TOWN OF DRACUT
BOARD OF SELECTMEN

SPECIAL PERMIT APPLICATION PACKAGE

BOARD OF SELECTMEN
62 ARLINGTON STREET
DRACUT, MA 01826
TELEPHONE 978-452-1908
EMAIL: BOARDOFSELECTMEN@DRACUTMA.GOV

SPECIAL PERMIT APPLICATION PACKAGE

Attached is your Special Permit Application Package consisting of the following:

- **Your application and abutters list forms;**
- **A copy of applicable sections of the Dracut Zoning Bylaw;**
- **An application checklist which must be completed and submitted with your application.**

Based upon experience, we have found that if you follow the checklist carefully, the review of your application will go much smoother and that all of the elements required for a site plan special permit are contained thereon in one referenced place.

Following preparation of all your application material and submission to the Special Permit Granting Authority (Board of Selectmen or Planning Board), a public hearing will be scheduled on your application, and approximately one week before the public hearing, you will be notified of a Departmental Review Meeting to which you and/or a representative will be invited and at which your plans and proposal will be reviewed. By completing all of the attached material you should find that both the review and public hearing will go a lot smoother and avoid postponements and delays in your plans.

APPLICATION FOR HEARING
TOWN OF DRACUT/BOARD OF SELECTMEN
SPECIAL PERMIT

NAME OF
APPLICANT_____

HOME ADDRESS_____TEL #_____

PROPERTY LOCATION_____

APPLICANT IS OWNER, TENANT, PROSPECTIVE PURCHASER, OR OTHER? (Please circle one)

(CURRENT OWNER'S NAME & ADDRESS)_____

_____

EXPLANATION OF PROPOSED USE:

I hereby request a hearing before the Board of Selectmen with regard to the above noted application for a Special Permit. I agree to pay all costs for mailing and advertising the notice of the public hearing.

SIGNED:_____

PRINT:_____

TITLE:_____

<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<FOR OFFICE USE>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

DATE OF SUBMISSION TO BOARD OF SELECTMEN/MEETING OF_____

RECEIVED FILING FEE ($75.00)_____

TOWN OF DRACUT
CERTIFIED LIST OF ABUTTERS
OFFICE OF THE BOARD OF ASSESSORS
SPECIAL PERMIT

TO THE BOARD OF SELECTMEN:

THE UNDERSIGNED, BEING AN APPLICANT FOR A SPECIAL PERMIT FOR THE LAND SHOWN IN THE APPLICATION PACKAGE FROM THE ASSESSOR'S MAP:

MAP NO: _____ **BLOCK NO:** _____ **LOT NO:** _____

HAS PROVIDED THE ATTACHED LIST OF ABUTTERS AS REFLECTED BY THE ASSESSOR'S MAPS. PARTIES ON THE LIST ARE THOSE AS DETERMINED BY THE BOARD OF ASSESSORS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS AS SET FORTH IN THE DRACUT ZONING BYLAWS.

APPLICANT_____

ADDRESS_____

TELEPHONE NO._____

Application for abutters received by the Office of Assessors on:

_____day of _____20_____.

FEE $_____ Received by:_____

This is to certify that at the time of the last assessment for the taxation made by or for the Town of Dracut, the names and addresses of the parties abutting the parcel herein described are those officially designated as such by this board.

BOARD OF ASSESSORS

Kathleen M. Roark _____

Megan Silvestro_____

Ann M. Vandal _____

Public Hearing – Abutting Towns

Please Address to the Planning Board of each Town:

Town of Andover
36 Bartlett Street
Andover, MA 01810

City of Lowell
50 Arcand Drive
JFK Civic Center
Lowell, MA 01852

City of Methuen
41 Pleasant Street
Methuen, MA 01844

Town of Pelham
6 Village Green
Pelham, NH 03076

Town of Tewksbury
999 Whipple Road
Tewksbury, MA 01876

Town of Tyngsboro
25 Bryant Lane
Tyngsboro, MA 01879

SPECIAL PERMIT APPLICATION

THIS CHECK LIST HAS BEEN DEVELOPED TO ASSIST IN THE REVIEW OF SPECIAL PERMIT APPLICATIONS

This checklist must be submitted signed by the applicant.

1. Is there attached a written statement detailing the proposed use including proposed hours of operation, the extension of building coverage and open space, drainage calculations and calculations of the volume of earth to be removed, if any? (Sec. 1.16.22-1) ___ yes ___ no

2. Is a plot plan submitted, as per the reduced requirements for Non-Site Plan Special Permits, that contains a north arrow, the names of streets, zoning districts, names of abutters in accordance with Chapter 40A Section 11, property lines, location of buildings on surrounding properties, the required parking spaces for the intended purpose, entrances, exits, driveways and those items pertinent to the granting of the Special Permit? ___ yes ___ no

3. Is this a Site Plan Special Permit? ___ yes ___ no

4. If this is a Site Plan Special Permit, are the following additional plan requirements addressed and included on said plan:

   a. Plan prepared by a registered professional engineer or registered land surveyor ___ yes ___ no

   b. Are all lot lines and setbacks shown? ___ yes ___ no

   c. Are zoning district boundaries included, and flood plains identified? ___ yes ___ no

   d. Are all wetland and wetland buffer zones (if applicable) identified? ___ yes ___ no

   e. Are areas designated as open spaces shown on the plan? ___ yes ___ no

   f. Are existing and proposed topography at 2' intervals shown on the plan? ___ yes ___ no

   g. Are the following shown on the plan:

      - Buildings ___ yes ___ no
      - Structures ___ yes ___ no
      - Parking and loading spaces (including handicapped parking) ___ yes ___ no
      - Limits of all paving ___ yes ___ no

- Limits of all storage areas ___ yes ___ no
- Facilities for sewage, waste disposal, And drainage ___ yes ___ no

- Has the engineer/surveyor become familiar with and complied with parking/buffering and landscaping requirements of the town bylaw and is such reflected on the plan? ___ yes ___ no

- Snow Storage (areas) ___ yes ___ no

- Fire Lanes ___ yes ___ no

5. Does the application propose a facility 10,000 sq. ft. or more of gross floor area, or a facility requiring 40 or more parking spaces? ___ yes ___ no

   If the answer to this question is yes, is a separate landscape plan, meeting all requirements of the bylaw, submitted herewith (Section 1.16.22-3)? ___ yes ___ no

   If the answer to the above question is yes, is a building elevation plan as required by the bylaw submitted herewith (Section 1.16.22-4)? ___ yes ___ no

6. Is the required filing fee ($75.00) attached? ___ yes ___ no

7. Is the required abutter list attached? ___ yes ___ no

8. Is the applicant the owner of the property ___ yes ___ no

   If no, then is written consent of the owner attached? ___ yes ___ no

9. Is the required postage for abutter notification submitted with the application? ___ yes ___ no

10. Are all the taxes on the site current per requirements of the Town Bylaw? ___ yes ___ no

11. As appropriate, are (12)copies of either the Plot Plan or of the Site Plan included? ___ yes ___ no

Signature: _____ Date: _____

Article II – APPLICATION TO THE BOARD

Section 1 – Application Form

Every application for action by the board shall be made on the official forms as provided by the board. The application shall include the certified list of abutters as provided by the Board of Assessors. These forms shall be furnished by the Board of Selectmen's Office upon request. Any communication purporting to be an application shall not be treated as such until such time as it is made on the application provided for such purpose by the Board of Selectmen. All information called for by the form shall be furnished by the applicant in the manner therein prescribed.

Section 2 – Plan of Land

Each application and petition to the board shall be accompanied by twelve (12) copies of the following described plan.

The plan shall have a north point, names of streets, zoning districts, names of abutters in accordance with Chapter 40A Section 11, property lines and location of buildings on surrounding properties, and the required parking spaces for the intended purpose shall be shown. Entrances, exits, driveways and those items pertinent to the granting of the special permit shall also be shown on the plans. The plan shall be a "certified" plot plan. Additionally, a site plan, if required, shall conform to the provisions of the Zoning Bylaws.

(Amended Dec. 15, 1987)

Section 3 – Filing

All applications and/or reapplications shall be filed with the Board of Selectmen at a "regularly" scheduled meeting together with a certified list of abutters obtained from the office of the Board of Assessors, a copy of the proposed plan, and a non refundable fee according to the attached schedule of fees. The applicant shall provide first class postage to notify the interested parties on the abutter's list. In addition, the applicant shall provide for the cost of the advertising at the prevailing rate for the proper advertisement of the application in a newspaper having general circulation in the town.

(Amended December 15, 1987)

late matter, toxic matter, fire or explosive hazard, glare, noise, vibration or any other objectionable impact generated by any given use of land.

1.16.16 Time Limitation on Special Permit - A special permit shall lapse if a substantial use thereof has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause within a period of time to be specified by the Special Permit Granting Authority, not to exceed two years from the date of grant thereof.

1.16.17 Effective Date of Special Permit - No special permit or any modification, extension or renewal thereof shall take effect until a copy of the decision has been recorded in the Middlesex County Registry of Deeds. Such decision shall bear the certification of the Town Clerk that 20 days has elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such an appeal has been filed, it has been dismissed or denied.

1.16.18 Conditioning by the Special Permit Granting Authority The Special Permit Granting Authority may for valid reason limit the term of a special permit to be conditional upon specific ownership of the property and/or structure. The Special Permit Granting Authority may also require a resubmission of documentation concerning the conditions in evidence at the time of the original granting or subsequent thereto if for said good reason a re-evaluation of items concerning the health, safety and welfare of the inhabitants of the Town of Dracut is in order. Said revaluation must be so stated and fixed in period during the original granting.

1.16.20 Site Plan Special Permits - A Site Plan Special Permit is required for certain uses prior to approval of an applicant for a special permit.

1.16.21 Applicability - A Site Plan Special Permit shall be required in all instances as follows:

1. for the initial development of land specified in section 2.11.30 Table of Permitted Uses as requiring a Site Plan Special Permit and for all accessory uses thereto, or

2. where the gross floor area of an existing building is increased 1200 square feet or more for uses designated as requiring a Site Plan Special Permit on the Table of Permitted uses, or

3. where a use designated as requiring a Site Plan Special Permit on the Table of Permitted Uses is expanded in ground area by

1,200 square feet or more of either impervious material, open storage or any area of the site devoted to the conduct of the principal accessory use.

4. for any development of land in excess of 1,200 square feet of gross floor area located in an area along the Merrimack River from the river's edge to 500 feet from Merrimack Avenue (State Route 110) north and west.

1.16.22 Application Contents - Any person who desires to obtain a Site Plan Special Permit shall submit a written application therefore to the Special Permit Granting Authority as shown in Section 2.11.30 of this By-law. Each such application shall be accompanied by the following:

1. A written statement detailing the proposed use, the extent of the building coverage and open space, drainage calculations and calculations of the volume of earth to be removed, if any.

2. Site Plan(s) prepared by a Registered Professional Engineer or Registered Land Surveyor, as appropriate to the data, showing all lot lines and setbacks, zoning district boundaries including flood plain; all wetlands and wetland buffer zones; all areas designated as open space; all existing and proposed topography at two foot intervals, buildings, structures, signs, parking and loading spaces; the limits of all paving and open storage areas and all facilities for sewage, waste disposal and drainage. The Site Plan shall include that portion of any adjacent land owned or used by the applicant on which the use is similar to or connected with the use for which the Site Plan Special Permit is sought.

3. A Landscape Plan(s) shall be prepared by a Registered Landscape Architect in all cases where the plan(s) specifies a proposed facility of 10,000 square feet or more of gross floor area, or a facility requiring 40 or more parking spaces. In any case, a Landscape Plan(s) shall show the limits of work, the existing tree line and all proposed landscape features and improvements including walks, planting areas with size and type of stock for each shrub or tree; walls, fences, outdoor lighting, and existing and proposed contours of the land at two foot intervals.

4. A Building Elevation Plan(s) shall be prepared by a Registered Professional Engineer in all cases where the plan specifies a facility of 10,000 square feet or more of gross floor area. In any case, a Building Elevation Plan(s) shall show the front elevation of the building and its height; and floor plan(s) for the building(s) showing the layout of each floor with a tabular summary of the net floor area used to calculate the required parking and the proposed uses to be conducted on each floor.

Such other information as the Special Permit Granting Authority may reasonably require including special studies or reports, such as traffic or hydrological impact studies and any other information or material required by virtue of any other part of this By-law.

1.16.23 Site Plan Special Permit Waiver of Application Contents - At the time of application for a building or occupancy permit, a site plan, as required in Section 1.16.21 shall be transmitted to the Special Permit Granting Authority in two copies, together with all supporting documentation. The applicant may, prior to submitting his application, request in writing to the Special Permit Granting Authority, a waiver of one or more of the requirements of Section 1.16.22 by submitting a preliminary plan sufficient to describe the proposed development and conferring therein with the Special Permit Granting Authority at a regular meeting. The Special Permit Granting Authority shall prepare a written report, within twenty-one days of its conference with the applicant, on the waiver request which shall accompany the application recommending either

1. that the applicant's preliminary plan is sufficient for review and is either approved, not approved, or approved with certain changes by the Special Permit Granting Authority without further review by them, or,

2. that a site plan under Section 1.16.21 is necessary and must be submitted to the Special Permit Granting Authority or,

3. a modified site plan, with specifically named elements, is necessary and must be submitted to the Special Permit Granting Authority.

1.17.00 Applicability

1.17.10 Other Laws. Where the application of this By-law imposes greater restrictions than those imposed by any other regulations, permits, easements, covenants or agreements, the provisions of this By-law shall control.

1.17.20 Minima. The regulations set by this By-law shall be the minimum regulations and shall apply uniformly to each class or kind of structure or use and, particularly:

1.17.30 No building, structure, or land shall hereafter be used or occupied, and no building or structure shall be erected, raised, moved, placed, reconstructed, extended, enlarged or altered except in conformity with the regulations specified herein for the district in which it is located.