



Town of Brunswick, Maine

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT

28 FEDERAL STREET

BRUNSWICK, MAINE 04011-1583

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BRUNSWICK PLANNING BOARD APPLICATION PACKET SPECIAL PERMIT

Overview

Special Permits are governed by Section 701 of the Zoning Ordinance. Special Permits are required for any use that is not permitted or prohibited in the Town of Brunswick. In making this determination, the applicant should check the Use Tables in Chapter 2 as well as any Special Use Requirements related to the use found in Section 306 of the Zoning Ordinance. Any use that is not listed on the table or described in Section 305.

The purpose of the Special Permit process is to determine if uses are appropriate on specific parcels. Uses subject to a Special Permit are not guaranteed as of right. In general, this process was established as way to deal with the reuse of non-conforming structures. The Planning Board may find that a specific use is inappropriate on a specific parcel and deny the Special Permit.

In addition, a site plan is required for the approval of the Special Permit. The Planning Board, in order to deem a Special Permit application acceptable, may require modifications to the submitted sketch plan.

Process

Applications for Special Permit are subject to a public hearing by the Planning Board. A sketch plan of the property indicating the basic layout of the site and configuration of the proposed use is required. The Planning Department will notify all property owners within a 200-foot radius of the site. The Planning Board shall also, at the applicant's expense, place two notices of the Public Hearing in the *Brunswick Times Record*, the first of which must appear at least seven days prior to the Planning Board's Public Hearing.

A Special Permit that is approved or approved with conditions by the Planning Board shall be forwarded to the Brunswick Town Council within seven days. The Council has the authority to elect jurisdiction over the application for up to 30 days after the Planning Board's approval or approval with conditions of the Special Permit. Should it elect to exercise jurisdiction over the application, the Town Council reverses or modify the Planning Board's decision.

All Special Permit applications shall be subject to Development Review after an approval has been successfully granted. The level of Development Review shall be commensurate with the level of development activity proposed.

Standards

The Planning Board will review Special Permits based on the following criteria:

- The extent to which the proposal furthers the goals of the “Planning Area” in which the application is located.
- The compatibility of the proposal in terms of scale to its surroundings.
- The extent to which the application is harmonious in design
- Enhancement of pedestrian oriented character where applicable
- Compliance with other provisions of this zoning ordinance.

The Planning Board may deny an application if substantive, objective evidence is submitted by any person entitled to notice that demonstrates that the proposal will adversely effect their enjoyment of their property, or will devalue their property.

Application Materials

An application for Special Permit must be accompanied with the following:

- Sketch Plan of the property indicating the basic layout and configuration of the proposed use. This should include a site layout showing building and parking locations, proposed landscaping; as well as drawings depicting the size of buildings, locations of loading areas, vehicle circulation, as applicable to the project.
- Building Elevation Drawings indicating existing and proposed building and window proportions, rooflines, spacing of doors and windows, and orientation to public streets.
- Application Form

Determination of Completeness of the application is made by the Planning Board. Applications are due 15 days prior to the scheduled Planning Board hearing.

Fees

The fee to submit a Special Permit application is \$200.00.

The applicant shall also be responsible for paying a \$200.00 deposit to cover the costs associated with running the public hearing notice two times in the *Times Record* and the cost of notifying abutting property owners within 200’ of the subject property. All monies not used for mailings or advertisements will be returned to the applicant at the end of the Special Permit process.

**APPLICATION/CHECK LIST
SPECIAL PERMIT FOR UNCLASSIFIED AND OMMITTED USES
BRUNSWICK PLANNING BOARD**

1. Applicant:

Name: _____

Address: _____

Phone #: _____

2. Business:

Name: _____

Address: _____

Phone #: _____

3. Property/Building Owner:

Name: _____

Address: _____

4. Assessor's Tax Map # _____ Lot # _____ of subject property.

5. Zoning District _____

6. Street Address of Parcel(s) For Consideration: _____

7. Planning Area (See Appendix I): _____

Applicant Signature: _____

SUBMISSION REQUIREMENTS

- Site Plan. If copies are greater than 11" x 17", submit 17 copies of all materials. Otherwise, one copy is sufficient. Site plan should include all elements indicated in the application packet.

On this form, or on a separate letter to the Planning Board, please indicate your responses to the following:

1. How does your application further the Planning Goals for the Planning Area in which your property is located. Please indicate each of the Planning Area Goals with your response.

2. How many square feet of space is the proposed use going to occupy? _____.
Is this use to be located within an existing structure? _____ If a new structure(s)
is proposed how many square feet is the structure(s)? _____

3. How many people are to be employed at this site should the Special Permit be granted?

4. If this involves a residential component, how many dwelling units are proposed? _____

5. How many customers are likely to use the site during the course of a day? _____ week?
_____. Please anticipate peak demand.

6. How many service vehicles per week do you anticipate? _____

7. What are the sizes of vehicles that will service the business should the Special Permit be granted? _____

8. If you are reusing a structure, demonstrate the mutual benefits associated with your application request. (In other words, how will this project provide a benefit to its larger area in spite of the fact that it may be occurring within a pre-existing structure that is generally larger than typically found. _____

9. Explain how this application enhances or further maintains a pedestrian oriented character for the larger neighborhood. _____

**NOTIFICATION
SPECIAL PERMIT APPLICATION
FOR UNCLASSIFIED AND OMMITTED USES**

Pursuant to Section 701 of the Brunswick Zoning Ordinance, land uses that are neither permitted nor prohibited may be considered by the Planning Board, subject to a Special Permit. Notice is required to be forwarded to any property owner within 200 feet of the lot boundaries of the proposed permit.

Applicant: _____

Business Name: _____

Proposed Land Use: _____

Street Address of Property: _____

Zoning District of Property: _____

The Planning Board will conduct a PUBLIC HEARING on this Special Permit application on _____. As a person entitled to notice, you may submit comments on the proposal to the Planning Board, or may provide testimony at the Public Hearing. The Planning Board may deny the Special Permit if it finds that, based on evidence provided by persons entitled to notice that the proposal shall 1) adversely effect the enjoyment or use of your property; or 2) that the proposal will devalue such property.

The application is on file at the Planning Office. For further information contact 725-6660.

**NOTICE OF PLANNING BOARD PUBLIC HEARING
FOR SPECIAL PERMIT
FOR UNCLASSIFIED OR OMMITTED USES**

Pursuant to Section 701 of the Brunswick Zoning Ordinance, land uses that are neither permitted nor prohibited may be considered by the Planning Board, subject to a Special Permit. Notice is required to be placed in this newspaper two times, the first notice appearing at least seven days before the hearing.

Applicant: _____

Business Name: _____

Proposed Land Use: _____

Street Address of Property: _____

Zoning District of Property: _____

The Planning Board will conduct a PUBLIC HEARING on this Special Permit application on _____ . All members of the public are encouraged to attend. The application is on file at the Planning Office. For further information contact 725-6660.