INSTRUCTIONS FOR FILLING OUT AN APPLICATION FOR VARIANCE/PERMIT/APPEAL

STEP 1. Decide the purpose for your application and choose one of the four.

A.) **VARIANCE** if you are applying for relief from a Zoning By-law requirement such as a setback, frontage or lot size. Please refer to Zoning Bylaw [Section 1.5](#) and Sections 10.3 through 10.6.

B.) **SECTION 6 FINDING.** This applies to non-conforming single-family and two-family residential structures legally existing on or before the effective date of the Zoning Bylaw (initially adopted in 1974) or any amendment of the Bylaw. Please refer to Zoning Bylaw Section 1.6.

C.) **APPEAL OF BUILDING INSPECTOR’S DECISION** if the Building inspector has given a letter of denial and you disagree with that decision and desire to have the Zoning Board of Appeals to reconsider it. An applicant must file an appeal within 30 days from the date of the Building Inspector’s decision.

D.) **COMPREHENSIVE PERMIT**- This applies to projects seeking to develop affordable housing under the provision of [Massachusetts General Law Chapter 40B, §21](#).

STEP 2. Complete application with all signatures including the Tax Collector.

STEP 3. A plot plan of the entire parcel, drawn to scale and certified and stamped by a certified land surveyor or certified civil engineer showing the proposed work. The plan must be legible and show current and proposed conditions including lot lines; location of buildings; dimensions of the lot including lot size, frontage, setbacks, building height, and lot coverage; location of abutting roads; landscaping and environmental features. The plan must include a scale, north arrow and date. Mortgage survey plans and Septic Installation plans will not be accepted.

STEP 4. Include photos of the subject property including an aerial and photos of the property including any buildings and environmental features.

STEP 5. Include the letter of decision from the Building Inspector, if applicable.

STEP 6. A certified list of names and addresses of all abutters, and abutters to abutters, with a 300-foot radius of all property lines, must be obtained from the Assessor’s Office. This list must be included with the application.

STEP 7. When the plan is complete, the application and plans must be stamped by the Town Clerk.

**When all is complete:** Go to the Planning and Economic Development Department and bring:

- Seven copies and one digital copy of the application, map, and photos
- A check for $200 made out to the Zoning Board of Appeals if applying for a Variance, Section 6 Finding, or Appeal of Building Inspector Decision application
- A check for $300 made out to the Zoning Board of Appeals if applying for a Comprehensive Permit application.
WHAT HAPPENS AFTER YOU SUBMIT THE APPLICATION?

PLEASE MEET WITH THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF WHEN YOU SUBMIT THE APPLICATION TO ENSURE A COMPLETE APPLICATION AND AN EXPLANATION THE PROCESS.

1. The Planning and Economic Development Department staff will determine the soonest meeting when the application can be heard by the Zoning Board of Appeals and prepare the Notice of Public Hearing and will send it for publication in the Sun Chronicle, as required by law. A copy of the Notice will be sent to you, along with cost information detailed below. The Notice will be mailed to all abutters listed in the application by certified mail, return receipt requested, as required by law.

2. You, as applicant, are responsible for the cost of both mailings and the cost of publication. The cost of mailings is currently $6.67 per abutter, and the cost of publication will be determined by the Sun Chronicle. Before the hearing a letter will be sent to you with the cost of the mailing and the two publications (one for two weeks before the hearing and one for one week before hearing). The two checks should be submitted before the public hearing.

3. Hearings will be held as scheduled in the Notice. The Applicant and/or representative will be asked by the Chair to explain to the Board what the request is, the hardship involved, and to answer questions. Anyone present, in favor of or in opposition to, will be asked to speak. After the public hearing is complete, the Board will discuss the request and make a decision on the application.

4. Within ten days after the hearing, a formal Decision will be prepared by the Secretary of the Board and filed with the Town Clerk’s office. A copy of the Decision will be mailed to you and to the abutters. There is a 20-day appeal period from the date of said filing with the Town Clerk for anyone opposing a granted variance/permit/appeal. If no appeal is filed, a certified copy of the Decision must be obtained by applicant from the Town Clerk and recorded by you with the Bristol County Registry of Deeds. The receipt from this recording must be brought to the Town Clerk, copy of front page with barcode must be returned to Building Inspector. Copy of Decision with Barcode returned to the Zoning Board to become effective and for you to continue.

If the variance/permit/appeal is denied, the applicant may file an appeal in Superior Court within the 20-day appeal period.

If you have any questions, please contact the Planning and Economic Development Department at 508-285-0278.