

TOWN OF IPSWICH, MASSACHUSETTS

PLANNING BOARD

STEPS FOR SPECIAL PERMIT PROCESS

Prior to submittal of this application, it is recommended that you do the following:

1. Meet with a representative of the permit granting authority (e.g. Building Inspector, Conservation Agent, Town Planner);
2. Meet with abutters to the project;
3. Obtain a copy of the Development Guidebook for the Town of Ipswich, available at Town Hall.

These activities will alleviate potential delays that could cost you time, money and headaches.

PROCEDURE FOR FILING AN APPLICATION FOR A SPECIAL PERMIT

STEP 1: BUILDING INSPECTOR/ZONING ENFORCEMENT OFFICER DENIAL

The applicant is informed by the Building Inspector/ Zoning Enforcement Officer that the proposed project requires Special Permit approval by the Planning Board.

STEP 2: SPECIAL PERMIT APPLICATION AND PLAN PREPARATION

The applicant provides to the Planning Board the required forms and plans as specified in the attached Special Permit Rules and Regulations.

STEP 3: APPLICATION SUBMISSION

The applicant submits a completed application and set of plans to the Town Clerk and the Department of Planning and Development; both are to be stamped by the Town Clerk certifying the time and date of filing. The original will be filed with the Town Clerk, with the remaining seven copies to be submitted with the fee, to the Department of Planning and Development. Only two copies of the drainage calculations (if required) need to be submitted, both to the Department of Planning and Development.

STEP 4: SCHEDULING OF HEARING AND PREPARATION OF LEGAL NOTICE

The Department of Planning and Development schedules the applicant for a hearing date and prepares the legal notice for mailing to parties of interest (abutters) and for publication in the local newspaper.

STEP 5: PAYMENT OF LEGAL NOTICE

The applicant is provided a bill for the legal notice and pays the local newspaper. A payment receipt must be provided to the Department of Planning and Development prior to the public hearing.

STEP 6: PUBLIC HEARING BEFORE THE PLANNING BOARD

Applicants should appear on their behalf, or be represented by an agent authorized to represent their interests. In the absence without due cause of any appearance on behalf of the applicant, the Board shall decide on the matter by using the information it has otherwise received.

STEP 7: DECISION

Within ninety (90) calendar days after the close of the hearing, the Board will forward a decision to the Town Clerk; said decision shall be stamped by the Town Clerk certifying the time and date of filing. A notice of the Board's decision will be sent to all parties of interest. (Any appeal of the Board's decision may be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17, within twenty (20) calendar days after the decision is filed with the Town Clerk.)

STEP 8: RECORDING CERTIFICATE OF DECISION AND PLANS

The applicant is responsible for recording certification of the decision and accompanying plans at the Essex (South District) Registry of Deeds in Salem, Massachusetts and shall forward a recorded copy to the Ipswich Department of Planning and Development upon execution of the document.

TELEPHONE NUMBERS:

ADDRESS:

Department of Planning and Development:	356-6607	Ipswich Town Hall
Code Enforcement (Building Inspector):	356-6605	25 Green Street
Assessor:	356-6603	Ipswich, MA 01938
Town Clerk:	356-6600	
Conservation Commission:	356-6661	

TOWN OF IPSWICH, MASSACHUSETTS

RULES AND REGULATIONS GOVERNING THE GRANTING OF SPECIAL PERMITS

PURPOSE

The purpose of these Rules and Regulations is to establish a standard policy for the granting of Special Permits, as provided by the Ipswich Protective Zoning Bylaw, voted in May 1977 and as amended, for those permits where the designated Special Permit granting authority is the Planning Board.

SECTION I AUTHORITY

Under the authority vested in the Planning Board of the Town of Ipswich in accordance with the provisions of Section 9 and 11 of Chapter 40A of the General Laws, as amended, and subject to the applicable conditions set forth in the Protective Zoning Bylaw, Town of Ipswich, May 1977, as amended, the Planning Board may, for those certain uses, structures, or conditions so designated in the Table of Use regulations and elsewhere in the Bylaw, approve an application for a Special Permit if the Planning Board with due regard to the nature and condition of all adjacent structures and uses, and the district within which the same is located, shall find all of the following general conditions to be fulfilled:

1. The use requested is referred to in the Table of Use Regulations as a special permit use in the district for which the application is made or is so designated elsewhere in this Bylaw.
2. The use is in harmony with the purpose of this Bylaw.
3. The requested use will not create undue traffic congestion or noise or unduly impair pedestrian safety.
4. The requested use will not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting the health, safety or the general welfare.
5. Any conditions for specific uses, set forth in this Bylaw, are fulfilled.
6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to health, morals, or welfare.

For Great Estates Preservation Developments (GEPD), the following additional general condition must be fulfilled: The proposed GEPD will, by its design and layout, succeed in (a) preserving open

space for conservation and/or recreation purposes, and providing appropriate public access to the open space; (b) protecting natural features of the land which are important to the character of the town; and (c) preserving the buildings, structures, and landscape features of the large estate properties in the RRA District.

According to the provisions of Section 9 of Chapter 40A of the General Laws, a special permit granted under this Bylaw shall lapse within two years of the date of approval if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.

SECTION II CONDITIONS -- GREAT ESTATES PRESERVATION DEVELOPMENTS

In determining whether a proposed GEPD fulfills the conditions for special permit approval, the Board shall consider the guidelines outlined below. The guidelines are intended to provide guidance to the applicant in the preparation of plans, as well as guidance to the Board during its review. They are not intended to be exhaustive, and specific additional guidelines may be applied for a project, if the Board determines they are necessary. The guidelines are intended to encourage exemplary projects and good design, without discouraging creative and/or innovative solutions to problems of a site. The issues and concerns represented by the guidelines must be addressed to the satisfaction of the Board in the final site plan.

(a) Preserving open space for conservation and/or recreation purposes and providing appropriate public access to the open space

When providing the Board with information regarding the intended use or uses of the proposed open space, the applicant shall:

- X Identify the nature of all potential recreational uses of the open space (e.g., hiking, skiing, golf, horseback riding, biking, birding, educational tours) and their impact on other natural resources of the open space
- X Describe the steps being taken to ensure compatibility between resource management and recreation planning, and how these procedures are integrated with an overall land use plan
- X Provide evidence that archaeological and historic documents have been consulted when devising re-use plans for open space and that efforts have been made to preserve historic features and vistas
- X Develop a plan for all recreational elements (e.g., trail network) within the Open space which establishes responsibilities and procedures for ensuring their proper maintenance.

To ensure that the proposed open space is accessible to the public, the plan shall

provide a signage scheme which includes welcome signs and directional signs to parking and trail heads, and proposed distribution points for maps and/or brochures which orient visitors and identify public areas. If the proposed development requires any trail relocation, the redesigned trails should maximize view potential and should ensure the adequacy of the trails for identified uses (e.g., minimum height clearance for equestrian use).

(b) Protecting natural features of the land important to character of town

Finished site contours shall approximate the character of the natural site; in designing the proposed development, every effort shall be made to *reduce*:

- X the volume of cut and fill
- X the number of removed trees
- X the pollutants reaching the water table or surface waters
- X the area of wetland vegetation displaced
- X soil erosion
- X the area of impervious surface
- X the amount of stormwater runoff from the site.

For GEPDs which contain significant areas of forest, the Planning Board will request the applicant to provide a forest management plan. Where tree coverage does not exist, or has been removed, new planting may be required. All new tree plantings shall have an initial trunk diameter of three inches, as measured six inches above grade.

(c) Preserving the buildings, structures, and landscape features of the large estate properties in the RRA District

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings on the property that have functional or visual relationships to the proposed buildings. A common architectural theme shall be reflected by means of building materials, architectural style, sign controls, and /or color coordination. The building, siting and massing shall be done in a manner that (a) reduces the effect of shadows on adjacent buildings, landscape features and open spaces, and (b) maintains significant views and vistas.

Removal or alteration of historic, traditional or significant architectural elements shall be minimized insofar as practicable.

SECTION III GENERAL

Application for the Special Permit shall be made on the Application for Special Permit

Form, Town of Ipswich, Planning Board. All applicants must complete Section III of this form and further information as noted below:

Residential Uses Requiring Special Permits

1. Multi-Family in Intown-Residence, Highway Business, and Business Districts
2. Open Space Preservation (Cluster) Zoning
3. Bed and Breakfast Home
4. Conversion of existing dwelling into Bed and Breakfast Home
5. Dormitory, resident fraternity or sorority
6. Temporary Living Facility

For residential use special permits, the following information is required:

Plans: site plan, general character plan, phasing plan, landscape plan and open space plan;

Written Requirements: water and sewer information, environmental reports, impervious surface calculations, and copies of all deeds, easements or other documents related to the land or interests in land which exist or are proposed shall be submitted with the application.

Community Facilities Uses Requiring Special Permits

1. Town or non-Commercial Outdoor Recreational Facilities
2. Power Plants, Treatment or Waste Facility
3. Municipal Parking Lot or Structure
4. Wireless Communications Facilities
5. Performing Arts Center
6. Educational purpose, private*

7. Greenhouses, less than five acres*
8. Commercial kennels, stables, etc.*

For community use special permits, the following information is required:

Plans: site plan and general character plan;

Written Requirements: water and sewer information, environmental reports, hazardous materials information, impervious surface calculations and copies of all deeds, easements or other documents related to the land or interests in land which exist or are proposed shall be submitted with the application.

Commercial Facilities Uses Requiring Special Permits

1. Automotive Repair and Sales
2. Selling or Renting of Boats and/or Vehicles
3. Hotels and Motels
4. Country, Fishing, Tennis or Recreational Club
5. Bus, Railroad or Other Passenger Transportation Service
6. Wastewater or Package Wastewater Plant, or Power Plant
7. Screening (1)
8. Assisted Living or Life Care Facility
9. Adult Entertainment Establishment
10. Bed & breakfast establishment, including conversion of an existing dwelling into a bed & breakfast establishment
11. Great Estates Preservation Development
12. Retail establishment, convenience*
13. Retail establishment, general*
14. Eating & Drinking Places*

15. Formula fast food establishments
16. Establishment selling motor vehicle parts*
17. Inn*
18. Personal & consumer service establishment*
19. Funeral establishment*
20. Rest homes, nursing homes*
21. Membership club*
22. Professional services & finance, banking*
23. Miscellaneous business repair services*
24. Motion picture establishment*
25. Other amusement & recreation service*
26. Commercial parking lot or structure
27. Shopping Center
28. Golf driving range, miniature golf
29. Mini-storage warehouses
30. Campground
31. Research & development establishments*
32. Enclosed manufacturing or processing*
33. Enclosed construction uses*
34. Wholesale trade, warehousing & distribution*

For commercial facilities use special permits, the following information is required:

Plans: site plan, general character plan and phasing plan;

* Applies only in non-residential districts. (Amended 11/15/01)

Written Requirements: water and sewer information, environmental reports, impervious surface calculations and copies of all deeds, easements or other documents related to the land or interests in land which exist or are proposed shall be submitted with the application.

(1) Screening special permit requires a site plan, general character plan and landscape plan only.

**Water Supply Special Permits
District A**

1. On-site septic system greater than 600 gallons/day/acre
2. Stockpiling agricultural wastes
3. Rendering impermeable more than 20% on any lot (2)
4. Sewage Treatment Works permitted by the State DEP, and On-site Sewage Disposal Systems serving more than one dwelling unit in full conformance with the requirements of 310 CMR 15.000.

**Water Supply Special Permits
District B**

1. Sale, Use and Storage of Hazardous/Toxic Materials
2. Disposal of Solid Wastes and/or Sludges
3. On-site Septic System greater than 600 gallons/day/acre
4. Excavating/Drilling to Depth Greater than 15' Below Grade (3)
5. Sewage Treatment Works permitted by the State DEP, and On-site Sewage Disposal Systems serving more than one dwelling unit in full conformance with the requirements of 310 CMR 15.000.

For water supply use special permits, the following information is required:

Plans: well protection/watercourse plan, common ownership/adjacent land use plan and phasing plan;

Written requirements: water and sewer information, environmental reports, special reports, hazardous materials information, groundwater certification form, and copies of all deeds, easements or other documents related to the land or interests in land which exist or are proposed shall be submitted with the application.

- (1) Impervious surface calculations are also required.
- (2) Completion of Section III; a site plan with proposed locations of drilling; and details on capping and/or sealing the well(s) are the only information needed to be provided for this special permit application.

Hazardous Waste Uses Requiring Special Permits

- 1. Sale, Use and Storage of Hazardous, Volatile and/or Toxic Materials

For hazardous waste use special permits, the following information is required:

Plans: well protection/watercourse plan, common ownership/adjacent land use plan and phasing plan;

Written requirements: water and sewer information, environmental reports, special reports, hazardous materials information, groundwater certification form and copies of all deeds, easements or other documents related to the land or interests in land which exist or are proposed shall be submitted with the application.

In accordance with the provisions of Section 11 of M.G.L. Chapter 40A, as amended, the Planning Board is required to hold a public hearing for all special permit applications, and by these regulations shall require a public hearing on the subject of any amendment to a special permit granted hereunder. Please note that under this law the Planning Board has sixty five (65) calendar days to hold this hearing and is required to make its decision ninety (90) calendar days from the date that the public hearing is closed. Any application to amend a previously approved special permit shall be accompanied by the submittal fee established in Section III, 19., of these Rules & Regulations. The Board may, in its discretion, waive the fee, in full or in part, based on the magnitude of the requested modification. (Amended 9/1/94.)

SECTION IV

TOWN OF IPSWICH, MASSACHUSETTS

PLANNING BOARD APPLICATION FOR SPECIAL PERMIT

1. Special Permit Required (Cite applicable portion of by-law)
2. Location of Property
Assessor's Map & Parcel No.

Zoning District (Check as applicable)
() Rural Residence A (RRA) District
() Rural Residence B (RRB) District
() Rural Residence C (RRC) District
() Intown Residence (IR) District
() Business (B) District
() Highway Business (HB) District
() Planned Commercial (PC) District
() Industrial (I) District
() Limited Industrial (LI) District
() Water Supply A (WSA) District
() Water Supply B (WSB) District
() Wireless Communication District A (WCA)
() Wireless Communication District B (WCB)
3. Name of Applicant
4. Address of Applicant
5. Telephone Number of Applicant
6. If applicant is not owner, state interest or status of applicant in land. (Attach a copy of any option, purchase agreement, power of attorney, and copies of all trust instruments including schedules of beneficiaries or owners, or, if a corporation, copies of documents evidencing corporation existence which may be applicable)
7. Name of Owner(s)
8. Address of Owner(s)
9. Telephone Number of Owner(s)

10. Is a Special Permit required from the Zoning Board of Appeals or the Board of Selectmen? ()yes ()no

If "yes" then specify the type and status of the application

11. Is a variance required from the Zoning Board of Appeals? ()yes ()no

If "yes" then specify the type and status of the application

12. Is the proposed development served by:

Public Water System ()yes ()no
Public Sewer System ()yes ()no

13. Is the property subject to the Demolition Delay By-law? ()yes ()no

14. Is the property subject to the Wetlands Protection Act and/or the General Wetlands By-law of the Town of Ipswich? ()yes ()no

15. Is an environmental study or document required for this project under state or federal law? ()yes ()no

If "yes" then specify the type of study and agency requiring study.

16. Attach a description of the existing use _____

17. Attach a description of the proposed use _____

- 18. Attach a list of abutters, owners of land directly opposite on any public or private way or street, and owners of land within 300 feet of the property line, including those applicable which may lie within any bordering towns. This list shall be certified by the Ipswich Assessor's office.
- 19. Submit the fee, per attached fee schedule.

FEE SCHEDULE

Residential

Multi-family Res.	\$500 for projects of five or fewer units; for all other projects, \$500 plus \$100 for each unit over five (Amended 11/15/01).
Open Space Pres. Zone	\$250. base fee plus applicable subdivision fee or multi-family residence fee
Bed & breakfast home Conversion of existing dwelling into bed & breakfast home	\$200.
Dormitory, resident fraternity or sorority	\$500.
Temporary Living Facility	\$300.
Great Estate Preservation Development	\$1,000.

Community Facilities

Outdoor Recreation Fac.	\$200.
Power Plant, etc.	\$500.
Parking Lot/Structure	\$200.
Wireless Communications Facilities	\$500.
Performing Arts Center	\$300.

Commercial Facilities/Transportation

Automotive, Boat Sales	\$500.
Automotive Repair	\$500.
Hotels and Motels	\$500.
Club/Recreational	\$200.
Bus and/or Passenger Transportation services	\$300.(Amended 11/15/01)
Wastewater/pack. plant	\$300. (Amended 11/15/01)
Screening	\$200. (Amended 11/15/01)
Assisted Living or Life Care Facility	\$500.
Adult Entertainment Establishment	\$500.
Bed & breakfast establishment, including conversion of an existing dwelling into a bed & breakfast establishment	\$500.
Formula Fast Food Establishments	\$400 (Added 11/15/01)
Commercial parking lot or structure	\$400 (Added 11/15/01)
Shopping Center	\$1,000, plus \$50 every 1,000 s.f. of gross floor area over 20,000 s.f. (Added 11/15/01)
Golf driving range, miniature golf	\$300 (Added 11/15/01)
Mini-storage warehouses	\$400 (Added 11/15/01)
Campground	\$300 (Added 11/15/01)

Water Supply A District

Septic System/600 gal.>	\$400.
Agricultural waste	\$400.
Impervious Lot Cover	\$400.
Sewage Treatment Works	\$500.

Water Supply B District

Toxic Materials-Sale/Use/Storage	\$500.
Road Salt Storage	\$400.
Solid Waste Disposal	\$500.
Septic System/600 gal.	\$500.
Well Drill/Excavate	\$300.
Sewage Treatment Works	\$500.
Hazardous Materials	

Use/Storage/Sales \$500.

20. Engineering/Consulting Fees

The Planning Board reserves the right to engage the services of a technical consultant(s) to review any plan if, or whenever in its sole discretion, the Board believes that professional review is necessary to accomplish the purposes of these rules and regulations. The costs for any professional review shall be borne by the applicant and shall be imposed in accordance with the M.G.L. Chapter 44, Section 53G, as amended, and as duly adopted by the Ipswich Planning Board in accordance with said law.

21. Site Inspection Fees

In the event a special permit is granted to the applicant, the Planning Board reserves the right to require site inspection(s) similar to those required in the Rules and Regulations Governing the Subdivision of Land. The costs for such inspections shall be borne by the applicant and shall be charged at a rate approved by the Planning Board. Inspection fees shall be received by the Town in accordance with the M.G.L. Chapter 44, Section 53G, as amended, and as duly adopted by the Planning Board in accordance with said law.

SECTION V SUPPLEMENTAL INFORMATION PLANS

A. SITE PLAN- A site plan for the proposed development shall be submitted and include the following information:

1. Owner and Applicant
2. Registered Professional Engineer, Architect or Landscape Architect (all plans must be stamped)
3. Date (all plan revisions must be noted and dated)
4. Scale (no greater than 1"=40')
5. North Arrow
6. Zoning District(s)
7. Names of adjacent streets
8. All existing lot lines and dimensions
9. Lot size
10. Locations and dimensions of all existing and proposed structures, including additions thereto
11. Number of Dwelling units
12. Location and number of parking and loading spaces
13. Location of driveways and/or access roads and all sight distances
14. Existing and proposed uses of the structures
15. Screening and/or buffer provisions
16. Site photographs

17. Locus map
18. Proposed open space or park area
19. A storm water drainage plan showing:
 - a. the existing and proposed method of handling stormwater run-off
 - b. the direction of flow of run-off
 - c. the location, elevation, and size of all catch basins, drywells, drainage ditches, swales retention basins, and storm sewers;
 - d. engineering calculations used to determine drainage requirements, based upon a ten (10) year storm frequency. If water is to be retained or detained on site the Planning Board shall require one hundred (100) year storm frequency calculations.
20. Existing and proposed topography of the site in two foot (2') contours
21. Such other information or data as the Planning Board may require. This may include, but not be limited to, traffic studies, marketing studies and other documentation.

B. GENERAL PLAN SHOWING CHARACTERISTICS OF LAND & BUILDINGS

1. A separate plan at a scale of 1"=100', showing the general characteristics of all lands within 200' of the site including structures, parking areas, driveways, pedestrian ways, natural features and existing land uses. Land uses shall be designated in different colors and a color key shall be provided.
2. A landscape plan, prepared by a Registered Landscape Architect, drawn to a scale of 1"=40', and clearly showing existing and proposed plantings, exterior lighting and other site amenities.
3. Elevation drawings, prepared by a Registered Architect or Engineer, at a scale sufficient to show the details of the proposed building(s) and signs. Scale shall be no less than 1/8"=1'.

C. WELL PROTECTION/WATERCOURSE PLAN

1. A well protection/watercourse plan, prepared by a Registered Engineer, drawn to a scale of 1"=500', indicating the following shall be provided:

- a. the project site
- b. location of public and private wells within a 1/2 mile of any lot lines
- c. contour lines at 10' intervals
- d. provisions for drainage systems, watercourses, and easements

D. COMMON OWNERSHIP PLAN/ADJACENT LOTS USAGE

1. A copy of those portions of Assessor's map(s) showing all contiguous land held in common ownership by the applicant
2. Land use of adjacent lots

SECTION VI PUBLIC WATER/WASTE DISPOSAL

A. Availability of Public Water

1. Estimated demand
2. Existing water pressure

B. Availability of Public Sewer

1. Estimated flow with documentation (sinks, toilets)
2. Proposed disposal facilities
3. Evidence of approval by the Massachusetts Department of Environmental Protection (DEP) of any wastewater treatment system over 15,000 gallons per day capacity, of any industrial waste treatment, and of any industrial waste treatment or disposal system.

SECTION VII ENVIRONMENTAL REPORTS

- A. A copy of any environmental reports or documents prepared for the project which are required by the state or federal law and/or for any financing purposes
- B. Special environmental reports required by the Conservation Commission, Planning Board, Zoning Board of Appeals or other board or commission
- C. Description of Open Space or Park

A letter to the Town of Ipswich offering open land to the Town or any documentation indicating that the open space land will be subject to a restriction in perpetuity.

D. Development Phasing

In the event that the development is to be constructed in more than one phase, the applicant shall indicate the extent of each phase of the development. For multi-family dwellings and residential development under the Open Space Preservation (Cluster) zoning, the design of roadways, access roads, sidewalks, common drives and utilities shall generally conform to the standards set forth in the Rules and Regulations Governing the Subdivision of Land in the Town of Ipswich; regardless of whether or not the development is a subdivision within the legal definition of said term.

SECTION VIII HAZARDOUS MATERIALS

- A. A complete list of all chemicals, pesticides, fuels, toxic or hazardous chemicals/materials and /or Class A, Class B and Class C substances to be used or stored on the premises. Generic names should be supplied as listed in the Massachusetts Department of Environmental Protection's (DEP) Hazardous Waste Regulations (310-CMR 30.00) as amended and, where applicable, EPA Hazardous Waste Number should be provided.

Substances also included within 527 CMR 14.02 and 14.03, M.G.L. Chapter 148, #9 and #13, Chapter 21C #2 and/or the "Massachusetts Oil and Hazardous Materials List" contained in 310 CMR 40.900 et. seq., all as amended, shall be listed if their use is contemplated under the terms of the special permit for which the application is filed.

- B. A detailed description of the storage facilities, the inventory process and the removal of hazardous/toxic materials shall be provided. The information provided should include a description of the measures proposed to protect said materials from vandalism, corrosion, leakage and for the control of spills.

SECTION IX IMPERVIOUS SURFACES

- A. A description of the extent of impervious surfaces, of provisions for collecting surface run-off, and of provisions for on-site recharge and removal of contaminants.

SECTION X GROUNDWATER

- A. For Hazardous Materials and Water Supply A and B Districts special permits, a Groundwater Quality Certificate (per attached form) shall be prepared and submitted by a Massachusetts Registered Professional Engineer, chemist, hydrogeologist, geologist and/or hydrologist who is experienced in hazardous waste disposal, groundwater evaluation, and/or hydrogeology, unless said application is solely for a special permit for excavating or drilling to a depth greater than fifteen (15) feet below grade. Said Groundwater Certificate shall state that:
- "As a result of the project, the groundwater quality at the boundary of the premises, resulting from on-site waste disposal, other on-site operations, natural recharge and background water quality:
- a. will not fall below the standards established by the Department of Environmental Protection in "Drinking Water Standards in Massachusetts"; or
 - b. Where existing groundwater quality is already below those standards, will not be further degraded";
- B. The engineer shall submit documentation on his/her experience in this field and, where applicable, experience in work within the Town of Ipswich.
- C. The determination made on the Groundwater Quality Certification shall be made from the results of one or more groundwater monitoring test(s) made on the applicant's property. The engineer shall submit documentation including, but not limited to, all field and laboratory tests which support the basis for conclusion(s) specified in the Groundwater Quality Certification.
- D. The engineer shall submit recommendations for monitoring and field testing. This information shall include, but not be limited to, depth of well monitors, location of well monitors, limitations and/or precautions on materials to be used on the site.

It is strongly recommended that the applicant and the applicant's representatives review the following documents, which are technical reports which led to the creation of the Water Supply Districts and the Water Supply Districts Monitoring

Program:

Report to the Town of Ipswich, Massachusetts on
Hydrogeologic Study for the Groundwater Protection Program
Dated: March, 1983.
Prepared by: Metcalf and Eddy, Inc.

Water Supply District B Groundwater Monitoring Study
Ipswich, Massachusetts
Dated: December, 1992
Prepared by: Metcalf and Eddy, Inc.

SECTION XI WATER SUPPLY DISTRICT MONITORING

In granting a special permit under the provisions of Section IX. C., the Board may, at its reasonable discretion, require the applicant as an essential condition of the special permit to participate in the groundwater monitoring program in accordance with the Water Supply District B Groundwater Monitoring Study. Annual fees shall be adopted by the Planning Board in accordance with M.G.L. Chapter 40A, Sections 9 and 11 and as outlined in the Protective Zoning By-law. Any and all reasonable present and future proportionate costs of participation in any present or future periodic monitoring program shall be borne by the applicant; participation by the applicant in such present and/or future periodic monitoring program and financial responsibility for such present and future participation may be secured by the posting of a bond or cash deposit in a reasonable amount, to be determined by the Board in its reasonable judgement.

In accordance with the provisions of Section IX.C. #4. of the Protective Zoning By-law and these rules and regulations, the applicant shall post with the Town Treasurer a bond or cash deposit in the amount of \$3,000. This amount has been calculated by the Board as the estimated, reasonable, proportionate cost of the applicant's participation in and financial responsibility for the applicant's share of the Town's periodic monitoring program.

This bond or cash deposit, or a portion thereof, shall be returned to the applicant upon surrender of this special permit and upon the applicant's request of payment, provided the applicant is not then in default of any conditions of the special permit. If the applicant fails to fully participate in the program and pay the initial and annual program costs associated with the program within ninety (90) calendar days of demand of funds, the applicant shall be considered to be in default and the funds shall be forfeited. In the event that the applicant does not comply with the groundwater monitoring conditions within the special permit, the applicant shall be considered to be in violation of the Protective Zoning By-law.

SECTION XII WATER SUPPLY DISTRICT SPECIAL PERMIT CONDITIONS

In consideration of special permit applications for businesses located on properties within the Water Supply A and B Districts in all instances (except for the drilling of a residential well) the Planning Board shall condition the permit to run with the business, owner and/or corporate entity. A special permit within these districts shall never be considered to run with the land. Special permits may be transferred or assigned, however, provided that the transferee or assignee: a) continues to use the property for the use permitted by, and in accordance with the terms of the special permit; and b) applies to the Planning Board for an amendment to the special permit as to the change of name of the holder of the permit.

SECTION XIII WAIVERS

The Board may waive, by an affirmative vote of four (4) out of five (5) members, any of the preceding requirements, if it believes that the strict compliance with these rules and regulations will, because of the size or special nature of the proposed development, create an undue hardship on the applicant and will not be in the public interest. Any waiver(s) requested by the applicant shall be submitted in writing by the applicant with the submission of the special permit application.

Signature of Owner

Signature of Applicant

Date: _____

Date: _____

TOWN OF IPSWICH
MASSACHUSETTS

PLANNING BOARD
GROUNDWATER QUALITY CERTIFICATION

Name of Applicant: _____

Name of
Owner: _____

Location of Property: _____

Date: _____

This is to certify that _____ (Engineer)

1. Is licensed or registered to perform professional engineering work in the Commonwealth of Massachusetts;
2. Is experienced in hazardous waste disposal, groundwater evaluation, and/or hydrogeology (information shall be provided to support this statement)
3. I qualified to design the proposed system, namely _____ (item);
4. Has had experience designing this type of system (provide list of similar system installations);
5. Has designed the _____ (item) so that at the boundaries of the premises the groundwater quality resulting from on-site waste disposal, other on-site operations, natural recharge, and background water quality:

(Note: Check one of the items below and supply supporting documents.)

_____ will not fall below the standards established by the DEP in "Drinking Water Standards in Massachusetts".

_____ will not be further degraded since the existing groundwater quality is already below these standards.

6. The work has been signed and sealed pursuant to Massachusetts General Law.

Signature of Owner: _____

Signature of Applicant: _____

Signature of Engineer: _____

Name of Engineer (printed): _____

Stamp of Engineer:

TOWN OF IPSWICH
MASSACHUSETTS

ASSESSOR'S CERTIFICATION OF PARTIES OF INTEREST

NAME OF
APPLICANT: _____

LOCATION: _____

MAP: _____ LOT: _____

PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 11, THE FOLLOWING LIST REPRESENTS "PARTIES OF INTEREST" WHICH SHALL MEAN THE APPLICANT, ABUTTERS, OWNERS OF LAND DIRECTLY OPPOSITE ON ANY PUBLIC OR PRIVATE STREET OR WAY, AND ABUTTERS TO ABUTTERS WITHIN THREE HUNDRED (300) FEET OF THE PROPERTY LINE OF THE PETITIONER AS THEY APPEAR ON THE MOST RECENTLY APPLICABLE TAX LIST, RELATIVE TO MAP _____, LOT _____.

<u>MAP</u>	<u>LOT</u>	<u>NAME</u>	<u>ADDRESS</u>
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