

Site Plan Review Application – Conway MA

Conway Planning board, 32 Main St, Conway MA 01341-0059

www.planningboard@townofconway.com

Tel: 413-369-4235

Introduction

Site Plan Review establishes criteria for the layout, scale, appearance, safety, and environmental impacts of proposed development projects, in an attempt to "fit" larger projects into the community. Site plan review usually focuses on parking, traffic, drainage, roadway construction, signage, utilities, screening, lighting, and other aspects of the proposal to arrive at the best possible design for the location. **Site plan review can only be used to shape a project**; a project under site plan review can only be denied in rare circumstances, such as when an application is incomplete or inconsistent with the Conway Zoning Bylaws.

Application Procedure

Public Hearings are required for all Site Plans filed. The Conway Planning Board shall obtain a list of abutters, being all "parties in interest" as defined in G.L. c. 40A, s. 11, from the Conway Assessor's Office, and shall attach the list to the application upon filing. At least fourteen (14) days prior to the day of the Public Hearing, written notices shall be sent by the administrative staff by certified mail at the applicant's expense to the parties in interest. Legal notice of the public hearing shall be published at the applicant's expense in a newspaper of general circulation in the town in each of two (2) successive weeks, the first publication to appear not less than fourteen (14) days prior to the day of the Public Hearing. Notice of the Public Hearing shall also be posted in a conspicuous place in the Town Hall, Town Office, and Baker's Store for a period of not less than fourteen (14) days before the day of such hearing.

Fees and Other expenses

SPR Application fee:	\$100.00 plus \$10.00 per 1000 square feet of land disturbance
Abutters Notice mailing fee:	Total cost will vary depending on the number of abutters, and will include the cost/piece for Certified Mail/Return Receipt plus \$2.00 processing costs per piece
Newspaper publishing fee:	Total cost will vary; to be paid directly to the Town of Conway prior to publication of legal notices.
Consultant Review fee:	May be required for some projects; fee to be determined by Planning Board and deposited in advance by applicant per MGL 44, Section 53G.

Contacts

Building Commissioner FCCIP:	413-774-3167 x113 FCCIP, Transit Center 2 Olive St., Greenfield, MA 01301 Email: jhawkins@frcog.org
Board of Selectmen's Office Planning Board Admin. Staff:	413-369-4235 x3 32 Main St., Conway, MA 01341-0059 Email: Planningboard@townofconway.com
Town Clerk:	413-369-4235 x4 32 Main St., Conway, MA 01341-0059 Email: Clerk@townofconway.com
Registry of Deeds:	413-772-0239 Franklin County Courthouse, 425 Main St., Greenfield, MA 01301

Town Website: www.townofconway.com

Hours and Schedules

Building Commissioner's Office: 9:00 a.m. to 4:00 p.m. Monday through Friday

Town Clerk's Office: 9:00 a.m. to 1:00 p.m. Tuesday & Thursday

Board of Selectmen's Office: 9:00 a.m. to 4:00 p.m. Monday through Thursday,
9:00 a.m. to 12:00 p.m. Friday

Planning Board Schedule: Typically meets the first and third Thursday of each month at 6:00 p.m. in Town Office Meeting Room. This schedule or location may change due to holidays, earlier meeting start times, extra meetings in addition to the monthly meetings, etc. Please check with the Selectmen's Office to determine the next scheduled Planning Board meeting.

Formal Adoption: Formally adopted at a Public Hearing held on 07 FEB 2019

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Site Plan Review Application

Town of Conway Planning Board

1. **Name of Applicant:** _____ Phone #: _____

Mailing Address: _____

E-mail Address: _____

2. **Property Owner(s)** (If different from above. All entities listed on deed must be included. Please attach additional sheets if necessary.)

Name: _____ Phone #: _____

Mailing Address: _____

E-mail Address: _____

3. **Name of Registered Land Surveyor/Engineer:** _____

Mailing Address: _____

Phone #: _____ E-mail Address: _____

4. **Parcel ID: Street Address:** _____

Map:* _____ **Lot/Parcel #:*** _____ **Zoning District:*** _____

**This information can be found on your tax bill or can be obtained from the Board of Assessors.*

5. **Deed Reference: Book:** _____ **Page:** _____

6. **Plan Reference: Book:** _____ **Page:** _____

7. **Parcel Area:** (all figures should be in square feet)

Total Land Area: _____ **Area of Disturbed Land:** _____

Gross Floor Area of proposed construction: _____ **Net Floor Area:** _____

8. **Proposed Use:** (mark all that apply)

- | | | |
|----------------------------|--------------------|-----------------------------------|
| _____ New Construction | _____ Commercial | _____ Parking lot |
| _____ Alteration/Expansion | _____ Industrial | _____ Outdoor retail |
| _____ Municipal | _____ Multi-family | _____ Solar Electric Installation |
| _____ Institutional | _____ Mixed Use | _____ Flexible Development |
| | | _____ Planned Unit Development |

Describe the proposed use in detail, including square footages, where applicable:

9. Property listed under Chapter 61, 61A, or 61B for tax purposes? Yes No
10. Modification of Existing Plan? Yes No
11. Special Permit Application Pending? Yes No
12. Stormwater Permit Required? Yes No
13. List any other Federal, State, and/or Municipal Permits required: _____
- _____
- _____

14. I hereby certify that the information contained in this application is true and complete:

Applicant's Signature: _____ Date: _____

Owner(s) Signature(s): _____ Date: _____

(If different from applicant;
attach additional sheets if necessary) _____ Date: _____

**PLEASE ATTACH TWO ORIGINAL 24" x 36" SITE PLANS
AND THE COMPLETED SITE PLAN REVIEW APPLICATION CHECKLIST**

15. Building Commissioner Certification: _____ Date: _____

Comments: _____

16. Town Clerk Certification: _____ Date: _____

Town of Conway Planning Board
Site Plan Review Application Checklist

File # _____

Reason for Site Plan Review: _____

Special Permit application associated with this SPR application? Yes No (If yes, please attach copy)

Site Plan Submission Requirements (see Zoning Bylaws Section 64)

- An original and eight (8) copies of the signed Site Plan Review application
 - An original plan prepared by a registered professional engineer, registered architect, registered landscape architect, or registered land surveyor submitted on 24-inch by 36-inch sheets with a minimum scale of 1" = 40' , plus eight (8) copies, **and**
 - A compact disk containing a Standard Digital File (SDF) as defined by Version 2.0 of the MassGIS Standard for Digital Plan Submittals to Municipalities **and**
_____ a copy of the original CADD file in PDF format **plus**
_____ accompanying documents in PDF format
 - Copies distributed to:
 - _____ Board of Health
 - _____ Highway Department
 - _____ Police Chief
 - _____ Fire Chief
 - _____ Building Commissioner
 - _____ Conservation Commission
 - _____ Board of Selectmen
 - _____ Energy, Historical, ZBA
- 35 day deadline for comments: _____

Contents of Plan (see Zoning Bylaws Section 64)

- Identification of Applicant, Property Owner (if different), and Site Plan Preparer (incl. e-mail addresses)
- Property Description
- Applicant and Property Owner(s) signatures
- Town signatures: _____ Town Clerk and _____ Building Commissioner
- Certified list of abutters from Board of Assessors (+ 2 sets of mailing labels)
- All boundary line information pertaining to the land sufficient to permit location of same on ground with existing and proposed topography at 2 foot contour intervals and the location of wetlands, streams, water bodies, drainage swales, areas subject to flooding and unique natural features
- Existing and proposed buildings and structures, including fences, loading areas, accessory buildings, signs, waste disposal areas, and storage areas, with proposed building elevations or renderings; utilities and snow disposal methods
- Water provision, including fire protection measures
- Sanitary sewerage
- Storm drainage, including means of ultimate disposal and calculations to support maintenance of the requirements in the Zoning Bylaws
- Parking, walkways, driveways, and other access and egress provisions
- Existing trees 10" caliper or better and existing tree/shrub masses; proposed planting, landscaping, and screening
- Existing and proposed exterior lighting
- Signage

For Office Use Only

- Base Fee paid:** \$ _____ Date: _____ Town Clerk stamp: _____
 Fee = \$100.00 **plus** \$10.00 per 1000 square feet of land disturbance
 Calculation: Land disturbance = _____ sq. ft./1000 = _____ x \$10.00 = \$ _____
- Abutters list fee paid:** \$ _____ Date: _____ Assessor's initials: _____
 Fee = Cost as determined by the Conway Assessor's Office + cost of 2 sets of mailing labels
- Mailing fee paid:** \$ _____ Date: _____ Town Clerk stamp: _____
 Fee = cost/piece for Certified Mail/Return Receipt plus \$2.00 processing costs per piece

- Consultant Peer Review** requested by Planning Board: ____ Yes ____ No (If yes, complete below)
 - Date plans forwarded to reviewer(s): _____ List: _____
 - Date project-specific account established: _____ Town Accountant's initials: _____
 (per MGL Ch. 44, §53g) Acct. #: _____
 - Consultant fee paid:** \$ _____ Date: _____ Town Clerk stamp: _____
 - Funds deposited into account: _____ Date: _____ Treasurer's initials: _____
 - Additional funds deposited: \$ _____ Date: _____ Treasurer's initials: _____
 - Unused funds returned: \$ _____ Date: _____ Treasurer's initials: _____
 (with interest)

- FRCOG Review** requested by Planning Board: ____ Yes ____ No
 - Date plans forwarded to FRCOG: _____

- Date Site Plan rejected by Planning Board and sent back as incomplete: _____ (if applicable)
- Effective Date** of application (signed by Town Clerk): _____
- Decision Deadline:**
 60 days from effective date: _____ **OR** 90 days: _____ (if PB also reviewing SP)
- Continuation request form filed with Town Clerk (if applicable) **Revised Decision Deadline:** _____

- Public Hearing Date:** _____ (Notice and postings pursuant to M.G.L. Ch. 40A, Sec. 11)
 Date notice sent to newspaper: _____
 Date confirmation of payment received: _____
 Date of **first** legal notice in newspaper: _____ (not less than 14 days prior to hearing)
 Date of **second** legal notice in newspaper: _____ (at least 7 days prior to hearing)
 Date of certified mailing of notice to abutters: _____ (to be done by Administrative Staff)
 Date posted in Town Hall, Town Office _____ (period not less than 14 days prior to hearing)
 Date notice mailed to abutting Towns: _____

- Date Site Plan Approved:**
- Date Site Plan Review decision mailed to applicant: _____
- Date Site Plan Review decision filed with Town Clerk: _____

- NO APPEAL** has been filed with the Conway Town Clerk after 20 days Town Clerk stamp: _____

SECTION 64: Site Plan Review (*Added 11 May 2015*) excerpt from 14 MAY 2018 Zoning Bylaw

- a) **Purpose.** The purpose of Site Plan Review is to ensure that new development is designed in a manner which reasonably protects the environmental and scenic qualities of the neighborhood and the Town.
- b) **Site Plan Review Process.** The Site Plan Review process will be conducted by the Planning Board.
- c) **Applicability.** Site Plan Review shall be required for Large-scale Ground-Mounted Solar Facilities (Article 9), Light Industrial expansion, and other Non-Residential Uses.
- d) **Procedures.** An applicant for Site Plan Review shall file a completed application with the Town Clerk. The Town Clerk shall acknowledge receipt of the plans by signing and dating the application form. The application submitted to the Town Clerk shall include nine (9) copies each of an application form and any narrative documents as outlined in the submittal requirements. Upon receipt of the application, the Town Clerk shall transmit copies of the application to the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, the Highway Superintendent, Historical Commission, Energy Committee, the Fire Chief and the Police Chief. These Town Boards and municipal officials shall have 45 days from the date the completed application is received by the Town Clerk to report to the Planning Board their findings and recommendations, and they can attend the public hearing(s). No building permits for projects requiring Site Plan Review shall be issued until the Planning Board has approved the Site Plan or unless the required time period for taking action on a Site Plan has lapsed without action from the Planning Board. The applicant is also responsible for obtaining all applicable permits or approvals that may be required for the development from other Town Boards or municipal officials.
- e) **Public Hearing.** The Planning Board shall hold a public hearing within 65 days after the filing of a completed application and shall take final action on an application for Site Plan Review within 90 days of the close of the public hearing. Notice and posting of the public hearing shall comply with the provisions of M.G.L. Chapter 40A, Section 11, regarding notice for public hearings.
- f) **Required Contents of a Site Plan.** All Site Plans shall be prepared by a registered architect, registered land surveyor, registered landscape architect, or registered professional engineer. A locus map at a scale of 1" = 100 feet shall be provided showing parcels and roads within 300 feet of the property line. The Site Plans shall be on standard sheets of 24 inches by 36 inches and prepared at a scale of 1"=40 feet or finer. The Site Plan and accompanying narrative shall contain the following:
 - 1. Name of project, boundaries, locus map(s) showing site's location in Town, date, north arrow and scale of plan;
 - 2. Name(s), address(es), and phone number(s) of the owner(s) of the land, the developer (if applicable), and/or their designee;
 - 3. Name, title, address, and phone number of person(s) who prepared the plan;
 - 4. Names and addresses of all owners of record of abutting lots and those within 300 feet of the property line;
 - 5. All existing lot lines, easements and rights of way;
 - 6. Location and use of buildings and structures within 300 feet of the site;
 - 7. Location and use of all existing and proposed buildings and structures, including approximate height and floor area;
 - 8. Location and size in acres of wetlands on the site reviewed and approved by the Conway Conservation Commission;
 - 9. The location and a description of all proposed sewage disposal systems, sewer connections, water supplies, storm drainage systems, utilities and other waste-disposal methods;
 - 10. Location and date of all registered "perc" tests on the site;

11. Location of all proposed new lot lines;
12. Existing and proposed topography at a two-foot contour interval for the proposed grading and landscape plan;
13. Location of existing public ways and proposed private ways on the site;
14. Location and size of proposed parking and loading areas, driveways, walkways, access and egress points;
15. The location and a description of proposed open space or recreation areas;
16. The location of existing farmland and agricultural soils classified as prime farmland or soils of state and local importance;
17. Size and location of existing and proposed sign(s);
18. Surface drainage strategy that prevents increased drainage off-site or pollution;
19. Existing vegetation that will be left undisturbed and proposed landscape features, including the location and a description of screening, fencing and plantings using non-invasive species;
20. Design features which will integrate the proposed development into the existing landscape, maintain neighborhood character, and screen objectionable features from neighbors and roadways;
21. Estimated average daily and peak-hour vehicle trips to be generated by the site and traffic flow patterns for both vehicles and pedestrians, showing adequate access to and from the site and adequate circulation within the site; and
22. Other reasonable information the Planning Board may request in order to make a decision.

g) **Decision.** The Planning Board's action shall consist of either:

1. Approval of the Site Plan based upon the determination that the proposed project is in compliance and consistent with the criteria set forth in this Bylaw;
2. Approval of the Site Plan subject to conditions, modifications, and restrictions as the Planning Board may deem necessary; or
3. Denial of the Site Plan based upon specific findings such as a determination that there was insufficient information submitted with the proposal to adequately review it or that the project is inconsistent with the requirements of these Zoning Bylaws.

The decision of the Planning Board shall be filed with the Town Clerk within 90 days of the close of the Public Hearing. The written record of the Planning Board's decision including any approved Site Plan shall be filed with the Town Clerk within 14 days of the final vote or sooner to meet the 90 day maximum time frame. A copy of any approved Site Plan and the decision of the Planning Board shall be sent by the Town Clerk to the Building Inspector and the applicant. The Site Plan shall be recorded at the Registry of Deeds by the applicant with confirmation of such recording sent to the Town Clerk.

h) **Administration, Waivers and Appeals.** The Planning Board may adopt and from time to time amend regulations for the submission and approval of Site Plans. The Planning Board may waive any of the requirements for Site Plan Review submittals and approval if the simplicity or scale of the project warrants such action. The Planning Board may also request any additional information it should need to render a decision. For large or complex projects, the Planning Board shall have the right to retain a registered professional engineer, planner, designer or other professional to advise the Board regarding any or all aspects of the Site Plan. The applicant shall be responsible for the costs of such advice. Appeals of the decision by the Planning Board on the Site Plan may be submitted to the Zoning Board of Appeals.

i) **Compliance with Other Bylaws.** The Site Plan shall comply with any zoning bylaws for parking, loading, dimensions, environmental controls and all other provisions of the Zoning Bylaw. Before approval of a Site Plan, the Planning Board may request that the applicant make modifications in the proposed design of the project to ensure that the above criteria are met.

- j) **Review Criteria.** The Planning Board's evaluation of the proposed Site Plan shall include, as appropriate, the following:
1. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls;
 2. Adequacy and arrangement of pedestrian traffic access and circulation, pedestrian walkways, control of intersections with vehicular traffic and overall pedestrian safety and convenience;
 3. Location, arrangement, appearance and sufficiency of off-street parking and loading;
 4. Location, arrangement, size, design and general site compatibility of structures, buildings, lighting and signs in relation to the terrain and to the use, scale, and proportions of existing and proposed buildings in the vicinity;
 5. Location of structures and buildings to provide a solar and wind orientation or other construction methods that encourage energy conservation;
 6. Adequacy of stormwater and drainage facilities;
 7. Adequacy of landscaping and other screening to minimize the visual impact of the development from public ways or abutting properties; and
 8. Protection of farmland and forestry resources.