



TOWN OF PALMER

Palmer Town Building
4417 Main Street
Palmer, Massachusetts 01069

Telephone: (413) 283-2605
FAX (413) 283-2637

OFFICE OF THE PLANNING BOARD

Special Permit Application for Work Proposed within Public Right-of-Way on Designated Scenic Road

A check or money order in the amount of \$150.00 made payable to the Town of Palmer must accompany this application to defray the costs of the Public Hearing, notification and recording. The Newspaper will bill advertising costs directly to the applicant. All applicable fees and bills must be paid prior to the issuance of any permits.

Tax Collector authorization verifying that all local associated property taxes are current:

Tax Collector: _____ Date: _____

After submission of all necessary information a hearing will be scheduled for you. You will be notified of the date and time of the hearing.

SCENIC ROADS

The following streets are designated "Scenic Roads" in the Town of Palmer under the provisions of **Chapter 40, Section 15-C of Massachusetts General Law**:

1. Olney Road from the intersection with Rondeau Road to the intersection with Mountain Road (STM, November 18, 2002);
2. Rondeau Road from the intersection with Ware Street at a point at which Rondeau Road intersects with the southern portion of Mountain Road (STM, November 18, 2002); and
3. The entire portion of Robinson Road (STM, June 16, 2003)

PROPERTY OWNER(S): _____

ADDRESS: _____

MAILING ADDRESS: _____

PHONE #: _____

EMAIL: _____

SIGNATURE OF PROPERTY OWNER(S): _____

APPLICANT: _____

ADDRESS: _____

MAILING ADDRESS: _____

PHONE #: _____

EMAIL: _____

SIGNATURE OF APPLICANT: _____

LOCATION OF WORK: _____

MAP # _____ LOT # _____ HOUSE # _____

(Found on tax bill)

Registry of Deeds title reference: Book _____, Page _____

Zoning District: _____

Description of Work: _____

REQUIRED DOCUMENTATION (please initial upon completion)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Detailed project description including the location of the proposed action(s) and proposed changes to trees and stone walls 2. Statement of purpose(s) for the proposed action(s) 3. Plans, drawings, or other explanatory reference materials showing the specific design or engineering details 4. Request of certified abutters list 5. Required application fees of \$150.00 | <p>OFFICE USE ONLY</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> |
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Completed Application Form

Four (4) copies of this form and all supplemental information must be stamped in by the Town Clerk's office prior to submission. One copy stays with the Town Clerk. The original, and two remaining copies, are filed in the Planning Department Office.

Advertising Requirements

The laws governing Special Permits require that a public hearing be advertised in a newspaper of general circulation. The advertisement must appear two times with the first time being not less than fourteen (14) days before the public hearing. The applicant is responsible for the cost of the required advertising. As part of the application fee, the Town of Palmer provides this service. Public hearing notices are published in the Palmer Journal Register through Turley Publications.

Advertising: I fully understand that I am responsible for the cost of advertising the public hearing. I hereby certify that I will pay the invoice for public notice immediately upon receipt.

Signature of Applicant

Date

If you have any questions, please contact the Planning & Economic Development Office at 413-283-2605 or e-mail us at lleduc@townofpalmer.com.

SCENIC ROADS

PALMER CODE of ORDINANCES, CHAPTER 14I

The following sections have been selected due to application relevancy. The entire Chapter 14I may be viewed upon request.

I. §14I-I. AUTHORITY AND PURPOSE:

- A. Authority. This ordinance is adopted under authority of Chapter 40, Section 15C, and Chapter 40, Section 21, of the Massachusetts General Laws and the inherent authority of the Town of Palmer under the Home Rule Amendment to the Constitution of the Commonwealth.
- B. Purpose.
 - (1) The purpose of this ordinance is to help maintain the scenic beauty, aesthetic value, and natural and historic significance of certain roadways within the Town of Palmer by designating them as scenic roads. Any repair, maintenance, reconstruction or paving work done on within the public right-of-way on a scenic road, including, without limiting the generality of the foregoing, utility line maintenance, tree belt renovations, shall not involve the trimming, cutting down or removal of trees, or the tearing down, burial, relocation or destruction of stone walls, or portions thereof without written consent of the Planning Board.
 - (2) This ordinance ensures that:

- a) Town ways will be recommended for designation as scenic roads in accordance with the criteria stated in this ordinance; and
- b) No work which requires the removal or trimming of trees or the destruction or alteration of stone walls within the public right-of-way on designated scenic roads shall occur without following the other procedures set forth in this ordinance; and
- c) Trees on scenic roads will be protected from being cut or removed solely on the decision of any one department.

2. §141-5. PROCEDURES FOR WORK PROPOSED WITHIN PUBLIC RIGHT-OF-WAY ON DESIGNATED SCENIC ROAD:

- A. Filing. Any person or organization seeking the consent of the Planning Board under this section regarding road repair, maintenance, reconstruction, or paving work that may involve the cutting or removal of trees or the tearing down of stone walls, or portions thereof, within the public right-of-way on a designated scenic road, shall file a request with the Planning Board and submit the following information:
 1. The text of the legal notice identifying the location of the proposed action in terms enabling the readers to locate it with reasonable specificity on the ground without the need for additional plans or references, and describing in detail the proposed changes to trees and stone walls;
 2. A statement of the purpose, or purposes, for the proposed action;
 3. Plans, drawings or other explanatory reference materials showing the specific design or engineering details;
 4. Except in the case of Town agencies, a fee sufficient for the cost of advertising and notification;
 5. A list of abutters within three hundred feet of the proposed action as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town. The assessors maintaining any applicable tax list shall certify the names and addresses of parties in interest and such certification shall be conclusive for all purposes; and
 6. Any further explanatory materials useful to adequately inform the Planning Board.

3. §141-6. PUBLIC SHADE TREES:

- A. The portion of this ordinance pertaining to public shade trees shall apply to public shade trees along any way, regardless of whether or not it is

designated as a scenic road; and shall further apply to all actions regarding public shade trees as specified in Massachusetts General Laws, Chapter 87 and this bylaw, regardless of whether or not such actions involve road work.

- B. No public shade tree shall be cut, trimmed, removed, or planted, except in accordance with Massachusetts General Laws, Chapter 87 and this bylaw. When the public shade trees in question are on scenic roads, then notice shall be given, and Planning Board hearings shall be held, in conjunction with those held by the Tree Warden acting under MGL Chapter 87. Consent to an action by the Planning Board regarding public shade trees on scenic roads shall not be construed as consent by the Tree Warden or vice versa. A Planning Board decision shall contain a condition that no work shall take place until all the applicable provisions of MGL Chapter 87 have been complied with.

4. §141-9. DRIVEWAY DESIGN STANDARDS:

At a minimum, driveways shall be consistent with the Town of Palmer Town Manager and Highway Department regulations for residential driveways and curb cuts and shall comply with this ordinance. Only one driveway cut per lot onto any scenic road shall be allowed. A new driveway on a scenic road shall not exceed 15 feet in width. Stone wall sections to be removed for a driveway shall not exceed the driveway width by more than one foot. No tree with a trunk exceeding eight inches in diameter four feet above the ground shall be removed for a driveway unless the curb cut cannot be safely located elsewhere.