

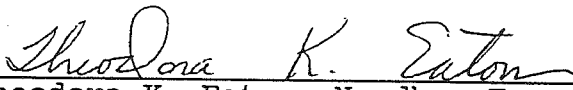
TOWN OF NEEDHAM
ADOPTED AMENDMENT TO THE SUBDIVISION
REGULATIONS AND PROCEDURAL RULES OF THE PLANNING BOARD
June 16, 1992

Amend Section 1. General Provisions, Subsection 1.2. Definitions, by adding the following new definition for "exclusive use area":

"Exclusive Use Area - An exclusive use area means a building lot in a 'cluster development' as defined by General Laws, Chapter 40A for which fee simple title may be conveyed, or an area located adjacent to a dwelling unit and reserved for its exclusive use in a condominium or similar scheme."

A True Copy

ATTEST:



Theodora K. Eaton, Needham Town Clerk



TOWN OF NEEDHAM
MASSACHUSETTS

Room 20, Town Hall
Needham, MA 02492
781-455-7526

PLANNING BOARD

TOWN OF NEEDHAM
ADOPTED AMENDMENT TO THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE
PLANNING BOARD
December 7, 2004.

1. Amend Section 2, Plans Which Do Not Require Approval Under Subdivision Control Law, Sub-Section 2.1 Submission Procedure, Paragraph 2.1, by deleting the language in the last sentence that reads, "...\$50.00 per plan plus \$25.00 for each new building lot created," and by substituting in its place the following new language:

"...\$100 per plan plus \$50.00 for each new building lot created."

2. Amend Section 3, Subdivisions, Sub-Section 3.1, Preliminary Subdivision Plans, Paragraph 3.1.1, by deleting the language in the third sentence that reads, "...shall be accompanied by a filing fee of \$50.00 plus \$25.00 per lot, such fee to be credited towards the filing fee for a Definitive Plan if the Preliminary Plan is approved." and by substituting in its place the following new language:

"...shall be accompanied by a filing fee of \$100.00 plus \$50.00 per lot, such fee to be credited towards the filing fee for a Definitive Plan if the Preliminary Plan is approved."

3. Amend Section 3, Subdivisions, Sub-Section 3.2, Submission of Definitive Plans, Paragraph 3.2.2, by deleting the first sentence that reads, "There shall be a filing fee of \$500.00 plus \$100.00 per lot for each lot in the subdivision." and by substituting in its place the following new sentence:

"There shall be a filing fee of \$500.00 plus \$250.00 per lot for each lot in the subdivision."

4. Amend Section 4, Planning Board Rules for Planned Residential Development Specials Permits, Residential Compound Special Permits, Flexible Development Special Permits, Site Plan Review Special Permits, Article II, The Application, Sub-Section 7., Filing Fees, by revising the filing fees for "Planned Residential Developments", "Residential Compounds", and "Site Plan Review" as follow:

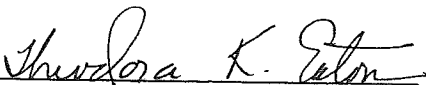
"Planned Residential Developments - \$500.00 per plan, plus \$250.00 per unit; if submitted together with a Definitive Subdivision Plan, the second fee may be waived by the Board; "

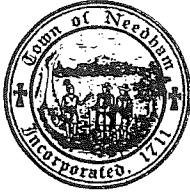
"Residential Compounds - \$500.00 per plan, plus \$250.00 per unit;"

"Site Plan Review - Major Project with up to 10,000 square feet of gross floor area, \$1,000; Major Project with over 10,000 square feet of gross floor area, \$1,000 plus \$0.10 for each square-foot over 10,000 square feet; Major Project that comprises a façade change only, no fee; Minor Project, \$100.00; (See Needham Zoning By-Law, Sub-Section 7.4.2 for definition of project category.)"

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PLANNING BOARD


TOWN OF NEEDHAM
ADOPTED AMENDMENT TO THE SUBDIVISION REGULATIONS AND PROCEDURAL
RULES OF THE PLANNING BOARD
November 28, 2006

1. Amend Section 4, Planning Board Rules for Planned Residential Development Specials Permits, Residential Compound Special Permits, Flexible Development Special Permits, Site Plan Review Special Permits, Article II, The Application, Sub-Section 7., Filing Fees, by revising the filing fees for "Site Plan Review" to include a \$250 fee for a DeMinimus Modification as follows (new language in bold):

"Site Plan Review - Major Project with up to 10,000 square feet of gross floor area, \$1,000; Major Project with over 10,000 square feet of gross floor area, \$1,000 plus \$0.10 for each square-foot over 10,000 square feet; Major Project that comprises a façade change only, no fee; Minor Project, \$100.00; **DiMinimus Modification; \$250** (See Needham Zoning By-Law, Sub-Section 7.4.2 for definition of project category.)"

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TOWN OF NEEDHAM
ADOPTED AMENDMENT TO THE SUBDIVISION REGULATIONS AND PROCEDURAL
RULES OF THE PLANNING BOARD
March 20, 2012

1. Amend the Subdivisions Regulations and Procedural Rules of the Planning Board, Section 4, "Planning Board Rules for Planned Residential Development Specials Permits, Residential Compound Special Permits, Flexible Development Special Permits, Site Plan Review Special Permits", Article II, "The Application", by inserting a new Section 9, entitled "Permit Review Fees" as follows and by renumbering the remaining sections accordingly:

"Section 9. Project Review Fees

Any applicant who submits an application pursuant to these Rules and Regulations may be required to submit a project review fee in accordance with the following provisions of this section:

(a) When reviewing an application for approval, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project or because of a project's potential impacts or because the Town lacks the necessary expertise to perform the review work related to the approval. The Planning Board may require that applicants pay a "project review fee" consisting of the reasonable costs incurred by the Planning Board for the employment of outside consultants engaged by the Planning Board to assist in the review of a proposed project.

(b) In hiring outside consultants, the Planning Board may engage engineers, planners, traffic consultants, attorneys, architects, housing specialists, financial analysts, and/or other appropriate outside consultants who can assist the Planning Board in reviewing and analyzing the proposed project and to ensure compliance with all relevant laws, by-laws and regulations. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue, professional licensure or three or more years of practice in the field at issue or a related field.

(c) Funds received by the Planning Board pursuant to this section shall be deposited with the Town Treasurer who shall establish a special account for this purpose in accordance with the provisions of Chapter 44, Section 53G of the General Laws. Expenditures from this special account may be made at the direction of the Planning Board without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been collected from the applicant. Any accrued interest may also be spent for this purpose. At the completion of the Planning Board's review of a proposed project, any excess amount in the account, including interest, attributable to a specific project, shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this section, any person or entity claiming to be an applicant's successor in interest shall provide the Planning Board with documentation establishing such succession in interest.

(d) The Planning Board shall give written notice to the applicant of the selection of the outside consultant(s), which notice shall state the identity of the consultant(s), the amount of the fee to be charged to the applicant, and a request for payment of said fee in its entirety. Such notice shall be deemed to have been given on the date it is mailed or delivered. No such costs or expenses shall be incurred by the applicant if the application or request is withdrawn within five days of the date notice is given.

(e) The fee must be received in its entirety prior to the institution of consulting services. The Planning Board may request additional consultant fees if the necessary review requires a larger expenditure than originally anticipated or new information requires additional consultant services. Failure by the applicant to pay the consultant fee specified by the Planning Board within ten (10) business days of the request for payment shall be cause for the Planning Board to deny the application.

(f) Prior to paying the consultant fee, the applicant may appeal the selection of the outside consultant(s) to the

Board of Selectmen. The grounds for such an appeal shall be limited to claims that a selected consultant has a conflict of interest or that a selected consultant fails to possess the minimum required qualifications. The written appeal must be received by the Board of Selectmen within ten (10) days of the date consultant fees were requested by the Planning Board. A copy of the appeal shall be simultaneously provided to the Planning Board. The time limit for the Planning Board's action on the proposed project shall be extended by the duration of any administrative appeal to the Board of Selectmen. In the event that the Board of Selectmen makes no decision regarding the appeal within thirty days following the filing of such appeal, then the selection of the Planning Board shall stand."

2. Amend Section 3, Subdivisions, Sub-Section 3.2, Submission of Definitive Plans, Paragraph 3.2.2, by inserting a new second paragraph to read as follows:

"Any applicant who submits an application pursuant to these Rules and Regulations may be required to submit a project review fee in accordance with the regulations established for special permits pursuant to Section 4, "Planning Board Rules for Planned Residential Development Specials Permits, Residential Compound Special Permits, Flexible Development Special Permits, Site Plan Review Special Permits", Article II, "The Application", paragraphs (a) through (f)."

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