

ARTICLE 800 PROCEDURES AND REGULATIONS FOR PLANNED DEVELOPMENT

801 GENERAL

No Planned Development shall be undertaken without a Special Permit granted by the Board of Appeals as provided for in Section 906.2 and in accordance with the standards, procedures and requirements enumerated in this Bylaw.

Actions undertaken by a developer under the Planned Development sections of this Bylaw shall be interpreted as voluntary with the understanding that applicable zoning regulations would have remained in effect had not the developer elected to pursue the terms of the applicable sections of this Bylaw. Acceptance of gifts, grants or bequests by the Town from public or private sources under this Bylaw shall be interpreted as within the rights of the Town under applicable Massachusetts law and shall not be interpreted as requiring certain considerations in return.

802 INFORMATION TO BE MAINTAINED BY THE TOWN

To assist in the preparation and review of such developments, the Town will maintain and provide access to certain information and data identified in this section.

802.1 Graphic

1. Map(s) showing the conservation areas of the Town defining the wetlands and public lands.
2. Map(s) showing the slopes, hydrologic soil groups, and vegetation/cover including definition of prime timber stands (coniferous or deciduous)
3. Map(s) showing an analysis of prime areas of visual impact.
4. Map(s) showing the Town water system including individual pipes by size and location, source of water and storage facilities.
5. Map(s) showing the traffic circulation patterns, including road classification, peak hour (AM and PM) traffic and accident data to nearest two (2) year period.
6. Map(s) showing the existing land use including all historic sites to nearest two (2) year period.
7. Map(s) showing Town zoning and describing the Comprehensive Plan.

802.2 Report

1. Projected occupancy by number of persons by type of dwelling unit.
2. Projected school age children based on present generation by type of dwelling unit.
3. Projected peak hours of vehicular traffic generated by type of dwelling unit.
4. Projected septic output by type of dwelling unit (gal/day/unit).
5. Projected water demand by type of dwelling unit (gal/day/unit).
6. Required number of parking spaces by type of dwelling unit.
7. Present capacity of the school system, the capital and operating costs per student to provide educational facilities and programs, the portion of the operating income generated by real estate taxes and the current number of children presently attending schools.

8. Current assessed valuation of all property in the Town, the current tax rate, the tax levy by types of land use and the total number of residents.

803 PROCEDURES FOR THE PRELIMINARY QUALIFICATION AND SITE ANALYSIS

803.1 Notification

An applicant for a Special Permit to undertake a Planned Development shall notify the Zoning Enforcement Officer of his intent. The Zoning Enforcement Officer shall notify the Board of Appeals of such intent within ten (10) days.

803.2 Information to be Submitted

In order for the Board of Appeals to establish the appropriateness of the applicant's proposal for a special permit, the applicant shall submit the information required in Section 804, Preliminary Qualification, and Section 805, Site Analysis, to the Board of Appeals. A partial submission will not be accepted.

803.3 Review by the Planning Board

The Board of Appeals shall forward the submitted information to the Planning Board to conduct a review of the proposal.

803.4 Distribution Data

The Planning Board shall, at a regularly scheduled meeting, notify the applicant as to the completeness of this data submission. When the information is considered complete, the Planning Board shall distribute to other town committees and boards such appropriate data as deemed necessary for their reviews and reports to the Board.

803.5 Report of the Planning Board

The Planning Board shall schedule meetings, at least two (2) of which shall be with the applicant, to review the submitted data. A report with recommendations shall be made not later than one hundred twenty (120) days from the meeting of the Planning Board at which the submission is determined to be complete. The report to the Board of Appeals shall be in written form and shall identify any specific and general standards in this Bylaw not fully complied with. The report shall include findings related to the Preliminary Qualification of the site, its eligibility, its consistency with the Town's goals and the standards herein, the suitability of the developer and the initial suitability of the proposed development for a Development Application. The report shall also include a Site Analysis and findings on the allowable use intensity range; the classification of the land; the capacity of the site to accommodate streets, sanitary sewage or waste disposal systems, public water supply, stormwater drainage and other natural and/or municipal service systems. A preliminary schedule of improvements, both off-site and on-site, required by the development shall be a part of the report. Copies of the report with its findings and recommendations shall be made available to the applicant and filed in the Office of the Town Clerk.

803.6 Action on the Planning Board Report

Upon receipt of the Planning Board's report, the Board of Appeals shall place said report on file pending receipt of a Development Application for the site under the provisions of this Bylaw. The applicant shall have one hundred eighty (180) days to proceed with the filing of a Development Application using the preliminary qualification and site analysis submission and the report of the Planning Board. The applicant is encouraged to meet at least twice with the Planning Board during this period.

803.7 Development Application Requirements for Small Developments

Provided that a special permit has been granted as of July 1, 2001 and limited only for applications of a residential cluster of development of twenty (20) acres or less, or twenty (20) dwelling units or less, on a planned development in a PD-1 or PD-2 District with twenty-five (25) or less dwelling units and no Neighborhood Business uses, the Board of Appeals may accept only those requirements pertinent to the application based on the scope of that application, the size of the proposed project and the limited community impact due to that size. This section is designed for the small landowner in a confined location. In no instance shall this provision be applied to Development Applications for small areas under the same ownership that can be combined into a larger parcel or for small parts of a larger parcel subdivided on a section by section basis. All design standards in Article 700 and all administrative procedures of Articles 800 and 900 shall still apply.

804 PRELIMINARY QUALIFICATION

804.1 Time of Submission

The applicant shall submit a Preliminary Qualification, and shall prepare and submit to the Board of Appeals the following information, which is designed to provide a basis for an initial review concerning the property, developer and ownership requirements, at least ten (10) days before a regularly scheduled meeting.

804.2 Submission Standards

Information shall be submitted in a spiral bound or three-ring, loose-leaf report on 8-1/2" x 11" paper, vertical format. The scale of maps for sites less than fifty (50) acres shall be at least one (1) inch to one hundred (100) feet; for sites larger than fifty (50) acres the scale shall be at least one (1) inch to two hundred (200) feet.

804.3 Site Information

The information shall include: location, zoning classification, size, natural characteristics, utilization of land adjacent thereto, and the existing buildings on the site.

804.4 Existing Buildings and Adjacent Uses

If the retention of existing buildings or the extension of facilities or utilities which now serve adjacent uses is contemplated, these facts shall be further documented.

804.5 Developer Information

The information shall include:

1. Ownership – The applicant shall have a property interest in the site which shall consist of a fee simple title, or an option to acquire a fee simple title within a specified time period, or a leasehold interest in excess of thirty (30) years, or a

substantial interest in a joint venture agreement, real estate investment trust or other real estate syndication which has or can obtain a fee simple title, or a marketable title subject to certain restraints which will not substantially restrict its development within a reasonable time or shall show a copy of a purchase and sales agreement.

2. Existing Mortgages, Liens and Judgments – All mortgages including purchase money mortgages, all easements restricting land use, all liens, all judgments which affect the site and a proposed method of notifying, where necessary, all affected parties of the intention to submit a development application for a Planned Development shall be identified.

804.6 Development Information

The information shall include:

1. Existing and proposed non-residential land uses by types in acres.
2. Preliminary information as to the type of construction proposed and the projected mix of housing by number, type and size of dwelling units, general layouts with dimensions and numbers of rooms in each, and any unusual procedures by which conformance to building and housing codes may be determined.
3. Projected construction schedule to include the number of dwelling units and business units to be constructed and the duration of the building time, said schedule to be in accordance with any existing development estimate based upon projected demand and service capabilities and accepted by the Board of Appeals to guide development growth.
4. The roads and utility lines to connect into the proposed development providing all public and private streets and utilities have the existing capacity to absorb the amount of development which is projected.
5. The projected impact of the development on the roads, utility lines and other service systems both on-site and off-site.

805 SITE ANALYSIS

805.1 Time and Form of Submission

The applicant shall prepare and submit the following information concerning the proposed development site at the same time and in the same form as the Preliminary Qualification information.

805.2 Submission Requirements

The information shall include:

1. A topographical map of the site with contours at a minimum of ten (10) foot intervals.
2. A soils map based on data maintained by the Town.
3. A vegetation and special features map showing all woodlands and significant individual or group tree masses, rock outcroppings, existing building, roads and trails, flowing streams, drainage ways and ponds.
4. A map of the neighborhood showing the site in relationship to the surrounding areas, all proposed points on interconnecting access to existing roads, storm sewer interceptors, and public water lines, and access to local schools.

5. A report providing information about the present use and design capacities of existing roads and other service systems at the points of intersection or use, including twenty-four (24) hour average daily traffic counts or peak hour traffic counts, calculations of existing stormwater runoffs for a fifteen (15) and one hundred (100) year frequency storm and estimates of the present available water pressures, type of sewage disposal system and the calculations of impact of said water pressures and the disposal system on the site and neighborhood.
6. A sketch plan showing the general location, type and number of units in residential structures, the general location and types of non-residential structures, the general location and size of common open space, and the location and width of ways.

806 PROCEDURES FOR A DEVELOPMENT APPLICATION

806.1 Development Application Submission

An applicant for a Special Permit to undertake a Planned Development shall, ten (10) days prior to a regularly scheduled meeting, submit to the Board of Appeals a Development Application which would include all information required by this Bylaw. A partial submission will not be accepted.

806.2 Planning Board Review

The Board of Appeals shall, upon receipt of the submission, forward it to the Planning Board who, with other appropriate bodies of the Town, shall review the Development Application and the accompanying documentation. The Planning Board shall schedule at least two (2) meetings with the applicant during the review period. Within thirty-five (35) days of its receipt by the Board of Appeals, the Planning Board shall submit a report of its findings to the Board of Appeals. Said findings shall be prepared from an evaluation based on the zoning classification and the natural characteristics of the site, the impacts of the required municipal services for the site and the general and specific requirements of this Bylaw. The evaluation shall also determine the capacity of the site in relationship to the following types of services available and to be supplied. The purpose of the evaluation at any stage in the preparation of a Development Application is to determine the individual and overall impacts of the proposed Application on the capacity of the existing systems within the Town, which will serve the site and on the capacity of the site to accept the proposed development.

Road Capacity – The findings shall specify the allowable maximum use intensity based on the capacities of the ways serving the site. The closest major intersection of the public ways to be used by the development shall be evaluated to determine:

1. present traffic usage;
2. projected traffic usage;
3. effective design capacity;
4. improvements proposed to increase capacity;
5. redesign capacity; and
6. other non-intersection problems affecting road capacity. An estimated cost of the proposed improvements shall be included.

Septic Disposal Capacity – The findings shall specify the allowable maximum use intensity based on the capacity of the site to meet adequate disposal standards in this Bylaw including the requirements of Title 5 of the State Sanitary Code. Further, the findings shall

be related to the natural characteristics of the site, the neighborhood soils and the underlying geology which would receive the effluent from the sewage disposal facility. This finding shall give special attention to major aquifers and to recharge and storage areas which would be affected by the effluent.

Public Water Capacity – The findings shall specify the allowable maximum use intensity based on the capacity of the public water system available to and serving the site. All existing waterlines shall be evaluated at the point of intersection to determine:

1. present line size;
2. estimated peak hour capacity;
3. present peak hour utilization; and
4. other problems affecting water capacity.

In the event that the site is located in such a manner as to provide connections to more than one (1) water line, the required data shall be determined for each. Any necessary redesign of the capacity of the public water facilities and an estimated cost of the required improvements shall be included.

Stormwater Drainage Capacity – The findings shall specify the allowable maximum use intensity of the site based on the capacity of the site to handle stormwater runoff. All existing facilities to accommodate the flow of stormwater shall be evaluated at the point of proposed discharge to determine:

1. Present line size on storm channel;
2. Estimated capacity at flood or back-up stage;
3. Alternative drainage possibilities; and
4. Improvements to increase capacity.

All calculations required to determine the capacity of existing and proposed systems shall be prepared for both a fifteen (15) and one hundred (100) year frequency storm. In the event that the site is located in such a manner as to provide connections to more than one drainage basin, the required data shall be determined for each. The findings shall also include an estimate of the potential effect of the site design upon the surface runoff and groundwater recharge of the major aquifers in the vicinity of the site, an analysis of the impact of the proposal upon existing flood plain and wetland areas and estimates of any potential increase in the flooding of these areas. Any necessary redesign of the capacity of the drainage facilities and an estimated cost of required improvements shall be included.

Further, said findings shall include detailed statements on the subject matter of Section 803.5 and shall, in addition, respond to the:

1. Relationship to and compliance with the Town's Comprehensive Plan statements and map.
2. Adequacy of the provisions for open space.
3. Adequacy of the considerations given to the existing natural systems including but not limited to:
 - a) Steep slopes;
 - b) Field areas;
 - c) Wetlands and floodplains;
 - d) Aquifer recharge areas;

- e) Significant physiographic features;
 - f) Visual corridors;
 - g) Existing water bodies; and
 - h) Areas of high pollutability.
4. Adequacy of the provisions for public services including but not limited to:
 - a) Water supply and capacity; including available and acquired fire code requirements;
 - b) Traffic hazards and road capacity;
 - c) Schools; and
 - d) Fire and police.
 5. Adequacy of the relationship with the surrounding neighborhoods.
 6. Adequacy of the improvement and development schedules.

The report with its findings and a recommendation to approve, disapprove or approve with conditions shall be formally submitted at the public hearing on the Development Application.

806.3 Use Intensity Ranges

The permissible density of any site is to be based on the Town's Comprehensive Plan and is determined by its land classification, the maximum use intensity standards in Section 708.1, and the findings and service capacities established in Section 806.2.

807 DEVELOPMENT APPLICATION

The applicant shall prepare and submit a Development Application, including the following information, in the form and in the manner prescribed in this section and in regulations adopted by the Board of Appeals.

807.1 Inclusions

All Preliminary Qualification and Site Analysis documentation shall be included with the Development Application. Any report, findings and/or recommendation from the review of this documentation may also be included.

807.2 Submission Standards

Information shall be submitted in a spiral bound or three ring loose leaf report on 8-1/2" x 11" paper, vertical format. The scale of maps for sites in excess of fifty (50) acres shall be at least one (1) inch to two hundred (200) feet. Maps for sites of less than fifty (50) acres shall be at least one (1) inch to one hundred (100) feet. The number of maps and reports to be submitted shall be specified by the Planning Board in the Preliminary Qualification and Site Analysis stage but shall not exceed twenty-five (25). All maps shall be reduced to 17" x 22" for inclusion in the report and shall be accompanied by a written report fully discussing the map in addition to the applicable reports under Section 807.4.

807.3 Graphic Submissions

1. **Regional Location Map** – The site shall be identified showing its interrelationship to the community on a regional map at a scale of one (1) inch to eight hundred (800) feet. The name and location and the distance in road miles to the following facilities servicing the site shall be shown:

- Elementary school(s)
 - Secondary School(s)
 - Fire Station
 - Police Station
 - Arterial and limited access highways
 - Recreation areas
 - Shopping areas
 - Industrial areas
 - Churches and public buildings
 - Public transportation routes and major stations
2. **Adjacent Property Owner Map** – The names of all property owners from the most recent tax list within five hundred (500) feet of the development site shall be shown on an appropriate property line map.
 3. **Land Classification Map** – All lands within the site shall be illustrated by the appropriate category as determined by Section 702.1. The acreage and corresponding proportion of the total site represented by each category shall be stated in the map legend.
 4. **Land Evaluation Map** – The natural limitations of the land on its use and development shall be summarized and shall include the following analysis as related to the Development Application proposals;
 - a) Slopes – building and way location and drainage system;
 - b) Vegetation and special features – integration into the Application;
 - c) Soil quality – relation to the utilities to be provided and building precautions; and
 - d) Water table – relation to primary and secondary aquifers and septic tank disposal and drainage systems.

Each of the natural limitation categories affecting site use and development shall be discussed showing how these factors were incorporated into the Development Application. Where public funds for housing are to be used, an A-95 Environmental Impact Study shall be filed. Information not appropriately included on the Map shall be in the Report required by Section 807.4.1.

5. **Road and Parking Map** – All roads and parking areas shall be identified on a map. The following information pertaining to ways and driveways shall be shown:
 - a) Rights-of-way widths for ways;
 - b) Street widths for all ways for motor vehicle use;
 - c) Typical road construction showing base and sub-base and clear sight triangle dimensions for all major intersections;
 - d) Finished grade profiles (centerline) including elevations of high and low points for all ways;
 - e) Location of paved paths or bikeways;
 - f) Location and definition of trash removal system;
 - g) Location and definition of office and community facilities delivery areas and systems;

- h) Identification by function of limited access highways, distribution loops, feeder streets and local streets; and
- i) Street cross-section on the map for each category and in the report including a typical cul-de-sac turnaround and divided roadway and major street intersections involving turning lanes or rotary traffic flow.

The following information pertaining to parking locations shall be shown:

- a) Paved areas for all parking locations;
- b) Landscaped areas contained within parking locations;
- c) Estimates for the number of residential units or gross traffic flow and the number of parking spaces for each location; and
- d) Cross-section on the map showing dimensions for a typical parking space and access road(s) and indicating type of parking stop, bollard or curb to be installed.

6. **Utilities Map** – The following information pertaining to utilities shall be shown:

- a) Location of individual sewage disposal systems;
- b) Location of all common sewage treatment facilities;
- c) Location of major water distribution facilities and fire hydrants;
- d) Location of all existing and proposed pipelines and transmission lines showing easements;
- e) Location of any form of water treatment or distributing facility other than lines and fire hydrants;
- f) Cross-section of a typical common service trench showing easements and dimensions and the placement of each utility; and
- g) General distribution systems for gas, electric, telephone and cable TV as applicable.

7. **Open Space and Community Facilities Map** – The following information shall be shown:

- a) All land dedicated or deed restricted for public or common use showing major trails, area acreage and proposed use;
- b) Location of all playfields, tot-lots, or other recreational facility indicating type and general area of concentrated use;
- c) Location of all buildings intended for community, school, religious or institutional use indicating approximate building coverage in square feet;
- d) Location of all existing buildings, historical areas and scenic areas to be preserved; and
- e) Listing on the map the number, by type, of the following community facilities or other optional facilities:
 - Ball fields (baseball, football, soccer)
 - Basketball and tennis courts
 - Park, pavilion and shelters
 - Picnic grounds
 - Ponds and lakes
 - Swimming and wading pools, and
 - Tot-lots.

8. **Land Coverage and Drainage Map** – The following information shall be shown:
 - a) All areas of the site to be covered by paving and/or building shall be identified with the amount of area in square feet; and the proportion of each as related to the total site shall be indicated on the map and shown by watershed as existing on and off-site prior to proposed development.
 - b) All areas of the site in which the natural vegetative cover will be altered shall be identified and the proportion by type of change with the amount of area in acres and the proportion of each as related to the total site shall be indicated on the map.
 - c) All drainage areas which occupy five (5) percent or more of the site shall be identified with the amount of area in acres and the proportion of each as related to the total site shall be indicated on the map.
 - d) All natural drainage swales and all streams and their off-site watershed shall be identified with the maximum area shown to be covered by water resulting from a rainfall of fifteen (15) and one hundred (100) year frequency storms.
 - e) All improvements including retention basins, ponds, culverts, dams and storm water pipes in excess of six (6) inches shall be located on the map by type.

9. **Land Use Map** – The following information shall be shown:
 - a) Number and location of single family detached units;
 - b) Number and location of single family semi-detached or attached units;
 - c) Number and location of multi-family units by type;
 - d) Location of office buildings; and
 - e) Location of community facilities.

10. **Dwelling and Other Buildings and Structures** – The following information shall be shown:
 - a) General Layout of each type of dwelling unit showing building dimensions and rooms and general layout of non-residential buildings and structures showing dimensions and uses.
 - b) Building elevations and/or renderings to graphically illustrate the architectural design and character of the proposed dwelling or non-residential building or structure. The elevations shall be drawn to an appropriate architectural scale and include information describing use of materials, color and all accessory items such as awnings or signage of the proposed dwelling or non-residential building or structure.

11. **Topographical Map** – A topographical map of the site with contours at a minimum of two (2) foot intervals.

12. **Site Plan** – One sheet summarizing the proposal, showing existing and proposed topography, buildings, parking, drives, walls and trails, recreation facilities, landscaping, building uses, any major drainage and utilities elements such as detention areas.

807.4 Report Submission

1. **Land Evaluation Report** – This report shall contain all of the information required by Section 807.3.4 not otherwise appropriately included on the Land Evaluation Map.
2. **Population and Economic Impact Evaluation Report** – This report shall contain the following information including a summary of these factors in the text and an analysis of their relationship to the development proposals.
 - a) Population characteristics:
 - projected total population
 - projected population of each section
 - projected population by age groups: 0-4, 5-13, 14-18, 19-35, 36-50, 51-65, 65 plus
 - projected population by dwelling unit type
 - projected family characteristics (head of household, wife, children under eighteen [18] years of age)
 - b) Economic characteristics:
 - projected work force
 - probable employment by location
 - estimated disposable family income
 - probable retail shopping by location
 - projected permanent jobs created by the proposed development

This report shall also contain an analysis indicating the projected marketability of the dwelling units in the development with respect to effective demand specifically relating the site to the Town. Public and/or subsidized housing shall be identified and an explanation of the assistance program and the number of units affected shall be included.
3. **Traffic Impact Evaluation Report** – This report shall be summarized in text form with an analysis related to the development proposals:
 - a) Projected number of motor vehicle trips to enter or leave the site for an average day and for a peak hour;
 - b) Projected traffic flow patterns as related to the Road and Parking map including vehicular movements at all major existing and proposed intersections; and
 - c) Evaluation of the impact of this traffic upon existing streets in relation to capacities using both current and redesign criteria.
4. **Utilities Impact Evaluation Report** – This report shall contain an analysis of the provisions for gas, electricity, telephone, mail service, sewage disposal, and refuse storage and collection.
 - a) Construction processes shall be specified to include common trenches where feasible. The probable impact from utility needs shall be determined and shall include:
 - The estimated daily and peak hour volume of public water demand;
 - Evaluation of the estimated impact of water demands upon existing service facilities in relation to defined sewage disposal and public water capacities;
 - Description of proposed sewage treatment facility or disposal system including type and design capacity;

- Evaluation of the estimated impact of effluent from individual sewage disposal systems of common sewage treatment facilities in terms of quality and quantity on soil conditions, groundwater levels and other relevant natural site characteristics; and
 - Description of manner or method by which proposed sewage disposal facility shall be maintained and operated.
5. **Drainage Impact Evaluation Report** – This report shall contain an analysis of all drainage improvements including off-site conditions to facilitate the flow of stormwater as identified in the Land Coverage and Drainage Map. Construction processes shall be specified for each drainage system.
 - a) The projected maximum volumes at the collecting point for each drainage basin for fifteen (15) and one hundred (100) year storms; and
 - b) The estimated impact of stormwater upon existing service facilities in relation to existing stormwater capacities.
 6. **Common Open Space Analysis Report** – This report shall contain an explanation of how the common open space shall be maintained including an estimate of additional charges or costs to be paid by each housing unit. The method by which citizen participation is to be provided in the maintenance of these facilities shall be specified. All improvements to be placed on the land shall be described. A statement of conformance or lack thereof to the requirements of Section 707, Design Ratios, shall be included. The probable utilization of the common open space in the development shall be discussed including:
 - a) The construction of any public improvements explaining how these improvements are to be integrated with the development;
 - b) The number of dwelling units and the number of square feet of non-residential uses to be constructed each year and their estimated values; and
 - c) The guarantee which shall be provided to the Town to assure construction of specified improvements.
 7. **Schedule Report** – If the development of the site will take place over more than one year, the developer shall supply development and improvement schedules. This report shall contain the following information:
 - a) The construction of any public improvements explaining how these improvements are to be integrated with the development;
 - b) The number of dwelling units and the number of square feet of non-residential uses to be constructed each year and their estimated values; and
 - c) The guarantee which shall be provided to the Town to assure construction of specified improvements.
 8. **Supplemental Information** – The Board of Appeals and/or its review body, the Planning Board, may request additional or supplemental information as may be deemed necessary to make a thorough and proper review and evaluation of and decision on the development application.

807.5 Decision

1. The Board of Appeals shall act within ninety days following a public hearing. This time period may be voluntarily extended upon agreement of the Town and the applicant. The decision shall be filed with the Town Clerk together with all plans appropriate to the decision. The Board of Appeals shall state in writing reasons for its decision and in the case of disapproval specifically the sections of this Bylaw which have not been met by the applicant in his development application submission. Two (2) copies of the decision shall go to the Planning Board and one

- (1) copy to the applicant. One (1) transparent mylar copy of the approved development application shall be filed with the Board of Appeals within sixty (60) days of such approval.
2. No Special Permit granted by the Board of Appeals shall take effect until the decision together with the plan relating thereto are recorded with the title of the land or lot in the Plymouth Registry of Deeds and until a certified copy of said recording is received by the Board of Appeals. The owner of the land in question shall pay for and be entirely responsible for filing the decision of the Board of Appeals.
 3. The granting of a Special Permit does not constitute the issuance of a building permit, which must be obtained by application to the Zoning Enforcement Officer as provided in this Bylaw.