

## **ARTICLE VI - SITE PLAN APPROVAL**

### **Section 6-10**

**Section 6-10.1 – Applicability.** This Article identifies those uses subject to site plan approval, sets forth the site plan approval procedure and sets objective criteria for site plan review. No use subject to site plan approval shall receive a building permit nor an occupancy permit until site plan approval is granted as authorized herein.

Site plan approval is a regulatory role of the Planning Board, intended to control site development. The Planning Board shall not deny site plan approval based upon the proposed use of the property if that use is one which is allowed as a matter of right.

Site plan approval is required for all uses of land or buildings located in the following districts: Commercial A, Court Street Mixed Residence/Business, Broad Street Mixed Residence/Business, C.O.R.E., Business A, Business B, Industrial A and Industrial Park. This requirement applies to all new construction in these listed districts. It also applies in these listed districts to any expansion of an existing use and to any change of use of an existing building provided, however, that the expansion or change of use will result in or is contemplated to result in one or more of the following: (10/4/07)

- (a) an increase of floor area of 25 percent or more;
- (b) an increase in motor vehicle traffic at or to the site of 25 percent or more;
- (c) an increase of parking spaces at the site of 25 percent or more;
- (d) an increase in the number of tenants at the site of 25 percent or more;
- (e) an increase in the number of employees at the site of 25 percent or more.

Site plan approval is also required for any use in a residential district where the use in question is subject to the off-street parking requirements as set forth in Article VII, Section 7-10.2 unless, however, the proposed use is one enumerated in Article VII, Section 7-10.2(a).

The Director of Planning and Community Development and the Chairman of the Planning Board shall each have the authority to waive the necessity for Planning Board approval for changes in use of existing buildings, subject, however, to ratification of the waiver by vote of the Planning Board at its next regular meeting. Notwithstanding a grant of a waiver as provided for herein, no building permit nor any occupancy permit shall issue until ratification by the Planning Board. Should the Planning Board fail to ratify a waiver, full site plan review shall be required. (9/16/93)

**6-10.2 – Standards for Approval.** In approving a Site Plan, the Site Plan approving authority may attach such conditions and safeguards, as it deems necessary to protect the health, safety and welfare of the public in general and the immediate neighborhood. Such conditions may impose greater restrictions than are otherwise required by zoning. The Site Plan granting authority shall not approve any such application for Site Plan Approval unless it finds all of the following. (10/7/04)

**6-10.2 – Standards for Approval** (cont'd)

1. That the proposed site plan shall be in conformance with the intent of the zoning district and shall not take precedence over specific provisions of the zoning ordinance.
2. That all buildings, structures, uses, equipment and materials are readily accessible for police and fire protection.
3. That adequate off-street parking and loading spaces are provided to prevent on-street and off-traffic congestion; that all parking spaces, maneuvering areas are suitably identified and designed to meet standards specified within this ordinance; and that provision is made for safe pedestrian movement within and adjacent to the property by the installation of sidewalks.
4. That all proposed pedestrian access ways do not create traffic hazards and are: adequate, but not excessive in number; adequate in width, grade, alignment, and visibility; adequate distance from the street corners, places of public assembly and other access ways; and adequate design for other safety considerations.
5. That the general landscaping of the site complies with the purpose and intent of this ordinance; that existing trees are preserved to the maximum extent possible; that parking, storage, refuse and service areas are suitably screened during all seasons from the view of adjacent residential areas and public rights-of-way.
6. That lighting of the site shall be adequate at ground level for the protection and safety of the public in regard to pedestrian and vehicular circulation; that the glare from the installation of outdoor lights and illuminated signs is properly shielded from the view of adjacent property and public rights-of-way.
7. That all utility systems are suitably located, adequately designed and properly installed to serve the proposed uses, to protect the property from adverse pollution.
8. That the development of the site will preserve sensitive environmental land features such as steep slopes, wetlands, and large rock outcroppings and will attempt to preserve public scenic views or historically significant features.
9. That the location and size of proposed buildings, uses or structures, as well as the nature and intensity of the operations involved or conducted in connection therewith, will be in general harmony with the surrounding neighborhood.

**Section 6-10.3 – Procedure.** Applications for Site Plan Approval, including plans, building elevations and any other information necessary to show the detail of the proposed use of land or buildings shall be made to the Planning Board.

All applications shall include plans of the property, prepared, signed and sealed by a land surveyor, engineer, architect and/or landscape architect, as may be required by the application. Any land surveyor, engineer, architect or landscape engineer shall be registered by the Commonwealth of Massachusetts and all plans must clearly show all improvements and be prepared at a scale of one inch equals not more than 20 feet and not less than 50 feet.

If Site Plan Approval is required for a use or structure that also requires an additional Use Special Permit, said Site Plan Approval shall be heard by the same Special Permit Granting Authority and shall be included as part of that Special Permit Application, and further, any approval, findings and conditions for said Site Plan Approval shall be in addition to and incorporated as a part of the findings and conditions of the Special Permit. (10/7/04)

1. General Information

- a. Name and address of applicant and owner of record as listed on the City's tax rolls. If the applicant is not the owner of record the latter shall also sign the application.
- b. Date, north arrow, and numerical and graphical scale on map.
- c. A written description of the proposed use or uses.
- d. A table or chart indicating the proposed number or amount and types of uses, lot area, lot width, yards, building height, lot coverage, floor area, parking spaces, landscaping and open spaces as they are required.

2. Location Map

- a. An accurate scale map at a scale of 1" = 1000' shall be submitted showing the subject property and all property and streets within 1000'.

3. Easements

- a. Location, width and purpose of all existing and proposed easements and rights-of-way on the property.

4. Buildings and Uses

- a. Location, dimensions area, height and setbacks of all existing and proposed buildings, signs, fences, walls and outdoor storage area. (10/7/04)
- b. Location of all existing and proposed uses and facilities such as swimming pools, lighting, tanks, refuse containers, etc.

5. Parking, Loading and Circulation

- a. Location, arrangement and dimensions of automobile parking spaces, aisles, vehicular drives, fire lanes, entrances, exits and ramps.
- b. Location, arrangement and dimensions of loading and unloading areas.
- c. Location and dimensions of the pedestrian walkways, entrances and exits.

6. Signs and Lighting

- a. Location, size, height, orientation and design of all signs.
- b. Location, size, height, orientation and design of any outdoor lighting, including photometric plans, as appropriate, and documentation supporting compliance with the lighting standards established in Section 4-121. (12/28/17)

7. Utilities

- a. Location and design of all existing and proposed sanitary sewer, storm drainage, water supply facilities and refuse collection areas as well as other underground and above ground utilities. All public utilities shall be placed underground unless the applicant can substantiate that such underground placement is impractical.
- b. All refuse containers shall be screened from view from the street, and wherever possible shall be located at rear of the property. (9/21/89)

8. Topographic Map

- a. The site plan map shall illustrate the existing and proposed conditions of the property including existing and proposed contours at intervals of five feet, referred to the City of Westfield datum, and the location of all existing wooded area, watercourses, wetlands and other significant features and, where appropriate, the boundary of the flood hazard area.
- b. Each street laid out on said map shall bear a name and said name shall be posed on a sign of similar height and measurements as exist on all City ways at each entrance and exit of said street; all lots appearing on said plan must receive a street number from the City of Westfield, no occupancy permit shall be granted by the Building Inspector for any building not displaying its proper street number in a conspicuous place clearly visible from the street or issue such occupancy permit on a street not properly identified by a sign at both entrance and exits in accordance with the height and design of existing street signs. (3/5/90)

9. Landscaping Plan

- a. The landscaping plan shall illustrate the existing and proposed landscape development of the property, including the location, general layout, type and size of buffer or landscape area, plant material, fencing, screening devices, decorative paving, or other materials proposed.

**Section 6-10.4 – Hearing, Notice and Decision.** The Site Plan Approval process shall be the same as that required for a Special Permit (Section 1-50.2-3), except that a Site Plan Approval may be granted upon a majority vote of the quorum present. Where a Site Plan Approval is sought concurrently with a Special Permit, the requirements and provisions of a Special Permit shall govern. (11/15/16)

**Section 6-10.5 – Duration.** A Site Plan Approval shall lapse if a building permit has not been issued for the subject use, or if no building permit is required, if site construction relative to the plan has not substantially progressed, within 2 years of the date of approval. Exception may be made for good cause by the Planning Board. (11/15/16)

**Section 6-10.6 - Effect of Denial.** No application for Site Plan Approval which has been unfavorably acted upon by the Planning Board shall be denied the right to reapply for Site Plan Approval.