

**CITY OF EASTHAMPTON - PLANNING BOARD**  
**APPLICATION FOR SPECIAL PERMIT & INSTRUCTIONS**

50 PAYSON AVENUE, EASTHAMPTON, MA 01027  
PLANNING DEPARTMENT – (413) 529-1406



**Please review the following document and the relevant Sections of the Easthampton Zoning Ordinance prior to submitting your application and appearing before the Planning Board.** For detailed information about Special Permits and other zoning requirements, refer to the Easthampton Zoning Ordinance, available at the City Clerk's office and online at [www.easthampton.org](http://www.easthampton.org)

**PURPOSE AND INTENT**

Special Permits are intended to provide detailed review of certain uses and structure which may have substantial impact upon traffic and environment, health and safety, property values, utility systems, and the character of the city. The Special Permit review process is intended to ensure a harmonious relationship between proposed development and its surrounding, and ensure the proposals are consistent with the purpose and intent of the Easthampton Zoning Ordinance.

Applicants should be prepared to present data that indicates that the public convenience and welfare will not be substantially affected by the proposal presented to the Board. ***The Planning Board must find that all items listed under Section 12.7.9 (Special Permit Criteria for Approval) have been met in order for your application to be approved.***

**APPLICATION REQUIREMENTS**

1. Special Permit materials should be prepared in the following page formats:
  - All textual materials in 8.5" x 11" format
  - All project plans and illustrations in 11"x17" format
  
2. The Applicant is required to submit the following materials:
  - One (1) original Special Permit Application packet with original signatures and time stamped by the City Clerk. Application should include application form, project narrative, project plans and illustrations, and other supplemental information as required under Section 12.7 of Easthampton Zoning Ordinance.
  - Seven (7) hard copies of original Special Permit Application packet.
  - One (1) digital copy submitted on one CD-ROM or via email to [allanj@easthampton.org](mailto:allanj@easthampton.org). No single file should be greater than 5 MB (volumes may be broken into separate files).
  
3. A check made to the "City of Easthampton" for \$100 for Special Permit Application Fee. ***This fee does not include the cost of legal notification and advertising as required for a public hearing.*** Additional costs for legal notification will be billed to the applicant.

## SPECIAL PERMIT APPLICATION PROCEDURE

1. It is highly recommended to schedule a pre-development review meeting with Planning Department staff to discuss your project prior to submission.
2. Compile all materials required to complete a Special Permit Application, per Section 12.7 of the Easthampton Zoning Ordinance. Assemble the materials into one single application packet and have the original Application time-stamped by the City Clerk.
3. Submit completed original Application, hard and digital copies, to Planning Department. The Department will review the application to determine if it is complete. If complete, staff will assign a public hearing date at a Planning Board meeting no later than 65 days from the date of receiving the time-stamped application. Staff will contact the applicant with public hearing date.
4. Planning Department will send digital copies of the Application to other city boards and departments for review and comment. Departments have up to 35 days to provide comment.
5. In accordance with state law, Planning Department will notify abutters within 300' of the affected parcel about the Application and scheduled public hearing date. Planning Department will also file required legal notification of the scheduled public hearing in the Hampshire Gazette. Per state law, legal notification must run twice within 14 days of the scheduled hearing. Applicants are responsible to pay the cost of legal notification in the Gazette and will be billed by the Planning Department. The public hearing will not commence until the legal ad has been paid.
6. At the scheduled public hearing, the Planning Board will hear a presentation by the Applicant and will then open the hearing for public comment. After closing the hearing, the Board will deliberate on the Application before rendering a Decision. Either the public hearing or the deliberations may be continued to a future Planning Board meeting. The Planning Board may also request that the Applicant submit revised or supplemental materials prior to reaching a Decision.
7. After deliberations, the Board may decide to grant the Special Permit, with conditions where appropriate, or deny the special permit. A special permit may only be granted by a vote of at least four (4) Planning Board members voting in the affirmative.
8. Unless a time extension is requested by the Applicant in writing and approved by the Planning Board at a regular business meeting, a Decision will be voted on by the Planning Board, written, and filed at the City Clerk's office within 90 days of the date of the public hearing.
9. Once the written decision is filed with the City Clerk, the required 20 day appeal period begins.
10. The Special Permit shall take effect once a copy of the Decision is recorded at the Hampshire County Registry of Deeds, including certification that no appeal has been filed or that if such an appeal has been filed, that it has been dismissed or denied. It is the Applicant's responsibility to obtain a copy of the appeal certification from the City Clerk's office and pay all filing fees at Registry of Deeds.
11. Special Permits are valid for two (2) years from approval (exclusive of time needed to pursue or await determination of an appeal).

Do not write in this area – official use only

# EASTHAMPTON PLANNING BOARD

## SPECIAL PERMIT APPLICATION

**1. Applicant Information** Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant is:     Owner             Owner’s agent             Tenant             Prospective owner/tenant  
                          Other \_\_\_\_\_

### **2. Property Owner Information (if different from applicant)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### **3. Property Information**

Address: \_\_\_\_\_

Assessor Map & Lot: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Lot Size: \_\_\_\_\_

**4. Explanation of Application (attached additional materials if necessary):** \_\_\_\_\_

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\_\_\_\_\_  
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\_\_\_\_\_

**4. All Applicants:** *I hereby request a hearing before the Planning Board and attest that all information provided as part of this application and presented at the hearing is accurate and true to the best of my knowledge. I understand that knowingly providing false information could result in the revocation of the permit.*

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

If the Applicant is not the Property Owner of Record, then the signature of the Owner is required below:

**Signature of Owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Note:** *If the Applicant is unable to attend the hearing to explain the application to the board, or is authorizing a representative (legal or otherwise) to speak on their behalf, the **Authorization to Represent Applicant** form must be completed and presented to the Board prior to the start of the hearing and will become part of the public record.*

## **AUTHORIZATION TO REPRESENT APPLICANT**

***If you are unable to attend the hearing to explain your application to the board, or are authorizing a representative (legal or otherwise) to speak on your behalf, the following statement regarding representation must be given to the Board prior to the start of the hearing and will become a part of the official record:***

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Date: \_\_\_\_\_

I/we, \_\_\_\_\_, authorize \_\_\_\_\_ to represent my/our interests in the application being heard by the Zoning Board of Appeals for the property located at \_\_\_\_\_, Easthampton, MA.

I/we hereby acknowledge that a decision rendered by the Planning Board based on information given by my/our representative will be considered final, unless appealed in Superior Court in accordance with MGL Chapter 40A, Section 17.

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*Printed name(s) of Applicant(s)*

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*Signature(s) of Applicant(s)*

*Date*

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Representative name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

***As designated representative, I acknowledge that the decision (and any conditions) made by the Planning Board based upon my presentation is binding upon the applicant.***

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*Signature of Representative*

*Date*