



**TOWN OF ORANGE  
PLANNING BOARD  
6 Prospect Street  
Orange, MA 01364  
Tel 978-544-1100 ~ Fax 978-544-1120**

## **SPECIAL PERMIT AND/OR SITE PLAN REVIEW APPLICATION**

**This package includes the following materials:**

- **Special Permit Process Guidelines**
- **Site Plan Review Guidelines**
- **Special Permit/Site Plan Review Flow Chart**
- **Fee Schedule (to be added)**
- **Special Permit/Site Plan Review Application Form**

***TOWN OF ORANGE***  
***SPECIAL PERMIT PROCESS GUIDELINES***

These guidelines have been put together by the Planning Board to help you in understanding what is required for the Special Permitting process. A more thorough explanation of the process and requirements is available in the “Planning Board Rules & Regulations.” Special Permits shall be granted by the Orange Planning Board only after a Public Hearing has been held, pursuant to Section 9 of Chapter 40A of the Massachusetts General Laws, and upon its written determination that the proposed use will not have adverse effects which outweigh its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and the proposal in relation to that site.

**The determination shall be based on consideration of each of the following Special Permit Criteria:**

- 1) Social, economic or community needs which are served by the proposals
- 2) Traffic flow and safety
- 3) Adequacy of utilities and other public services
- 4) Neighborhood character and social structures
- 5) Qualities of the natural environment
- 6) Potential fiscal impact

Special Permits may be granted with such reasonable conditions, safeguards, or limitations on time or use as the Planning Board may deem necessary to serve the purpose of the Town of Orange Zoning Bylaws regarding Special Permits (Sections 5300-5350).

Please make yourself aware of all documentation you may need to present to the Planning Board in order to facilitate a quick and sound determination on your Special Permit Application. Questions as to applicants’ documentation requirements may be addressed to the Zoning Enforcement Agent (Building Inspector) or the Planning Board.

**NOTICE: IF YOU SUBMIT AN APPLICATION WITHOUT THE REQUIRED INFORMATION IT WILL PROLONG THE PUBLIC HEARING PROCESS. FURTHER, IT IS THE POLICY OF THE PLANNING BOARD THAT IT COULD DENY A SPECIAL PERMIT APPLICATION IF THE APPLICANT DOES NOT PROVIDE REQUIRED INFORMATION AFTER A CONTINUANCE FOR THAT PURPOSE.**

An applicant for a Special Permit shall file a completed application with the Town Clerk. The Town Clerk shall acknowledge receipt of the application by signing and dating it. The applicant is required to appear before the Planning Board for a preliminary review to determine if the application is complete. **If the Board deems the application complete, it will set a Public Hearing date and time by an affirmative vote of the Board. Applicants should be aware that, given legal notice requirements, it is usually not possible to schedule a Public Hearing sooner than one month from the date of the preliminary review, and plan accordingly.** The Planning Board shall hold the Public Hearing within 65 days after the filing of an application and shall take final action on an application for a Special Permit within 90 days of the close of the public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9.

**Special Permit Submittal Requirements include (but are not limited to):**

- A written narrative stating the proposed plan, referencing the six special permit criteria listed above.
- An 11x 17 plan of the proposed project drawn to scale\*, including such pertinent information as:
  - 1) date of plan
  - 2) name of applicant, owner of record
  - 3) north point
  - 4) names of streets
  - 5) names and locations of abutters
  - 6) existing features – trees, stone walls, wetlands, roads, etc.
  - 7) proposed features – drainage, fencing, signs, lighting, etc.
  - 8) lot boundaries and frontage

\*Major projects may require a plan that bears the stamp of a registered engineer or surveyor.

**Note:** More specific details as to requirements can be found in the Planning Board Rules & Regulation, Article II “Applications to the Board”.

**Concerns which need to be answered (if applicable):**

- Neighborhood Concerns
- Lighting
- Lot coverage (see 2350-2355)
- Signs (see 3200-3250)
- Use of public utilities
- Hazardous waste material, chemicals etc. – would require a complete list of materials to be used or stored on the site
- Stormwater management

**Note:** Please be advised that this document is only a guideline and that further information may be required.

**QUESTIONS REGARDING YOUR SPECIAL PERMIT APPLICATION MAY BE DIRECTED TO THE ZONING ENFORCEMENT AGENT OR TO THE ORANGE PLANNING BOARD.**

**THE PLANNING BOARD HOLDS OPEN MEETINGS EVERY SECOND AND FOURTH TUESDAY OF THE MONTH AT 7PM IN THE TOWN HALL.**

**WE HOPE THIS INFORMATION HAS BEEN HELPFUL.**

**TOWN OF ORANGE**  
**SITE PLAN REVIEW GUIDELINES**

The purpose of Site Plan Review is to ensure that new development is designed in a manner which reasonably protects public safety, the environment, and the visual character of the neighborhood and the town. Section 5400 of the Orange Zoning Bylaws establishes the requirements and process for Site Plan Review.

**Site Plan Review is required:**

1. for permits for construction if creating **20 or more parking spaces**;
2. when a non-residential or non-agricultural development on a single lot or contiguous lots under common ownership will create more than **10,000 square feet of enclosed floor area**;
3. For an **Open Space Development** (see Section 5700 of the Orange Zoning Bylaws); or
4. For residential subdivisions of **10 or more lots**.

Applicants should note that a Special Permit may be required in addition to Site Plan Review, depending on the nature of the project and the requirements of the Use Regulation Schedule (Section 2230 of the Orange Zoning Bylaws). Site plan review shall judge the appropriateness of the design of a project. Any question to the appropriateness of the use shall be governed by the Use Regulation Schedule or the special permit review process, if applicable. Questions as to what applications are required may be addressed to the Zoning Enforcement Agent (Building Inspector) or the Planning Board.

An applicant for Site Plan Review shall file a completed application with the Town Clerk. The application shall include eleven (11) copies each of the site plan and any narrative documents as outlined in the submittal requirements. The Town Clerk shall acknowledge receipt of the plans by signing and dating the application.

The applicant is required to appear before the Planning Board for a preliminary review to determine if the application is complete. **If the Board deems the application complete, it will set a Public Hearing date and time by an affirmative vote of the Board. Applicants should be aware that, given legal notice requirements, it is usually not possible to schedule a Public Hearing sooner than one month from the date of the preliminary review, and plan accordingly.** The Planning Board shall hold a public hearing within 65 days after the filing of an application and shall take final action on an application for site plan approval within 90 days of the close of the public hearing.

**Required Contents of a Site Plan:**

- (a) All site plans of the area proposed to be developed and adjacent public ways shall be on standard sheets of 24 inches by 36 inches and shall be prepared at a scale of 1"= 40 feet or finer (e.g. 1"= 20 feet).

- (b) A Locus Map of the parcel, abutting parcels, parcels within 300 feet of the property line, and public ways shall be on a standard sheet of 24 inches by 36 inches and shall be prepared at a scale of 1"= 100 feet.
- (c) The site plan shall be prepared by a registered professional engineer, registered landscape architect, or registered land surveyor and shall contain the following information:
1. Name of project, locus map(s) showing the location of the site in Town, date, north arrow and scale of plan;
  2. Name(s) and address(es) of the owner(s) of the land, the developer (if applicable), and/or their designee;
  3. Name, title, and address 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. The location and boundaries of the lot, adjacent streets or ways;
  7. Location and use of buildings and structures within 300 feet of the site;
  8. Location and use of all existing and proposed buildings and structures, including approximate height and floor area;
  9. Location of wetlands on site and within 300 feet of the property line;
  10. Location of proposed water supply well or hook-up to the public water supply;
  11. Location and date of all registered "perc" tests or proposed sewer hook-up;
  12. Location of all proposed new lot lines;
  13. Existing and proposed topography at a two-foot contour interval for the proposed grading and landscape plan;
  14. Location of proposed public and private ways on the site;
  15. The location of existing and proposed parking and loading areas, driveways, walkways, access and egress points;
  16. The location and a description of proposed open space or recreation areas.
  17. Size and location of existing and proposed sign(s);
  18. Proposed landscape features, including the location and a description of screening, fencing and plantings;
  19. Surface drainage strategy that prevents pollution and increased drainage off-site;
  20. A complete list of chemicals, pesticides, fuels and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use;

21. Provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage or vandalism, including spill containment and cleanup procedures;
22. Provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces;
23. 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;
24. Existing vegetation that will be left undisturbed and proposed planting areas; and
25. Other proposed methods to screen development.

The Planning Board may waive any of the requirements for site plan submittal 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.

The site plan shall comply with any zoning requirements for parking, loading, dimensions, water resource district protection, other environmental performance standards and all other provisions of the zoning by-laws.

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 all zoning requirements are met.

**QUESTIONS REGARDING YOUR SITE PLAN REVIEW APPLICATION MAY BE DIRECTED TO THE ZONING ENFORCEMENT AGENT OR TO THE ORANGE PLANNING BOARD.**

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# TOWN OF ORANGE

## SPECIAL PERMIT AND SITE PLAN REVIEW FLOW CHART

Date Done:

Applicant establishes need for Special Permit (SP—§5300 of Zoning Bylaws) and/or Site Plan Review (SPR—§5400) by talking to Building Inspector (BI)

SP/SPR not required

Project may proceed but may need Building Permit from BI and/or permits from other Town Boards

SP/SPR required

Applicant obtains SP/SPR application from Administrative Coordinator and an abutters list from Assessors [parties in interest]

Applicant submits **completed** application to Town Clerk for filing [filing date] and Town staff notifies abutters via certified mail

Planning Board reviews SP/SPR application and BI report for required information, schedules public hearing, posts hearing

Planning Board conducts public hearing, which may include public input, continuing hearing, etc.; site visit may also be held

SP/SPR Approved

NO

YES

If no appeal filed within 20 days, Town Clerk issues certificate of no appeal

Applicant files approved Special Permit and/or Site Plan with Registry of Deeds and provides certified copy to Building Inspector who reports to Planning Board that it is registered

**SPECIAL PERMIT EFFECTIVE ONLY WHEN FILED AND EXPIRES IN 2 YEARS IF SUBSTANTIAL USE OR CONSTRUCTION HAS NOT BEGUN**

**FEES AND OTHER EXPENSES:** checks should be made payable to the Town of Orange or directly to vendor, no cash

Special Permit Application fee - \$180 plus additional fees in some cases (see attached fee schedule)

Site Plan Review fee - \$75

Certified Mail fee - varies by # of abutters

Legal Posting fee - set by newspaper

Consultant Review fee - may be required for some projects, amount is determined by consultant(s) and deposited in advance by applicant

Hearing to take place within 65 days from **filing date**, notice to be posted in Town Hall and published in the newspaper once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing (MGL Ch. 40A, §11)

Planning Board has 90 days from end of hearing to take final action, **including** 14 days from vote to file written decision with Town Clerk and mail to applicant

Applicant or aggrieved person may appeal SP decision to the appropriate court pursuant to MGL Ch. 40A, §17 by filing a complaint in court and by giving notice to the Town Clerk within 20 days of decision being filed with the Town Clerk

Applicant may re-file in 2 years after a SP denial

Appeal of an SPR decision should be made to the Zoning Board of Appeals

### CONTACTS:

**Orange Armory** 135 East Main St., Orange

Building Inspector 978-544-1105

Board of Health 978-544-1107

**Town Hall** 6 Prospect St., Orange

Administrative Assistant 978-544-1100 x106

Town Clerk 978-575-1100 x101

Board of Assessors 978-575-1100 x108

**Registry of Deeds:** 413-772-0239

Franklin County Courthouse, 425 Main St., Greenfield

**Town Clerk's office hours:** Mondays through Thursdays 8am-4pm; Fridays 8am-1pm

**Planning Board** meets the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month at 7:00 p.m. in Town Hall



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**SPECIAL PERMIT AND SITE PLAN REVIEW APPLICATION**

Application for:	<input type="checkbox"/> <b>Special Permit:</b>	Pursuant to Section _____ of the Zoning Bylaws
(Check all that apply)	<input type="checkbox"/> <b>Site Plan Review:</b>	Number of parking spaces created = _____ Enclosed floor area = _____ square feet Open Space Development <input type="checkbox"/> Yes <input type="checkbox"/> No Number of lots being created = _____
<input type="checkbox"/> <b>Priority Development Site</b>	<input type="checkbox"/> <b>Amendment to Existing Permit or Plan:</b>	File # _____

1. Name of Applicant: \_\_\_\_\_
2. Applicant's Address: \_\_\_\_\_
3. Applicant's Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_
4. Property Owner (if other than Applicant): \_\_\_\_\_
5. Owner's Address: \_\_\_\_\_
6. Owner's Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_
7. Address of Property: \_\_\_\_\_
8. Assessor's Data: Map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_
9. Deed Reference: Book \_\_\_\_\_ Page \_\_\_\_\_ Plan: Book \_\_\_\_\_ Page \_\_\_\_\_
10. Zoning District: \_\_\_\_\_
11. Brief Description of Project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Site Plan Attached:  Yes  No (See §5440; "Site Plan Review Guidelines")
13. List of Abutters Attached:  Yes  No (Consult with Assessor's Office)
14. Narrative Attached:  Yes  No (See §5330 and/or "Special Permit Process")
15. I hereby certify that the information contained herein is true to the best of my knowledge and request a hearing before the Orange Planning Board on the above referenced matter:

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(if other than Applicant)

Planning Board File #: _____
Application Filed: _____ Attest Town Clerk: _____
Fees Paid: Application \$ _____ Legal Posting \$ _____ Cert. Mail \$ _____
Consultant Review (per MGL Ch. 44, Sec. 53G) : <input type="checkbox"/> Yes <input type="checkbox"/> No Fees Paid: \$ _____