



May 21, 2020

**Easthampton Planning Department – Permit Application Procedures & Applicant and Abutters Guide During COVID-19**

Please review this document prior to submitting an application. If you have questions or would like to discuss a potential application, please email the appropriate staff person:

- Jeff Bagg, City Planner (Planning Board) [jbagg@easthamptonma.gov](mailto:jbagg@easthamptonma.gov)
- Jamie Webb, Assistant Planner (Zoning Board of Appeals, Historical Commission) [jwebb@easthamptonma.gov](mailto:jwebb@easthamptonma.gov)
- Cassie Tragert, Conservation Agent (Conservation Commission) [ctragert@easthamptonma.gov](mailto:ctragert@easthamptonma.gov)

**Introduction**

Beginning June 1, 2020 the Planning Department will begin accepting applications for Planning Board, ZBA, Conservation Commission, , and Historical Commission pursuant to this guidance. Applicants are strongly encouraged to contact the appropriate staff prior to submission. The goal of this guidance is to keep projects moving and to provide an equal opportunity for all applicants to move their projects forward. However, due to the COVID-19 circumstances every effort must be made to provide a complete application. This will make staff work more efficient and will ensure that members of the public have all relevant project information available at the beginning. Failure to provide enough information could result in delays or denial of an application.

All questions should be directed by email to the appropriate staff person as City Hall is closed.

**Background**

On March 12, 2020, the Governor issued an Order Suspending Certain Provisions of the Open Meeting Law to allow local government committees and boards to continue to function during this time of uncertainty around COVID-19. The Order temporarily removes the requirement that a quorum of the body meet in a public place that is open and physically accessible to the public.

As of Friday, April 3, 2020, pursuant to Chapter 53 of the Acts of 2020 (click here to review) and during the Governor's March 10, 2020 State of Emergency, the process for permit applications and conducting public hearings have been modified and timelines for permit applications have been extended. This removes any requirement for a board or commission to act up until 45 days after the end of the state of emergency.

In consultation with the City Attorney and Attorney Generals Division of Open Government, Easthampton intends to proceed carefully to implement this change. We will now, until further notice, conduct public hearings and public meetings virtually using computer technology with options for participation by telephone. The primary objectives is to allow Easthampton City



Government to function while providing access, transparency and openness to members of the public and interested parties. Please click [here](#) to review the guidance & policy document prepared for board and committee members regarding virtual meetings.

This guide is intended to be used by applicants and abutters or interested parties. In the event of a conflict, the provisions of Chapter 53 are in effect.

## 1) **Electronic applications**

- a) **Email applications** - As of June 1, 2020 all applications must be submitted electronically to the City Clerk, Barbara LaBombard, [blabombard@easthamptonma.gov](mailto:blabombard@easthamptonma.gov). NOTE: Paper copies will be required after an application is submitted under the direction of staff.
- b) **All applications submitted to City Clerk** - Any application that is submitted directly to the City Clerk without prior consultation with the appropriate Planning Department staff is vulnerable to delays. NOTE: Any certification from the City Clerk will only be for receipt and does not constitute a determination of completeness.
- c) **Properly labeled PDF's** - Application materials submitted in PDF at the time of submission. All files should be consolidated to the extent possible and all files should follow this naming convention:
  - i) \_\_\_address\_\_\_applicant last name\_\_\_Application Type\_\_\_
  - ii) (example: Colonial Ave\_Marek\_NOI\_Conservation\_site plan)
  - iii) (example: Colonial Ave\_Marek\_SP\_Planning\_traffic)
  - iv) (example: Colonial Ave\_Marek\_Variance\_ZBA\_narrative)
- d) **All information on website** - To ensure abutters and other members of the public have access to the materials, they shall be posted on the webpages for the Planning Board, Zoning Board of Appeals (ZBA), and Conservation Commission at the same time a legal ad or an abutters notice is mailed whichever occurs first.

## 2) **Submission deadlines**

- a) **Submission to Hearing deadline increased** - In order to accommodate the closure of City Hall and minimal hours available for each staff to be in City Hall, all submission deadlines have been increased by one week such that a complete application should anticipate a hearing date within 4 weeks from submission.
  - i) **Zoning Board of Appeals** – Special Permit and Variance applications must be submitted at least 4 weeks prior to the regularly scheduled meeting
  - ii) **Planning Board** – Special Permit applications must be submitted at least 3 weeks prior to the regularly scheduled meeting
  - iii) **Conservation Commission** – applications must be submitted at least 3 weeks prior to the regularly scheduled meeting



iv) **Historical Commission** – Demolition Delay hearing applications must be submitted at least 4 weeks prior to the regularly scheduled meeting. All other business must be submitted at least 2 weeks prior to the regularly scheduled meeting.

b) **Importance of a complete application** - It's imperative for applicants to provide timely and complete applications to ensure staff can act efficiently and effectively in preparing applications for public review and meeting statutory requirements for notices. The submission of an incomplete application will likely cause further delays.

### 3) Legal Advertisements

a) **Virtual meeting information** - For any public hearing scheduled during the State of Emergency, the legal advertisement must include the date and time of the virtual meeting and a Zoom meeting log-in/ID and a telephone call-in number. Please contact the appropriate Planning Department staff person to determine this information.

b) **Increased legal ad costs** - It is important to understand that the cost to publish a legal advertisement is borne by the applicant and is determined by the number of characters. Therefore, the cost for legal ads is expected to increase. Legal advertisements are required for all public hearings. The costs can only be determined once an application is submitted and a receipt is provided by the Gazette. Most applications should budget between \$250-400 for legal ad fees. All legal ad fees must be paid prior to the first public hearing or the board will consider the application incomplete and the hearing will not be started.

c) **Listing second meeting date:** All legal ads should indicate a second date that the meeting will occur in the event of technical difficulties.

i) Example: If for any reason the hearing is cancelled or cannot occur it will be rescheduled to June 16, 2020 at 6:05 p.m.

### 4) Abutters Notices

a) **Virtual meeting information** - For any public hearing scheduled during the State of Emergency, the required abutters notice to property owners within 300 feet of the project must include the date and time of the virtual meeting and a Zoom meeting log-in/ID and a telephone call-in number. Coordination with staff is essential to ensure that this information is identified and available.

b) **Stamped & self-adhesive envelopes required** - Applicants shall be required to coordinate with the appropriate Planning Department staff person to determine whether and how many pre-stamped & self-adhesive envelopes are required. If required by the staff person, the Applicant shall, within one week of submission of the application, prepare, provide, and submit stamped business sized envelopes for each abutter to be



notified . Please note that the number of envelopes must be increased by 8 beyond the list generated by the Assessor's Office to accommodate for other noticed parties. Upon submission of an application, staff will obtain a list of abutters from the City Assessor and notify the applicant of the number of envelopes to provide.

5) **Virtual meetings**

- a) **Applicant preparation** – All applicants must be able to present via Zoom all plans and information submitted. A practice call may be requested by staff.
- b) **Extended hearings** – For any complicated project or project with public interest, the Chair may elect to continue any or all hearings to allow time for review of the meeting recording by members of the public.
- c) **Access to Zoom meeting log in information** - All board or commission agendas will contain a hyperlink to enter into a Zoom meeting. All agendas are posted on the City's website under "agendas and minutes". Log in information will be included in abutters notices. However, interested parties must use the link found on the posted agenda for each meeting.

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