

Town of Gill Site Plan Overview

Site plan reviews are a non-statutory tool and are not required or regulated by Massachusetts General Laws (MGL). It is very common, however, for towns to adopt site plan review/approval as part of the local zoning bylaws under MGL Section 40A.

In cases where a special permit and site plan review are required, procedures are consolidated (i.e. one public hearing is held and one decision is written addressing both the use and conditions, if any). If a use is otherwise allowed by right (allowed in the Table of Use Regulations, Gill Zoning Bylaws Section 2B; not requiring a special permit), but is subject to site plan approval, the planning board has the opportunity to set conditions or not approve the site plan as presented, but not to deny the *use*.

Gill Zoning Section 24A The Site Plan Review Bylaw regulates the development of structures and sites for the purpose of protecting the health, safety, convenience and general welfare of the inhabitants of the Town.

Gill Zoning Section 24 A Site Plan Review is required for all commercial and industrial developers.

Gill Zoning Section 24B Site plan approval is required for proposals for commercial, industrial, office, multiple dwelling residential developments, municipal, institutional, utility, fraternal or recreational purposes.

Gill Zoning Section 24C Site plan approval is NOT required for:

- constructing or enlarging single family or two family dwellings, or building accessory to such dwellings;
- any building used exclusively for agriculture, horticulture or floriculture;
- construction or alteration providing for not more than 500 square feet total floor area after construction;
- or customary home occupations as defined in Section 16.

Gill Zoning Section 24D Five copies of the site plan documents are filed by an applicant at a regularly scheduled Planning Board meeting. A copy of the site plan is given by the applicant to the Town Clerk.

Gill Zoning Section 24E A complete application includes a site plan prepared by a registered professional engineer, landscape architect, or architect at a scale of 1 inch equals 20 feet on standard 24" x 36" sheets. Site plan narrative is submitted on 8 1/2" x 11" sheets and includes all data, detail and supporting information outlined in Appendix A of the Gill Zoning Bylaw.

Gill Zoning Section 24D The Planning Board transmits a copy of site plan documents to the Conservation Commission, Board of Health, Historical Commission, and Building Inspector. They have up to 45 days to submit recommendations in writing to the Planning Board. Failure to respond within the allotted time shall be interpreted as non-opposition.

Gill Zoning
Section 24D

A public hearing must be held within 65 days of receipt of an application and the Planning Board must take final action within 90 days from the time of hearing. Public hearing notification and timeframe for decision are the same as for Special Permits (according to the provisions of MGL Chapter 40A, Sections 9 and 11).

While the MGL (Chapter 40A, Section 9) requires a 2/3 vote of boards with more than 5 members to issue a special permit, there is no such requirement for acting on a site plan. Decisions regarding a site plan review may be made with a vote of a simple majority of the planning board (four member of a seven member board).

Gill Zoning
Section 24G

Approved site plans shall lapse within one year if a substantial use thereof has not commenced, except for good cause.