



# TOWN OF ANDOVER

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**TOWN OF ANDOVER  
PROCEDURES FOR BUILDING PERMIT APPLICATIONS  
FOR CERTAIN EXEMPT USES  
(RELIGIOUS USES, EDUCATIONAL USES, CHILD CARE FACILITIES)**

**WHEREAS**, 780 CMR 105.3.1 requires the building inspector to determine conformance with all pertinent laws before issuing a building permit; and

**WHEREAS**, 780 CMR 105 permits the building inspector to require a general description of the proposed work; and

**WHEREAS**, 780 CMR 107 permits the building inspector to require the submittal of plans and specifications; and

**WHEREAS**, 780 CMR 107.2.9 permits the building inspector to require the submittal of a site plan;

**NOW THEREFORE**, the Inspector of Buildings of the Town of Andover hereby establishes the following requirements for an application for a building permit for certain uses protected by the provisions of MGL Chapter 40A, Section 3: religious uses, educational uses, and child care facilities. It is the intent of these requirements to provide for an appropriate and timely review of proposals covered under MGL Chapter 40A, Section 3, and to ensure the application of reasonable regulations that would advance legitimate municipal interests without adversely affecting the operation or use of a proposal.

**A. Site Plan:**

Site plans shall be submitted on 24-inch by 36-inch (24"X36") sheets. Multiple sheets may be used. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements of the State Building Code and the Andover Zoning By-Law are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of one-inch equals forty feet (1"=40'). A site plan shall show:

1. All boundary line information pertaining to the site, and existing and proposed topography at two-foot (2') contour intervals.
2. Existing and proposed buildings and structures, including fences, loading areas, accessory buildings, signs, waste disposal areas, and storage areas; the location of all structures within fifty (50) feet of the site boundaries.
3. Provisions for water, including fire protection measures.
4. Provisions for sanitary sewerage, including connection to municipal sewer service lines or on-site disposal.

5. Storm drainage facilities, including connections to municipal facilities, and on-site detention or retention facilities, and calculations to support the design of new facilities, and ensure that the capacity of existing facilities is not exceeded and the site or adjacent properties will not be adversely impacted.
6. Parking, walkways, driveways, and other access and egress provisions. Access shall be sufficient to provide safe vehicular and pedestrian movement to, from, and within the site, including that which may be required for fire or other life safety vehicular access.
7. Existing trees of ten-inch (10") caliper or greater, and existing tree/shrub masses; proposed planting, landscaping and screening.
8. Existing and proposed exterior lighting.
9. Additional information as may be required by the State Building Code.

**B. Narrative Reports:** A narrative report shall be submitted containing the following information:

1. A description of the on-site and off-site impacts of the proposed project, including traffic, drainage, noise, and other environmental factors prepared by qualified experts.
2. A list of proposed zoning deviations from the requirements set forth in the Andover Zoning By-Law.
3. A statement as to why compliance with each zoning requirement for which a deviation is sought would substantially diminish or detract from the usefulness of a proposed or existing structure without appreciably advancing the Town's legitimate concerns.
4. A statement as to why compliance with each zoning requirement for which a deviation is sought would substantially impair the character of the institution or the site without appreciably advancing the Town's legitimate concerns.
5. A statement as to how compliance with each zoning requirement for which a deviation is sought would impose excessive cost of compliance without significant gain in terms of municipal concerns. In this regard, the applicant should be prepared to identify the premium costs required to comply with the specific requirement for which a deviation is sought.

**C. Documents:**

1. For educational uses, evidence that the proposed use will be located on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by a religious sect or denomination, or by a nonprofit educational corporation.
2. For religious uses, evidence that the proposed use will serve a primary religious purpose.

**D. Number of Plans, Narrative Reports and Documents to be submitted:** At least eighteen (18) copies of all plans, narrative reports and documents shall be submitted.

**E. Advisory Reviews, Comments and Recommendations:**

In order to make a complete analysis and evaluation of a proposal, and pursuant to the authority provided under the State Building Code, the Inspector of Buildings will require that appropriate advisory reviews of the site plans and other required documents and information be conducted through the Interdepartmental Review (IDR) process, and by the Planning Board. Upon receipt of an application the Inspector of Buildings shall cause to be distributed copies of all plans and documents submitted under these requirements. The Planning Board shall conduct its review pursuant to its procedures, rules and regulations, and shall provide the Inspector of Buildings with a report which shall include

any reasonable conditions recommended by the Board to be appropriate and in accordance with the provisions of MGL Chapter 40A, Section 3, and which are intended to advance the Town's legitimate concerns.

**F. Time Periods:**

The time period for the Inspector of Buildings action on an application for a building permit subject to the foregoing requirements may be extended beyond that provided for under 780 CMR 105.3.1 for a period of up to sixty (60) days by written agreement between the Inspector of Buildings and the applicant, and any such agreement shall be filed with the Town Clerk.

The foregoing procedures and requirements are hereby adopted by the Inspector of Buildings of the Town of Andover effective May 12, 2000, revised November 18, 2024.

Date: 11/20/24   
Christopher A. Clemente, Building Commissioner/Inspector of Buildings

(Note: All references to 780 CMR are from the Tenth (10<sup>th</sup>) Edition of the State Building Code)