



**APPLICATION FOR CONSENT
TO RE-PETITION ZONING BOARD OF APPEALS'DENIAL**

Notice: Application must be typewritten, completed in full and accompanied with 11 copies of completed application packages as noted in the attached checklist. One copy must be filed with the City Clerk prior to filing with the Planning Board. All copies must be date stamped by the City Clerk. The package should be accompanied by all information provided for in M.G.L. Chapter 40 Section 16 and/or other materials specified by the Board or its designee.

1. PREMISES AFFECTED

2. APPLICANT NAME

3. MAILING ADDRESS

4. TELEPHONE

5. NAME OF AUTHORIZED REPRESENTATIVE

ADDRESS

TELEPHONE

6. APPLICATION FOR REQUEST IS MADE AS PROVIDED FOR IN SECTION 16 OF CHAPTER 40 M.G.L.

7. ZONING DISTRICT

8. HAS EITHER A VARIANCE OR SPECIAL PERMIT BEEN REQUESTED FOR THE PREMISES AFFECTED?
YES NO . IF YES A COPY OF THE DECISION OR APPLICATION MUST BE FILED WITH THE BOARD.

9. 11. DESCRIBE THE CHANGES TO THE ORIGINAL SITE PLAN (Use additional sheets if necessary)

10. DESCRIPTION OF PROPOSED / EXISTING STRUCTURE:
a. LOT SIZE s.f., BUILDING SIZE s.f.,
HEIGHT BY STORIES FEET
b. OCCUPANCY OR USE OF EACH FLOOR

SIGNATURE _____ DATE _____

THE LAWRENCE ASSESSORS' OFFICE

INSTRUCTIONS TO PETITIONERS FOR ABUTTERS LISTS

The City of Lawrence mails a **NOTICE OF HEARING** and **NOTICE OF DECISION** to all parties in interest **within three hundred (300) feet of the property line** of the petitioner's property.

To prepare a complete application, the petitioner must:

1. Obtain the applicable tax map(s) for the site from the assessors office;
2. Identify the Parties in Interest, i.e., the petitioner/applicant, immediate abutters, owners of land directly opposite on any public or private street or way and abutters to abutters within three hundred (300) feet along the property sideline in an easterly or westerly direction from the property lines of your site 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.
3. List all the tax map numbers of the parcels identified above on the forms provided;
4. Prepare a typewritten list of abutters and their mailing address for certification by the city tax assessor; and
5. Provide **two (2) sets** of mailing labels listing the property owner's name and certified mailing address for each abutter identified through the above process. Your name, the site owner's name and the site address should be at the top of the list.

NOTE:

- a. Where a petitioner's property line is within three hundred (300) feet of an adjacent town, the petitioner must also supply a certified list of abutters from the adjacent town's tax assessor; the applicable tax map for verification; and complete a label form for each abutter. All information must be typed on the forms provided by the adjacent town.
- b. Familiarize yourself with zoning requirements, because erroneous notification(s) to abutters can jeopardize or invalidate your permit.
- c. Use the attached forms and prepare your list carefully and neatly. All information must be typed on the forms provided.
- d. Every effort will be made to certify the listing you submit as soon as possible, but the assessor has 10 days, after the receipt your written request, to verify the owner's names and addresses supplied on your list.
- e. The assessors maps utilized are for assessing purposes only: therefore, they are not of survey accuracy. In the case of questionable parcels, you should include any adjacent lots rather than eliminate one due to any difference in a scaled dimension.
- f. Our requirements are to certify your list as to accuracy of our "most recent applicable tax list." This certification does not include any recent transfers of ownership that we have not received-

Please do not hesitate to ask either the requesting authority or your assessors should you have any questions about your request for certification. Thank you.

IMPORTANT

- ** INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
- ** APPLICANT OR APPLICANT'S REPRESENTATIVE IS SOLELY RESPONSIBLE FOR COMPLETION OF THE APPLICATION AND FULFILLMENT OF ALL REQUIREMENTS, NOT THE BUILDING COMMISSIONER, LAND USE PLANNER NOR THEIR STAFF.
- ** THE BUILDING COMMISSIONER, LAND USE PLANNER AND THE PLANNING BOARD RESERVES THE RIGHT TO REJECT INCOMPLETE APPLICATIONS AT ANY TIME.
- ** THE PLANNING BOARD STRONGLY SUGGESTS CONTACTING THE ABUTTERS, NEIGHBORHOOD GROUP, IF ANY, AND THE APPROPRIATE CITY COUNCILLOR (S) OF THE SUBJECT PROPERTY FOR ADDITIONAL COMMENTS AND INPUT, PRIOR TO COMPLETING AND SUBMITTING YOUR APPLICATION.

SPECIAL NOTICE

If you are or feel unable to complete the application as it is intended, you are advised to seek assistance. Please be advised that neither the Building Inspector, the Land Use Planner, the City Clerk nor their staff can help you with this matter.

The acceptance by the City Clerk of your application shall not be construed to mean that the Board will accept it as being properly drafted.

Prior to hearing your petition, the Board will review it to ascertain if it is completed properly.

The Planning Board reserves the right to dismiss without prejudice any matter before it on the basis of an incomplete application.

I _____ have read the application directions
(Applicant's signature(s) and this special notice.

AUTHORIZATION OF REPRESENTATION

I/we owner(s)
of record of (address)
hereby authorize(s) (applicant)
and/or , (authorized representative)
to represent me/us/it before the Planning Board.

Owner of Record's signature

Applicant's signature

Authorized representative's signature

Date

AUTHORIZATION OF REPRESENTATION

I/we , applicant (s)

of record of , (address)

hereby authorize(s) , (authorized representative)

to represent me/us/it before the Planning Board.

Applicant's signature

Authorized representative's signature

Date

SPECIAL PERMIT FOR RESTORATION OF EXISTING STRUCTURES

Application packages for the restoration of existing structures shall include photos of the existing site, twelve renderings of the proposed restoration complete with elevations, a listing of the materials to be used and color(s).

SPECIAL PERMIT FOR SIGNAGE

Application packages for signage shall include photos of the site, a plot plan depicting the dimensions of the property, structure and storefront (if applicable), twelve renderings of the proposed signage complete with dimensions, material(s) of proposed signage, color(s) of proposed signage and lighting source.

SPECIAL PERMIT IN GENERAL

All Special Permit application packages shall include photos of the existing site.

ARTICLE VIII

SITE PLAN REVIEW AND APPROVAL REGULATIONS

Sec. 29-25. Applicability.

As specified in this ordinance, certain uses shall require site plan review by the planning board and other uses shall require site plan approval by the planning board.

The purpose of site plan review and approval is to ensure that buildings and structures are properly located on a site in order to protect abutting properties from noise, fumes, glare of lights, and other detrimental effects of a proposal; to preserve natural architectural, historical and other valuable features on the site to be developed; and to provide for adequate traffic patterns, access driveways, parking, sidewalks, loading facilities, drainage, solid waste disposal, sewer, and water in order to protect the public health, safety and welfare.

Sec. 29-26. Site Plan Review.

A site plan review shall be advisory in nature and shall be without a public hearing but the planning board shall determine whether the zoning provisions have been complied with, and shall submit a report to the zoning board of appeals. No special permit shall be issued by the board of appeals until receipt of this report, or the expiration of thirty-five days after receipt of the site plan by the planning board without a report. In issuing a special permit, the zoning board of appeals must find that a site plan review application was submitted to the planning board by the applicant.

Where site plan review is required for a use designated PSR in Section 29-11 (Table of Uses), the planning board shall submit its report to the building commissioner who shall be the permit granting authority (rather than the planning board, which report shall be advisory in nature to the building commissioner in issuing a building permit for any such use. Site plan review under this paragraph shall be in place of the site plan approval procedures set forth in Section 29-27. No building permit shall be issued by the building commissioner until receipt of this report, or the expiration of thirty-five days after receipt of the site plan by the planning board without a report. In issuing a building permit for a PSR-designated use, the building commissioner must find that a site plan review application was submitted to the planning board by the applicant. *[amended 4/15/97]*

Sec. 29-27. Site Plan Approval.

Site plan approval by the planning board, for cases requiring a special permit by said board as noted in Sec. 29-11 (Table of Uses), shall require the planning board to hold a public hearing and to follow the procedures as set forth for special permits under Article VII of this ordinance.

Site plan approval by the planning board shall also be required of all new construction, with the exception of single and two-family structures, which does not otherwise require a special permit from either the planning board or the zoning board of appeals. Said approval shall be without a public hearing but the planning board shall determine:

- (1) Whether the zoning provisions have been complied with,
- (2) That the design of the building or structure is compatible with the architecture in the neighborhood, and
- (3) That the findings as per use have been met.

Sec. 29-28. Application and Procedures.

- (a) **Pre-submission review.** Prior to the submission of a formal site plan, the applicant should meet in person with the planning board's agent to discuss the proposal, in order to determine the requirements necessary in developing and submitting the required site plan.
- (b) Twelve copies of an application for site plan review or approval shall be submitted to the planning board, each accompanied by a plan. The planning board shall submit copies of the application and plan to other boards, agencies, and departments as provided by Section 29-24(i) for review and comment within thirty-five days of receipt. In the case of site plan approval, the applicant shall be responsible for first submitting the application and plan to the city clerk for date and time stamping in order to start the time for processing of a special permit. For plans requiring site plan review, an agent of the planning board shall date and time stamp the plans upon submission to the planning board.
- (c) **Contents of site plan – new construction.**
 - (1) Plans shall be prepared by a registered professional engineer, registered land surveyor, registered architect, or registered landscape architect, as appropriate.
 - (2) Plans shall be on sheets no larger than 24 X 36 inches, at a scale of one inch equals 40 feet, unless otherwise permitted by the planning board.
 - (3) Plans requiring more than one sheet shall include a key.
 - (4) The applicant shall provide all required information on as many sheets as are necessary in order to clearly depict the required information and to prevent confusion; and all related information shall be shown on one sheet wherever possible.
 - (5) Necessary information, unless otherwise permitted by the planning board, shall include:
 - (i) The names and addresses of all owners of record of all adjacent property, as appearing on the most recent tax assessment list of the City.
 - (ii) Existing zoning district boundaries.
 - (iii) Boundaries of the property; yards and set-back lines as required in this ordinance, and lines of existing streets, lots, reservations, easements and areas dedicated to public use. All lengths shall be in feet and decimals of a foot, and all angles shall be given to the nearest ten seconds or closer if deemed necessary by the surveyor. The error of closure shall not exceed one to ten thousand.
 - (iv) A copy of any covenants or deed restrictions that are intended to cover all or part of the tract and will become a part of any subsequent instruments of conveyance.
 - (v) Location of existing buildings.
 - (vi) Location of existing water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.
 - (vii) Existing contours with intervals of five feet or less, referred to a datum satisfactory to the planning board.
 - (viii) Location of existing water courses, marshes, rock outcrops, wooded areas, single trees with a diameter of eight inches or more, measured three feet above the base of the trunk, and other significant existing features.
 - (ix) Location of existing streets and ways which abut the proposal.

- (x) Title of development, date, north point, scale, name and address of record owner, engineer, architect, land planner or surveyor preparing the site development plan.
 - (xi) The proposed use or uses of land, buildings, and structures and proposed location of buildings and structures, including proposed grades, elevations, and facade treatment of all proposed buildings and structures.
 - (xii) All proposed lots, easements, and public and community areas.
 - (xiii) All proposed streets with profiles indicating grading and cross-sections showing width of drives or roadway, location and width of sidewalks, and location and size of utility lines, according to the standards and specifications of the City of Lawrence. All lengths shall be in feet and decimals of a foot, and all angles shall be given to the nearest ten seconds or closer if deemed necessary to the surveyor. The error of closure shall not exceed one to ten thousand.
 - (xiv) All means of vehicular ingress and egress to and from the site onto public or private streets or ways.
 - (xv) The location and design of any off-street parking areas or loading areas.
 - (xvi) The location of all proposed water lines; valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment.
 - (xvii) The proposed location, direction, power, and time, of proposed outdoor lighting.
 - (xviii) The proposed screening and landscaping, including a planting plan prepared by a qualified landscape architect or architect, if required by the planning board.
 - (xix) Proposed storm water drainage system together with engineering calculations for a 10-year storm.
 - (xx) Proposed grading, including erosion control plans.
 - (xxi) For plans requiring site plan approval, the planning board may require the submission of additional studies such as traffic studies, drainage studies, economic studies, or environmental studies to enable it to complete its approval process and make the required findings. The planning board shall determine the scope of such studies.
- (6) The application, whether for review or approval, shall be accompanied by the required filing fee as specified in the rules and regulations of the planning board when acting as a special permit granting authority.
 - (7) The application shall be accompanied by a copy of all other approvals, permits, variances, orders of conditions, licenses, and applications to other boards or to the state or federal government.
 - (8) The application shall be signed by the property owner , or the owner's agent with proof of authorization to act as agent.
 - (9) Elevations depicting facade design, color scheme and use of materials shall be submitted.
- (d) **Contents of site plan – existing structure.**
- (1) Plans shall be prepared by a registered professional engineer, registered land surveyor, registered architect, or registered landscape architect, as appropriate.
 - (2) Plans shall be on sheets no larger than 24 x 36 inches, at a scale of one inch equals 50 feet, unless otherwise permitted by the planning board.
 - (3) Plans requiring more than one sheet shall include a key.

- (4) The applicant shall provide all required information on as many sheets as are necessary in order to clearly depict the required information and to prevent confusion; and all related information shall be shown on one sheet wherever possible.
- (5) Necessary information, unless otherwise permitted by the planning board, shall include:
 - (i) The names and addresses of all owners of record of all adjacent property, as appearing on the most recent tax assessment list of the City.
 - (ii) Existing zoning district boundaries.
 - (iii) Boundaries of the property; yards and set-back lines as required in this ordinance, and lines of existing street, lots, reservations, easements and areas dedicated to public use. All lengths shall be in feet and decimals of a foot, and all angles shall be given to the nearest ten seconds or closer if deemed necessary by the surveyor. The error of closure shall not exceed one to ten thousand.
 - (iv) A copy of any covenants or deed restrictions that are intended to cover all or part of the tract and will become a part of any subsequent instruments of conveyance.
 - (v) Location of existing buildings.
 - (vi) Existing contours with intervals of five feet or less, referred to a datum satisfactory to the planning board.
 - (vii) Location of existing water courses, marshes, rock outcrops, wooded areas, single trees with a diameter of eight inches or more, measured three feet above the base of the trunk, and other significant existing features.
 - (viii) Location of existing streets and ways which abut the proposal.
 - (ix) Title of development, date, north point, scale, name and address of record owner, engineer, architect, land planner or surveyor preparing the site development plan.
 - (x) All proposed easements and rights of ways.
 - (xi) All means of vehicular ingress and egress to and from the site onto public or private streets or ways.
 - (xii) The location and design of any off-street parking areas or loading areas.
 - (xiii) The location of all proposed water lines; valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment.
 - (xiv) The proposed location, direction, power, and time of proposed outdoor lighting.
 - (xv) The proposed screening and landscaping, including a planting plan prepared by a qualified landscape architect or architect, if required by the planning board.
 - (xvi) Proposed storm water drainage system together with engineering calculations for a 10-year storm.
 - (xvii) Proposed grading
 - (xviii) For plans requiring site plan approval, the planning board may require the submission of additional studies such as traffic studies, drainage studies, economic studies, or environmental studies to enable it to complete its approval process and make the required findings. The planning board shall determine the scope of such studies.
- (6) The application, whether for review or approval, shall be accompanied by the required filing fee as specified in the rules and regulations of the planning board when acting as a special permit granting authority.

- (7) The application shall be accompanied by a copy of all other approvals, permits, variances, orders of conditions, licenses, and applications to other boards or to the state or federal government.
 - (8) The application shall be signed by the property owner, or the owner's agent with proof of authorization to act as agent
- (e) **Required matters for review or required findings for approval.**
- (1) The plan complies with all use, dimensional, parking, and loading requirements of the ordinance.
 - (2) The traffic layout provides maximum safety of traffic circulation, ingress and egress, including adequate streets, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes, and signalization.
 - (3) Proposed lighting (including the location, power, direction and time of any outdoor lighting of the site) have no adverse effect upon any adjoining properties by impairing the established character, or the potential use, of such properties.
 - (4) Proposed screening and landscaping will adequately screen, at all seasons of the year, all parking and service areas from the view of adjacent properties and streets and will be in character with the surrounding area.
 - (5) The improvements and amenities if required, are to be installed on the property at the expense of applicant and shall assist in the establishment of a sound, urban environment. Such improvements shall include but not be limited to granite curbing, portland cement sidewalks, and street trees, where required.
 - (6) Proposed sidewalks, and other amenities will provide maximum pedestrian and bicycle safety and access.
 - (7) Proposed off-street parking and loading is adequately located to serve the proposed use conveniently and safely.
 - (8) The proposed method of sewage disposal, refuse disposal, or solid waste disposal will provide a clean, healthy, and safe environment, and is of adequate size and design to meet the needs of the proposed use.
 - (9) The proposed water supply system is designed in a manner to provide adequate potable water and with sufficient pressure to enable safety in case of fire or other water-dependent emergencies.
 - (10) Proposed grading of the site will be minimal and erosion will be prevented by protective measures.
 - (11) Proposed storm water drainage is based upon a 10-year storm intensity occurrence, utilizing on site absorption wherever practical, and taking into account the contour of the land.
 - (12) Emergency vehicle access, including, but not limited to, fire, police, and highway departments is possible based on adequate turning radius and access widths.
 - (13) Proposed utility lines are located so as to be aesthetic and safe.
 - (14) Buildings and structures are of a scale and design so as to blend with the site and the surrounding neighborhood, and are located and configured on the site in such a manner as to be in character with the surrounding neighborhood.
 - (15) All significant architectural, natural, historical, archaeological, or other valuable features on the site have been preserved.

(16) The proposal will not create any unnecessary pollution, noise, odor, or glare.

- (f) After acting upon a site plan review application, the planning board shall submit one copy of its report to the board of appeals and one copy to the applicant.

After acting upon a site plan review application for a PSR-designated use, the planning board shall submit one copy of its report to the building commissioner and one copy to the applicant. *[amended 4/15/97]*

CHECKLIST

SPECIAL PERMIT REQUIREMENTS

(see Sec. 29-24 - Lawrence Zoning Ordinance)

SITE PLAN APPROVAL REQUIREMENTS

(see Sec. 29-27 - Lawrence Zoning Ordinance)

SITE PLAN REVIEW REQUIREMENTS - HIGHWAY ACCESS DISTRICT

(See Sec. 29-26 and Sec. 29-28 - Lawrence Zoning Ordinance)

NOTE: This form is to be completed by the petitioner and/or authorized representative and a copy is to be attached to each application package.

Please check
as attached.

I. APPLICATION.

12 copies
mandatory

1. MUST be typewritten and completed by petitioner or representative.
2. Petitioners are responsible for obtaining the abutters list. The Building Commissioner will provide you with the Map and Lot #s from the Real Estate Assessor's Map. Subsequently, you shall obtain the abutters names and addresses from the Assessor's Office; after the list is completed by the applicant, the Board's Administrative Assistant will notify the abutters listed. The Assessor's list may not be updated, therefore the Board strongly recommends that you personally notify your immediate abutters.
3. MUST have all pertinent information noted, including owners names and signatures.
4. Incomplete applications will not be accepted.

II. CERTIFIED SITE PLANS.

(see Article VIII of Zoning Ordinance)

12 copies
mandatory

1. MUST be prepared, sealed and signed by one of the following:
 - a. Registered Professional Engineer
 - b. Registered Professional Land Surveyor
 - c. Registered Professional Architect
 - d. Registered Professional Landscape Architect

NOTE: A certified Site Plan is not required for Special Permit signage applications:

Special Permit signage applications shall include the graphic information specified in the attached hand-out shown at a scale and format acceptable to the Lawrence Planning Board.

12 copies

mandatory

III. FOR **SPECIAL PERMIT/SITE PLAN APPROVAL REQUESTS** ONLY:

SITE PLAN APPROVAL:

1. If proposed use requires a SITE PLAN APPROVAL, then the Special Permit Granting Authority is the Lawrence Planning Board and proper procedures for requesting a meeting with the Board shall be met.
2. If proposed use requires a SITE PLAN APPROVAL, the applicant must meet in person with the Planning Board's agent to discuss preliminary site plan(s), technical matters relative to zoning and planning, required documentation, and the proper completion of the application package for Special Permit.

REFER TO ARTICLES III, VII AND VIII OF THE LAWRENCE ZONING ORDINANCE FOR ADDITIONAL INFORMATION.

IV. COPY OF LETTER OF REFUSAL OR DENIAL OF BUILDING PERMIT BY THE BUILDING COMMISSIONER.

12 copies
mandatory

V. COPY OF PREVIOUS ZONING AND/OR PLANNING DECISIONS INCLUDING VARIANCES, SPECIAL PERMITS, AND/OR SITE PLAN APPROVAL, ZONING VIOLATIONS, COURT ORDERS, AND/OR BUILDING PERMITS IF ANY.

12 copies
mandatory

VI. COPY OF THE MOST RECENT DEED (CURRENT OWNER(S)) RECORDED AT THE NORTH ESSEX REGISTRY OF DEEDS.
(Include Book and Page numbers or Instrument number of Recording.)

12 copies
mandatory

Note: This information is not required for signage permits.

VII. PHOTOGRAPHS OF ENTIRE SITE.
(different views, if necessary)

one original
plus 11
photocopies
of each
mandatory

VIII. CERTIFIED CHECK, CASHIERS CHECK OR MONEY ORDER ONLY.
(No personal checks or cash accepted.)

see fee
schedule

IX. COPY OF THE AUTHORIZATION FORMS.

12 copies
mandatory

X. DATE AND SIGNATURE(S) *** MANDATORY ***

Including: property owner
applicant (if different) and
applicant's representative.

LAWRENCE PLANNING BOARD
FEE SCHEDULE

SPECIAL PERMIT	\$250.00 \$200.00	PAYABLE TO THE CITY OF LAWRENCE PAYABLE TO THE EAGLE TRIBUNE (for advertising expenses)
SITE PLAN APPROVAL	\$250.00 \$200.00	PAYABLE TO THE CITY OF LAWRENCE PAYABLE TO THE EAGLE TRIBUNE (for advertising expenses)
SITE PLAN APPROVAL Amendments	\$250.00 \$200.00	PAYABLE TO THE CITY OF LAWRENCE PAYABLE TO THE EAGLE TRIBUNE (for advertising expenses)
SITE PLAN REVIEW (with a public meeting)	\$250.00 \$200.00	PAYABLE TO THE CITY OF LAWRENCE PAYABLE TO THE EAGLE TRIBUNE (for advertising expenses)
APPROVAL NOT REQUIRED	\$ 50.00	per lot (Buildable or not)
PRELIMINARY SUBDIVISION PLANS	\$ 50.00 plus \$.44	per lot per abutter
DEFINITIVE SUBDIVISION PLANS	\$150.00 plus \$.44	per lot per abutter

The applicant shall pay for any study requested by the Board.

The applicant shall pay for all costs associated with the Registry of Deeds

Payment will be made to the City of Lawrence/Eagle Tribune by Money Order or a Certified Check.

Effective 9-17-10