



PLANNING DEPARTMENT
Community Development Division

Special Permit – Independent Elderly Housing Instructions.

Procedure and Requirements for Filing an Application for an Independent Elderly Housing Special Permit;

The following information must be submitted thirty (30) days prior to the first public hearing. Failure to submit the required information within the time periods prescribed may result in a dismissal by the Planning Board of an application as incomplete. The information herein is an abstract of more specific requirements listed in the Zoning Bylaw and is not meant to supersede them.

➤ **Step 1: Pick up application package:**

The petitioner picks up complete application package.

➤ **Step 2: Special Permit Application Form:**

Petitioner completes three (3) copies of the application form. All information as required shall be completed.

➤ **Step 3: Plan Preparation:**

Petitioner submits all of the required information as cited in Sections 10.31 and 14 in the North Andover Zoning Bylaw.

➤ **Step 4: Submit Application:**

On or before noon on the application deadline date the petitioner goes to the Town Clerk to obtain a time stamp on three (3) applications. Leave one application with the Town Clerk and bring two (2) time stamped applications to the Planning Department. Petitioner submits to the Planning Department two (2) sets of full size plans 1" = 40' no larger than 24"x36" prepared by a Registered Professional Engineer or Land Surveyor. Petitioner submits an additional three (3) sets of plans no larger than 11"x17". Petitioner must submit an electronic PDF version of all submission material. Application must include submittal of outside consultant review escrow form..

➤ **Step 5: Submit Filing Fees:**

The petitioner submits two separate checks for filing fees. See Fees Schedule

➤ **Step 6: Mail Application to Outside Consultant:**

The petitioner mails a copy of the plan and application to the outside consultant for review. Please contact the Planning Department for more information.

➤ **Step 7: Notification of Parties in Interest:**

Petitioner picks up an updated certified abutters list from the Assessor's office (located at 120 Main St.) It is to be submitted as part of the application submittal.

➤ **Step 8: Legal Notice:**

The petitioner is responsible for delivering the legal notice to the newspaper to be published and is responsible for costs for same. The petitioner is responsible for the costs for certified mailing of the legal notice to each abutter. See specific updated instructions for certified mailing of legal notices attached.

➤ **Step 9: Public Hearing before the Planning Board:**

The petitioner should appear in his/her behalf, or be represented by an agent or attorney. In the absence of any appearance without due cause on behalf of the petitioner, the Planning Board shall decide on the matter by using the information it has otherwise been provided.

➤ **Step 10: Decision:**

After the hearing(s), a copy of the Planning Board's decision will be sent to the petitioner, engineer and all parties in interest. (Any appeal of the Planning Board's decision may be made pursuant to Massachusetts General Laws Ch. 40A sec. 17 within twenty (20) days after the decision is filed with the Town Clerk.)

➤ **Step 11: Recording Certificate of Decision Plans:**

The petitioner is responsible for recording certification of the decision and any accompanying plans at the Essex North Registry of Deeds, Lawrence Massachusetts. Petitioner should bring in one recorded copy of the decision and three paper copies of the recorded plan of land along with the proof of recording cash register slip to the Planning Department.

Independent Elderly Housing (*Definitive*)

WRITTEN DOCUMENTATION

Applications for a special permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. Addressing each of the below

GENERAL REQUIREMENTS TO BE MET FOR OBTAINING A SPECIAL PERMIT:

- Encouraging the most appropriate use of land;
- Preventing overcrowding of land;
- Conserving the value of land and buildings;
- Lessening congestion of traffic;
- Preventing undue concentration of population;
- Providing adequate light and air;
- Reducing the hazards from fire and other danger;
- Assisting in the economical provision of transportation, water, sewerage, schools, parks, and other public facilities;
- Controlling the use of bodies of water, including watercourses;
- Reducing the probability of losses resulting from floods; and
- Reserving and increasing the amenities of the Town; AND

ZONING BYLAW SECTION 10.31

The Special Permit Granting Authority must have all the following conditions met:

- The specific site is an appropriate location for such a use, structure or condition;
- The use as developed will not adversely affect the neighborhood;
- There will be no nuisance or serious hazard to vehicles or pedestrians;
- Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
- The Special Permit Granting Authority shall not grant any Special Permit unless they make a specific finding that the use is in harmony with the general purpose and intent of this Bylaw.

SPECIFIC REQUIREMENTS TO BE MET FOR OBTAINING AN INDEPENDENT ELDERLY HOUSING SPECIAL PERMIT

A Plan prepared by a Registered Professional Engineer or Surveyor. See Bylaw Section 14 Independent Elderly Housing.

- It shall be drawn at a scale of one-inch equals forty feet unless another scale is requested and found suitable by the Planning Board.
- The Plan shall be prepared by a land surveyor, professional engineer, or architect.
- The scale, date, and north arrow shall be shown.
- The plans shall be certified by the land surveyor doing the boundary survey and the professional engineer or architect on the location of the buildings, setbacks, and all other required

dimensions, elevations, and measurements and shall be signed under the penalties of perjury.

- The corner points of the lot and change of direction of lines shall be marked by stone monuments, cut in stone, stake and nail, iron pin, or other marker and shall be so marked.
- Lot number, dimension of lot in feet, size of lot in square feet, and width of abutting streets and ways.
- Easements within the lot and abutting thereon.
- The location of existing or proposed buildings on the lot.
- The location of existing wetlands, water bodies, wells, 100 year floodplain elevation and other natural features requested by the Planning Board.
- The dimensions of the existing and proposed buildings in feet.
- The distance of existing and proposed buildings from the lot lines and the distance between buildings on the same lot
- Percent of the lot coverage.
- Average finished grade of each proposed building.
- The elevation above average finished grade of the floor and ceiling of the lowest floor of each proposed building.
- Existing and proposed topographical lines at two (2) foot intervals.
- The use designation of each building or part thereof, and of each section of open ground, plaza, or usable roof space.
- Number of parking spaces.
- Height of all proposed buildings, above average finished grade of abutting streets.
- Number of apartments, meeting rooms, and restaurant and theater.
- Total square feet of floor space of all landscape and recreation areas, and depiction of materials to be used (grass, 5-foot shrubs, etc.)
- Deed or other recorded instrument that shows the applicant to be the owner under option of the land to designated as a Planned Development

REVISED 4/28/2011

Cost of Certified mail increased from \$2.80 to \$2.85

Cost of Certified mail + .44C Stamp increased from \$3.24 to \$3.29

THIS IS THE UPDATED PROCESS TO PREPARE CERTIFIED MAIL.

Any one filing an application with the Planning Department will be required to incur costs for certified mailing of legal notices to abutters.

1. Obtain a certified abutters list from the Assessor's office.
2. Create 3 sets of type written labels that contain the full name, full street number, full street address, full city and state, & zip code of each abutter.
3. Create one set of return address labels as follows:

<p style="text-align: center;">Town of North Andover 1600 Osgood Street Bldg. 20, Suite 2-36 Planning Department North Andover, MA 01845</p>
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4. You will be required to obtain a postal service certified mail green and white slip. You can get them from the post office.
5. Affix one abutter label to the green & white slip.
6. Affix one abutter label to the actual envelope.
7. Affix the Planning Department return address label to the upper left hand corner of the envelope.
8. **Cost of postage for certified mail is \$0.44 + \$2.85 = \$3.29 per mailing envelope of which the applicant is responsible for, you will need to purchase the correct amount of postage stamps from the post office.**
9. Bring the envelopes along with the green & white slips and the proper postage to the Planning Department, they will insert the legal notice inside the envelope and then mail the envelopes out.
10. Bring the 3rd set of mailing labels to the Planning Department because these labels will be used to mail the decision to the abutters. Applicant is responsible for submitting a 0.44 cent stamp for each abutter to the Planning Department.

Please note: postage meter slips will not be accepted in lieu of stamps.