

What must a site plan include on it?

Every site plan shall include if applicable:

1. The locations and boundaries of the lot, adjacent streets or ways, with names and the location and owner's names of all abutting properties with north point, Zoning District(s), graphic scale, date of plan, name of applicant, designer and surveyor, and a locus map;
2. Existing and proposed vegetation and topography, including contours, the location of wetlands, streams, water bodies, drainage swales, areas subject to flooding, and unique natural land features;
3. Existing and proposed structures, including dimensions; existing structures in black and proposed structures in another color;
4. The location and dimensions of parking and loading areas; driveways, walk ways, access and egress points and distance to the nearest driveways and intersections;
5. The location and description of all proposed septic systems, water supply, storm drainage systems, utilities, lighting, and refuse and other waste disposal methods, exterior storage, and easements;
6. Proposed landscape features including the location and a description of screening, fencing and plantings;
7. Locations, dimensions, height and characteristics of proposed signs;
8. The location and description of proposed open space of recreation areas;
9. A snow removal plan
10. The interior layout of the structure;

The applicant shall also submit the following information:

1. Measures to prevent pollution of surface and groundwater, increased runoff, changes in groundwater levels, and flooding;
2. Design features which will integrate the proposed development into the existing landscape, maintain neighborhood character, enhance aesthetic asset and screen objectionable features from neighbors and roadways;
3. Control measures to prevent erosion and sedimentation during and after construction and the sequence of grading and construction activities, location of temporary measures, and final stabilization of the site;
4. 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.

OTHER HELPFUL INFORMATION

Be prepared to present information that shows your proposal to be in harmony with the intent and purpose of the Zoning Bylaw and that it complies with the variance conditions set forth in section 200-8.7 of the Greenfield Zoning Bylaw.

No hearing date shall be set forth until such time as the applicant has submitted all required information in the appropriate form and the required quantity of copies.

Any information that an applicant receives from any Town officials, departments or Boards is advisory in nature and does not in any way indicate the direction that the decision might take at the actual hearing.

Failure to comply with the applicable procedures will result in either denial or rescheduling of the hearing at the applicant's expense.

Every application shall be filed with both the Town Clerk and the Department of Planning and Development.

It shall be the responsibility of the applicant to furnish all supporting documentation with the application.

The applicant shall pay the reasonable fees for the employment of outside consultants who, in the discretion of the ZBA, are necessary to provide guidance on a specific project.

A public hearing for a variance shall be held within sixty-five days of filing the application with the Town Clerk. All hearings shall be open to the public.

An applicant may appear in his/her behalf, or be represented by an agent of attorney. In the absence of any appearance without due cause on behalf of an applicant, the Board may decide on the matter using the information otherwise received.

Variations must be exercised within one year of decision if the ZBA has not, upon request, extended the variance for six months.



ZONING BOARD OF APPEALS VARIANCE INFORMATION

Instructions for Applicants filing to
appear before the
Zoning Board of Appeals

TOWN OF GREENFIELD
PLANNING AND DEVELOPMENT
14 COURT SQUARE
GREENFIELD, MA 01301
PHONE: 413.772.1548
FAX: 413.772.1309

ZONING BOARD OF APPEALS VARIANCE APPLICATIONS



What is a variance?

A variance represents a waiver from the zoning bylaw to authorize a prohibited use or to loosen the dimensional requirements applicable to a structure. The statutory criteria for a variance are demanding and variances are difficult to obtain. No person has a legal right to a variance and they are to be granted sparingly. A request for a variance can only be granted if the application meets all three (3) of the following criteria. *These criteria are established by Massachusetts General Laws, Chapter 40A Section 10. The Greenfield Zoning Board of Appeals does not have the authority to change these criteria in any way.*

1) A literal enforcement of the provisions of this by-law would involve a substantial hardship, financial or otherwise, to the petitioner or appellant. *In other words, tell the ZBA how not being granted the variance will cause you a hardship and why it is difficult or impossible for you to carry out your project the way the bylaw says it should be done.*

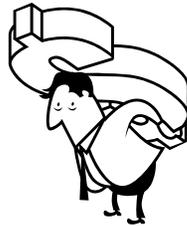
2) The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located. *In other words, tell the ZBA how your situation is unique in your neighborhood and explain the situation with your land (either the shape, slope, etc.) which prevents you from doing what the bylaw says.*

3) Desirable relief may be granted without either: substantial detriment to the public good; or nullifying or substantially derogating from the intent or purpose of the by-law. *In other words, tell the ZBA how they can give you relief from the bylaw without compromising the reasons the laws were put in place and how the granting of a variance will not harm anyone or have any negative impacts on the neighborhood.*

Helpful Information

The following documents contain relevant information to the Zoning Board of Appeals and variance applications; all documents can be found on the Department of Planning and Development's website:

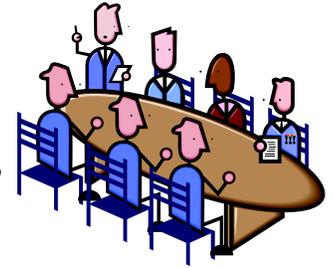
- Greenfield Zoning Ordinance
- ZBA Rules and Regulations
- ZBA variance application
- ZBA Site Plan Rules and Regulations
- Site Plan Submission Checklist
- Fee Schedule
- Guide to Starting a New Business



Fees required throughout the variance application process.

- \$ 150.00 application fee to the Town of Greenfield which includes cost of preparation and publication of legal notice.
- Cost of mailing the certified return receipt letter to all property owners within 300' of the property
- If approved, \$10.00 to the Town of Greenfield for the official permit
- \$75.00 to the Franklin County Registry of Deeds to have the permit recorded.

What happens at the public hearing?



When your public hearing is opened, the Board Chair will describe the procedure and ensure that you understand it. You will be given the opportunity to describe your proposal to the Board and you should be prepared to answer any questions the Board asks you regarding the project. During the public hearing there will be a public input portion in which anybody present at the meeting is given the opportunity to state their opinion on the project. After the public hearing is closed, you, as an applicant are no longer able to speak. If you realize that they are about to close the public hearing and you think they should continue your public hearing because you may need to provide additional information to support your case, you need to request the Board to continue your public hearing before they close it. The Board may make a decision right after the close of the public hearing, or they may wait depending on the project and the number of other items on the Agenda. The Zoning Board of Appeals legally has 100 days to issue a decision from the date of the public hearing.

Need help on your application?

For questions regarding the application process itself, please speak to the Principal Planner/Permits Manager in the Department of Planning and Development. The Inspector of Buildings is the Zoning Enforcer for the Town and so questions regarding zoning or site plans should be referred to the Inspector of Buildings. You can also find helpful documents on the Department of Planning and Development's website: http://www.townofgreenfield.org/1planoffic/pdfs_planoffice.php