

ZONING

255 Attachment 4

Town of South Hadley

Appendix B

Planning Board Rules and Regulations for Site Plan Review

1. Application:

Each application for site plan review shall be submitted to the Planning Board on Form SPR, accompanied by TWO (2) hard copies of the site plan and complete application and ONE (1) electronic PDF version of the same. A copy of Form SPR shall be concurrently filed with the Town Clerk.

The date of receipt by the Town Clerk shall be considered the date on which the application has been filed with the Planning Board.

The information required with the application as specified in Section 3 and the fee required in Section 2 shall be considered a part of the application and no application shall be deemed complete unless said information and fee are included.

The Planning Board shall, within five days, transmit one copy of the plan to the Building Inspector, Board of Health, Conservation Commission, DPW Superintendent, Electric Light Department, Water Department, Fire Department, Tree Warden and Police Department.

A. Modified or Supplemental Plans and Application Materials:

Modified or supplemental plans and application materials must be submitted to the Planning Board a minimum of THREE (3) full business days prior to a scheduled public hearing or public meeting for the Board's consideration. It is at the Board's discretion to delay consideration of any materials submitted less than three (3) full business days prior to a scheduled public hearing or public meeting to a later date.

2. Fees:

All applications for site plan review shall be accompanied by cash or check payable to the Town of South Hadley in the amount specified in Appendix D (South Hadley Planning Board Fee Schedule). The costs of advertising the public hearing are to be paid by the applicant.

3. Required Site Plan Contents:

All site plans shall be prepared by an architect, landscape architect, civil engineer, or registered land surveyor unless this requirement is waived by the Planning Board because of the unusually simple circumstances. All site plans shall be on standard 24" x 36" sheets and shall be prepared at a sufficient scale to show:

1. The location and boundaries of the lot, adjacent streets or ways, and the location and owner's names of all adjacent properties.

2. Existing and proposed topography, including contours, the location of wetlands, streams, water bodies, drainage swales, areas subject to flooding, and unique natural land features.
3. Existing and proposed structures, including dimensions and elevations.

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4. The location of parking and loading areas, driveways, walkways, access and egress points.
5. The location and a description of all proposed septic systems, water supply, storm drainage systems, utilities, and refuse and other waste disposal methods.
6. Proposed landscaping features, including the location and a description of screening, fencing and plantings.
7. The location, dimensions, height and characteristics of proposed signs.
8. The location and a description of proposed open space or recreation areas.
9. A locus plan at a scale of one-inch equals 400 feet showing the exact site location in relation to two or more existing streets.

The Planning Board may waive any information requirements it judges to be unnecessary to the review of a particular plan.

4. Minor Site Plan Review

Projects requiring Site Plan Review pursuant to 255-145 of the Zoning Bylaw will be considered as “Minor Site Plan Review” projects if they conform to the provisions of paragraphs 4a and 4b below. All projects which qualify for “Minor Site Plan” Review will be processed and reviewed in accordance with paragraph 4d below.

A. Threshold.

Subject to the conditions detailed in paragraph 4b below, the following qualify for Minor Site Plan Review:

1. Exterior expansion not more than 50% of the existing building’s floor area.
2. New parking areas (including expansion of existing parking areas) not more than 4,500 square feet.
3. Uses which require Site plan Review under 255-145 of the Zoning Bylaw but no new construction (other than interior renovations or alterations with no increase in floor area) will be undertaken and the new use will not require more than 4,500 square feet if additional parking area.
4. Uses which qualify for an exemption under MGL Chapter 40A, Section 3 but which are subject to limited Site Plan Review under 255-145 of the Zoning Bylaw.
5. Construction of new building under 5,000 square feet provided a Special Permit is not required.
6. Projects located in the South Hadley Falls Overlay District.

B. Conditions.

Projects which meet one or more of the following conditions shall not qualify for a “Minor Site Plan” Review even though they meet the threshold in paragraph 4a above:

1. The use proposed for the site requires a Special Permit under Chapter 255 Use Regulations Schedule of the Zoning Bylaw.
2. The property abuts residentially developed property unless the proposed building or portion of the building to be used for the project is at least 300 feet from the nearest dwelling unit.

3. The property abuts property which is in the Agricultural, Residence A-1, or Residence B zoning districts unless the proposed building or portion of the building to be used for the project is at least 300 feet from the nearest dwelling unit.
4. The project site was developed based on a prior Site Plan Review with conditions and the proposed activity would involve an alteration of one or more of the conditions.
5. The project involves residential development to be undertaken pursuant to 255-31 Flexible Development of the Zoning Bylaw.
6. The project involves use of a portion of the property for a Home Occupation.
7. The project site is the subject of a Zoning Violation complaint at the time application is made for Site Plan Review.
8. A Medical Marijuana facility which is subject to 255-46 of the Zoning Bylaw.

C. Sequential Development.

For the purposes of computing the total increase in the footprint of the structure, the Planning Board shall aggregate all expansions made within the previous 60 months.

D. Applications and Procedures.

1. Applications for Minor Site Plan Review shall be made in the same manner as prescribed in Section 1, 2, and 3 of these Rules and Regulations. At the time of the application, the applicant shall note on the application that the request is for Minor Site Plan Review and how the project meets with the requirements of paragraphs 4a and 4b above.
2. No public hearing shall be required for the Minor Site Plan Review. However, if the Director of Planning and Conservation (Director) determines (and the Planning Board agrees with said determination) that the project does not meet the standards for Minor Site Plan Review, the applicant may pay the additional application and related fees and request a regular Site Plan Review which involves a public hearing with notices to the public and abutters.
3. Within three (3) business days of receipt of the application, the Director shall determine whether or not the project qualifies for a Minor Site Plan Review by meeting the Threshold and Conditions outlined in paragraph 4a and 4b. In the absence of the Director, the Planning Board shall designate someone to make such a determination.
 - a. If the Director determines that the project does not qualify for a Minor Site Plan Review, the applicant may appeal the decision to the Planning Board by requesting such an appeal be placed on the next Planning Board agenda provided the posting would conform to time requirements associated with public meeting notices.
 - b. The Planning Board shall, by majority vote of members present, affirm or not, the Director's decision.
4. All project determined to qualify for Minor Site Plan Review shall be processed as follows:
 - a. Within in five (5) business days of receipt of the application (or determination by the Planning Board that the project qualifies for Minor Site Plan Review in the case of an appeal), the Director shall submit the application materials to the various departments as provided in paragraph 1 above.
 - b. Departments shall be provided fourteen (14) calendar days in which to respond to the Director with comments.
 - c. Within four (4) weeks of receipt of the application (or determination by the Planning Board that the project qualifies for Minor Site Plan Review in the case of an appeal), the Planning Board shall consider the application at a

public meeting for which such matter is identified on the agenda for consideration. If the Planning Board determines that more information is required to make a decision on the application, the Board may defer a decision to a future meeting by identifying a date and time certain for such consideration and specify in the additional information which is required, but such future meeting shall be no more than five weeks (5) from the date on which the Planning Board began its consideration of the Minor Site Plan Review application.

- d. The Planning Board review of the submittal is to determine if the submittal conforms to the Site Plan Review criteria specified in 255-148 of the Zoning Bylaw.
- e. As part of its written decision, the Planning Board is to make findings that the project conforms to the Site Plan Review criteria within the Zoning Bylaw.
- f. Before approval of a site plan, the Planning Board may require that the applicant make modifications in the proposed design of the project to ensure that the Site Plan Review Criteria in 255-148 of the Zoning Bylaw are fulfilled.
- g. The Planning Board shall render a written decision upon completion of the public review of the Minor Site Plan Review application but will file such a decision with the Town Clerk within three (3) weeks of completion of the public review. The decision shall be one of the three forms identified in 255-149 of the Zoning Bylaw.
- h. The Planning Board's decision shall be mailed to the applicant and filed with the Town Clerk. A copy shall also be sent to the Building Commissioner.
- i. For the purpose of securing the performance of all proposed work, including landscaping and off-site improvements, the Planning Board may require a performance guarantee as provided in paragraph #3 of 255-147(D) of the Zoning Bylaw.

FORM SPR

APPLICATION FOR SITE PLAN REVIEW

Date _____

Is this for a Minor Site Plan Review as defined in the Rules & Regulations? _____

File one completed application form together with two (2) copies of the site plan and a PDF of the all submitted materials with the Planning & Conservation Department. One (1) copy of Form SPR shall be concurrently filed with the Town Clerk.

To the Planning Board:

The undersigned herewith submits the accompanying Site Plan for review as required by Article XII of the Zoning By-Laws.

1. Applicant _____

Address _____

Telephone _____ Email: _____

2. Owner (if not applicant) _____

Address _____

3. Site Plan Preparer _____

Title or License _____

Address _____ Email: _____

4. Deed of property recorded in the Hampshire County Registry of Deeds,

Book _____ Page _____

5. Location and description of property (street and number if any) _____

Assessors Map # _____ Parcel # _____

6. The subject property is presently in zoning district(s) – Sec 255-11: _____

7. Is the property in an Overlay District(s) (Sect 255-15)? ____ If so, what Overlay District(s):

8. Fee Paid: Yes _____

No _____

Signature of Applicant

Town Clerk:

Date of Submission _____

Signature _____