



TOWN OF STURBRIDGE

Zoning Board of Appeals

Special Permit Application (2010)

REQUIREMENTS NECESSARY FOR PROPER FILING AN APPLICATION FOR A SPECIAL PERMIT AND/OR FINDING:

1. An application for Special Permit and/or Finding must be completed and returned to the office of the Zoning Board of Appeals (Planning Department) along with an original plan and fifteen (15) copies. The application and plan shall be submitted to the Planning Department during regular business hours with an additional copy filed forthwith with the Town Clerk by the applicant. The effective date of the submittal shall be the date the plan and application are submitted to the Town Clerk. At least one copy of the plan shall be produced in size 11" X 17". Additionally, all application submittals shall be provided as a PDF on CD Rom.
2. The appropriate filing fee must also be provided at the time of submission. Please contact the Planning Department at 508-347-2508 to determine the appropriate fee for your application type.
3. In all cases, it is necessary to provide a site plan drawn at a scale of 1" = 40', unless another scale is previously requested by the applicant and found suitable by the Planning Department. All plans shall be prepared, signed and sealed by a Massachusetts licensed engineer and/or surveyor.
4. The plan for Special Permit shall be stamped by the registered land surveyor who performed the instrument boundary survey and who shall certify the accuracy of the locations of the building(s), setbacks, and all other required dimensions, elevations and measurements and shall be signed under the penalty of perjury. At the discretion of the Planning Department a plot plan may be accepted for a Finding.
5. The plan shall contain sufficient detail to show that the application and plan as presented meets the criteria for your specific project as outlined in the appropriate section of the Zoning Bylaw. All applicants are encouraged to meet with the Town Planner to review the application process and submittal requirements prior to filing.
6. The applicant must notify all abutters within three hundred (300) feet of the property as the names appear on the most recent tax list. The applicant must obtain a certified list of abutters from the Assessor's Office. All notices must be sent via certificate of mailing, at the applicant's expense and the certificates must be provided to the Planning Department prior to the hearing, or they may be hand delivered the evening of the public hearing. The notice

to abutters should be sent to coincide with the first publication date of the legal notice; in no case shall an abutter receive a notice less than fourteen days prior to the hearing.

7. The applicant is responsible for placing and paying for the legal advertisement in the Southbridge Evening News. The wording will be supplied by the Planning/Zoning department and must appear verbatim as provided. The advertisement must be published for two consecutive weeks with the first publication occurring no less than fourteen days before the day of the public hearing. The applicant will be responsible for providing proof of publication prior to the public hearing in which their application is heard.

For Official Use:

Date of Receipt: _____

Received By: _____

File Number: _____

Date of Approval: _____

Completed: _____

Not Completed: _____

Part A. General Information

1. NAME OF REGISTERED OWNER _____
Address _____
City _____ State _____ Zip Code _____
Telephone No. _____
Email Address _____

2. NAME OF APPLICANT/ AGENT _____
Address _____
City _____ State _____ Zip Code _____
Telephone No. _____
Email Address _____

3. MATTERS RELATED TO THE APPLICATION SHOULD BE ADDRESSED TO (check one or more):

Owner Applicant/Agent

4. PROOF OF OWNERSHIP ACCOMPANYING APPLICATION: (check one):

Copy of front page of deed Parcel Registry

Part B. Details of Application

5. Location of Subject Property

Municipal Address: _____

Lot(s): _____ Plan: _____

Assessment Lot Number(s): _____

6. Is the subject property subject to any easements, rights-of-way, or other rights over adjacent properties (i.e. mutual driveway)?

Yes

No

7. Existing use of Property: _____

8. Date of construction of all existing and proposed buildings and structures on the subject property:

Services available to the subject property:	Existing	Proposed
Type of water services (i.e. municipal water or private well)		
Type of sewage disposal (i.e. municipal sewage disposal or private septic system)		
Type of storm drainage (i.e. sewers, ditches, swales or other means)		

9. Nature of Relief Requested:

Special Permit pursuant to Article/Section _____ of the Zoning

Ordinance/Bylaw which authorizes _____

to permit _____

Detailed explanation of request:


10. Evidence to support grant of special permit:

Because of the reasons set forth below, the special permit request will be in harmony with the intent and purpose of the Zoning Ordinance/Bylaw:

Because of the reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance/Bylaw as follows:

AUTHORIZATION (Must be signed by applicant)

I hereby request that the Town of Sturbridge Zoning Board of Appeals review this application for Special Permit and/or Finding, including all plans, documents and information herewith. I represent to the best of my knowledge and belief, this application is being submitted in accordance with the Regulations of the Zoning Board of Appeals of the Town of Sturbridge.

—  — _____
Signature of Applicant Date

AUTHORIZATION (Must be signed by owner)

I am the record owner of the property for which this application is being filed and as such, I am familiar with the work proposed to be carried out on my property.

I hereby give permission for this application to be filed with the full understanding that certain restrictions may be placed on the property relative to the approval of the proposed work.

I further certify that under the penalties of perjury, I am authorized to sign this application.

_____ _____
Signature of Owner Date

If someone is representing the applicant or the owner, the applicant must designate such representative below:

Name of Representative: _____

Address of Representative: _____

Telephone No.: _____

Relationship of representative to owner or applicant: _____

If representing a group, corporation or other organization please attach a copy of the vote authorizing you to act on behalf of such organization for the purposes of this application.

An application will not be considered complete and will not be accepted by the Zoning Board of Appeals for its action until all required documentation/information has been submitted to the Town Planner and filed with the Town Clerk.

Incomplete applications will be automatically rejected and returned to the applicant.

Applications should be submitted to:

Town of Sturbridge Planning Department
Center Office Building
301 Main Street
Sturbridge, MA, 01566
508-347-2508

Applicants are *strongly* encouraged to schedule a submitted meeting with the Town Planner.

**TOWN OF STURBRIDGE
ZONING BOARD OF APPEALS
SPECIAL PERMIT APPLICATION**

Special Permit pursuant to §300-15.2 of the Zoning Bylaw which authorizes the Zoning Board of Appeals to permit the extension, change or alteration of a pre-existing non-conforming structure or use when the Zoning Board of Appeals finds after a public hearing that such extension, change or alteration shall not be substantially more detrimental to the neighborhood than the existing nonconforming use.

Detailed explanation of request:

The applicant is requesting approval to intensify the existing parking lot nonconformity by allowing expansion of the existing parking lot within the required setbacks. The increase in nonconformity is required to accommodate the proposed expansion of the Senior Center and the additional parking needed to accommodate that use. Without the intensification, the site would not be able to accommodate the proposed expansion.

The existing parking lot setback varies between 13.5' and 130' and the proposed closest setback would be 2' from the rear property line. Parking lot setbacks on the west side are proposed at 25' [except where nonconforming parking currently exists and the set back is between 13.5' and 25'], and the north side at 2', the front parking lot setback would comply at 70.3'. Total lot coverage complies with the zoning requirements.

10. Evidence to support grant of special permit:

Because of the reasons set forth below, the special permit request will be in harmony with the intent and purpose of the Zoning Ordinance/Bylaw:

The changes to the site will not be substantially more detrimental to the neighborhood than the existing nonconforming use specifically in respect to the parking lot. The request to expand the parking to the north of the existing building allows the project to minimize grading parking impacts to the south of the existing building facing Main Street. It also provides for discrete access to kitchen deliveries and trash removal. The existing parking spaces on the west side of the property are being replaced with the site driveway, opening views to the existing building from Arnold Road. Additionally, landscaping and trees will be added to meet the Town's bylaw landscape standards, improve the appearance of the site and its contribution to the neighborhood to the north and the commercial areas to the east, west, and south, and mitigate heat island effects.

Regarding traffic and vehicular movement, in addition to the existing curb cut, the project proposes adding a second curb cut on the north side of the site. This helps distribute access to the Senior Center site and would allow service vehicles to enter and exit to the north. The quantity of parking was determined to be the minimum required based on the projected building occupancy assuming non-concurrent uses.

Because of the reasons set forth below, the special permit requested will meet the additional requirements of the of the Zoning Ordinance/Bylaw as follows:

The project conforms to the Zoning Ordinance/Bylaw in the following ways:

The Stormwater Management Plan, Erosion and Sedimentation Control Plan and Long-Term Operations and Maintenance Plan has been prepared in conformance with the requirements of the Stormwater Management Regulations of the Town of Sturbridge and the Site Plan Review criteria of the Town of Sturbridge Planning Board. The project is within the Sturbridge Groundwater Overlay Protection District and meets the requirements of Groundwater Protection District Bylaw. The applicant is proposing to construct an addition to the existing building and increase the parking to provide for the increased capacity of the building. Stormwater drainage for the proposed site will collect in deep sump catch basins which will be directed to proprietary separators and then outlet to underground infiltration chambers. The chambers will have overflow pipes out-letting to the existing wooded swale on site.

Low Impact Development Practices are addressed in the Stormwater Management Plan.

As part of the Commercial Tourist District, the proposed project meets zoning requirements in terms of frontage, front yards, lot coverage, and building height. The parking lot meets all vehicular space requirements, handicap parking requirements, and interior landscaping and shade tree requirements. Site lighting is designed to meet Dark Sky requirements.

The fence along the north and east property lines, and the dumpster enclosure meet zoning requirements.