



SPECIAL PERMIT CHECKLIST – CLUSTER ZONING

CITY OF WORCESTER PLANNING BOARD
455 Main Street, Room 404, Worcester, MA 01608
Phone 508-799-1400 x260 - Fax 508-799-1406

STEP 1: SUBMIT AN APPLICATION PACKAGE INCLUDING THE ORIGINAL, ONE DIGITAL, AND FIFTEEN (15) STAPLED COPIES OF THE FOLLOWING TO THE DIVISION OF PLANNING & REGULATORY SERVICES (DPRS):

A. Zoning Determination Form

- Form is provided by the Division of Code Enforcement located at 25 Meade Street.
- Form must be signed by an authorized Code Enforcement staff member. There is no fee for the zoning determination form.

B. Application

- The original, signed application.

C. Certification of Tax/Revenue Collection Compliance

- All 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.

D. Certified List of Abutters

- The original Certified Abutters List, signed by the Assessor (Room 209, City Hall).

E. Plan

- Submit one (1) original and 15 copies of a site plan. Verify with DPRS if your Special Permit also triggers Definitive Site Plan or Parking Plan review. If it does, one set of 15 copies of the site plan will be sufficient for both filings (two separate applications are required, but only 15 copies of the Site Plan).
- See Article V of the Worcester Zoning Ordinance for site plan requirements.
- Verify with DPRS if you will also need to file a Definitive Plan-More than One Building on a Lot.

STEP 2: ALONG WITH THE APPLICATION PACKAGE, SUBMIT THE FOLLOWING TO DPRS:

A. Two (2) sets of Assessor's Address **Labels (listing all abutters and abutters to abutters)**

- Prepared by the Assessor for a fee (Room 209, City Hall)

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

- Create two (2) separate sets of stamped envelopes with Assessor's labels.
- Include two stamped, addressed envelopes for each applicant.
- The return address on the envelopes should be: City of Worcester, Division of Planning; 455 Main Street, Room 404; Worcester, MA 01608
- These envelopes will be used to send notices of the public hearing and outcome.

C. **Appropriate fee. Please make checks payable to the City of Worcester.**

D. **Digital Copy.** All applications, plans and materials must also be submitted as a PDF file to planning@worcesterma.gov prior to or at the time of application submittal to the office. All electronic files must be in the following format:

- ❑ Portable Document Format (.pdf), readable by Adobe Acrobat v.7.0 and later, named by project address and application type (ex. 455 Main Street – Planning Board Special Permit)
- ❑ Minimum resolution of 200 dpi
- ❑ No single file should be greater than 50 MB (collections may be broken into separate files)

Exceptions:

- ❑ Any application items not produced electronically such as hand drawn plans, drawings or hand written applications are not required to be submitted electronically.
- ❑ Plans, drawings and applications created prior to March 2013 that are not available to the applicant in electronic format.

E. Does your project require a new or upgraded electric system? Contacting National Grid early in the process will assist us in meeting your needs for electrical service and help keep your project on track. Call today at 800-375-7405.



STEP 3: FILE ORIGINAL APPLICATION WITH THE CITY CLERK (2nd floor, City Hall). Your application must be processed by the Division of Planning & Regulatory Services before filing with the City Clerk.

DO NOT SUBMIT THIS PAGE – FOR YOUR INFORMATION ONLY



SPECIAL PERMIT APPLICATION – CLUSTER ZONING

CITY OF WORCESTER PLANNING BOARD
455 Main Street, Room 404, Worcester, MA 01608
Phone 508-799-1400 x260 - Fax 508-799-1406

TYPE OF SPECIAL PERMIT (check Special Permit you are requesting)

- | | |
|--|------------------------------------|
| 1. Density Bonus | 5. Adaptive Reuse Overlay District |
| 2. Cluster Zoning | 6. Common Driveway |
| 3. Continuing Care Retirement Community | 7. Wind Energy Conversion Facility |
| 4. Water Resources Protection Overlay District | |

1. Name of Applicant(s): _____

2. Address of Applicant: _____

3. Telephone: _____

4. Email: _____

5. That he / she is the owner (s) lessee (s), optionee(s) (check one) of certain premises situated at _____ Worcester, Massachusetts
(List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).

and that the owner of record is in the name of _____
(The owner of record is the person or entity who owns title to the property as of today's date)

whose address (es) is /are _____, by a deed duly recorded in the Worcester District Registry of Deeds, Book(s) _____, Page(s) _____, and is further described by the City of Worcester Assessor's Office as Map _____ Block _____ Lot _____.

6. Is this property known by any other address? _____

7. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts):

8. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):

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

10. 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 used of the property):

11. 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):

12. List any requested waivers:

13. List any additional information relevant to the Special Permit:

WHEREFORE, the applicant(s) requests that this Board grant the special permit (s) as requested above.

By: _____
(Signature of Applicant or Applicant's Agent)
If more than one applicant, all applicants must fill out information.

(Name of Applicant)

(Address)

(Contact Phone Number)

(Email)

(Date)

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

(Name of Property Owner)

(Address)

(Contact Phone Number)

(Email)

(Date)

****ALL APPLICATION DEADLINES ARE 2:00 P.M. UNLESS OTHERWISE SPECIFIED**
APPLICANTS ARE ENCOURAGED TO FILE BEFORE THE DEADLINE DATE WHENEVER POSSIBLE**

CLUSTER ZONING

The purpose of the Cluster Zoning Article of the Zoning Ordinance is to provide for cluster subdivision developments and cluster developments of designed groups of single family dwellings as a means for more efficient and effective development of Worcester while also protecting its sensitive natural environment and providing for preservation of open space in both natural and improved states.

Review Standards

In addition to its special permit review criteria under Article II of the Zoning Ordinance, the Planning Board shall also consider the Cluster Development's conformance with the following planning and design objectives:

1. It is desirable to decrease municipal costs and environmental impacts through reduction in the length of streets, utilities and drainage systems per dwelling unit served.
2. It is desirable to increase the scale of contiguous area assured of preservation in a natural state, off street pathways and trails, recreation areas open at least to all residents of the cluster and wilderness areas.
3. It is desirable that all existing scenic vistas be respected and preserved and that new scenic vistas be created.
4. It is desirable to increase vehicular safety by having fewer, better located and designed egresses onto existing streets.
5. It is desirable to preserve environmental quality by reduction of the total area over which vegetation is disturbed by cut or fill or displacement; by reduction in critical lands (slopes in excess of fifteen percent (15%), land within 100 feet of a water body, wetlands or streams having outstanding or rare vegetation) disturbed by construction; reduction of the extent of waterways altered or relocated; reductions in the volume of cut and fill for roads and construction sites.
6. It is desirable to have the design and location and materials of the structure(s) on the site be sensitive to the natural environmental conditions, vistas and abutting properties.
7. There should be positive benefit to the City in some important respects, such as reduction of environmental damage, better controlled traffic, and preservation of current character through location of reserved open space.

PLEASE ANSWER THE FOLLOWING QUESTIONS REGARDING THE PROPOSED CLUSTER PROJECT:

1. Explain how the proposed project decreases municipal costs and environmental impacts through reduction in the length of streets, utilities and drainage systems per dwelling unit served:

6. Explain how the proposed project's design, location and materials of the structure(s) on the site are sensitive to the natural environmental conditions, vistas and abutting properties:

7. Explain how the proposed project provides a positive benefit to the City in some important respects, such as reduction of environmental damage, better controlled traffic, and preservation of current character through location of reserved open space:

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: _____

(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 Corporation: Printed Names	Address	% of stock
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

_____	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: _____

(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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CITY OF WORCESTER CERTIFIED LIST OF ABUTTERS

Replace This Page with Certified List of Abutters
From Assessor's Office

List of Abutters: The Applicant shall provide a list of "parties of interest" which shall be attached to the application form and shall include the names and address of all abutters and abutters to abutters within three hundred (300) feet of the Applicant's property line. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department shall certify the list of names and addresses.

MEETING WITH YOUR NEIGHBORS

While not required, it is recommended, when possible, that applicants meet with neighbors prior to the scheduled public hearing to discuss the proposed development. State law requires that direct abutters and abutters to direct abutters within a 300-foot radius of the site receive notification of the hearing. Those abutters will receive a brief notice in the mail from the Division of Planning and Regulatory Services indicating the date and time of the public hearing and the requested Special Permit. In some cases, abutters may have additional questions or concerns about the proposed development that are not answered by the legal notice they receive in the mail. Additionally, abutters may not be able to visit the Division of Planning and Regulatory Services office during business hours to view the actual petition and plan.

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

IF YOUR 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.

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
www.worcesterma.gov

Recording 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).

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 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 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.worcesterma.gov Choose the “Document Center” option. Then click on “City Clerk” and scroll down to Zoning Map or Zoning Ordinance.
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>