

Town of Wilmington

Planning Board



Wilmington Planning Board Rules and Regulations  
Governing Special Permits in  
Wilmington, Massachusetts

Adopted October 6, 2009  
Amended November 1, 2016  
By: Wilmington Planning Board

*Michael A. Amantea*

*Randi R. Holley*

*[Signature]*

*Deane Shue*

*[Signature]*

WILMINGTON PLANNING BOARD

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## Town of Wilmington

### Planning Board

#### Special Permit Rules and Regulations

Adopted October 6, 2009

Amended November 1, 2016

#### **Section 1.0: General**

##### 1.1 Purpose

These Rules and Regulations (“Rules”) detail the process for applications for Special Permits for which the Planning Board is the Special Permit Granting Authority (“SPGA”) and provide for waivers of procedural requirements and substantive requirements where the Zoning Bylaw or the Zoning Act, M.G.L. c. 40A, Sec. 1 et seq., authorizes waivers of such substantive requirements. The purpose of these Rules is two-fold: (1) to guide the applicants and their representatives, Town officials and boards involved in the submittal and review of special permits; and, (2) to make the process commensurate with the size, scope and complexity of the project. These Rules shall apply only to applications where the Planning Board is the SPGA.

##### 1.2 Adoption and Amendment

These Rules are promulgated by the Planning Board pursuant to the authority granted to a SPGA to adopt and amend rules relative to the issuance of special permits under The Zoning Act, M.G.L. c.40A, §9 and shall have the force of law. The special permit granting authority shall adopt and from time to time amend rules relative to issuance of such permits, and shall file a copy of said rules in the Office of the Town Clerk with the appropriate endorsements, date of adoption or amendment. Such rules shall prescribe a size, form contents, style and number of copies of plans and specifications and the procedure for a submission and approval of such permits.

The Planning Board is the Special Permit Granting Authority for all:

- Conservation Subdivision Designs (CSD)
- Over 55 Residential Development
- Multi-family Housing in the Central Business District and Neighborhood Mixed Use District
- Non-conforming Lots under Chapter 139 of the Acts of 1998
- Signs
- Relief from Parking Regulations
- Registered Marijuana Dispensaries
- Pet Care Facilities
- Planned Residential Development (PRD)

### 1.3 Effective Date

These Rules and any amendments hereto are effective when approved by a majority vote of the Planning Board.

### 1.4 Applicant

An application or petition for a special permit may be filed by a property owner, authorized agent, or prospective purchaser who submits certification (such as an executed purchase and sales agreement) of property interest and authority to file.

### 1.5 Decision Requirements

No request for a Special Permit shall be granted unless and until the Planning Board makes a written finding that the applicant has satisfied each and every applicable criterion, requirement and standard stated in the Zoning Bylaw for the grant of the special permit at issue.

### 1.6 Approval Time Period

For applicants of Conservation Subdivision Design Special Permits who receive an approval or approval with conditions, the Plans for Definitive Subdivision must be submitted within two years of the special permit approval.

A special permit granted by the Planning Board as SPGA shall lapse if a substantial use thereof has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause, within two years from the date of grant of the special permit. Such two years shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L. c.40A, § 17, from the grant of the special permit.

### 1.7 Filing Fees

The amount of the application fees shall be determined as stated in the '*Planning Board Fee Schedule, dated August 1, 2004,*' ("Fee Schedule") or as subsequently amended, which Fee Schedule is hereby incorporated by reference as part of these Rules. The fee must be submitted as part of a complete application.

## **Section 2.0: Public Hearings**

- 2.1 The Planning Board shall open its public hearing on each application no later than sixty-five (65) days from the date of filing of a complete application. Prior to the opening of the Planning Board public hearing, the Community Development Technical Review may meet with the applicant to review the plans and will submit comments to the Planning Board.
- 2.2 Public notice of said hearing shall be given in accordance with the requirements of the Massachusetts General Laws Chapter 40A, Section 11.
- 2.3 The decision of the SPGA shall be made within ninety (90) days following the date such public hearing is closed. Such time limits for a public hearing and for the Planning Board's decision may be extended by written agreement between the applicant and the SPGA. A copy of such

agreement shall be filed in the Office of the Town Clerk. A special permit issued by the Planning Board shall require a vote of at least four members of the five member Planning Board.

### **Section 3.0: Submittal Requirements**

- 3.1 The application shall be deemed to be submitted only when a complete application is filed with the Town Clerk's office and requisite number of copies of the application are filed with the Planning and Conservation Office, Wilmington Town Hall, Room 6, 121 Glen Road, Wilmington, MA 01887.
- 3.2 Application must be signed by the applicant and owner (if different) or an authorized agent. Original signature must appear on one (1) application.
- 3.3 Locus plan showing the location of the property, roads and important features of the adjacent area.
- 3.4 All plan(s) must be designed at 1:40 scale and must contain the following:
  - 3.4.1 Stamp of a registered licensed professional surveyor or civil engineer;
  - 3.4.2 Map and Parcel number of subject property and abutting properties;
  - 3.4.3 All lot lines with distances and bearings;
  - 3.4.4 Zoning district boundaries, including without limitation the Groundwater Protection District;
  - 3.4.5 Floodplain and wetland boundaries; and
  - 3.4.6 Location and ownership of abutting property.

#### Existing Conditions Plan must show:

- 3.4.7 All existing topography at 2 foot contour intervals;
- 3.4.8 All existing buildings and structures, their dimensions and distances from lot lines;
- 3.4.9 Parking and loading areas, including dimensions of spaces and aisles;
- 3.4.10 Locations and widths of all streets and driveways within 200 feet of the subject parcel;
- 3.4.11 Size and location of existing water mains and their appurtenances, and all existing hydrants; and
- 3.4.12 All existing facilities for sewage waste disposal and drainage.

#### Site Plan must show:

- 3.4.13 All proposed topography at 2 foot contour intervals;
  - 3.4.14 All proposed buildings and structures, their dimensions and distances from lot lines;
  - 3.4.15 All proposed parking and loading areas, including the dimensions of spaces and aisles;
  - 3.4.16 Locations and widths of all streets and driveways within 200 feet of the subject parcel;
  - 3.4.17 Size and location of proposed water mains and their appurtenances, and all proposed hydrants;
  - 3.4.18 Location and description of proposed open space;
  - 3.4.19 Signature block for five (5) Planning Board members to be located in the same location on the right side of each page of the plan; and
  - 3.4.20 Plan showing planting and landscaping detail using drought resistant species and predominately native species.
- 3.5 Exterior lighting plan must illustrate the photometric foot candles throughout the property.

- 3.6 Architectural elevation(s) and floor plan(s) of proposed buildings showing the layout of each floor with a tabular summary of the floor area.
- 3.7 Filing fee – Cash or check payable to the Town of Wilmington in accordance with the Fee Schedule in effect at the time of the application.
- 3.8 If the applicant desires a waiver of one or more substantive special permit requirements, where the Zoning Bylaw or the Zoning Act, M.G.L. c.40A, Section 1 et seq., authorizes the grant of such a waiver, a request for such a waiver must be submitted in writing with the application.
- 3.9 Certified list of all abutters within 300 feet of the parcel boundaries certified by the Wilmington Assessor's Office. The applicant must submit two (2) sets of mailing labels and one (1) electronic copy of the mailing labels in Avery 5960 format.
- 3.10 The Planning Board may require additional information such as a traffic impact analysis, hazardous waste studies or other supporting documentation that it deems necessary for the purpose of making an informed decision.
- 3.11 Design requirements may be waived when the site features do not allow for total compliance where the Zoning Bylaw or the Zoning Act, M.G.L. c.40A, Section 1 et seq., authorizes the grant of such a waiver. A waiver of any submittal requirement, including but not limited to the scale of plans, must be requested and granted or denied **prior** to submission of the application. Any application submitted that does not include all of the above will be deemed incomplete and procedures outlined in Section 4.0 of this document will be followed.
- 3.12 An applicant seeking a Conservation Subdivision Design (CSD) Special Permit should review Section 8 of the Wilmington Zoning Bylaw for specific requirements.
- 3.13 An applicant seeking an Over 55 Housing District Special Permit should review Section 9 of the Wilmington Zoning Bylaw for specific requirements.
- 3.14 An applicant seeking a Multi-Family Housing Special Permit should review Sections 3.8.11 and 3.8.15 of the Wilmington Zoning Bylaw for specific requirements.
- 3.15 An applicant seeking a Sign Special Permit should review Section 6.3.2 of the Wilmington Zoning Bylaw for specific requirements.
- 3.16 An applicant seeking a Relief from Parking Special Permit should review Section 6.4.1 of the Wilmington Zoning Bylaw for specific requirements.
- 3.17 An applicant seeking a Registered Marijuana Dispensary Special Permit should review Section 6.10.6 of the Wilmington Zoning Bylaw for specific requirements.
- 3.18 An applicant seeking a Pet Care Facility Special Permit should review Section 3.8.14 of the Wilmington Zoning Bylaw for specific requirements.
- 3.19 An applicant seeking a Planned Residential Development (PRD) Special Permit should review Section 7.4 of the Wilmington Zoning Bylaw for specific requirements.

- 3.20 An applicant seeking a Special Permit for the Construction of a Single-family Dwelling on a lot containing less than 10,000 square feet of land or having less than 100 feet of frontage shall comply with Chapter 139 of The Acts of 1998, An Act Relative to the Construction of Certain Dwellings in the Town of Wilmington, which reads:

Notwithstanding any general or special law to the contrary, no dwelling shall be constructed on any lot in the Town of Wilmington containing less than 10,000 square feet of land or having less than 100 feet of frontage; provided, that the Planning Board may authorize by Special Permit construction of one single family dwelling on such a lot, which does not conform with the area or frontage requirements of the Zoning but which contains at least 5,000 square feet and has at least 50 feet of frontage, provided that such lot met any applicable requirements for area and frontage at the time such lot was recorded or endorsed and that such lot has not been held in common ownership with any adjacent land since the date of nonconformance with area or frontage requirements, upon a finding, after consideration of all pertinent factors, including the provisions for the disposal of waste, that construction and maintenance of a single family dwelling on such lot will be consistent with public health, safety, and welfare and without any substantial detriment to the public good.

Title documentation shall be submitted showing that the lot met any applicable requirements for area and frontage at the time such lot was recorded or endorsed; and that the lot has not been held in common ownership with any adjacent land since the date of nonconformance with area or frontage requirements.

#### **Section 4.0: Procedures**

- 4.1 Pursuant to the requirements of M.G.L. c.40A, §9, each application for a special permit shall be filed by the applicant with the Town Clerk and eighteen copies of said application, including the date and time of filing certified by the Town Clerk, shall be filed forthwith by the applicant with the Planning Board as SPGA.
- 4.2 The applicant shall file a complete application that satisfies all of the requirements of these Rules. Any application which does not satisfy all of the requirements of these Rules shall be deemed incomplete, shall not be accepted by the Planning Board for filing and shall be returned to the applicant with a statement of its deficiencies as described below.
- 4.3 The Director of Planning & Conservation shall be authorized and responsible for reviewing all applications for completeness. Within seven (7) days of submission of an incomplete application, the Director of Planning & Conservation shall send written notice to the applicant that
- a. the application does not satisfy the filing requirements of these Rules,
  - b. that the application has not been accepted by the Planning Board for filing and
  - c. listing the deficiencies in the application.
- 4.4 An incomplete application shall not be accepted for review by the Planning Board and no public hearing shall be scheduled for such an incomplete application until the applicant

corrects the deficiencies of the application and refiles it with the Town Clerk and the Planning Board and the Planning Board accepts the application for filing.

- 4.5 The Planning Board or designated agent shall within fourteen (14) days of receipt of a complete application refer the application to the Engineering Director, Fire and Police Departments, Inspector of Buildings, School Department, Historic Commission, Assessor, Water & Sewer Commission, Department of Public Works, Board of Health and the Conservation Commission for written recommendations, and no decision shall be made until such reports are returned or 35 days have elapsed following such referral.
- 4.6 The Planning Director may convene a Community Development Technical Review (CDTR) meeting with representatives of the above-mentioned boards and departments to discuss the proposed project prior to the opening of the public hearing. The applicants and their representatives will be notified and encouraged to attend.
  - 4.6.1 CDTR is conducted on the fourth Monday of each month, unless otherwise posted.
- 4.7 The CDTR shall review the application and submit to the Planning Board or designated agent a staff report on the application including, but not limited to, the following:
  - 4.7.1 Protection of adjoining premises against detrimental uses by provision for surface water drainage, landscape buffers and area lighting;
  - 4.7.2 Convenience and safety of vehicular and pedestrian movement and the location of driveway openings in relation to traffic or to adjacent streets;
  - 4.7.3 Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;
  - 4.7.4 Adequacy of the methods of open storage, disposal of refuse and other wastes resulting from the uses permitted on the site;
  - 4.7.5 The adequacy of measures used to ensure the protection of the Town's surface and ground water resources;
  - 4.7.6 Compliance with all applicable requirements of the Zoning Bylaw.
- 4.8 The Planning Board shall hold a public hearing as described in Section 2 of these Rules.
- 4.9 Determinations by the Planning Board:
  - 4.9.1 In considering a special permit, the Planning Board shall give due consideration to the public hearing comments and the staff reports of the CDTR members and to the provisions of Subsection 6.5.2.3. (a) through (f) of the Zoning Bylaw, where applicable.
  - 4.9.2 Final action shall consist of (a) approval of the special permit plan as submitted; (b) approval of the special permit plan subject to conditions, modifications, limitations and safeguards as the Planning Board deems appropriate to ensure compliance with terms of the provisions of the Zoning Bylaw including, if required, sufficient security by bond, money deposit or covenant to secure performance in accordance with the special permit decision; or (c) denial of the application if in the opinion of the Planning Board the site plan and specifications are not adequate to ensure use of the property consistent with all the provisions of the Zoning Bylaw. The decision shall specifically state the reasons for denial.
  - 4.9.3 The Planning Board shall notify the CDTR members of its decision.



4.10 The Special Permit takes effect upon recording at the Middlesex North Registry of Deeds. The recording must include a certification from the Town Clerk that the twenty (20) day appeal period has passed and no appeal has been filed.

**Section 5.0: Monitoring**

The Town Engineer and/or Director of Planning & Conservation is authorized to conduct site visits, monitor construction work and verify compliance with the site plan and any terms and conditions imposed by the Planning Board at the time of site plan approval as agent of the Planning Board. Specifically, the Town Engineer and/or Director of Planning & Conservation is responsible for review of all non-structures, fences, landscaping, drainage, parking, access/curb cut location, and any other general site requirement. Members and agents of the Planning Board may conduct visual inspections and notify the Town Engineer and/or Director of Planning & Conservation and the applicant of any failure to satisfactorily comply with any requirements and conditions of approval. The Inspector of Buildings, as Zoning Enforcement Officer pursuant to Section 10.1 of the Zoning Bylaw, is authorized to enforce the provisions of special permits issued by the Planning Board, including without limitation by denial of a Certificate of Occupancy for failure to comply with the requirements of a special permit.

## APPENDIX A

## APPLICATIONS

SPECIAL PERMIT APPLICATION FOR CONSERVATION SUBDIVISION  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached site plan and supporting documents for special permit under Section 8 of the Wilmington Zoning Bylaw.

The undersigned, being the applicant for a special permit of a proposed conservation subdivision shown on a plan entitled

\_\_\_\_\_ by \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_\_ being land bounded as follows: \_\_\_\_\_

\_\_\_\_\_ Town Assessor's Map \_\_\_\_\_, block \_\_\_\_\_ parcel \_\_\_\_\_ hereby submits said plan as a CONSERVATION SUBDIVISION plan in accordance with the Wilmington Zoning Bylaw, Section 8 and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from \_\_\_\_\_

\_\_\_\_\_ by deed dated \_\_\_\_\_ and recorded in the Middlesex County Registry of Deeds Book \_\_\_\_\_, Page \_\_\_\_\_, registered in the \_\_\_\_\_ Registry District of Land Court, Certificate of Title No. \_\_\_\_\_; and said land is free of encumbrances except for the following:

\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

Applicant's Address \_\_\_\_\_

Owner's Signature and address if not applicant \_\_\_\_\_

Address: \_\_\_\_\_

Project Location (Address): \_\_\_\_\_

Size of lot in acres: \_\_\_\_\_

Groundwater Protection District Yes [ ] No [ ]

Open space percentage: \_\_\_\_\_ % Percentage of open space that is wetland: \_\_\_\_\_ %

Percentage of entire tract which is wetland: \_\_\_\_\_ %

Are there any wastewater disposal facilities and stormwater management systems in the Open space? If Yes, \_\_\_\_\_ acres

Proposed housing types (i.e single-family, two-family; multi-family) \_\_\_\_\_

\_\_\_\_\_

**ENGINEER'S CERTIFICATE:**

In preparing the plan entitled, I hereby certify that the above named plan and accompanying data is true and correct in accordance with the requirements of the current Rules and Regulations Governing the Subdivision of Land in Wilmington, Massachusetts, and that the designs contained herein are in accordance with commonly accepted engineering practice and in compliance with applicable laws and regulations of the Commonwealth of Massachusetts and By-laws of the Town.

1. Sources of data are listed as follows \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Oral information furnished by \_\_\_\_\_  
\_\_\_\_\_

3. Actual measurements on the ground and other field determinations \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Other sources \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Seal of Engineer)

Signed: \_\_\_\_\_  
(Registered Professional Engineer)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address

(Seal of Landscape Architect)

Signed: \_\_\_\_\_  
(Registered Landscape Architect)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address

OFFICE USE: SP# \_\_\_\_\_ - \_\_\_\_\_

SPECIAL PERMIT APPLICATION FOR OVER 55 HOUSING  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached site plan and supporting documents for special permit under Section 9 of the Zoning Bylaw.

Applicant: \_\_\_\_\_ Owner: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_

Business: \_\_\_\_\_

Project Location (Address): \_\_\_\_\_

Assessor's Map / Parcel \_\_\_\_\_

Zoning Classification: NB[ ] GB[ ] GI[ ] CBD[ ] OVER 55[ ]

Groundwater Protection District Yes [ ] No [ ]

Calculation of wetlands: \_\_\_\_\_ acres

Brief description of project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are the affordable units dispersed throughout the development? Yes [ ] No [ ]

Identify affordable units: Units # \_\_\_\_\_

Dimensional Requirements

	Required	Proposed
Min. Lot area, Acres	10 acres	
Max. Density	8 units / acre *	
Min. lot frontage, ft.	50 feet	
Min. Front Yard, ft.	50 feet	
Min. Side & Rear Yards, ft.	50 feet	
Min. Open Space, %	35 %	
Max. Bldg. Height, stories	2 ½	
Max. Bldg. Height, ft	36 feet	
Parking	2.25 off-street spaces / dwelling unit	
Separation of buildings	Minimum 20 feet	
Setback from driveway / street on-site	Minimum 20 feet	
% of affordable units	10 %	

\* excluding all but 25% of wetland resource areas as defined in M.G.L chapter 131 section 40.

I (we) understand that the submittal of this application authorizes members and agents of the Planning Board to conduct site visits and monitor site construction work.

Signature of applicant: \_\_\_\_\_

Signature of owner: \_\_\_\_\_

Signature of Engineer/  
Land Surveyor: \_\_\_\_\_

(Typed/Printed)

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date received by the Planning & Conservation Department:

\_\_\_\_\_



TOWN OF WILMINGTON

121 GLEN ROAD  
WILMINGTON, MA 01887

PLANNING & CONSERVATION  
DEPARTMENT

(978) 658-8238  
(978) 658-3311  
FAX (978) 658-3334

<b>Town of Wilmington</b>	
<b>Application for Special Permit for Non-conforming Lot Under Chapter 139 of the Acts of 1998</b>	
Location _____	Lot area _____
Assessor's Map # _____ Parcel # _____	Zoning District _____
Applicant _____	Tel. # _____
Address _____	
Owner _____	Tel. # _____
Address _____	
Deed to the property is recorded in the Middlesex North Registry of Deeds:	
Book _____ Page _____ Date _____	or registered in said Land Registry District: Certificate No. _____ Book _____
Page _____ Date _____	
Land Court Plan No. _____	Book _____ Page _____ Date _____
Signature of Applicant/or Representative _____	
Date: _____	
Engineer/Land Surveyor _____	
	Address _____
	Tel. # _____
	Signature _____
<b>Application must be complete, signed and accompanied by a check payable to the Town of Wilmington in the amount of \$500.00.</b>	
<i>For office use only:</i>	
Date Received by the Planning & Conservation Department: _____	

APPLICATION FOR MULTI-FAMILY SPECIAL PERMIT  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached site plan and supporting documents for special permit under Section 3.8.10 of the Zoning Bylaw.

Applicant: \_\_\_\_\_ Owner: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_

Business: \_\_\_\_\_

Project Location (Address): \_\_\_\_\_

Assessor's Map(s) \_\_\_\_\_

Parcel(s) \_\_\_\_\_

Zoning Classification: NB  GB  GI  CBD

Groundwater Protection District Yes

No

Proposed Principal Use:

(3. ) \_\_\_\_\_

(From Table 1, Wilmington Zoning Bylaw)

Brief description of project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Summary of vehicle stalls:

Standard	_____
Small Car	_____
Handicapped	_____
TOTAL	_____

Landscaping within parking area:

Parking Area	_____	square feet
Landscaped	_____	square feet
	_____	%

I (we) understand that the submittal of this application authorizes members and agents of the Planning Board to conduct site visits and monitor site construction work.

Signature of applicant: \_\_\_\_\_

Signature of owner: \_\_\_\_\_

Signature of Engineer/  
Land Surveyor: \_\_\_\_\_

\_\_\_\_\_  
(Typed/Printed)

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date received by the Planning & Conservation Department:

\_\_\_\_\_

Special Permit Minimum Criteria Table 2 and Section 3.8.10

A. Existing structure or new mixed use construction

	Required	Existing	Proposed
Min Lot Area, sq. ft.	10,000		
Min. Lot Frontage, ft.	40		
Min. Lot Width, ft.	40		
Min. Front Yard, ft.	5		
Min. Side & Rear Yard, ft.	0*		
Min. Open Space, %	0		
Max. Bldg. Coverage	50		
Bldg. Area, sq. ft.			
Max. Height, ft.	40		
Max. Height, stories	3		
Parking	1 space/unit		

\*20 feet required if abuts residential district.

B. New multi-family residential construction.

	Required	Proposed
Min. Lot Area, sq. ft.	25,000	
Density	1 unit/4,000 s.f.	
Max. Height, sq. ft.	40	
Max Height, stories	3	
Open Space, %	40	
Parking	1.5 spaces/unit	
Max. Bldg. Coverage, %	30	
Min. Front Yard, ft.	30	
Min. Side & Rear Yards, ft.	50	

OFFICE USE: SP# \_\_\_\_\_ - \_\_\_\_\_

SPECIAL PERMIT APPLICATION FOR PET CARE FACILITY  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached site plan and supporting documents for special permit under Section 3.8.14 of the Wilmington Zoning Bylaw. Site Plan Review is also required.

Project Location (Address): \_\_\_\_\_

Assessor's Map(s) \_\_\_\_\_ Parcel(s) \_\_\_\_\_

Zoning Classification:  General Business  General Industrial

Description of Proposed Pet Care Facility/Use:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plan Title \_\_\_\_\_

by \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_\_.

Proposed Footprint (Minimum 15,000sf): \_\_\_\_\_ Total Building Area: \_\_\_\_\_

Minimum of three (3) of the following Uses:

Boarding  Grooming  Retail Sales related to Pet Products  Veterinary Care Services

Pet Day Care  Pet Training Classes  Other: \_\_\_\_\_

Required Attachments:

Site Plans  Detailed Floor Plans  Architectural Plans  Certified Abutters List

Name, address and signature of all persons having a legal interest in the property:

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

(Must be an original signature of persons having a legal interest in the property)

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Email Address(es): \_\_\_\_\_

Applicant's Name (If Not Owners): \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

OFFICE USE: SP# \_\_\_\_\_ - \_\_\_\_\_

SPECIAL PERMIT APPLICATION FOR REGISTERED MARIJUANA DISPENSARY  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached site plan and supporting documents for special permit under Section 6.10 of the Wilmington Zoning Bylaw.

Project Location (Address): \_\_\_\_\_

Assessor's Map(s) \_\_\_\_\_ Parcel(s) \_\_\_\_\_

Zoning Classification:      General Industrial    [ ]                      Highway Industrial    [ ]

Description of Use:    [ ] Cultivation    [ ] Processing & Packaging    [ ] Retail Sales    [ ] Wholesale

Gross Floor Area: \_\_\_\_\_ Square Feet

Plan Title \_\_\_\_\_

by \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_.

- Stand Alone Facility as required by Section 6.10.5.1
- The project site is at least 1,000 feet from any School, Child Care Facility, Library, Playground, Public Park or any similar facility.
- The project site is at least 1,000 feet from any Residential Zone or Historic District.

Detailed Description of Proposed Security Measures: \_\_\_\_\_

Proposed Signage is Provided:      Yes [ ]                      No [ ]

**Required Attachments:**

- Deed or Lease Provided / Verification to use the Site for a Registered Marijuana Dispensary.
- Site Plans
- Detailed Floor Plans
- Architectural Plans
- Certified Abutters List
- Copies of All Licenses from Commonwealth of Massachusetts
- Copies of All Policies and Procedures in accordance with Section 6.10.6.1.h
- Documentation is provided in accordance with Section 6.10.8.1.

Name, address and signature of all persons having a legal interest in the property:  
(In the case of a Business Entity, All Owners, Shareholders and Partners must be identified in accordance with 6.10.6.1.d)

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

(Must be an original signature of persons having a legal interest in the property)

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Email Address(es): \_\_\_\_\_

Applicant's Name (If Not Owners): \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

OFFICE USE: SP# \_\_\_\_\_ - \_\_\_\_\_

SPECIAL PERMIT APPLICATION FOR RELIEF FROM PARKING REQUIREMENTS  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached site plan and supporting documents for special permit under Section 6.4.3.2 of the Wilmington Zoning Bylaw for relief from parking regulations for non-residential uses.

Project Location (Address): \_\_\_\_\_

Assessor's Map(s) \_\_\_\_\_ Parcel(s) \_\_\_\_\_

Zoning: [ ] Neighborhood Business [ ] General Business [ ] General Industrial [ ] Highway Industrial

Project Type: [ ] New construction [ ] Change of Use

Is Off-Site Parking Proposed on Abutting Parcel: [ ] Yes [ ] No Easement Provided: [ ] Yes [ ] No

Description of Proposed Parking:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plan Title \_\_\_\_\_

by \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_.

Required Attachments: [ ] Site Plan [ ] Detailed Floor Plans [ ] Certified Abutters List

Name, address and signature of all persons having a legal interest in the property:

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

(Must be an original signature of persons having a legal interest in the property)

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Email Address(es): \_\_\_\_\_

Applicant's Name (If Not Owners): \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

SPECIAL PERMIT APPLICATION FOR SIGNS  
WILMINGTON PLANNING BOARD

Per Section 6.3.2 of the Wilmington Zoning Bylaw, the undersigned hereby submits application for a Special Permit for Signs.

Project Location (Address): \_\_\_\_\_

Assessor's Map(s) \_\_\_\_\_ Parcel(s) \_\_\_\_\_

Sign Type:      Wall Sign      Freestanding Sign      Directional Sign      Other

If Wall Sign, please provide length of building façade: \_\_\_\_\_ feet

Description of Proposed Signage (Type, quantity, dimensions, material, location):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Requesting Special Permit for Bylaw, "Signs and Advertising", Section 6.3: \_\_\_\_\_

Allowed Sign Area: \_\_\_\_\_sf           Number of Signs Allowed: \_\_\_\_\_

Proposed Sign Area: \_\_\_\_\_sf           Number of Signs Proposed: \_\_\_\_\_

Plan Title \_\_\_\_\_

by \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_\_.

Required Attachments:

- Application – 6 copies
- Rendering depicting the Sign Type(s), Dimensions and Location(s) – 6 copies
- Certified Abutters List
- Filing Fee

Applicant Name: \_\_\_\_\_ Property Owner Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Property Owner Signature: \_\_\_\_\_

*(Must be original signatures)*

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Email: \_\_\_\_\_

SPECIAL PERMIT APPLICATION FOR PLANNED RESIDENTIAL DEVELOPMENT  
WILMINGTON PLANNING BOARD

The undersigned hereby submits the attached subdivision plan and supporting documents for special permit under Section 7 of the Wilmington Zoning Bylaw.

The undersigned, being the applicant for a special permit of a proposed Planned Residential Development shown on a plan entitled \_\_\_\_\_  
by \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_\_ being land bounded as follows: \_\_\_\_\_

\_\_\_\_\_ Town Assessor's Map \_\_\_\_\_, block \_\_\_\_\_ parcel \_\_\_\_\_ hereby submits said plan as a PLANNED RESIDENTIAL DEVELOPMENT plan in accordance with the Wilmington Zoning Bylaw, Section 7 and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from \_\_\_\_\_

\_\_\_\_\_ by deed dated \_\_\_\_\_ and recorded in the Middlesex County Registry of Deeds Book \_\_\_\_\_, Page \_\_\_\_\_, registered in the \_\_\_\_\_ Registry District of Land Court, Certificate of Title No. \_\_\_\_\_; and said land is free of encumbrances except for the following:

Signature \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

Applicant's Address \_\_\_\_\_

Owner's Signature and Address, if not applicant \_\_\_\_\_

Project Location (Address): \_\_\_\_\_

Size of lot in acres: \_\_\_\_\_

Groundwater Protection District Yes [ ] No [ ]

Open space percentage: \_\_\_\_\_ % Percentage of open space that is wetland: \_\_\_\_\_ %

Percentage of entire tract which is wetland: \_\_\_\_\_ %

Are there any wastewater disposal facilities and stormwater management systems in the Open space? If Yes, \_\_\_\_\_ acres

Proposed housing types (i.e single-family, two-family; multi-family) \_\_\_\_\_



SPECIAL PERMIT APPLICATION FOR PLANNED RESIDENTIAL DEVELOPMENT  
WILMINGTON PLANNING BOARD

**ENGINEER'S CERTIFICATE:**

In preparing the plan entitled, I hereby certify that the above named plan and accompanying data is true and correct in accordance with the requirements of the current Rules and Regulations Governing the Subdivision of Land in Wilmington, Massachusetts, and that the designs contained herein are in accordance with commonly accepted engineering practice and in compliance with applicable laws and regulations of the Commonwealth of Massachusetts and By-laws of the Town.

1. Sources of data are listed as follows \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Oral information furnished by \_\_\_\_\_  
\_\_\_\_\_

3. Actual measurements on the ground and other field determinations \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Other sources \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Seal of Engineer)

Signed: \_\_\_\_\_  
(Registered Professional Engineer)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address

(Seal of Landscape Architect)

Signed: \_\_\_\_\_  
(Registered Landscape Architect)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address

APPENDIX B

PLANNING BOARD FEE SCHEDULE

**Planning Board**  
**Application Fee Schedule**  
 Effective August 1, 2004

Form A	\$250 for the first new lot or lot line change and \$50 for each additional lot	
Preliminary Subdivision	\$500 plus \$50 per lot	
Amendment	\$100 plus \$50 per lot	
Definitive Subdivision	\$500 plus \$250 per lot w/ preliminary plan or CSD special permit \$1,000 plus \$250 per lot without preliminary	
Amendment	\$200 plus \$100 per lot	
Special Permit - Chapter 139 (Nonconforming lots)	\$500	
Special Permit – Multifamily Housing	2 - 25 units	\$1,000
	26 - 50 units	\$1,500
	51 - 100 units	\$2,000
	100+ units	\$2,500
Special Permit – Conservation Subdivision	\$500 plus \$50 per lot	
81G Roadway Improvement Application	\$500 per lot	
Site Plan Review (Commercial space in mixed-use development subject to Site Plan Review fee)	0 – 4,999 sf	\$200
	5,000 sf – 9,999 sf	\$300
	10,000 sf – 49,999 sf	\$500
	50,000 sf – 74,999 sf	\$1,000
	75,000 sf – 99,999 sf	\$1,500
	100,000+ sf	\$2,000
	Any application that does not come under the above schedule and is determined to require site plan review, such as parking lots, use changes, etc. shall pay a fee of \$200.	
Site Plan Review – Wireless Facility	\$1,000	
PRD – Rezoning Proposal	\$500 plus \$50 per lot	
Special Permit	\$500 plus \$250 per lot	

