



**TOWN OF DRACUT
BOARD OF SELECTMEN**

SPECIAL PERMIT APPLICATION PACKAGE

COVERING:

**ALL SPECIAL PERMITS NOTED IN SECTION 2.11.30
OF THE
DRACUT ZONING BYLAW**

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

ADOPTED: NOVEMBER 27, 2018

SPECIAL PERMIT APPLICATION PACKAGE

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

- Your Application and List of Abutting Towns
- References to the applicable sections of the Dracut Zoning By-law
- 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 on a special permit and/or special permit/site plan 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), 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 time your plans and proposals 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 therefore, will avoid postponements and delays of the decision.

In the event you have any administrative questions regarding the special permit process, please contact Shannon Rowe, the Secretary to the Board of Selectmen at 978-452-1908 or srowe@dracutma.gov.

Questions regarding technical and permitting issues may be directed to Betsy Ware, Director of Community Development and permit ombudsman for the Town of Dracut. Contact her at 978-453-4557 or eware@dracutma.gov.

**APPLICATION FOR PUBLIC HEARING
WITH THE DRACUT BOARD OF SELECTMEN
FOR A
SPECIAL PERMIT OR SITE PLAN/SPECIAL PERMIT**

NAME OF APPLICANT: _____

HOME ADDRESS: _____

TELEPHONE #: _____

EMAIL: _____

PROPERTY LOCATION (INCLUDING MAP AND LOT NUMBERS): _____

NAME OF OWNER: _____

HOME ADDRESS: _____

TELEPHONE #: _____

SIGNATURE OF OWNER: _____

EXPLANATION OF PROPOSED USE: _____

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

SIGNATURE OF APPLICANT: _____

PRINTED NAME OF APPLICANT: _____

TITLE: _____

Office Use:
Date of submission to Board of Selectmen Meeting of _____.

Received filing fee of \$75. _____.

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CERTIFIED ABUTTER'S LIST

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 Assessor's and in compliance with the rules and regulations as set forth in the Dracut Zoning Bylaws.

Applicant: _____

Address: _____

Telephone No. _____

Application for abutters list received by the Office of Assessors on: _____

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

Karen Golden _____

Ann M. Vandal _____

Notification must be provided to each Planning Board of abutting communities:

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 Tewksbury – 999 Whipple Road, Tewksbury, MA. 01876

Town of Tyngsboro – 25 Bryant Lane, Tyngsboro, Ma. 01879

Town of Pelham – 6 Village Green, Pelham, NH. 03076

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This checklist has been developed to assist in the review of special permit applications:
This check list must be submitted and signed by the applicant.

1. Written zoning determination from the Dracut Building Inspector: yes no
2. Statement which details proposed use of the property: yes no
3. Statement of hours of operation: yes no
4. Plans which indicate building coverage and open space percentage yes no
5. Drainage calculations: yes no
6. Calculations of volume of earth to be removed and volume of fill to be used
On the site: yes no
7. If this proposal is for a Special Permit, then a plot plan is provided
With the following information: yes no
 - a. North Arrow: yes no
 - b. Names of Streets: yes no
 - c. Zoning Districts: yes no
 - d. Names of Abutters (per MGL Chapter 40A, Section II): yes no
 - e. Property boundaries: yes no
 - f. Locations of buildings and driveways on surrounding properties: yes no
 - g. Other items pertinent in the granting of the special permit: yes no
8. Is this a site plan Special Permit? yes no
9. If a site plan Special Permit, are the following addressed on the plans:
 - a. An Existing conditions plan: yes no
 - b. Plan prepared by a Registered Professional Engineer or
Registered Land Surveyor yes no
 - c. All lot lines and setbacks shall be shown? yes no

- d. All zoning district boundaries and flood plains shall be identified: yes no
- e. All wetland and wetland buffer zones (if applicable) are identified: yes no
- f. All areas designated as open spaces shall be shown on the plan: yes no
- g. All existing and proposed topography is shown at 2' intervals: yes no
- h. All of the following shall be shown on the plan:
 - Buildings yes no
 - Structures yes no
 - Parking and loading spaces (including handicapped parking spaces) yes no
 - Limits of all paving and open storage areas yes no
 - Facilities for sewage, waste disposal and drainage yes no
 - Parking/buffering/landscaping per Dracut bylaw yes no
 - Snow Storage (areas) yes no
 - Fire Lanes yes no

10. Application propose a facility 10,000 square feet or more of gross floor area, or the facility requires 40 or more parking spaces: yes no

If the answer to this question is yes, then a separate landscape plan, meeting all requirements of the by-law, shall be submitted (Sec. 1.16.22-3): yes no

If the answer to the above question is yes, building elevation plans as required by the by-law shall be submitted (Sec. 1.16.22-4): yes no

11. Filing fee is attached: yes no

12. Abutters list is attached: yes no

13. If the applicant is not the owner of the property, a written consent of the property owner shall be attached: yes no

14. Applicant is to provide stamped envelopes for abutters notification and notice to abutting communities: yes no

15. All taxes current on the site per requirements of the Town By-law: yes no

16. Ten (10) copies of the special permit/site plan submitted: yes no

Signature of Applicant: _____ Date _____

Signature of Owner: _____ Date _____

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Application Summary:

- _____ Copy of a Letter from the Building Inspector Indicating the Zone of the Property and the Applicable Zoning By-Law.
- _____ Completed Special Permit Application Form including Proposed Intended Use
- _____ Special Permit Application Fee (\$75.00)
- _____ Written assent to paying for any legal notice and mailings
- _____ Certified Abutters List from the Assessors Office
- _____ 2 Sets of Stamped Envelopes Addressed to each Abutter & Abutting Towns.
- _____ Copy of the Plot Plan for the Property
- _____ Copy of Any Proposed Building Plans, if applicable
- _____ Copy of Your Deed
- _____ Supplemental Information for Telecommunications and Marijuana Establishment Special Permit Applications, if applicable.

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1. All plans shall provide for the Town Clerk's endorsement, and shall be printed on the mylar for the Clerk's signature in the following format, or such form as may be required by law.

I, _____, Clerk of the Town of Dracut, MA, hereby certify that the notice of approval of the plan by the Dracut Board of Selectmen has been received and recorded in this office and no appeal was received during the twenty (20) days next after such receipt and recording of said notice.

Date, _____ Town Clerk of Dracut, MA

2. All Special Permit Applications, Plans, etc. must comply with the Town of Dracut Zoning By-Laws and the Rules and Regulations adopted by the Dracut Board of Selectmen.
3. Site Plan Review Fee, Inspection Fee, Site Drainage Fee, and Bonding will be set by the Engineering Department after approval and in accordance to the Special Permit Rules and Regulations adopted by the Dracut Board of Selectmen.

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**SUPPLEMENTAL INFORMATION FOR TELECOMMUNICATIONS
APPLICATIONS**

This checklist must be signed and submitted by the applicant. As part of a Special Permit application, applicants shall submit the following:

1. Twelve copies of a plan conforming to the requirements of the Dracut Zoning Bylaw:
 - a. All lot lines and setbacks yes no
 - b. Zoning district boundaries including floodplain yes no
 - c. Wetlands and wetland buffer zones yes no
 - d. Areas designated as open space yes no
 - e. All buildings, structures, signs, parking and loading areas yes no
 - f. Limits of all paving and open storage areas yes no
 - g. All facilities for sewage, waste disposal and drainage yes no
 - h. Portion of land used by the applicant for telecommunications purposes yes no
 - i. Landscape plan including the limits of work, the existing tree line and all proposed new landscaping features and improvements yes no
 - j. Tower and accessory equipment shelter, with elevation plans from all sides of the structure and tower yes no
 - k. Tower, antennae and facility location (including any guy wires), tower height and antennae height. yes no
 - l. Eight (8) view lines in a one mile radius from the site, shown beginning at True North and continuing clock-wise at forty-five (45) degree intervals yes no
2. Submission of a radio frequency engineer's report, including coverage areas of towers within proximity of the proposed facility. yes no
3. Submission of a structural report of proposed tower, including the capacity of the tower for other telecommunications carriers (co-location) yes no

4. Submission of reports which indicate that the tower will comply with all applicable Federal, State and local government laws, rules and regulations yes no
5. Submission of a report that includes all the applicant's telecommunications facilities within five miles of the proposed tower yes no
6. Submission of information for an on-site demonstration (Crane demonstration or Balloon float) yes no
7. Agreement that Town of Dracut Emergency Service antennae Will be allowed on the tower yes no
8. Submission of any information on emergency shut offs and alarm Systems to be located at the facility yes no

Applicant's Signature

Date

Applicant's Printed Name

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SUPPLEMENTAL INFORMATION FOR MARIJUANA ESTABLISHMENTS

Supplemental Checklist for Marijuana Establishments:

1. Compliance with applicable State and local laws, regulations, bylaws, codes, conditions and agreements with the Town of Dracut, including, but not limited to, M.G.L. Chapter 94G, Chapter 94i, 935 CMR 500, the Town of Dracut General Bylaws, the Town of Dracut's Zoning Bylaw ___yes ___no
2. Host Agreement established between the Applicant and the Town ___yes ___no
3. Current State License with Cannabis Control Commission ___yes ___no
4. All real estate taxes and charges owed are paid. ___yes ___no
5. All Marijuana Establishment's operations are within a building ___yes ___no
6. All Marijuana Establishment's operations are not visible from a public place without the use of binoculars or other optical aids. ___yes ___no
7. Cultivation, processing, testing, storing and manufacturing of Marijuana products being done in enclosed and secure location ___yes ___no
8. All workers are over the age of 21. ___yes ___no
9. The proposed hours of operation are included in the submission ___yes ___no
10. Hours and methods of transportation of product are not detrimental to surrounding neighborhood and nearby uses. ___yes ___no
11. Provisions in place to prohibit any disorder, disturbance, or illegality under State or local law of any kind on the premises. ___yes ___no
12. Provisions in place to prohibit any illegal redistribution under State or local law of Marijuana obtained from the Marijuana Establishment, or in use of Marijuana in any manner that violates State or local laws. ___yes ___no
13. Provisions in place to eliminate nuisance conditions in parking areas, Sidewalks, streets and areas surrounding the premises and adjacent properties ___yes ___no
14. Business is conducted in such a manner that pesticides or other

- chemicals or products are not dispersed into the outside atmosphere ___yes ___no
15. No odor of Marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the facility or at any adjoining use or property. ___yes ___no
 16. Marijuana Establishment shall be required to remove all Marijuana and Marijuana products by the earlier of:
 - a) Prior to surrendering its State-issued license; or
 - b) Within six (6) months of ceasing operations. ___yes ___no
 17. Marijuana Establishments shall comply with 527 CMR and with Chapter 38 of the NFPA 1 (2018), as amended, and as applicable. ___yes ___no
 18. Marijuana Retailers have established a system to engage in patron age verification using legally-acceptable proof of age. ___yes ___no
 19. Marijuana Retailers shall not sell or offer for sale Marijuana or Marijuana Products in a quantity that exceeds the limits established by 935 CMR 500. ___yes ___no
 20. Marijuana Establishments shall not supply Marijuana or Marijuana Products free of charge or in connection with a commercial or promotional endeavor -no "give aways" ___yes ___no
 21. No on-site self service displays. ___yes ___no
 22. Consumption of Marijuana in the interior or exterior of the premises is not permitted ___yes ___no
 23. The Town's Police Department has approved a security and safety plan for the facility. (written submission required) ___yes ___no
 24. An emergency response plan has been filed with the Town's Fire Department, Police Department and Board of Health ___yes ___no
 25. Marijuana Establishment consents to unannounced, unscheduled, periodic inspections of its premises by the Board of Selectmen, under the oversight by the Town Manager, as specified in Article 4 of the Dracut Home Rule Charter, and agents of the Board of Selectmen from the Building, Health, Police and Fire Departments ___yes ___no
 26. Marijuana Establishments shall cooperate and comply with requests for information made by the Board of Selectmen and its agents from the Building, Health, Police, Fire and Public Works Departments. ___yes ___no
 27. Additional Application Fee: \$1,000. ___yes ___no