings, structures, wells, and septic systems	
• Location of all bounds, watercourses, fences, and walls	
Misc: Drawn in accordance with Registry of Deeds.	