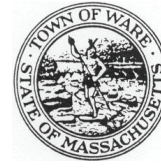


Procedure for Special Permit Applications



Planning Department
 Town of Ware
 126 Main Street, Suite G
 Ware, MA 01082
 413-967-9648 ext. 181
 www.townofware.com

Optional: Applicant meets with Director of Planning & Community Development to check application for completeness prior to submission to Town Clerk.

Applicant files Application for Special Permit with Town Clerk. Town Clerk date stamps the Application. **This starts the time clock.** Applicant submits 10 copies of the full application to the Planning Department.

SUBMISSION REQUIREMENTS

- Filing Fees of \$300 – checks made payable to Town of Ware, one check for \$50 and one check for \$250.
- Certified list of abutters, available from the Assessors Office.
- 10 copies of the site plan per requirements listed in the Zoning Bylaw.

The Planning Department will:

- prepare the Legal Notice and provide Applicant with copies to be mailed to Abutters.
- publish the Legal Notice in the Ware River News for two consecutive weeks.
- send copies of Legal Notice to Planning Board Members and to all Planning Boards of the towns that abut Ware (Belchertown, Palmer, Hardwick, Warren, W. Brookfield, New Salem, New Braintree, and Petersham) by regular mail.
- distribute copies of the application with related documents to all applicable Town Departments.

The Applicant is responsible for mailing legal notices to abutters, by certified return receipt requested mail. NOTE: Abutters must receive legal notice at least 10 days prior to the scheduled hearing. Proof of mailings must be submitted to Planning Department one week before the scheduled hearing.

Planning Board holds hearing within **65 days** of the filing with the Town Clerk.

Within **90 days** of the **CLOSE OF PUBLIC HEARING** or extended time granted in writing, the Planning Board makes a decision on the application. If the Board fails to make a decision within this timeframe, the application is deemed approved (aka constructive approval).

Approved

No: Applicant may not resubmit for two years unless the Planning Board finds specific and material changes in the conditions upon which the decision was made.

Yes: Planning Board files decision and Record of Proceedings with Town Clerk and notifies Applicant and Parties of Interest of Decision and Record of Proceedings by Certified Mail.

The Planning Board may impose conditions, safeguards and limitations or require bond or other security to ensure compliance.

Applicant or any interested party may appeal Planning Board Decision at Hampshire County Superior Court.

Unless an appeal has been filed within **20 days** of the decision being filed, the Town Clerk certifies that no appeal has been filed.

The Town Clerk will mail the decision to the Applicant and provide a copy to the Planning Department. The Planning Dept. will mail a notice of the decision to all parties in interest.

Applicant records Special Permit at Hampshire County Registry of Deeds, 33 King Street, Northampton, MA.

The Special Permit does not take effect until it is filed at the Registry of Deeds.

Applicant applies for building permit if applicable. Note that the Special Permit will lapse 1 year from the date it was granted if it is not utilized by the Applicant. Extensions may be granted for good cause, upon application to the Planning Board.

This flowchart is only a guide. Refer to the Zoning Bylaw for details. Nov. 2011