

Planning Board and Special Permit Granting Authority

Special Permits

A Special Permit is a way for the Town to regulate certain activities, or uses, within the various zones. The requirements and processes are set forth in the Southbridge Zoning Bylaw. The Zoning Bylaw is available for purchase in the Town Clerk's Office or on-line on the Town's website: www.ci.southbridge.ma.us.

About Special Permits:

- There is a non-refundable application fee of \$650.00 for Special Permits and Earth Removal, \$250 for Home Base Business, and \$150.00 for livestock under 5 acres. This application fee includes legal notice fees.
- There is a public hearing
- You must be current on water, sewer and taxes
- There is no guarantee that the special permit will be granted
- You must obtain an abutters list from the Assessors Department. The abutters list costs \$25.00. The Town Planner will provide abutters notice and advertising to be mailed at your cost.
- The Town Planner will guide you throughout the process. Contact: Eric Rumsey at 764-5402 or erumsey@southbridgemass.org, in the Economic Development and Planning Department.

To Apply For A Special Permit

- An application package can be obtained from the Economic Development and Planning Department, or Town Clerk's Office.
- Follow the procedures on the attached guideline
- It is also helpful to obtain a copy of the Southbridge Zoning Bylaws, and review Section 2.5.



Guidelines and Procedures for Special Permits

The Town of Southbridge
Planning Board and
Special Permit Granting Authority
Town Hall
41 Elm Street
Southbridge MA, 01550

Town of Southbridge
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Guidelines and Procedures for Special Permits

1. Submit an application package to Eric Rumsey, Town Planner at the Economic Development and Planning Office, consisting of:

- a. Completed application and narrative: Briefly describe your proposed project, noting the nature of the project, construction (if any), number of employees (if any), operating hours, signage, parking, materials used, storage, transport of product, nature of customer contact, and how it will affect the neighborhood.

Note: The application must include the Tax Collector's Office signature at the bottom of the application. This will verify that all taxes, water and sewer fees are current.

- b. Application fee: \$650.00 for Special Permits and Earth Removal, \$250 for Home Base Business, and \$150.00 for livestock under 5 acres. This application fee includes legal notice fees.
- c. Plan: Either an engineered plan or a site plan, tape survey, or plot plan should be provided. The plan should cover parking, disposal, egress, setbacks, signage, lighting, and any other pertinent factors. If you are unable to provide an engineered plan, you may draw one by hand and petition the Board to allow it.

The plans should be submitted as follows:

- 3 full size sets (24x36) with all application materials 9 11x17
- plan sets with application
- 2 Stormwater reports, if applicable
- 1 digital copy of all submitted material

The Planning Board will file your application and plan with the Town Clerk's office for you.

- 2. It is helpful to meet informally with the Board to have a home drawn plan approved or to review application materials for additional information needed.
- 3. Obtain a Request for an abutters list (surrounding properties within 300 feet of your property) from the Assessor's office. Fill out the form, and submit

it to the Assessor's Office. The Assessor's Office will contact you when your list is ready. There is now a fee of \$25.00 for the list.

4. The Planning Board will prepare a Notice of Public Hearing and submit it to the Worcester Telegram and Gazette for printing in the legal advertising section of the newspaper for two weeks prior to your public hearing.
5. You will receive a copy of the Notice of Public Hearing from the Town Planner. This will be used for abutter notification once copy of abutters list is filed with Planning Board by the Assessors' Office. The Town Planner will provide the notice to the applicant to be mailed.
6. The Planning Board conducts a site plan review and requests comments from the Department of Public Works, the Police Department, the Fire Department, and the Inspections Department. If warranted, the Conservation Commission, Historical Commission, and others will also be contacted for comment.
7. At the public hearing, the Chairman will read the notice of public hearing and declare the hearing opened. He will read the comments from Town Departments. He will then invite you to step forward to present your plan.
8. Explain your plan, briefly reviewing the topics outlined in the application narrative. Remember: if approved, your Special Permit consists of all the items included in your plan, narrative and presentation, and they become conditions of the permit.
9. The Chairman will ask the Board members if they have questions for you. These are usually helpful and give you the chance to clarify portions of your plan. The Chairman will then ask for public question and comment. Each person wanting to speak must be recognized by the Chairman and addresses the Chairman. The Chairman or Board members will ask for your response, if needed. It is not necessary or appropriate for you to have dialogue with the public.
10. When the Board feels that the public has had ample opportunity for question or comment, they will vote to close the public hearing. The public no longer has the right to question or be heard, but they may still be present, if

they wish. Usually the public hearing takes just one meeting, but it can be continued through additional meetings, if needed.

11. The Board may request additional information. If this changes the scope of your plan considerably the Board will request additional input from Town departments. When the Board feels satisfied that it has all the facts and information necessary to make a decision, a motion is made and seconded to approve. They may also vote to include special conditions. Five affirmative votes are needed to approve.

12. The Town Planner prepares a decision of the Board, the Chairman signs it, and it is filed with the Town Clerk. Usually this step takes a week to complete.

13. There is a twenty-day appeal period following the filing of a special permit decision with the Town Clerk. Any challenge to the decision must take place within this time period. If there have been no appeals filed with the Worcester District Court during the twenty-day appeal period, the Town Clerk sends the decision to you. If the Special Permit was denied you may not apply again for two years. If it has been approved, you must file the decision with the Worcester District Registry of Deeds in order to make the Special Permit official.

14. In order to remain valid, Special Permits must be exercised within two years of approval.

15. It is important that your business complies with the plan that was approved. Major changes in businesses require that you meet with the Planning Board to determine if an amendment is needed.

16. A final note: Special Permits are attached to the property and do not move with the original applicant.