



PLANNING BOARD

SITE PLAN REVIEW SUPPLEMENT

Thomas Linnehan, Esq.
Chairman

The following application is made to the City of Lowell Planning Board in accordance with the provisions of The Code of Ordinances, City of Lowell, Massachusetts, Appendix A thereof, Section 11.4, Site Plan Review.

1. Other Required Review(s)

*The applicant shall be required to also fill out the appropriate application addendum for any other relief being sought from a City of Lowell Board.

2. Site Plan Submittal Requirements

- A. Completed Main Application and Site Plan Review Supplement (this form)
- B. Original and 8 copies of adequate plans to allow the Board to address the project and the standards for issuing the permit. Plans must meet the standards outlined in the City of Lowell Zoning Code (the only exception to this is for requests related solely to Special Permits for signage – Please see ZBA: Signage Addendum). In general, Plan(s) shall be drawn at a scale 1" = 20" on one full size plans set (24" by 36" sheets) with the rest as half size plans. Plans shall be drawn by a registered land surveyor, professional engineer, architect or landscape architect, as appropriate. Plans shall be submitted on at least the following separate sheets:
 - Existing Conditions
 - Proposed Site Layout
 - Landscape/Lighting Detail: Location and type of external lighting; Location, type, dimensions and quantities of landscaping and screening.
 - Utilities: Location and dimensions of utilities, including water, surface drainage, sewer, fire hydrants and other waste disposal,
 - Elevations/Architectural Plan(s): Architectural plan(s) shall include the floor plan and architectural elevations of all proposed buildings and/or additions to establish views of the structure or structures from the public way and adjacent properties.
- C. Drainage Calculations or other backup Engineering Data - Two (2) copies of this information are required, as well as an electronic copy in PDF Format.
- D. A narrative with a brief project description addressing concerns in the following categories: a. Buildings; b. Parking and loading; c. Traffic flow and circulation; d. External lighting; e. Landscaping and screening; f. Utilities; g. Snow removal; h. Description of natural area protection and enhancement; i. Signature block showing approved by Lowell Planning Board, date and line at least 3.5 inches.
- E. A zoning evaluation table to show how the development meets or fails to meet the requirements of the Zoning Ordinance. (This can be on one of the plans listed above.)
- F. A certified list of abutters within a 300-foot radius (from the Assessor's Office).
- G. Filing fees as established by the Lowell Planning Board and Lowell City Council.

___H. Copy of Plans and other supporting materials in Portable Digital Format (PDF)

___I. Copy of Deed, Purchase and Sales Agreement, Lease Agreement, or other document that shows the applicant's relationship to the subject property.

*****Impact study(ies) or other documentation may also be requested by the Planning Board**

3. Authorization (Must be Signed by the Owner of the Property)

I am the record owner of the property for which this application is being filed and as such, I am familiar with the work that is proposed for my property.

I agree to provide visual evidence of the Request for Permit Sign posted on the project property to Development Services in accordance with the City of Lowell Zoning Ordinance.

I hereby give permission for this application to be filed with the full understanding that certain restrictions may be placed on the property relative to the approval of the proposed work.

I further certify that under the penalties of perjury, I am authorized to sign this application.

Name (Please Print): _____

Title: _____

Signature: _____

Date: _____

If representing a group, corporation, or other organization please attach a copy of the vote authorizing you to act on behalf of such organization for the purposes of this application.

Submit all required materials to:

Division of Development Services, City Hall, Rm. 51, 375 Merrimack Street, Lowell, MA 01852

Phone: (978) 674-4144

City Website: www.lowellma.gov

Relevant Regulations Governing Special Permits from the Lowell Zoning Ordinance:

Section 11.4 Site Plan Review

11.4.1 Purpose. The site plan review process is adopted pursuant to the Home Rule Amendment of the Massachusetts Constitution in order to protect and promote the health, safety, convenience, and general welfare of the inhabitants of the city, and to promote acceptable site planning practices and standards within the City of Lowell. It is also the intent of this review process to ensure compliance with the City of Lowell Zoning Ordinance, the Regulations of the Planning Board, and good zoning practices.

11.4.2 Applicability. The following types of activities and uses on a single lot or on contiguous lots in common ownership require site plan review:

1. Any of the following, as a single proposed development project or a series of development projects within a 12 month period:

- a. Construction of a non-residential structure or structures greater than 10,000 square feet,
- b. Exterior alteration or expansion of a non-residential structure or structures where the area of alteration or expansion exceeds 10,000 square feet, or,
- c. Exterior alteration or expansion of a non-residential structure or structures where the alteration or expansion will exceed 50% of the total gross floor area of the structure or structures upon completion of the project, and where the complete project will be a structure or group of structures greater than 10,000 square feet. [Ord. 4-3-07]

2. Construction, exterior alteration, conversion or expansion of any residential structure or structures with more than three dwelling units, except for subdivisions containing only single family homes approved by the Lowell Planning Board under MGL 41 Section 81 and the City of Lowell's Subdivision of Land Regulations. Single family homes on lots created through the regulations of MGL 41, Section 81P (Approval Not Required Lots) will require site plan review, when more than three units are built on common or contiguous lots. [Ord. 4-3-07]

3. Construction or expansion of any parking lot with more than fourteen spaces or 4,000 square feet of impervious surface.

4. Any commercial construction involving the installation or construction of self-service gasoline pumps or drive-through or drive-up customer service on the premises.

5. Construction, exterior alteration, conversion or expansion of a Privately Developed and/or Operated Dormitory subject to Section 7.8 of this ordinance. [Ord. 11-24-09]

6. Construction of freestanding telecommunications towers under section 7.6.3 of this ordinance. [Ord. 5-25-10]

7. Licensed Hospitals, Nursing Homes, Adult Day Care Facilities, and Narcotic Detoxification Facilities. [Ord.12-12-17]

8. Registered Marijuana Uses. [Ord. 5-15-18]

11.4.3 Exemptions. Any development involving the renovation of an existing building subject to the review and approval of the Lowell Historic Board, where all substantial work is confined within the footprint of the existing building, is exempt from site plan review.

11.4.4 Procedures; Site Plan Review with Required Public Hearing. An application for site plan approval shall be submitted to the Planning Board for its review and decision. The Planning Board shall open a public hearing within sixty-five (65) days from the date of receipt of the application, and notice shall be provided in accordance with the provisions of G.L. c. 40A, s. 11.

1. The Planning Board shall, within thirty (30) days of the close of the public hearing, approve, approve with conditions, or deny approval of the site plan. The decision of the Planning Board shall be upon a majority of the Board as constituted.

2. The Planning Board shall file a written decision with the City Clerk within fourteen (14) days after taking action as set forth above.

11.4.5 Pre-Application Scoping. Applicants are invited to submit a pre-application sketch of the proposed project to the Planning Board and to schedule a comment period at a regular meeting of the Board. Waivers may be requested pursuant to section 11.4.9 at such scoping.

11.4.6 Application. An application for site plan approval shall be accompanied by six (6) copies of the site plan which shall be at a scale to be 1" = 20', unless otherwise approved by Planning Board. Additional copies shall be submitted as set forth in Section 11.4.8. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. The site plan shall include the following information, which shall be submitted on the following sheets:

1. Existing Conditions.

A. Location of all existing natural features, including ponds, brooks, streams, wetlands, elevations and topography, proposed and existing contours.

B. Owners of record of all abutting lots as of the most current City of Lowell Tax Assessors' records and the approximate locations (may be based on City of Lowell GIS data or aerial photography) of all buildings or structures on abutting lots that are located within 300' of the lot lines of the proposed project site

2. Site Layout.

- A. Location and dimensions of all buildings and other construction;
- B. Internal roadways and accessways to adjacent public roadways, and a profile of same if determined to be necessary by the Planning Board;
- C. Location of snow storage areas and trash dumpster.
- D. Paths of safe emergency egress from all proposed buildings to the public right-of-way.

3. Parking.

- A. Location and dimensions of all parking areas, loading areas, walkways, and driveways.

4. Landscaping and Lighting.

- A. Location and type of external lighting;
- B. Location, type, dimensions and quantities of landscaping and screening.

5. Utilities.

- A. Location and dimensions of utilities, including water, surface drainage, sewer, fire hydrants and other waste disposal, and a profile of same if determined to be necessary by the Planning Board.

6. Architectural plan.

- A. Architectural plan which shall include the ground floor plan and architectural elevations of all proposed buildings. All residential projects with ten (10) or more units and all non-residential buildings of 10,000 or more square feet must also include one or more architectural rendering(s) sufficient to establish views of the structure or structures from the public way. [Ord. 11-29-05]

11.4.7 Narratives. A zoning evaluation table shall be provided to show how the development meets or fails to meet the requirements of the City of Lowell Zoning Ordinance. Such site plan shall also be accompanied by a brief narrative, as required by the Planning Board, addressing the above site plan requirements and other appropriate concerns in the following defined categories: (a) buildings; (b) parking and loading; (c) traffic flow and circulation; (d) external lighting; (e) landscaping and screening; (f) utilities; (g) snow removal and (h) an environmental impact statement, if required by the Planning Board; otherwise a description of natural area protection and enhancement.

11.4.8 Review by Other Agencies. The applicant shall, within seven (7) days after submission of an application for site plan approval, transmit one (1) copy each of said application and plan to the City Engineer, Board of Health, Conservation Commission, Fire Chief, Police Chief, City Transportation Engineer, Wastewater Utility and the Water Utility, who may at their discretion, investigate the application and report in writing their recommendations to the planning board on a timely basis. The planning board shall not take final action on such application until it has received a report thereon from such officials or entities, or until thirty-five (35) days from the date of such transmittal have elapsed without a submission of said report(s), in which case failure to respond shall be deemed a lack of opposition to the application.

11.4.9 Waiver of Technical Compliance. The Planning Board may, upon written request of the applicant, waive any of the technical requirements of Sections 11.4.6, 11.4.7 or 11.4.8 where the project involves relatively simple development plans.

11.4.10 Decision. Site plan approval may be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these goals. New building construction or other site alteration shall be designed, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

1. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution;
2. Maximize pedestrian and vehicular safety on the site, to the site, and egressing from it;
3. Minimize obstruction of scenic views from publicly accessible locations;
4. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;
5. Minimize glare from headlights and lighting intrusion;
6. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.
7. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances;
8. Provide adequate access to each structure for fire and service equipment and adequate utilities;
9. Provide stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulation, the Massachusetts Department of Environmental Protection Stormwater Management Policy Handbook: Volume I & Stormwater Technical Handbook Volume II, and all other applicable stormwater regulations. [Ord. 11-13-07]
10. Ensure compliance with the provisions of this Zoning Ordinance, including the parking, signage, landscaping and environmental performance standards.

11.4.11 Effect. No building permit shall be issued by the Building Commissioner without the written approval of the site plan by the Planning Board, or unless ninety (90) days lapse from the date of the submittal of the site plan without action by the Planning Board.

1. Where the Planning Board approves a site plan "with conditions", and said site plan accompanies a special permit or variance application, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a variance issued by the Board of Appeals or a Special Permit issued by the specified Special Permit Granting Authority.
2. The applicant may request, and the Planning Board may grant by majority vote, an extension of the time limits set forth herein.

11.4.12 Lapse. Site plan approval shall lapse after two years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

11.4.13 Regulations. The Planning Board may adopt reasonable regulations for the administration of site plan review.

11.4.14 Fee. The Planning Board may adopt reasonable administrative fees and technical review fees for site plan review.

11.4.15 Appeal. Any decision of the Planning Board pursuant to this Section shall be appealed in accordance with G.L. c. 40A, s. 17 to a court of competent jurisdiction.

11.4.16 Notification of application for site plan review. An applicant for site plan review before the Planning Board shall be subject to the notification requirements of Section 11.3.9 of this ordinance. [Ord 10/31/06]

11.4.17 Private School Infrastructure Improvements

1. Purpose. Subject to the provisions of this Zoning Ordinance, and Chapter 40A of the Massachusetts General Laws, this section is designed to insure that school-aged children who are walking to these facilities are provided with adequate sidewalk infrastructure for their safety, as well as the safety of any member of the public utilizing these schools. Therefore, upon application by any Private School for Site Plan Review approval, such applicants shall be required to comply with this section.

2. Requirements. A Private School who has applied for Site Plan Review shall perform an analysis of the sidewalks in the City of Lowell within one thousand feet of the property line to determine the adequacy of the pedestrian access to the Private School, and submit a report of such analysis with the Site Plan Review application. Such report shall be reviewed by the City's Division of Development Services, Transportation Engineer and City Engineer.

A. The City's Division of Development Services, Transportation Engineer and City Engineer shall prepare an evaluation of the adequacy of the sidewalk access, which shall include, but not be limited to, necessary new sidewalks, sidewalk repair and maintenance.

B. Such evaluation shall be adopted as a condition of the Site Plan Review approval, and construction of such necessary new sidewalks, sidewalk repair and maintenance shall be the responsibility of the applicant. All construction and/or repair shall be to City standards. [Ord 5/02/2016]