



**Town of Amherst
Zoning Board of Appeals
APPLICATION**

Application # _____
MUNIS# _____

BC North Square LLC, limited dividend affiliate of
Beacon Communities Development LLC (Project Sponsor)

Name of Applicant

Two Center Plaza, Suite 700, Boston, MA 02108

Address of Applicant

Ruth Silman, Esq Nixon Peabody LLP

Attorney/Designer/Consultant

100 Summer St #2500, Boston, MA 02110

Address

617-574-1132

Telephone # of Applicant

DJameson@beaconcommunitiesllc.com

Email

617-345-6062

Telephone #

- TYPE OF APPLICATION:**
- SPECIAL PERMIT APPEAL FROM DECISION OF BUILDING COMMISSIONER
- VARIANCE COMPREHENSIVE PERMIT

Pursuant to the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts and the Amherst Zoning Bylaws, application is hereby made to the Amherst Zoning Board of Appeals to do the following:

Nature of Request: Comprehensive permit for a mixed-use mixed-income apartment and retail project

Bylaw provision (Section number): 40B

Property Owner: W.D. Cows Inc c/o Mollye Lockwood

Address: 134 Montague Road, PO Box 9677
Amherst, MA 01059

Telephone: 413-559-9307

Signature:
Of Owner

Property Address or Description (if no address):

a portion of 92 Montague Road and 134 Montague Road
North Amherst, MA 01059

Map/Parcel #: 5A-42 & 5A-139

Zoning District(s): RN/COMM

To be filled out by Amherst Building Commissioner:

Date Received

Amherst Building Commissioner

To be filled out by Amherst Town Clerk:

Date Filed

Amherst Town Clerk

To be filled out by Amherst Planning Department:

Date

\$ _____

Fee Received

Received by

- Certified List of Abutters
- One (1) hard copy submission
- One (1) digital submission

Checklist for the ZBA Application Process:

It is best to review the requirements with the Zoning staff before you begin your application.

It is the responsibility of the applicant to furnish all supporting documentation with the application. Please check items on this list to indicate that you have done so, or indicate your requests for waivers at the end of the list.

One hard copy of the following shall be submitted:

- Application:** Every application shall be submitted on the official application form of the Board, provided by the Planning Department. Please provide only the original application form, no copies are needed. All information must either be typed or printed clearly.
- Certified List of Abutters:** A current (no more than 30 days old) and valid “Certified List of Abutters” from the Assessor’s office, signed by the Assessor, is required. It will take 10 working days and a filing fee to get the Certified List of Abutters from Central Services on the first floor of Town Hall. Please see the attached request form.
- Fees:** All applications filed with the Town Clerk shall be accompanied by cash or check made payable to the Town of Amherst in the specified amount. See schedule of fees in this application packet.
- Electronic submission:** Every application shall be accompanied by one hard copy of all submitted materials, including full size plans, to scale. All applications shall include one electronic copy of all information (except the Certified List of Abutters and fee) in a PDF form. All PDF’s and electronic information should be labeled. Submissions may be accepted via email, thumb-drive, or on CD/DVD.

Please note: Prior to a public hearing, Town staff may request up to five hard copies of full size plans for distribution. This will be requested and coordinated by Town staff.

For the following plans, and any other supplemental materials submitted as part of an application, one full size original hard copy AND one digital copy shall be submitted.

- Site Plans:** Unless waived by the Board, all site plans shall be prepared by a Registered Engineer, Surveyor or Landscape Architect, and shall include the following:
 - name of property owner, developer and name of engineer/surveyor/landscape architect or builder
 - date, title and scale of plan
 - separate locus map showing site location and location of buildings on surrounding properties, north arrow
 - all existing lot lines, easements, rights-of-way, size of property in square feet, as well as setback, side and rear yard dimensions as set forth in Table 3 of the Bylaw and zoning district
 - location and use of all existing and proposed buildings and structures, including dimensions and heights
 - location and names of existing or proposed streets, curb cuts, entrances and exits, parking areas, sidewalks, loading/service areas, utility systems
 - existing and proposed contours and finished grade elevations, including location and volume of significant filling or excavations
 - location of all natural features, including significant watercourses, wetlands, water bodies, bedrock outcroppings, stone walls and all trees, including drip lines, of eight (8) inch diameter at breast height (DBH) or larger on the subject property. In addition, all stone walls and trees, including drip lines, to be affected by clearing and/or construction within any portion of any public right-of-way immediately adjacent to the subject property shall also be shown, according to provisions of MGL Ch.40, Section 15C (Scenic Roads Act) and MGL Ch.87 (Shade Tree Act).
 - location of containers and enclosures for storage and disposal of waste, recyclables and, where applicable, waste kitchen oil
 - number and location of parking spaces required (2 parking spaces are required per unit)
 - calculation of total lot area, wetlands, building coverage and total lot coverage

(Plans, continued)

- Building Plans** shall include accurate, scaled renderings of:
 - Elevations, showing exterior facades indicating height, materials, architectural features and colors proposed.
 - Floor Plans with dimensions showing schematic layout, use of interior spaces and means of egress
- Management plan:** Please see attached Management Plan Form.
- Landscape plan** showing proposed vegetation to be planted, including street and shade trees, shrubs and other planting. Parking lot screening, by species and type shall be detailed. Existing vegetation of note (see “Site Plans” above) and any intermittent or year-round streams, ponds or other wetlands shall also be shown.
- Lighting plan** showing location and type of outdoor lighting and lighting fixtures, said lighting to be designed to minimize glare and light spillover onto adjacent properties, streets and the night sky
- Sign plan**, including, but not limited to, dimensions, color, graphics, placement, lettering and any sign lighting

In addition, the Board may require submission of the following information/plans:

- Soil erosion plan**, if applicable, showing measures to be taken to prevent or reduce erosion both during and after construction
- Traffic Impact Statement:** Details may be found in Appendix A of the Board’s Rules and Regulations
- Outside Consultants:** Details may be found in Appendix B of the Board’s Rules and Regulations
- If the property for which the permit is being sought has any tenants or lessees, they must be notified of the application. Please ask for the Planning Department’s “**Tenant/Lessee Notification**” instruction sheet.
- All applications shall be supported by a written project summary detailing all relevant facts of the application.
- All plans and information shall be labeled with the applicant’s name, project address and be dated.

WAIVERS: If you are requesting a waiver from any of the plan requirements, please list them below, along with your reasons. The Board shall have the right to modify or waive any of the submittal requirements, or to request additional information necessary to render a decision.

Please see attached in Tab 8 - List of Waivers

The petitioner shall submit the application and accompanying documents outlined above to the Planning Department, who shall file the application with the Town Clerk for certification.

For time requirements pertaining to public hearings and Board actions, please see the *Zoning Board of Appeals Rules and Regulations*, which are available at the Planning Department or on the Town website at:

<http://www.amherstma.gov/departments/Planning/publications.asp>