

INSTRUCTIONS for filing Petition for Public Hearing re WRPD Special Permit

The petitioner is to file **ONE (1) electronic copy** and **SEVEN (7) paper copies** of the **ENTIRE** application & site plans, including a Certified Abutter's list (which may be obtained at the Assessors' office, Town Hall, 10 Nickerson Ave.) and a non-refundable filing fee of fifty (\$50) dollars, payable to the Town of Middleborough, **at the Town Clerk's office** located at the Town Hall Annex, **20 Centre Street**. The Town Clerk's office will forward the petition packet to the Board of Selectmen's office.

All applications/petitions received must be complete before they can be acted upon by the Board of Selectmen. The Board reserves the right to either, refuse to accept, or return for additional information, any petition which is not completed according to these directions. The Board additionally reserves the right to seek review of the petitioner's application by an outside consultant (reference regulation "Outside Consultants – Special Account").

- A. The petitioner must prove, in writing, at the time of filing, that the proposed use:
 - 1. Is in harmony with the purpose and intent of the WRPD Bylaw and will promote the purposes of the Water Resource Protection Districts;
 - 2. Is appropriate to the natural topography, soils, and other characteristics of the site to be developed;
 - 3. Will not, during construction or thereafter, have an adverse environmental impact on the aquifer or recharge areas; and
 - 4. Will not adversely affect any existing or potential water supply.
- B. The petitioner is responsible for the cost of the legal publication of hearing notice in the Middleboro Gazette newspaper. The hearing notice for a WRPD Special Permit public hearing is required to be published twice. The fee is not determined until layout by the newspaper, and therefore, is not due at time of petition submittal. The Board of Selectmen's office staff will notify the petitioner of the amount due, once it is known.
- C. The petitioner will be notified of the date, time, and place of the public hearing by the Board of Selectmen's office staff. The office staff will provide the petitioner with a public hearing notice. The petitioner will make

the necessary copies and mail this notice to each abutter on the Certified Abutter's list via Certified, Return Receipt requested mail.

The petitioner collects the green receipt cards as they are received back from the abutters, and the receipts proving the certified letters were sent, and brings them to the public hearing to turn into the Selectmen's Executive Assistant.

- D. The petitioner or a representative must attend the public hearing. The petitioner should bring to the hearing any documents, plans, witnesses, other information, or materials, that will be necessary to substantiate the request.
- E. After the public hearing, you will receive a letter from the Board of Selectmen's office advising you that your application, Certificate of Granting and the Report of the hearing has been filed with the Town Clerk. This information is a matter of public record and may be seen at the Town Clerk's Office. The letter will indicate if your petition was granted. If any stipulations were voted by the Board, they will be included in the report.
- F. Anyone who may wish to appeal the decision of the Board may do so, provided an action is taken to the Superior Court sitting in Plymouth County, Massachusetts, or the Land Court, within twenty (20) days after the hearing decision has been filed.
- G. After the twenty day appeal period has expired, you will be mailed a Certificate of Granting of Special Permit, a copy of the Report of the Hearing, and a letter from the Town Clerk. These forms must be filed with the Plymouth Registry of Deeds, Russell Street, Plymouth, Massachusetts. You are required to provide proof (copy) of this filing to the Board of Selectmen's office.

Please feel free to contact the Board's Executive Assistant, Jackie Shanley, in the Selectmen's office at 508 946-2405 with any questions.

CHECKLIST FOR SITE PLANS

(Applicant must initial each item or the application/petition will not be accepted.)

No.	Description	Initial	N/A
1.	One (1) electronic copy of the site plans must be filed with the Board of Selectmen's office via jshanley@middleborough.com .	_____	_____
2.	Seven (7) paper copies of the site plan must be filed with the Town Clerk's office, along with seven (7) paper sets of the petition application (see top of "Petition Application" form).	_____	_____
	a. Show locus to reasonable scale (use corner of the site plan page).	_____	_____
	b. Show existing and proposed street lines, number & name.	_____	_____
	c. Show existing and/or proposed building, including accessory buildings.	_____	_____
	d. Show driveway and driveway openings.	_____	_____
	e. Show natural waterways (if any).	_____	_____
	f. Show distance from structure to wetlands.	_____	_____
	g. Show the location of all wetlands, which must be determined by a wetland's specialist, i.e., flagged on site plans, the area which is within twenty-five (25) feet of the wetland, the total area and location of the portion of any lot within one hundred (100) feet of any wetland and the land disturbing activity or activities proposed within the one hundred (100) and twenty-five (25) foot zones.	_____	_____
	h. Show setback dimensions or distances from street and abutters.	_____	_____
	i. Show the footage for all lines of the property and the total area (either in square footage or acreage).	_____	_____
	j. Show topography, wetland delineations, local storm water discharge points, on site drainage systems and septic systems.	_____	_____
	k. Show details for work done or proposed for any component outlined in No. 1(j) (above).	_____	_____
1.	The plan is stamped by BOTH a registered Land Surveyor and a Civil Professional Engineer.	_____	_____
	Note: If the site has no approval required other than a home lot, then a Land Surveyor stamp will be accepted.		

CHECKLIST FOR PROJECT WRITTEN NARRATIVE

No.	Description	Initial	N/A
1.	Provide a written narrative explaining how you see the project complying with the WRPD bylaws and regulations.	_____	_____
2.	The submittal contains a Certified Abutter's list obtained from the Assessor's office, Town Hall, 10 Nickerson Ave.	_____	_____
3.	If your petition requests alterations or additions to a building, or structure, you should bring detailed plans which show the proposed alterations or additions.	_____	_____
4.	The submittal contains calculations for any proposed on-site stormwater retainage, storage tanks and spill containment, on site drainage and recharge.	_____	_____
5.	The submittal contains a statement that the project has been designed to minimize large scale lot disturbances and has implemented methods to encourage infiltration of site runoff and preservation of groundcover.	_____	_____
6.	The submittal contains a statement that there will be no removal of soil closer than four (4) feet to the groundwater table, as determined through Title 5 Soil Evaluation methods.	_____	_____
7.	The submittal contains a statement that if there is to be storage of hazardous wastes, sludges, deicing chemicals, fertilizers, or oil, that the appropriate methods have been provided to contain any spillage.	_____	_____
8.	The submittal contains a statement that outside stored material will have no impact to the groundwater.	_____	_____