

CITY OF WORCESTER ZONING BOARD OF APPEALS



SPECIAL PERMIT &/or VARIANCE
CHECKLIST & REQUIREMENTS FOR SIGN

APPLICATION

Division of Planning & Regulatory Services
City Hall, 455 Main Street, Room 404, Worcester, MA 01608
Office 508-799-1400 x260 – Fax 508-799-1406

One original and 15 copies of the following documents:

A. **Zoning Determination Form provided by the Building & Zoning Division of Inspectional Services located at 25 Meade Street.**

- Form must be signed by an authorized Building & Zoning Division staff member. There is no fee for the zoning determination form.

B. **Application**

- An application with original signatures by all petitioners.
- If you are not the owner of the subject property and are a lessee or optionee, you need to provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.

C. **Certification of Tax/Revenue Collection Compliance**

- All current owners of subject property and applicants must certify that all local taxes, fees, assessments, betterments, or any other municipal charges of any kind are current with the City Treasurer's Office (part of the application).

D. **A Plan of Land - See page 2 of application checklist.**

E. **Photographs.** Photographs taken within the last 30 days showing all existing signs on site labeled as to which signs will be kept and which ones removed

F. **Renderings:** Renderings of proposed signs (including supporting structure) and renderings of building facades with attached signs.

G. **City Clerk Certified Map with a List of Abutters, along with 2 sets of Address Labels**

Additionally, submit the following:

H. Two Sets of Stamped Envelopes with Assessor's Address Labels for abutters and applicant.

- Request two (2) sets of Assessor's address labels (listing all abutters and abutters to abutters) from the Assessor's Office - prepared for a fee.
- Create two (2) identical sets of stamped envelopes addressed to the abutters (using the Assessor's labels above).
- The return address on the envelopes should read: City of Worcester, Division of Planning and Regulatory Services; City Hall; 455 Main Street, Room 404; Worcester, MA 01608. (The office has a return address stamp if you'd like to use it).

I. Appropriate fee according to the most updated Fee Schedule (available on-line). Please make checks payable to the City of Worcester.

****All Application Deadlines are 2:00 P.M. Unless Otherwise Specified****

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Plan of Land Requirements for All Sign Applications
(except for Non-accessory Billboards
which require submittal of the Definitive Site Plan per Article V, (B) (7) – see below)

A Plan of Land, at least 8 ½" x 11" or 11" x 17", and drawn to scale (at least 1 inch = 40 feet) should at minimum show the following:

- North point.
- Names of streets.
- Zoning and Sign Overlay Districts.
- Names of owners of abutting properties.
- Property lines.
- The dimensions of the lot.
- Distances from adjacent buildings and property lines (i.e. front, side, rear, and exterior yard setbacks).
- Uses:* Existing and proposed uses on site and number of tenants.
- Dimensions of the Building/s and the Site:* Required, existing, and proposed dimensional requirements for the building/s and the site (should match information provided in the tables in the application). Should include primary and secondary building unit lengths, and required five-foot landscaped buffer, where applicable. (Should match information provided in the tables in the application).
- Dimensions and Locations of Sign/s:* Required, existing, and proposed dimensional requirements, location, and type of signs (should match information provided in the tables in the application). Include dimensions of proposed digital display area.
- Building entrances (indicate if primary or secondary).
- Parking:* Off-street parking spaces.
- Illumination:* Location and type of existing and proposed lighting fixtures.

**Site Plan Submission Requirements for
Non-accessory Billboard Signs**

Per Article V of the City of Worcester Zoning Ordinance, the following items are **required** elements of the site plan for Non-accessory Billboard Signs:

- 1) A site plan drawn to a scale of not less than forty (40) feet to the inch, on one (1) or more sheets, prepared by a registered engineer, illustrating the proposed development and use with appropriate title block information to identify location, applicant, owner and party responsible for preparing the plan.
- 2) The boundary lines and dimensions of the subject property, existing subdivision lots, available utilities, easements, roadways, railroads, rail lines and public rights of way, crossing and adjacent to the subject property and a Locus Plan showing the site of the proposed development in relation to the immediate and general street network and such other features of the natural and/or built environment as are relevant to the review of the site plan and a summary of zoning classification and requirements.
- 3) Any proposed re-grading of the subject property and any significant natural, topographical or physical features of the property including, at least, watercourses, marshes, floodplain and wetlands, trees in excess of nine (9) inches in diameter, soil types and existing contours at two (2) feet in one hundred (100) feet.
- 4) The location, size, use, attributes and arrangement, including height in stories and feet, floor area ratio, total floor area, total square feet of ground area coverage, number and size of dwelling units by number of bedrooms, exterior materials and elevations at appropriate scale, of proposed buildings and existing buildings that will remain, if any.
- 5) Minimum yard dimensions and, where relevant, relation of yard dimensions to the height of any building or structure.
- 6) Location, dimensions, number and construction materials of all vehicular and pedestrian circulation elements, including streets and roadways, driveways, entrances, curbs, curb cuts, parking spaces, loading spaces, access aisles, sidewalks, walkways and pathways.
- 7) All existing and proposed surface and subsurface drainage facilities, including detention or retention ponds. Drainage circulation with data on pre-development and post-development conditions to be provided.
- 8) Location, size and arrangement of all signs and lighting.
- 9) Proposed landscaping (noting how the existing vegetation is to be retained and used) including the type, location and quantity of all plant materials, location and height of fences or screen plantings and the type or kind of building materials or plantings to be used for fencing and screening.
- 10) Location, designation and total area of all usable open space or common property and the extent to which it is to be improved.
- 11) Methods and locations of erosion and sedimentation control devices for controlling erosion and sedimentation during the construction process as well as after.
- 12) Such other and further information or documentation as the Planning Board may deem to be necessary and appropriate to a full and proper consideration and disposition of the particular application. As part of site plan approval rules and regulations, the Planning Board shall identify, by development scale and lot characteristics, the type and form of such information or documentation.

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Standards for Review for Site Plan Approval

Applicable to Non-Accessory Signs only (Billboards)

- Vehicular traffic access and circulation – Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic control.
- Pedestrian access and circulation – Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
- Off-street parking – Location, arrangement, appearance and sufficiency of off-street parking and loading.
- Landscape buffers – Adequacy, type, size and arrangement of trees, shrubs and other landscaping constituting a visual or noise buffer between the applicant's land and adjoining lands, including the maximum retention of existing vegetation.
- Buildings, lighting and signs – Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
- Storm water and drainage – Adequacy of storm water and drainage facilities.
- Water supply and sewerage disposal – Adequacy of water supply and sewerage disposal facilities.
- Open space/common space – In case of an apartment complex or other multiple dwelling, the adequacy of usable common property or open space.
- Noise and glare – Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.
- Emergency zones – Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- Areas subject to flooding and/or erosion – Special attention to the adequacy of structure, roadways and landscaping in areas with susceptibility to ponding, flooding or erosion.
- Erosion and sediment control – Adequacy of erosion and sedimentation control measures to be utilized during and after construction.
- Design requirements – Conformance of the site plan with design requirements, together with all other applicable provisions of the Worcester Zoning Ordinance (purpose and intent).
- State Register of Historic places – Conformance and compatibility of the site plan design with structures listed in the State Register of Historic Places as of 1988 and as amended.
- Construction management – Adequacy of site safety and construction management plans.
- Regional transportation system – Adequacy and impact on the regional transportation system.
- Surface and ground water protection – Adequacy of plans and protective measures to ensure minimal risk of contamination to surface or groundwater.

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Department of Public Works Engineering
Site Plan Requirements

Applicable to Non-Accessory Signs only (Billboards)

1. Elevation and contours of both existing and proposed.
2. Locus plan and legend.
3. Stamped by Registered Professional Engineer.
4. Existing easements or rights-of-way.
5. Entrances and exits.
6. Driveways, aisles, parking spaces.
7. Loading spaces.
8. Circulation.
9. Capacity of lot.
10. Drainage, including calculations, rational method 25-year storm. Profiles of trunk lines, types and sizes of pipes.
11. Lighting plan.
12. Berms or curbing.
13. Fences, existing or proposed.
14. Walkways and landscaped areas.
15. Available area for snow storage.

CITY OF WORCESTER ZONING BOARD OF APPEALS



SPECIAL PERMIT &/or VARIANCE

APPLICATION FORM

Division of Planning & Regulatory Services
City Hall, 455 Main Street, Room 404, Worcester, MA 01608
Office 508-799-1400 x260 – Fax 508-799-1406

1. Assessor's **ADDRESS OF SUBJECT PROPERTY:**

(List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).

2. Check if you are applying for Special Permit/s or Variance.

3. Type Of The Special Permit Related To Sign You Are Applying For As Applicable:

- I - Accessory Signs for which dimensional relief is sought.
- II - Accessory Permanent Freestanding Pole and Roof Signs with Channel Letters in Union Station Sign Overlay District.
- III - Accessory Permanent Freestanding Pole and Roof Signs in Downtown/Blackstone Canal Sign Overlay District.
- IV - Digital Display Signs in IN Zoning Districts (*Note: Per Article IV, Section 6 (L)(2), where digital signs are allowed in the underlying zoning district by-right, they must comply with all dimensional, spacing and setback requirements of the sign ordinance.*)
- V - Non-Accessory Instructional Signs – in BL & IN; BG, MG, IP zoning districts; Union Station, Downtown/ Blackstone Canal and Sign Overlay Districts.
- VI - Non-Accessory Freestanding Billboard Signs – in BG, MG, IP zoning districts; Union Station, Downtown/ Blackstone Canal and Sign Overlay Districts.
- VII - Non-Accessory Wall Billboard Signs - BG, MG, IP zoning districts; Union Station, Downtown/ Blackstone Canal and Sign Overlay Districts.
- VIII - Non-Accessory Roof Billboard Signs - BG, MG, IP zoning districts; Union Station, Downtown/ Blackstone Canal and Sign Overlay Districts.
- IX - Non-Accessory Billboard Signs - Reconstructed, Modified and/or Relocated

4. Is this property known by any other address:

5. OWNER OF RECORD:

6. Address (es) of owner(s) of record is /are:

7. Worcester District Registry of Deeds (WDRD) Book(s) _____, Page(s) _____

(List Book and Page number of deed filed for the subject property as recorded at the WDRD)

8. City of Worcester Assessor's Office Map _____ Block _____ Lot _____

(List MBL number for the subject property as listed at Assessor's Office)

9. NAME OF APPLICANT(S):

10. Address of Applicant:

11. Telephone:

12. Email:

13. Check if you are an: owner (s) , lessee (s) , optionee (s) (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)

14. Zoning and Overlay District(s), if any, of the property (e.g. Sign Overlay Districts – Blackstone River Parkway, Downtown/Blackstone Canal, Union Station Sign Overlay Districts):

15. Are you aware if this property has been previously granted approvals from any City Board or Commission?

If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions):

16. Existing Use (s) on Site (e.g. residential single-family; home business; manufacturing, etc.). List all:

17. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):

18. For a non-residential use, how many tenants are proposed to be located on site?

19. How many buildings are proposed to be on site?

20. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed sign):

21. Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and been refused for non-compliance with the Zoning Ordinance (e.g. a cease and desist order has been issued)? If so, explain:

22. List any additional information relevant to the Variance (s) and Special Permit (s) including, if applicable, such as information relating to compliance with Digital Display criteria (Section 6(G)(1)(d)-(k):

23. List the signs proposed to be retained, removed, and installed:

	Type of the Sign (indicate if permanent or temporary, and if accessory or non-accessory)	Location (indicate if freestanding or attached to the building)	Area (SF) & width (ft) x height (ft)
Existing Signs to remain (including signs to be repaired but not altered dimensionally)			
Existing Signs to be removed			
Newly Proposed Signs			

Dimensional and Variance Information

24. Provide dimensions of all the signs to remain on site and proposed new signs, as applicable:

	Type of the Sign (indicate if permanent or temporary, and if accessory or non-accessory)	<i>Existing (to remain) or New Proposed?</i>	<i>Required Dimensions</i>	<i>Existing Dimension</i>	<i>Proposed Dimensions</i>	<i>If seeking a Variance – Requested Relief</i>
Sign Area (SF)						
Sign Height (ft)						
Sign Length (ft)						
Sign Setback (ft)						
Sign Projection (for projecting signs) (ft)						
Sign Clearance (ft) if applicable						
Distance to the nearest residential dwelling (ft)						
Number per lot						
Propose motion sign?						
If a digital sign – area of digital display (SF)						
If a suspended projecting sign – does it project beyond any part of the building overhang?						
Other Dimensions						

7. Provide Site and Building/s Dimensions Relevant to Signs, as applicable (attach additional pages if necessary):

	The Site		
	<i>Required Dimensions</i>	<i>Existing Dimensions</i>	<i>Proposed Dimensions</i>
Frontage Primary (ft)			
Frontage Secondary if a corner lot (ft)			
	Building/s		
	<i>Required Dimensions</i>	<i>Existing Dimensions</i>	<i>Proposed Dimensions</i>
Primary Building Unit Length (ft)			
Secondary Building Unit Length (ft)			
Building Height (# stories)			
Building Height (ft)			
Building Setback from the street (ft)			
Indicate if the distance between the top of a window and top of the wall of the building is less than 3 feet in a non-residential zoning district			

- g. Explain how the proposed sign/s do/es not derogate from the purposes and intent of this Section-6 and this Ordinance.

**I - Special Permit Approval Criteria
to Modify Dimensional Requirements of Accessory Signs:**

- a. Describe how the proposed sign is substantially in compliance with other dimensional requirements applicable to the proposed sign:
- b. Describe how the area, height, and setbacks of the proposed sign/s are of an appropriate scale within the context of the site including the building and the topography of the site and in relation to surrounding buildings, lots and streets:
- c. Proposed signs attached to a building: Describe how the proposed sign support structure is appropriate to the design and scale of the building including proposed brackets and proposed spacing between the sign and the wall. It is preferred that supporting sign structure does not extend above the roofline or parapet, or if the proposed sign structure does extend above the roofline or parapet, that it is adequately screened from abutting lots and any abutting residential dwellings in the same building:
- d. Proposed Projecting Signs That Exceed Maximum Permitted Area: Describe how the available wall space, shape and location of the building and lot with respect to abutting buildings and streets, substantially limits opportunities for wall signage or freestanding signs visible to passing pedestrians or vehicles:

- e. Proposed Freestanding Signs: Describe how the height, size, scale, illumination, digital display, location, and any proposed landscaping around the sign are appropriate to the site, surrounding neighborhood, street, and lot:

**II - Special Permit Approval Criteria
for Permanent Accessory Freestanding Pole and Roof Signs with Channel Letters
in Union Station Sign Overlay District (USOD):**

- a. Describe whether the proposed freestanding or roof accessory sign will substantially obscure the view of Union Station from any location within the street (includes sidewalks):

- b. Describe how the proposed sign does not detract from the purpose of the Union Station Sign Overlay District (USOD):

**III - Special Permit Approval Criteria
for Permanent Accessory Freestanding Pole Signs
in the Downtown/Blackstone Canal Sign Overlay District (DSOD):**

- a. Describe how the available wall space, shape, and location of the building for which the sign is intended substantially limits opportunities for signage attached to the building:

- b. Describe how the freestanding sign has sufficient landscaping:

- c. Explain whether the freestanding sign negatively impacts access to or number of off-street parking spaces provided on site:

- d. Explain whether the proposed sign does not detract from the purpose of the Downtown/Blackstone Sign Overlay District (DSOD):

**III - Special Permit Approval Criteria
for Permanent Accessory Roof Signs with Channel Letters
in the Downtown/Blackstone Canal Sign Overlay District (DSOD):**

- a. Describe how the proposed roof signs with channel letters are appropriate to the site and character of the site and surrounding neighborhood:

- b. Describe how the proposed size, height, and illumination are appropriate for the site and surrounding neighborhood:

- c. Describe the adequacy, arrangement, location and appearance of all proposed permanent signs:

- d. Describe how the proposed sign does not detract from the purpose of the Downtown/Blackstone Canal Sign Overlay District (DSOD):

**IV - Special Permit Approval Criteria
for Digital Display Signs in IN Zoning Districts**

- a. Describe the impact to vehicular safety with respect to the sign's location in relationship to areas of increased driving complexity, including but not limited to: road curves, merge or lane drops, presences of official signage and/or intersections:

- b. Describe the impact and appropriateness of the proposed sign with respect to the overall campus and any abutting historic structures:

**V - Special Permit Approval Criteria
for Non-Accessory Instructional Signs**

- a. Describe how the available wall space, shape, and location of the building or site for which the sign is intended to provide additional directional signage substantially limits opportunities for on-site wall signage or freestanding signs visible to passing pedestrians or vehicles and/or would contribute unnecessarily to sign clutter:

- b. Describe how the proposed non-accessory instructional sign shall enhance safe driving by providing appropriate wayfinding information at a key decision making point:

- c. Describe how the area and height of the proposed non-accessory instructional sign is of an appropriate scale in relation to the building and site, other signage on site, and surrounding buildings, lots, and street:

By: _____

(Signature of Applicant or Applicant's Agent)
If more than one property owner, all owners must fill out information.

By: _____

(Signature of Applicant or Applicant's Agent)
If more than one property owner, all owners must fill out information.

By: _____

Signature of Property Owner or Owner's Agent. If more than one property owner, all owners must fill out information.

By: _____

Signature of Property Owner or Owner's Agent. If more than one property owner, all owners must fill out information.

Name of Applicant

Name of Applicant

Address

Address

Contact Phone Number

Contact Phone Number

Email

Email

Date

Date

CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION

*Note: This form must be completed and signed by both the applicant(s) and owner(s) of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

(1) If a Proprietorship or Single Owner of residential property:

Name of Owner:

Business Address:

Home Address:

Business Phone:

Home Phone:

Signature of owner (certifying payment of all municipal charges):

Date:

(2) If a Partnership or Multiple Owners of residential property:

Full names and address of all partners:

Printed Names:

Addresses:

Business Address:
Business Phone:

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

Date:

Date:

Date:

Date:

Date:

(3) If a Corporation:

Full Legal Name:

State of Incorporation:

Principal Places of Business:

Place of Business in Massachusetts:

Printed Names of Officers of Corporation:

Title:

Owners of Cooperation:

Address

% of Stock

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

Date:
Date
Date:
Date:
Date:

(4) If a Trust:

Name of Trust:

Business Address:

Printed Names of Trustees:

Address:

Printed Names of Beneficiaries::

Address:

Signature of trustees of property (certifying payment of all municipal charges -attach multiple pages if necessary)

Date:
Date:
Date:
Date:
Date:

(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):

Printed Name of Applicant:

Signature of Applicant: _____

Date: _____

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*The City of Worcester, by this document, does not provide legal advice.
Questions about Variances and Special Permits should be directed to your legal counsel.*

If your variance and special permit petition is approved, obtain a certified copy of the approved decision from the city clerk's office and record the decision at the registry of deeds.

Variance/Special Permit Decisions: Final decisions are typically signed at the next scheduled Board Meeting and filed the following day with the City Clerk. Typically, if there is no appeal of the decision after twenty days (20) has elapsed from the date the decision was filed with the City Clerk's office, the applicant may obtain a properly certified copy of the approved decision from the City Clerk (Massachusetts General Law, Chapter 40A, Section 11).

City Clerk, City Hall
455 Main Street -Second Floor, Room 206
508-799-1121
Monday 8:45am - 5:00pm
Tuesday - Friday 8:45am - 4:15pm

Recording Variance / Special Permit (s): Upon obtaining a properly certified copy of the approved decision, the applicant must bring the same copy to the Worcester District Registry of Deeds and have the decision recorded (Massachusetts General Law, Chapter 40A, Section 11).

Worcester District Registry of Deeds
City Square
90 Front Street, Level 2
508-798-7717
Recording Hours: Monday – Friday 9 am to 4 pm
Closed on State or Federal Holidays
www.worcesterdeeds.com

Lapse of Variance(s): Per the City of Worcester Zoning Ordinance, Article II, § 9 (D)(7): If the rights authorized by a variance are not exercised within one (1) year of the date of grant of such variance, they shall lapse; provided, however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not exceed six (6) months; and provided further, that the application for such extension is filled with such permit granting authority prior to the expiration of such one year period (Massachusetts General Law, Chapter 40A, Section 10).

Lapse of Special Permit(s): Per the City of Worcester Zoning Ordinance, Article II, § 9 (D)(5): If the activity authorized by a special permit granted by the ZBA or SPGA is not initiated within one (1) year of the date of grant of such special permit except in the case of phased construction as approved by the ZBA or SPGA and/or if the activity is not completed within two (2) years, then the special permit shall lapse unless the Director of Code Enforcement makes a determination that failure to complete was for good cause. Otherwise, after a lapse, the special permit may be re-established only after notice and a new hearing pursuant to this Ordinance (Massachusetts General Law, Chapter 40A, Section 11).

YOUR DECISION MUST BE RECORDED PRIOR TO USE OF APPROVED VARIANCE / SPECIAL PERMIT

For more information about the rules and regulations of City of Worcester Boards and Commissions:

1. The City of Worcester Zoning Ordinance and City of Worcester Zoning Map are available online at www.ci.worcester.ma.us. Choose the "Quick Find" option. Then click on "Ordinances and Regulations" and select the appropriate file.
2. Copies of the City of Worcester Zoning Ordinance or Board Rules and Regulations can also be purchased at the City Clerk's office, 2nd floor of City Hall.
3. For more information about M.G.L. Chapter 40A, Zoning: <http://www.mass.gov/legis/laws/mgl/index.htm>