

Article 23
Paper Submittal Requirements

Move that the Town vote to amend sections III, 329, V-D, and VI-DD of the Town of Natick Zoning Bylaw, as follows:

1. *Delete § III-A.5.7 (Special Procedures Regarding the Issuance of Special Permits in the APD District) sub-sections a)1), b), and c) and insert the following:*

a) In addition to the requirements of the M.G.L. Chapter 40A, Section 9 and the rules and regulations of the SPGA, the following additional requirements shall apply:

- 1) Electronic copies of any proposed plan for development shall be submitted to the SPGA through the Town's online permitting portal.

b) As part of the electronic submission, the applicant may request a waiver of any of the foregoing requirements in paragraph 7a hereof. The request shall be circulated within three (3) business days of its receipt to the Planning Board (unless it is functioning as the SPGA with respect to such request), the Board of Health, the Conservation Commission and the Department of Public Works (hereinafter, the "Advisory Bodies"). Unless one of the Advisory Bodies communicates its decision to require the materials sought to be waived, within twenty two (22) days of the making of such request, the waiver may be granted by the SPGA. (Art. 28, Fall A.T.M. 1992)

c) An application deemed complete shall be circulated within three business days of filing to the Advisory Bodies for their review and recommendations. A public hearing on the application for a special permit may not be held prior to twenty two (22) days following the filing of the application. (Art. 28, Fall A.T.M. 1992)

2. *Delete § III-A.6.C.10 (Affordable Housing, Smart Growth Overlay District, Plan Approval Procedures), sub-sections 10.3 and 10.4 and insert the following:*

10.3 Filing. An application and supporting materials shall be submitted electronically through the Town's online permitting portal.

10.4 Circulation to Other Boards. Upon receipt of a complete application, the PAA shall circulate the application to the Select Board, Zoning Board of Appeals, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, the Design Review Board, and any such applicable board, agency or officer. Such reviewers shall provide any comments within 60 days of receipt of the application.

3. **Delete the second paragraph of § III-F.1.2 (Cluster Development Allowed in Certain Districts, Single Family Cluster Option – RSA, RSB & RSC Districts, applicability) and insert the following:**

The applicant must either own or submit written authorization to act on behalf of all the owners of the lots comprising the parcel as part of the electronic application.

4. **Delete sub-section a.(Pre-Application) of § III-F.1.4.a (Cluster Development Allowed in Certain Districts, Single Family Cluster Option – RSA, RSB & RSC Districts, Procedures) and insert the following:**

- a. **Pre-Application:** To promote better communication, reduce pre-development costs and increase efficiency, the applicant shall request a SRC Pre-Application Review with the Community and Economic Development Department and staff of the Conservation Commission, Board of Health, Department of Public Works and any other Department, Board and/or Committee with interest in the proposal to the pre-application review. At the SRC Pre-Application Review, the applicant may outline a proposal, seek preliminary feedback from town staff, and set a timetable for submittal of a formal application. At the request and expense of the applicant, the SPGA may engage technical experts to review the informal plans of the applicant and to facilitate submittal of a formal application for Special Permit Approval of a SRC.

In order to facilitate review at the SRC Pre-Application stage, applicants must submit through the online permitting portal of the following information to the Community and Economic Development Department:

5. **Delete § III-H.3(C) (Wireless Communication Facilities, Use and Intensity Restrictions, Finding) and insert the following:**

(C) **Finding.** Before issuing a Special Permit for a free standing WCF, the Planning Board must make a finding that all existing or approved WCF facilities cannot technologically accommodate the WCF requested, or evidence has been received that permission to locate on such facilities has been denied by the owner thereof, a copy of which has been submitted electronically to the Planning Board.

6. **Delete § III-I.1.2, section 2.7, sub-section 2 (Independent Senior Living Overlay Option Plan, Procedures, Formal Application) and insert the following:**

2. **Formal application:** The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include, at a minimum, a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ISLOOP parcel prior to submitting a formal application. A complete

special permit application shall be filed electronically with Community and Economic Development through the Town's online permitting portal.

7. Delete § III-I.3, section 2.8, sub-section 2 (Assisted Living Overlay Option Plan, Procedures, Formal Application) and insert the following:

2. Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include, at a minimum, a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ALOOP parcel prior to submitting a formal application. A complete special permit application shall be filed electronically with Community and Economic Development through the Town's online permitting portal.

8. Delete § 329.31 and 329.32 (Administration, Mutual Review) and insert the following:

329.31 If the size of the proposed structure exceeds 50,000 square feet, the applicant shall submit a complete electronic copy of the application documents to the City of Framingham and shall meet with the Planning Board of Framingham to describe the project, if requested by the Framingham Planning Board.

329.32 If the size of the proposed structure is less than 50,000 square feet, the applicant shall submit a complete electronic copy of the application documents to the City of Framingham. The Planning Board of Framingham shall be notified of the dates of all public hearings held by the Natick Planning Board regarding the project.

9. Delete § V-D.19a) (Off-Street Parking & Loading Requirements, Administration & Procedure, Permits) and insert the following:

a) Permits - Where the requirements of these off-street regulations are applicable, an application for a building or use permit for other than one and two family dwellings must be accompanied electronic copies of an Off-Street Parking and Storage Plan. The Building Inspector shall determine whether such plan is in compliance with the provisions of these Off-Street Parking and Loading Requirements. If the Building Inspector determines that the plan is not in compliance with these Off-Street Parking and Loading Requirements the Building Commissioner shall deny the application in writing setting forth grounds for the denial.

10. Delete § VI-DD.2A.c (Special Permit Procedures and Site Plan Review, Special Permits, Procedures) and insert the following:

c. Procedures. Applicants shall file a complete special permit application electronically for review through the Town's online permitting portal.

Redline version

Amendments shown with ~~struck through~~ text are to be removed and underlined text is to be added, such ~~struck through~~ and underlines will be removed prior to publication in Zoning Bylaw upon approval.

1. ***§ III-A.5.7 (Special Procedures Regarding the Issuance of Special Permits in the APD District), subsections a)1), b), and c)***

7. SPECIAL PROCEDURES REGARDING THE ISSUANCE OF SPECIAL PERMITS IN THE APD DISTRICT

a) In addition to the requirements of the M.G.L. Chapter 40A, Section 9 and the rules and regulations of the SPGA, the following additional requirements shall apply:

1) ~~At least seven~~ Electronic copies of any proposed plan for development shall be submitted to the SPGA through the Town's online permitting portal.

b) ~~As part of the electronic submission, t~~The applicant may request ~~in writing~~ a waiver of any of the foregoing requirements in paragraph 7a hereof, ~~which~~ The request shall be ~~communicated by the SPGA~~ circulated within three (3) business days of its receipt to the Planning Board (unless it is functioning as the SPGA with respect to such request), the Board of Health, the Conservation Commission and the Department of Public Works (hereinafter, the "Advisory Bodies"). Unless one of the Advisory Bodies communicates its decision to require the materials sought to be waived, within twenty two (22) days of the making of such request, the waiver may be granted by the SPGA. (Art. 28, Fall A.T.M. 1992)

c) ~~The SPGA shall provide copies of~~An application deemed complete ~~and all other submittals shall be~~ circulated of the applicant within three business days of filing to the Advisory Bodies for their review and recommendations. A public hearing on the application for a special permit may not be held prior to twenty two (22) days following the filing of the application. (Art. 28, Fall A.T.M. 1992)

2. ***§ III-A.6.C.10 (Affordable Housing, Smart Growth Overlay District, Plan Approval Procedures), subsections 10.3 and 10.4***

10.3 Filing. An application and supporting materials shall be submitted electronically through the Town's online permitting portal. ~~An applicant for Plan Approval shall file the required number of copies of the application form and the other required submittals as set forth in the PAA Regulations with the Town Clerk and a copy of the application including the date of filing certified by the Town Clerk shall be filed forthwith with the PAA.~~

10.4 Circulation to Other Boards. Upon receipt ~~of the~~ of a complete ~~A~~application, the PAA shall ~~immediately provide a circulate copy of the application materials to the Board of Selectmen~~Select Board, Zoning Board of Appeals, Board of Health, Community Development Department, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, ~~the Administering Agency,~~ the Design Review Board, and any such applicable board, agency or officer. Such reviewers shall provide any ~~written~~ comments within 60 days of its receipt of the application. ~~of a copy of the plan and application for approval.~~

3. **§ III-F.1.2 (Cluster Development Allowed in Certain Districts, Single Family Cluster Option – RSA, RSB & RSC Districts, applicability)**

The applicant must either own or submit written authorization ~~in writing~~ to act on behalf of ~~for~~ all the owners ~~of~~ ~~to~~ the lots comprising the parcel ~~prior to submitting a formal~~ as part of the electronic application.

4. **§ III-F.1.4.a (Cluster Development Allowed in Certain Districts, Single Family Cluster Option – RSA, RSB & RSC Districts, Procedures), sub-section a. (Pre-Application):**

Pre-Application: To promote better communication, reduce pre-development costs and increase efficiency, the applicant shall request a SRC Pre-Application Review with the Community and Economic Development Department and staff of the Conservation Commission, Board of Health, Department of Public Works and any other Department, Board and/or Committee with interest in the proposal to the pre-application review. At the SRC Pre-Application Review, the applicant may outline a proposal, seek preliminary feedback from town staff, and set a timetable for submittal of a formal application. At the request and expense of the applicant, the SPGA may engage technical experts to review the informal plans of the applicant and to facilitate submittal of a formal application for Special Permit Approval of a SRC.

In order to facilitate review at the SRC Pre-Application stage, applicants must submit through the online permitting portal ~~three (3) copies~~ of the following information to the Community and Economic Development Department:

5. **§ III-H.3(C) (Wireless Communication Facilities, Use and Intensity Restrictions, Finding)**

(C) **Finding.** Before issuing a Special Permit for a free standing WCF, the Planning Board must make a finding that all existing or approved WCF facilities cannot technologically accommodate the WCF requested, or evidence has been received that permission to locate on such facilities has been denied by the owner thereof, ~~preferably in a writing,~~ a copy of which has been submitted electronically to the Planning Board.

6. **§ III-I.2, section 2.7, sub-section 2 (Independent Senior Living Overlay Option Plan, Procedures, Formal Application)**

Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include, at a minimum, a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ISLOOP parcel prior to submitting a formal application. ~~The application for a A~~ complete special permit application shall be filed electronically with Community and Economic Development through the Town's online permitting portal. ~~by the applicant with the Town Clerk and a~~

~~copy of said application, including the date and time of filing certified by the Town Clerk, shall be filed by the applicant with the SPGA.~~

7. **§ III-I.3, section 2.8, sub-section 2 (Assisted Living Overlay Option Plan, Procedures, Formal Application)**

Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include, at a minimum, a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ISLOOP parcel prior to submitting a formal application. ~~The application for a A complete special permit application shall be filed electronically with Community and Economic Development through the Town's online permitting portal. by the applicant with the Town Clerk and a copy of said application, including the date and time of filing certified by the Town Clerk, shall be filed by the applicant with the SPGA.~~

8. **§ 329.31 and 329.32 (Administration, Mutual Review)**

329.31 If the size of the proposed structure exceeds 50,000 square feet, the applicant shall submit ~~one a~~ complete electronic copy set of the application documents to the ~~Town~~ City of Framingham and shall meet with the Planning Board of Framingham to describe the project, if requested by the Framingham Planning Board.

329.32 If the size of the proposed structure is less than 50,000 square feet, the applicant shall submit ~~one a~~ complete electronic copy of the set of application documents to the ~~City~~ Town of Framingham. The Planning Board of Framingham shall be notified of the dates of all public hearings held by the Natick Planning Board regarding the project.

9. **§ V-D.19a) (Off-Street Parking & Loading Requirements, Administration & Procedure, Permits)**

a) Permits - Where the requirements of these off-street regulations are applicable, an application for a building or use permit for other than one and two family dwellings must be accompanied by ~~three copies~~ electronic copies of an Off-Street Parking and Storage Plan. The Building Inspector shall determine whether such plan is in compliance with the provisions of these Off-Street Parking and Loading Requirements. If the Building Inspector determines that the plan is not in compliance with these Off-Street Parking and Loading Requirements the Building Commissioner ~~he~~ shall deny the application in writing setting forth ~~his~~ grounds for the denial.

10. **§ VI-DD.2A.c (Special Permit Procedures and Site Plan Review, Special Permits, Procedures)**

c. Procedures. Applicants shall file a complete special permit application electronically for review through the Town's online permitting portal. ~~Each application for a special permit, together with copies of supporting plans and other materials, shall be filed by the petitioner with the Town Clerk. Fifteen copies of said application, including one having the date and time of filing certified by the Town Clerk, shall be filed forthwith by the applicant with the Special Permit Granting Authority, together with five (5) copies of the supporting plans and other materials, and one copy of all materials in digital (PDF) format.~~