



TOWN OF WEST SPRINGFIELD PLANNING DEPARTMENT

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SITE PLAN REVIEW POLICIES OF THE PLANNING BOARD

In order to enable the Planning Board to administer the Site Plan Review process in an efficient and effective manner, the Planning Board hereby adopts the following policies with respect to administering the review of site plans:

- A. **APPLICATIONS** Each application for Site Plan Review shall be filed by the applicant with the Town Clerk's office and ten (10) copies of said application, including the date and time of filing certified by the Town Clerk, shall be filed forthwith by the applicant with the Planning Board. Each application packet shall contain the following information:
1. An application form completed in full and signed by the applicant and the owner of the property.
 2. A list of the abutters to the property upon which Site Plan Review is requested. Said list of abutters is to be certified by the West Springfield Assessors Office as a true and accurate record taken from the most recent applicable tax list. If the building is a multi-tenant building, the applicant shall supply a notarized statement from the owner setting forth the name and address of each current tenant, and the use that each unit is being put to by said tenant.
 3. The applicant, if not the record owner, shall file a notarized statement signed by the owner of the property authorizing the applicant to file the application and act on the owner's behalf.
 4. A plan drawn by a Registered Professional Engineer, Architect or Surveyor at a scale no greater than one inch equals forty feet (1" = 40') showing:
 - a. The dimensions of the parcel including all easements and rights-of-way abutting and within the parcel in question.
 - b. The location of all existing and proposed structures.
 - c. The front, side and rear setbacks to the existing and proposed structures.

- d. The zoning districts in which the parcel and abutting lots, including the lot or lots directly across the street from the parcel in question, are located and the related dimensional and bulk requirements for the parcel in question.
 - e. The location of all structures and utilities including but not limited to water, sanitary sewer, storm water, fire hydrants and electrical utilities within all public and private easements and rights-of-way abutting and within the parcel in question.
 - f. The names of all abutters as they appear on the most recent tax list.
 - g. The type of use (i.e. single family, two-family, retail, commercial, etc.) of each of the abutting parcels of land including the parcel or parcels directly across the street from the land in question. If the building is a multi-tenant building, the plan shall show the current use and size of each unit.
 - h. A locus map at a scale not less than 1"=400'.
 - i. The location of all existing and proposed parking.
 - j. The location of all existing and proposed landscaping identified by size and species.
 - k. The location and detail of all existing and proposed signage.
 - l. The location of all existing and proposed lighting including an illumination plan.
 - m. The location of all existing and proposed appurtenant structures including but not limited to dumpsters, exterior compressors, heat pumps, etc.
 - n. The Planning Board may require additional information it deems necessary to adequately review an application made for Site Plan Review.
5. A certified copy of the deed(s) for the property related to this application.

B. NOTIFICATION Following the filing of a completed application, and before taking any action on the proposed Site Plan Review, the Planning Board shall hold a public hearing on the application within thirty (30) calendar days of submission of said application. Notice of such public hearing shall be published in the West Springfield Record not less than five (5) calendar days before the day of the hearing, and such notice shall be posted in the Municipal Office Building for a period of not less than five (5) days before the day of said hearing. Notice of such public hearing shall also be mailed to all parties in interest for the purposes of this notice, in accordance with M.G.L. Chapter 40A, Section 11. "Parties in interest" shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town and the planning board of every abutting city or town.

- C. **REVIEW** The Planning Board shall review each application on its own merits and shall structure its review and decision in accordance with Section XIII of the Zoning Ordinance.
- D. **DECISIONS** Within fourteen (14) calendar days of the close of the public hearing, the Planning Board shall decide to approve, approve with modifications or conditions, or disapprove an application for Site Plan Review. The Planning Board shall inform in writing, the applicant, the Building Commissioner, the Town Clerk, and parties of interest of its decision and its reasons.
- E. **VOTE** Approval of Site Plan Review application, or approval with modifications of conditions, shall require an affirmative vote of three (3) members of the Planning Board.
- F. **EXTENSION OF TIME** The required time limits for a public hearing and the decision of the Planning Board, may be extended by written agreement between the applicant and the Planning Board. A copy of such agreement shall be filed in the office of the Town Clerk.
- G. **APPEAL PERIOD** Any person aggrieved by a decision of the Planning Board may, within thirty (30) days of the filing of the decision of the Planning Board with the Town Clerk, file an appeal in accordance with M.G.L. Chapter 40A, Sections 8 and 15.
- H. **EFFECTIVE DATE OF DECISION** No approval of a Site Plan Review application, or any extension, modification or renewal thereof, shall take effect until certification of the Town Clerk that thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, that it has been dismissed or denied.
- I. **BUILDING OR OCCUPANCY PERMITS** Only after a Site Plan Review decision of the Planning Board has been recorded in the Town Clerk's Office, may the Building Commissioner issue a building permit. Any work conducted within the thirty (30) day appeal period shall be conducted at the owner's/applicant's own liability. No occupancy permit shall be issued until:
1. certification by the Town Clerk that thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, that it has been dismissed or denied; and
 2. certification by the Town Planner that all site improvements have been completed in accordance with the approved site plans.

Any such building or occupancy permit must conform to all conditions or modifications attached to said Site Plan Review decision by the Planning Board. Non-compliance with any conditions or requirements of the approved site plans shall preclude the Building Commissioner from issuing a final Certificate of Occupancy.

J. SUBMISSION OF INFORMATION In order to secure information upon which to base its determination, the Planning Board may require the applicant to furnish, in addition to the information required for an application for Site Plan Review, such further information as it deems necessary to establish its findings.

No application or plan submitted for Site Plan Review shall be accepted which is deemed incomplete.

K. MISREPRESENTATION Any misrepresentation of fact shall, upon discovery, result in a rehearing of the petition for Site Plan Review under the Zoning Ordinance, and may result in the revocation or modification of the approval granted by the Board. If any approval or condition of approval is revoked, any structure or building constructed or altered as a result of said approval based upon the misrepresentation may be ordered razed and any use authorized may be prohibited.

L. ADMINISTRATIVE ACTIONS BY THE TOWN PLANNER

1. The relocation or addition of curb-cuts may be reviewed and acted upon by the Town Planner.
2. Construction of new on-site and off-site surface parking areas may be reviewed and acted upon by the Town Planner.
3. Minor additions to existing buildings or sites may be reviewed and acted upon by the Town Planner. Minor additions shall be defined as an addition of two thousand (2,000) square feet.
4. Changes in the use of existing structures may be reviewed and acted upon by the Town Planner.
5. Actions taken by the Town Planner as they relate to this policy statement shall require endorsement of the Planning Board but shall not require the holding of a public hearing.
6. Except as waived by this policy statement, all criteria outlined in this policy and the Zoning Ordinance for application submission, review and decisions for Site Plan Review shall be adhered to by the Town Planner.
7. Decisions of the Town Planner shall be mailed to all abutters.

8. At the discretion of the Town Planner, any project governed by this policy statement may be referred to the Planning Board for action.

Any person aggrieved by the actions of the Town Planner as they relate to Site Plan Review may request the Planning Board to act upon the Site Plan application.

M. ACTION BY OTHER MUNICIPAL AGENCIES Action by other municipal agencies, including but not limited to the Mayor, Town Council, Zoning Board of Appeals, Department of Public Works and the Building Commissioner, shall not supersede compliance with the requirements of the Site Plan Review process.

N. FEES

The following application fees are hereby adopted by the Planning Board in compliance with Section XIII of the Zoning Ordinance:

New construction or exterior alteration or change in use to existing structures	\$125.00
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Minor amendments to approved plans	\$50.00
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All expenses incurred by the Planning Board during Site Plan Review, including the expense of engaging outside consultants, shall be paid by the applicant. Reimbursement of these expenses is a requirement of approval, and failure to reimburse shall be cause for denial.

The Planning Board may require the posting of a bond to ensure compliance with the plan and the conditions and may suspend any permit or license when work is not performed as required.

The above-mentioned fees shall be made payable to Town of West Springfield.

In addition to the above-mentioned fees, an advertising fee in the amount of \$25.00 shall be made payable to West Springfield Record. The applicant reserves the right to advertise in the Springfield Union News at additional charge.

These Rules and Regulations have been adopted by the West Springfield Planning Board this 7th day of August, 2002.

Sean P. Kelley, Chairman

Richard Werbiskis, Town Planner