

OPERATIONAL REGULATIONS OF THE YARMOUTH PLANNING BOARD

I. PURPOSE AND AUTHORIZATION

Every planning board should function according to a set of regulations duly adopted and made a part of the planning board's records. The planning board is a legally constituted body with important powers and duties which must be performed in a manner that will not detract from the dignity and stature of the board and its planning program.

Therefore, the Yarmouth Planning Board has adopted the following regulations and appended several other appropriate documents in order to describe and guide it, and the general public, in the carrying out of its assigned work and duties.

- A. The objectives and purposes of the Planning Board of the Town of Yarmouth are those set forth in Chapters 41 and 40A of the General Laws regarding planning, subdivision control and zoning.
- B. Those additional powers and duties delegated to the Board by other statutes and by local laws include:
 - 1. Street names
 - 2. Scenic Roads
 - 3. Special Permits for cluster subdivisions

II. OFFICIAL NAME

The Board shall be known as the "YARMOUTH PLANNING BOARD," the agency's official name.

III. OFFICE AND RECORDS

The office of the Yarmouth Planning Board shall be at 1146 Route 28, South Yarmouth, MA 02664, the Yarmouth Town Offices, where all the Board records are to be kept. Copies of all official documents, records, maps, etc. will be filed or recorded in the office of the Town Clerk, or with the Barnstable County Register of Deeds, if required by appropriate laws.

IV. MEMBERSHIP

The membership and terms of office shall be as specified in the above-stated General Laws authorizing the establishment of a Planning Board (Chap. 41). The Yarmouth

Planning Board shall consist of 7 members, appointed by the Board of Selectmen for staggered three year terms. Members may be re-appointed for additional terms as they meet the interview process and time in service policies of the Selectmen. Members may be appointed by the Board of Selectmen to fill a vacancy caused by illness, moving or personal reasons, or for due cause.

V. OFFICERS AND THEIR DUTIES

- A. The officers of the Yarmouth Planning Board shall consist of a Chairman, Vice-Chairman, and a Clerk.
- B. The Chairman shall preside at all meetings and hearings of the Planning Board and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint committees, call regular and special meetings, and generally perform other duties as may be prescribed by these regulations.
- C. The Chairman shall be one of the Planning Board members. He/she shall have the privilege of discussing all matters before the Board and of voting thereon.
- D. The Vice-Chairman shall act for the Chairman in his/her absence, and have the authority to perform the duties prescribed for that office. He/she shall be a Planning Board member.
- E. The Clerk shall keep the minutes and records of the Planning Board, and with staff assistance, when available, shall prepare the agenda of regular and special meetings under the direction of the Chairman, provide notice of all meetings to Board members and the public, arrange proper and legal notice of hearings, attend to the official correspondence of the Planning Board, and such other duties as are normally carried out by a clerk. Meeting tape or video recordings shall be retained for at least 6 months.
- F. In the absence of the Clerk, due to illness, personal reasons, or disqualification reasons, the Chairman may appoint a "Clerk pro tem."

VI. ELECTION OF OFFICERS

- A. An annual organization meeting shall be held on or about the third Wednesday of September, at which time officers shall be elected, and these regulations shall be reviewed for corrections and improvements. These actions shall be made a part of the minutes of the annual meeting. At least 5 members must be present

before the election of officers can take place.

- B. Nominations shall be made from the floor at the annual organization meeting and election of officers shall follow immediately thereafter.
- C. The candidate receiving a majority vote from the entire membership of the Planning Board shall be declared elected and shall serve for one year, or until his/her successor shall take office.
- D. Vacancies in membership shall be filled by regular appointment procedure as stipulated by the Board of Selectmen.
- E. In accordance with M.G.L., chapter 41, section 81-P, the Planning Board may authorize any person, rather than a majority of the Board, to endorse on a plan the approval of the Board or to make any other certificate under the Subdivision Control Law. The Board shall transmit a written statement, signed by a majority of the Board, giving the name of the person(s) so authorized, to the Register of Deeds and the Recorder of the Land Court.
- F. Resignations from the Planning Board shall be in written form and transmitted to the Town Administrator and Board of Selectmen, and to the Chairman, for action to find a suitable replacement.
- G. A 2/3 majority of the sitting members of the Planning Board may, at any time, with due cause, vote "no confidence" in any sitting Board officer. If the officer receives a "no confidence" vote, a new election for his/her post will be held. If, as an outcome of the election, the officer is replaced, the new officer will fulfill the remainder of the outgoing

VII. MEETINGS

- A. Regular meetings will be held on the first and third Wednesdays of each month at 5:30 p.m. in the Hearing Room of the Town Office Building, and at such other times and places as the Planning Board may designate, due to special reasons. The Chairman or Clerk shall notify all members of the Board in writing or by telephone not less than 48 hours in advance of such meeting, and post notice in compliance with the open meeting law. To accomplish this, agendas and "packets" will be available for pickup by members on Monday noon, or Friday noon if there is a holiday, for the Wednesday meeting following. Meetings may be canceled by the Chairman due to insufficient agenda, inclement weather, or lack of a quorum. Room locations may also be changed by the Chairman. In the

event of a conflict with a holiday or other events, a majority of members at any meeting may change the date and location of the next meeting. The Chairman or Clerk shall notify the membership of the change not less than 48 hours in advance of each meeting by written communication or telephone.

- B. A majority of the voting membership of the Planning Board shall constitute a “quorum,” four (4), and the number of votes necessary to transmit business shall be a majority of those present and voting, except as otherwise provided by statute. Notice of a meeting shall specify the purpose of each meeting and no other business may be considered except by the unanimous consent of the Board.
- C. All Planning Board meetings shall be open to the public when in session. Executive sessions may be held upon an affirmative vote of 2/3 of the members of the Board that are present and voting, taken at the public meeting, stating the reasons for the executive session, as defined in Chapter 39 of the General Laws. Attendance shall be taken at each meeting by the Clerk.
- D. Requests for repetitive petitions to the Board of Appeals shall be heard by the Planning Board in accordance with M.G.L., chapter 40A, section 16.

VIII. ORDER OF BUSINESS

- A. Unless otherwise determined by the Chairman, the order of business at a regular meeting shall be
 - 1. Call to order
 - 2. Any public hearing legally advertised for that date
 - 3. Operational items
 - 4. Reading of minutes of previous meeting and actions taken.
 - 5. Board of Appeals items
 - 6. Other items
 - 7. Communications
 - 8. Old Business
 - 9. New Business
 - 10. Upcoming meetings
 - 11. Adjournment

Items for which there is public input shall be taken up first, whenever possible.

- B. A motion from the floor must be made and passed in order to dispense with any

item on the agenda, or change the order of business.

- C. No “new business” submitted for action to the Planning Board shall be voted upon unless it is submitted 5 days prior to a regular meeting date. Provisions of this section may be waived by the unanimous vote of the members who are present.

IX. PUBLIC HEARINGS INFORMATION MEETINGS

- A. The Board may hold information meetings, in addition to the required legal public hearings, and/or meetings when it decides that such hearings will be in the public interest.
- B. Section 2 - All public hearings prescribed by law shall be held in accordance to the requirements set forth for such hearings in:
 - 1. Chap. 40A, G.L. - Zoning
 - 2. Chap. 41, G.L. - Planning & Zoning
 - 3. Chap. 716, Acts of 1989 - Cape Cod Commission
 - 4. Chap. 39, Sec. 23b - Open Meeting Law
 - 5. Other State Laws as appropriate
- C. The matter before the Planning Board shall be presented in summary form by a member of the Planning Board designated by the Chairman, or by a staff member. Parties-in-interest shall have the privilege of the floor.
- D. A stenographer shall take testimony, or it shall be recorded by a sound-or video-recording device at each legal public hearing in which the right to appeal lies to the Superior Court. Proceedings of the hearing shall be incorporated into the minutes for all the Planning Board meetings to be a permanent part of these records.

X. CONDUCT OF PUBLIC HEARING

- A. The Chairman of the Planning Board shall preside at the public hearing. In event of his/her absence, the Vice Chairman or a duly appointed board member shall act as presiding officer.
- B. The Chairman, Clerk, or staff shall read the legal advertisement and note the dates and newspapers in which the advertisement appeared.

- C. A summary of the question or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. In any event, the Planning Board shall have the privilege of speaking first. The Chairman shall describe the method of conduct of the hearing and the rules of procedure in effect for the hearing.
- D. The Chairman shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible or opportunities to speak may be alternated, the discretion of the Board prevailing. Whichever the case may be, each group shall make its presentation clearly and briefly. The Chairman may allow questions by the Board or the public at the end of the presentation of each individual and may allow time for rebuttals.
- E. It shall be made clear to the hearing that all questions and comments must be directed through the Chair only after being properly recognized by the presiding officer.
- F. All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing each person shall give his/her name and address. The Chair may rule redundant statements out of order and may set a reasonable time limit on presentations. A "sign in sheet" may be declared mandatory to allow persons to speak and use of a microphone may be mandatory, as determined by the Chairman.
- G. The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times. The presiding officer shall reserve the right to terminate the hearing in the event the discussion becomes unruly, unmanageable, or of excessive length. Unruly and profane and abusive language shall not be tolerated.
- H. The show of hands by those persons present shall not be allowed on any general question presented at a public hearing. The hearing shall be conducted only for the purpose of taking testimony to be considered in Board deliberations during the regular meeting of the Planning Board. If a general consensus of the meeting is desired, the Board may provide properly identified sheets on which the attendees may signify in writing their opinion as either in favor or opposed to the question before the public hearing.

XI. (Deleted)

XII. COMMITTEES

- A. Standing Committees of the Planning Board may be appointed at any regular meeting, (following that of the Board's election of officers,) by the Chairman. The duties of each standing committee shall be described by the Board as the need for such committee investigation arises.
- B. Standing Committees shall be appointed for one year and shall consist of 3 or more members. Vacancies shall be filled immediately by the Chairman. The Chairman shall terminate the Standing Committee once it has performed its functions and has reported to the Planning Board.
- C. Special Committees may be appointed by the Chairman for purposes and terms which the Board approves.

XIII. PUBLIC RELATIONS

- A. The Chairman, or a duly appointed Board member, the Town Planner, or the Director of Community Development shall act as public relations or publicity liaison for the Planning Board. His/her duties include the preparation of all news releases to be distributed to the communications media. All information shall reflect the general policies of the majority of the Board as adopted and must be coordinated with the Town Administrator. Where members speak as individuals they must make it clear they are speaking for themselves only. The Board may censure any member not making that distinction.
- B. All meetings of the Planning Board shall be posted 48 hours in advance of the date and at the location provided by the Town Clerk for such notices. Every effort shall be made to post an agenda for the meeting as a courtesy to the public. All meetings shall follow procedures outlined in the Open Meeting Law especially as regards "Executive Sessions."

XIV. AMENDMENTS

These regulations may be amended by a 2/3 vote of the entire voting membership of the Planning Board.

XV. PROCEDURAL REQUIREMENTS

The Planning Board will process by consensus and in the event of a conflict, Roberts Rules of Order will take precedence.

Revised November 10, 1999
Revised May 10, 2000
Revised January 5, 2005
Revised September 20, 2006

XVI. TOWN-VILLAGE CENTERS OVERLAY DISTRICT

Pursuant to Section ~~X-414~~ of the Zoning Bylaw, where Site Plan Review is required, the Site Plan Review Team, the Design Review Committee, and the Planning Board shall review applications for ~~TCOD-VCOD~~ development in accordance with the following procedures.

A. Site Plan Review Thresholds

Applications for Site Plan Review shall be reviewed in accordance with the ~~procedures and plan submittal requirements provided in this Section XVI of the Planning Board Regulations~~ thresholds set in Section 414.3 of the Yarmouth Zoning Bylaw.

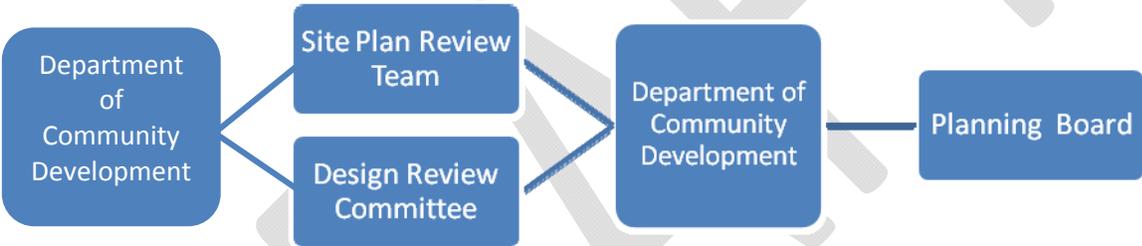
B. Procedures for a Site Plan Review ~~or Special Permit~~ Pre-Application Meeting

1. The current owner of record or an authorized representative may request a Pre-Application Meeting by submitting the required materials with a cover letter that is time-stamped at the Town Clerk's Office. The materials shall include one (1) original and five (5) copies of the required conceptual materials.
2. Prior to scheduling a Pre-Application Meeting, and within ten (10) days of receiving the request, the Planning Board or designee shall notify the applicant as to whether the materials are adequate for a Pre-Application Meeting and, if applicable, specify the time and location for the meeting. Said meeting shall be scheduled to occur within **twenty-one (21)** days of receiving the original request for a Pre-Application Meeting. An applicant may request to reschedule this meeting for another time through direct consultation with the Department of Community Development.
3. Planning Board comments shall be compiled by Department of Community Development staff and forwarded to the current owner of record or the authorized representative within five (5) business days of the

Planning Board meeting. A copy of said comments shall be transmitted to the Building Inspector and the Town Clerk.

C. Overview of Procedures for ~~TCOD~~-VCOD Project Site Plan Review

An application for ~~TCOD~~-VCOD Site Plan Review shall be reviewed in two phases: Preliminary and Final Site Plan Review. The first phase shall take place with Yarmouth’s Site Plan Review Team, with concurrent review by the Design Review Committee. The findings of these two parties shall then be forwarded to the Department of Community Development, who will organize and prepare a report for the Planning Board. The Planning Board shall receive the report from the Department of Community Development and shall perform Final Site Plan Review.



|-----15 days-----|-----15-20 days-----|-----5 days-----|-----25 Days-----|

D. Detailed Procedures for ~~VT~~COD Project Site Plan Review

1. The current owner of record or an authorized representative shall submit an application for ~~VT~~VCOD Site Plan Review that is time-stamped at the Town Clerk’s Office. The application shall include an administrative filing fee in accordance with the schedule established by the Planning Board and one (1) original and **[thirteen (13)]** copies of all required materials.
2. Prior to scheduling a public meeting for the project, and within **ten (10)** business days of filing the application, the Department of Community Development shall determine if the application is complete. Initial determination that an application is complete shall not preclude the Site Plan Review Team or the Planning Board from requesting or considering new information during the course of the review process.

- a. If the proposed project does not qualify as a ±VCOD Site Plan Review Project, the Department of Community Development shall notify the applicant in writing.
 - b. If it is determined that the application is incomplete, the Department of Community Development shall notify the applicant in writing of what areas of the application are incomplete.
 - c. Within five (5) days of determining an application qualifies as a ±VCOD Site Plan Review projects and a determination that the application is complete, the Department of Community Development shall distribute copies of the plans to the Site Plan Review Team, **the Design Review Committee**, and the Planning Board.
3. The Site Plan Review Team shall consist of a representative of the Building Division, the Water Division, the Health Division, the Fire Department, the Community Development Department, the Conservation Commission, the Planning Division, the Engineering Division, and the Police Department.
 4. Once the complete application is received from the Department of Community Development, the Site Plan Review Team **and the Design Review Committee** shall have fifteen (15) twenty (20) days to render a decision for Preliminary Site Plan Review. Failure of the Site Plan Review Team **or the Design Review Committee** to provide a decision in this timeframe shall be deemed by the Planning Board as a lack of opposition to the proposal on their part.
 5. Within forty-five (45) fifty (50) days of first receiving an complete application from the Department of Community Development, the Planning Board shall review and take final action on the application at a regularly scheduled public meeting posted in accordance with the Open Meeting Law. An extension of time may be requested in writing by the applicant, but must be approved by the Planning Board.
 6. Final action of the Planning Board shall be determined through a majority vote of the members present. The Department of Community Development shall file the decision in writing with the Town Clerk within five (5) business days of final action. A copy of said decision shall be transmitted to the Building Official forthwith. Where a Special Permit application shall be filed subsequent to Site Plan Review, the findings of the Planning Board shall also be forwarded to the Board of Appeals.

7. Appeals to any decision of the Planning Board shall be made to the Zoning Board of Appeals in accordance with Section 102.2.3 of the Zoning Bylaw.

E. ~~TCOD~~VCOD Special Permits

1. Pursuant to Section 414.3.4 of the Zoning Bylaw, the ~~Planning Board~~Board of Appeals shall be the Special Permit Granting Authority for applications for a Special Permit within the ~~TCOD~~VCOD.
2. Site Plan Review through the Planning Board as described in Section XVI.D shall be completed before an application for a Special Permit may be filed with the Board of Appeals. The findings of the Planning Board shall be advisory to the Board of Appeals for Special Permits and the Planning Board shall provide their findings for the Site Plan Review process in writing within sixty-five (65) days of the application filing, within the time frame allotted under Section XVI.D. Failure of the Planning Board to provide comments within this time frame shall be deemed by the Board of Appeals as a lack of opposition thereto.

F. Submittal Requirements

Submittal requirements for Pre-Application Meetings s and, ~~TCOD~~VCOD Project Site Plan Review, and Special Permits are located in Appendix A of these Regulations. Where the inclusion of any item(s) required on these checklists is not applicable to the proposed development, the Site Plan Review Team or the Planning Board may waive the requirement to include that information.

APPENDIX A – APPLICATION CHECKLISTS FOR
TOWN/VILLAGE CENTERS OVERLAY DISTRICT

Pre-Application Checklist

Pre-Application site plans shall be prepared at an appropriate scale, but should be no smaller than 1"=80'. The following information shall be included on the site plan:

Basic Information

1. _____ Name of the proposed development.
2. _____ Name and address of property owner and applicant.
3. _____ Name, address and telephone number of person or firm preparing pre-application plan and/or materials.
4. _____ Date of plan/materials preparation, with revision date(s) (if any).
5. _____ Graphic scale and true north arrow on any graphic representations.
6. _____ Plat and lot number(s) of the land being subdivided.

Site Information

1. _____ Site Locus - A plan showing the following site elements:
 - a. _____ Location of lot boundaries. Unsurveyed GIS-based information shall be adequate;
 - b. _____ Identification of applicable zoning districts and overlay districts;
 - c. _____ Location and approximate dimensions of adjacent streets;
 - d. _____ Location and approximate dimensions of existing driveways or other means of access to and from the site;
 - e. _____ Location and approximate dimensions of any deeds of easement, rights-of-way, covenants or other agreements connected with the site.
2. _____ Significant Site Features - The approximate location of wetlands, streams, water bodies, 100-year flood plain boundary with elevation, and unique natural land features, including all stonewalls, trees over eight (8) inches in diameter measured at breast height, rock outcrops, and the general location of tree lines.
3. _____ Conceptual Location and Scale of Development – The areas proposed for development, areas reserved for future development, approximate

location and footprint of proposed building(s) and parking areas, approximate height of proposed building(s), and tentative traffic circulation patterns.

4. _____ Utilities – The approximate locations of utility infrastructure associated with wastewater disposal, water supply, and drainage.

DRAFT

VCOD Site Plan Review ~~or Special Permit~~ Application Checklist

A Professional Land Surveyor or Professional Civil Engineer shall sign and date and place their seal upon all pertinent documents and plans as appropriate. All drawings shall be prepared on standard 24" x 36" plan sheets. Site Plans shall be at a minimum scale of 1" = 40' unless otherwise specified. Elevation drawings, where required, shall be drawn at a minimum scale of 1" = 4'. All plans and specifications must be submitted in an acceptable digital format on CD or DVD. The acceptable digital submission formats include: AutoCAD .dwg or ESRI standard .shp or geodatabase file formats. All feature types that are shown on the recorded plans must be organized in separate layers to allow for easy viewing in digital format (e.g., right of way, buildings, lot lines, utilities, etc.). All drawing shall be geo-referenced in Mass State Plane coordinates to allow for easy integration into GIS.

Basic Information (for all plans)

1. _____ Name of the proposed development.
2. _____ Name and address of property owner and applicant.
3. _____ Name, address and telephone number of person or firm preparing pre-application plan and/or materials.
4. _____ Date of plan/materials preparation, with revision date(s) (if any).
5. _____ Graphic scale and true north arrow on any graphic representations.
6. _____ Plat and lot number(s) of the land being subdivided.

Site Information

1. _____ Regional Locus - A locus plan locating the site on the most recent USGS quadrangle map that includes a half-mile radius around the site and zoning district boundaries.
2. _____ Aerial Locus – The latest available aerial photograph produced at the same scale as the Regional Locus, including labeled street names.
3. _____ Existing Conditions Plan – The location or identification of the following

features:

- a. _____ Surveyed property boundary;
- b. _____ Wetlands, streams, water bodies, 100-year flood plain boundary with elevation;
- c. _____ Regulatory buffer areas for wetlands, streams and water bodies;
- d. _____ Unique natural land features, including all stonewalls, trees over eight (8) inches in diameter measured at breast height, rock outcrops, and the general location of the tree line;
- e. _____ Adjacent streets with dimensions;
- f. _____ Existing driveways or other means of access to and from the site with dimensions;
- g. _____ Existing on-site structures;
- h. _____ Adjacent properties including lots on the opposite sides of adjacent streets with owners' names;
- i. _____ Any deeds of easement, rights-of-way, covenants and any other agreements connected with the site with dimensions;
- j. _____ Existing utilities;
- k. _____ Existing stormwater management facilities;
- l. _____ Existing wastewater management facilities with design flow noted;
- m. _____ Topography in two-foot intervals.

4. _____ General Proposed Development Plan

- a. _____ Surveyed property boundary;
- b. _____ Wetlands, streams, water bodies, 100-year flood plain boundary with elevation;
- c. _____ Retained and proposed structures with height, footprint, total gross floor area, number of stories noted;
- d. _____ Measured setbacks for each structure to the nearest lot line and/or structure with annotation for required zoning setback;
- e. _____ Proposed deeds of easement, rights-of-way, covenants and any other agreements connected with the site with dimensions;
- f. _____ Stormwater treatment facilities locations with description noted (e.g., "swale", "bioretention facility", "recharge chamber", etc.)
- g. _____ Wastewater treatment facilities locations with description of the system and design flow noted;
- h. _____ Water supply infrastructure location and description;
- i. _____ Delineation of landscaped areas;
- j. _____ Parking and loading areas with stall dimensions, striping, islands, walkways, and number of spaces;

k. _____ Circulation features such as bicycle lanes/stripping, general flow of automobile traffic, stacking capacity for any drive-through lanes, bicycle racks, speed bumps, crosswalks, and sidewalks. For crosswalks and sidewalks, materials, color, finish, and dimensions shall be noted;

l. _____ Location of waste disposal collection bins and associated screening;

m. _____ Description of any shared parking or off-site parking strategies with associated calculations.

5. _____ Lighting and Signage Plan

a. _____ The location, dimensions, height of all signs and lighting;

b. _____ Sketches or other stock images shall be provided to show typical applications to be used for free-standing and wall mounted lights to demonstrate compliance with the TCOD/VCOD standards;

c. _____ Lighting plan showing the location of all fixtures with lumen output and foot candle intensity at property boundaries;

d. _____ Identification of any existing signs that will be improved or replaced in order to achieve compliance with TCOD/VCOD standards.

6. _____ Landscaping/Planting Plan

a. _____ List of proposed plants in their common name and Latin name with variety;

b. _____ Location of each plant listed in 6a above;

c. _____ Proposed topography at two-foot contour intervals;

d. _____ Location of any protective measures during construction including tree barriers and erosion and sediment controls.

7. _____ Building Information – Architectural elevations demonstrating compliance with the TCOD/VCOD standards for materials, rooflines, fenestration, signage and entrances as applicable.

8. _____ Supplementary Information – The applicant shall provide a narrative report with the following information.

a. _____ Narrative summary of basic information.

b. _____ Narrative summary of existing conditions.

- c. _____ Narrative summary and any additional documentation of strategy to provide water supply.
- d. _____ Narrative summary and any additional documentation of strategy to treat and dispose of wastewater including a description of on-site soils, depth to groundwater throughout the site, and any test pit investigations that may have been performed.
- e. _____ Narrative summary and any additional documentation of strategy to treat and discharge stormwater and, where applicable, the relationship between the stormwater management strategy and any impairment identified on the watershed 303(d) list.
- f. _____ All documentation for subsurface soil investigations referenced by code or key to locations of testing sites on submitted plans.
- g. _____ Stormwater flow calculations associated with all best management practices shown on submitted plans including discharge volume calculations for design storm frequencies, peak discharge rates for design storm frequencies, and soil percolation rates.
- h. _____ Maintenance plans associated with all on-site utilities, responsible parties, descriptions of associated covenants, and funding sources where applicable.
- i. _____ Calculations associated with wastewater design flows.
- j. _____ Description of proposed phasing (if any).
- k. _____ Description of compliance with inclusionary zoning requirements [cite section].
- 7. _____ l. _____ Narrative description of the use of any open space including the uses that are proposed, the management structure for the open space, and a description of the restrictions that will be placed upon the open space area as applicable.

9. _____ If requested by the Planning Board, the application shall also include a Technical Review Fee to cover the review of specific design or engineering elements of the proposed development subject to MGL. Chapter 44, Section 53G.