

**PLANNING BOARD
BOLTON, MASSACHUSETTS**

**RULES AND REGULATIONS FOR APPLICATIONS UNDER 2.3.6, THE FARMLAND AND OPEN
SPACE PLANNED RESIDENTIAL DEVELOPMENT BYLAW**

INTRODUCTION: Applications are submitted in two phases: a preliminary phase to determine the number of lots and the general site layout, and a detail phase to establish details for construction and layout.

I. PRELIMINARY PHASE

A. Application Contents

All applications for the Preliminary Phase must include the following six (6) items:

1. Two copies of a completed application form for a FOSPRD.
2. A Traditional Development Plan: This should show how the land could be developed if the FOSPRD provision of the Bylaw was not used.

It must show proposed lots and any roads. Evidence of positive septic must be submitted for each lot. Each lot should show acreage and frontage. Each road should show grade and curvature.

3. A Preliminary FOSPRD Development Plan: This should show how the land is proposed to be developed under the FOSPRD provision of the Bylaw.

It must show proposed lots, open space, and any roads. Each lot should show acreage and frontage. Each road should show grade and curvature.

4. List of Abutters:

List of abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the proposed FOSPRD as they appear on the most recent applicable tax list, notwithstanding that the land of any such owners is located in another city or town, and any other persons who would be affected if this permit were granted. The assessors shall certify to the names and addresses of same.

5. A copy of the precise legal wording of the proposed open space restrictions for the proposed FOSPRD plans.
6. Filing fee: See the attached filing fee schedule.

B. Applications must be submitted to the Town Clerk, and include four (4) copies of

Sections 2 and 3. In addition, a copy of sections 2, 3 and 5 should be sent to the Board of Selectmen and Conservation Commission.

- C. Within 60 days of receiving the above Preliminary Plan, the Bolton Planning Board should set the maximum number of dwellings to be used in the detail plan phase, and provide any comments on the layout. During this time period, the board shall hold a public hearing to solicit comments from abutters and others. The applicants or their designate must present the plan at the hearing, If in the last 20 days of the above 60 day period, the applicant must submit additional information or make changes to their application, then the 60 day time limit shall be extended to allow a minimum of 20 days for the Board to review the new information and/or changes.

If the proposed FOSPRD is an exceptionally desirable parcel for the town to receive restrictions on, then the Planning Board may be willing to work with the landowner to expedite the approval process. Applicants should check with the Board before beginning.

II. DETAIL PHASE

A. Application Contents

All applications for the Detail Phase must include the following five (5) items:

1. Two copies of a completed application form for a FOSPRD.
2. If one ore more new roads are proposed, then an entire Definitive Subdivision Plan must be submitted. (See Bolton's Subdivision Rules and Regulations).

If new roads are not proposed then a plan (1 linen, 1 sepia and 4 copies) should be submitted which shows:

- . The entire FOSPRD area
 - . All proposed lots, including acreage, frontage and lot width
 - . The open space
 - . All wetlands, brooks, streams and flood plains
 - . All abutters should be indicated
 - . Any proposed drainage appurtenances
 - . A signature block on each page
 - . A registered engineer stamp on each page
3. The proposed wording of the open space restriction covenants.
 4. List of abutters as described in Section I, 4.
 5. Filing fee: If any new roads are proposed the filing fee for the Detail Phase

Plan is equal the fee for a Definitive Plan in the Subdivision Rules and Regulations less the fee paid in Section I, 6. If no new roads are proposed then the fee for the Detail Phase plan shall be the greater of the following two amounts: \$500, or \$50 times the number of proposed lots.

- B. Applications must be submitted to the Town Clerk, and include four (4) copies of Section 2. In addition, a copy of Sections 2 & 3 should also be sent to the Board of Selectmen and Conservation Commission.
- C. The time period, hearing process and approval process for review of the Detail Phase Plan are the same as for a Definitive Subdivision Plan. (See Bolton's Subdivision Rules and Regulations). The applicant may elect to have the Planning Board release only as few as one lot at time and retain all remaining lots as one parcel but all lots are automatically released 15 years after approval of the Detail Phase Plan.

Adopted by the
Planning Board

November 8, 1989

Amended: 1/12/05