

ATTLEBORO ZONING BOARD OF APPEALS

General Information

Effective May 2014

I. GENERAL INFORMATION:

1. Applications facilitated by the Zoning Board:

- Special Permit Petitions (unless otherwise specifically noted, the Zoning Board is the special permit granting authority)
- Variance Petitions
- Appeals of the decision of the Building Inspector

2. Timeframe:

- **Special Permit Applications:** The Zoning Board must conduct a public hearing within sixty-five (65) days of the filing date of the petition with the Office of the City Clerk and must render a decision within ninety (90) days from the close of the public hearing. The Zoning Board may extend the timeframe upon written mutual agreement with the petitioner.
- **Variance Applications:** The Zoning Board must conduct a public hearing within sixty-five (65) days of the filing date of the petition with the Office of the City Clerk and must render a decision within one hundred (100) days from the filing date of the petition with the Office of the City Clerk. The Zoning Board may extend the timeframe upon written mutual agreement with the petitioner.
- **Appeals:** The Zoning Board must conduct a public hearing within sixty-five (65) days of the filing date of the petition with the Office of the City Clerk and must render a decision within one hundred (100) days from the filing date of the petition with the Office of the City Clerk.
- **Filing of Decisions:** The Clerk of the Zoning Board must file all decisions rendered by Board with the Office of the City Clerk within fourteen (14) days of the decision date and not later than the decision deadline, whichever is sooner.
- **Appeal Period:** Once a decision of the Zoning Board is filed with the Office of the City Clerk, a twenty (20) day appeal period commences during which time any “party-in-interest” may file an appeal of the Zoning Board decisions pursuant to MGL CH. 40A, §17 (THE ZONING ACT).

II. APPLICATIONS FILING INSTRUCTIONS:

1. In accordance with §9-31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, **no application will be processed if real estate taxes, licenses and permit fees or any other municipal charges are owed by either the applicant or the property owner.**

NO APPLICATION WILL BE PROCESSED UNLESS THE CITY COLLECTOR AND THE CITY TREASURER INITIALS PAGE 2 OF THE APPLICATION.

2. Applicants must use the attached Application Form provided in the Department of Planning and Development. Applications must be complete and accurate before they may be filed. Applications must be typed or very legibly written.
3. Before filing an application with the Office of the City Clerk, applicants are encouraged to stop by the Department of Planning and Development for purposes of having an application checked by the staff for accuracy and completeness.
4. **Filing Fee:**
 - Special Permit \$150.00
 - Special Permit – Multi-Family Residential \$175.00 plus \$10.00 per dwelling unit
 - Special Permit – Earth Removal \$325.00 plus \$50.00 per acre, or fraction thereof
 - Variance \$125.00
 - Appeal \$100.00
5. Applicants must file the following with the Office of the City Clerk.
 - One (1) copy of the petition containing all required original signatures
 - One (1) copy of the site plan
 - One (1) copy of the certified list of abutters
 - Application Fee (made payable to the City of Attleboro)
6. The petitioner must submit the following to the Department of Planning and Development after filing the petition with the Office of the City Clerk.
 - One (1) copy of the application
 - Seven (7) copies of the site plan. Site plans shall be prepared in a proper and professional manner and at an appropriate scale, but no smaller than 1"=80'. Site plans shall contain all existing and proposed information, including but not limited to, principal and accessory buildings, parking spaces/lots, landscaping, lighting fixtures, open space areas, wetlands, topographic contours, streets, driveways, curb cuts, walls, fences, walkways, bufferyards, dimensional information, screens (such as vegetative screens), a perimeter plan of the lot, lot area and dimensions, structural setbacks from property lines, and the north arrow. The Zoning Board reserves the right to request any other reasonable information that it deems helpful to evaluate a site plan, such as drainage reports and traffic studies (the Board requires that such documents be signed and stamped by, for example, a professional engineer).
 - Two (2) copies of the certified list of abutters and two (2) copies of adhesive labels.
 - The list of abutters, which must accompany the petition, consists of (as such information appears on the most recent applicable tax list in the Office of the City Assessor): **(a)** name and address of the applicant, **(b)** name and address of the property owner, if different than the applicant, **(c)** name and address of the representative of the petitioner, if any, **(d)** name and address of all direct abutters, **(e)** name and address of abutters to abutters within three hundred (300') feet, **(f)** name and address of those persons directly across the street from the subject premises. The names and addresses must be typed on the enclosed form as well as on the adhesive labels. **Also, the list of abutters must be certified by the City Assessor before the petition is filed with the Office of the City Clerk.**

7. Once the application is filed with the City Clerk's Office, the Department of Planning and Development is responsible to schedule the public hearing, to make arrangements to have the matter advertised in the local newspaper, and to notify by mail the petitioner and persons on the certified list of abutters of the date, time and place of the public hearing. Unless otherwise specified, all meetings of the Zoning Board are held at City Hall.
8. The petitioner and/or a representative is required to attend the public hearing for purposes of answering any questions that the Zoning Board may have.

III. OTHER

1. All substantive and procedural aspects of a special permit, variance, and appeal are pursuant to MGL CH. 40A and the ZONING ORDINANCE. It is recommended that the petitioner obtain the ZONING ORDINANCE from the Office of the City Clerk in order to familiarize oneself with the contents of the applicable section(s) of a requested activity.
2. The applicant and those persons listed on the List of Abutters will be notified by mail by the Department of Planning and Development relative to the date, time and place of the public hearing. Unless otherwise specified, all meetings of the Zoning Board are held at City Hall.
3. The Zoning Board requires that petitioner and/or a representative attend the public hearing for purposes of answering any questions that the Board may have.

If there are any questions, please feel free to contact the Department of Planning and Development 508.223.2222 (telephone) or 508.222.3046 (facsimile):

GARY G. AYRASSIAN, Director of Planning and Development (ext. 3143)

STEPHANIE DAVIES, Senior Land Use Planner (ext. 3142)

TARA ANN MARTIN, Conservation Agent (ext. 3145)

LAUREN STAMATIS, Planning Administrator (ext. 3141)



CITY OF ATTLEBORO, MASSACHUSETTS

Zoning Board Appeals

Government Center, 77 Park Street

Attleboro, Massachusetts 02703

(508) 223-2222 Fax 222-3046

Specify Type of Application(s):

SPECIAL PERMIT – check all that apply

- | | |
|---|---|
| <input type="checkbox"/> Principal Use | <input type="checkbox"/> Earth Removal |
| <input type="checkbox"/> Accessory Use | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> Multi-Family Housing | <input type="checkbox"/> Comprehensive Permit |
| <input type="checkbox"/> Non-Conforming Situation | <input type="checkbox"/> Other (Specify) |
| <input type="checkbox"/> Home Occupation | |

VARIANCE – check all that apply

- | | |
|--|---|
| <input type="checkbox"/> Area | <input type="checkbox"/> Front Yard Setback |
| <input type="checkbox"/> Lot Frontage | <input type="checkbox"/> Rear Yard Setback |
| <input type="checkbox"/> Lot Width | <input type="checkbox"/> Side Yard Setback |
| <input type="checkbox"/> Percent Building Area | <input type="checkbox"/> Other (Specify) |

APPEAL

Please attach a copy of the Building Inspector's letter/decision.

CITY CLERK USE ONLY

Filing Date: _____
 Filing Time: _____
 City Clerk Initial: _____
 Filing Fee: \$ _____

SUBMISSION CHECKLIST

- 1 Copy of Application
- 7 Copies of Site Plan
- 2 Lists of Abutters
- 2 Copies of Adhesive Labels

Note : If a multiple application such as a special permit and variance is filed, the fee must reflect both applications, less \$75.00.

1 . Petitioner (print): _____

Signature: _____

2 . Address: _____

E-Mail Address: _____

Telephone #: _____

3 . Property Owner: _____

Signature: _____

4 . Address: _____

E-Mail Address: _____

Telephone #: _____

5 . Address of Subject Premises: _____

6 . Assessor's Plat #: _____ Lot #: _____

7 . Dimensions Of Lot –

Frontage: _____ Area: _____

Lot Width: _____ Depth: _____

8 . What zoning district(s) are the subject premises located? _____

9 . How long have you owned the subject premises? _____

10 . What is the present use of the subject premises? _____

11 . Are there any buildings on the premises (if so, please describe them including their dimensions)?

12 . Describe the subject premises (e.g. terrain, septic system, description of area, etc.).

13 . Describe proposed activity (if applicable).

14 . Cite (sub)section(s) of the Zoning Ordinance under which application is made.

15 . State grounds for the special permit and/or variance or appeal – please be specific (use separate sheet if necessary).

16 . Pursuant to §9-31, Delinquent Taxpayers of the Revised Ordinances of the City Of Attleboro, I attest that I, to the best of my knowledge, have paid any and all municipal charges.

Signature of Owner: _____ Date: _____

Type or Print: _____

Signature of Applicant: _____ Date: _____

Type or Print: _____

Please Note: This application cannot be processed unless initialed by both the City Collector and City Treasurer.

Debora Marcoccio, City Collector _____ Date: _____
Laura L. Gignac, City Treasurer _____ Date: _____

HOW TO DRAW A ZONING BOARD OF APPEALS REQUIRED SITE PLAN

CITY OF ATTLEBORO DEPARTMENT OF PLANNING AND DEVELOPMENT

This handout has been prepared to assist applicants prepare a site plan when applying to the Zoning Board of Appeals.

What is a Site Plan?

A site plan is an accurate drawing of a property that includes the dimensions and configuration of a property, as well as the dimensions and distance to the lot lines of all structures and other man-made features on the property (fences, parking lot, driveways, signs etc.). Site plans show both what currently exists on your property and what changes an applicant is proposing which would change the physical appearance of the property.

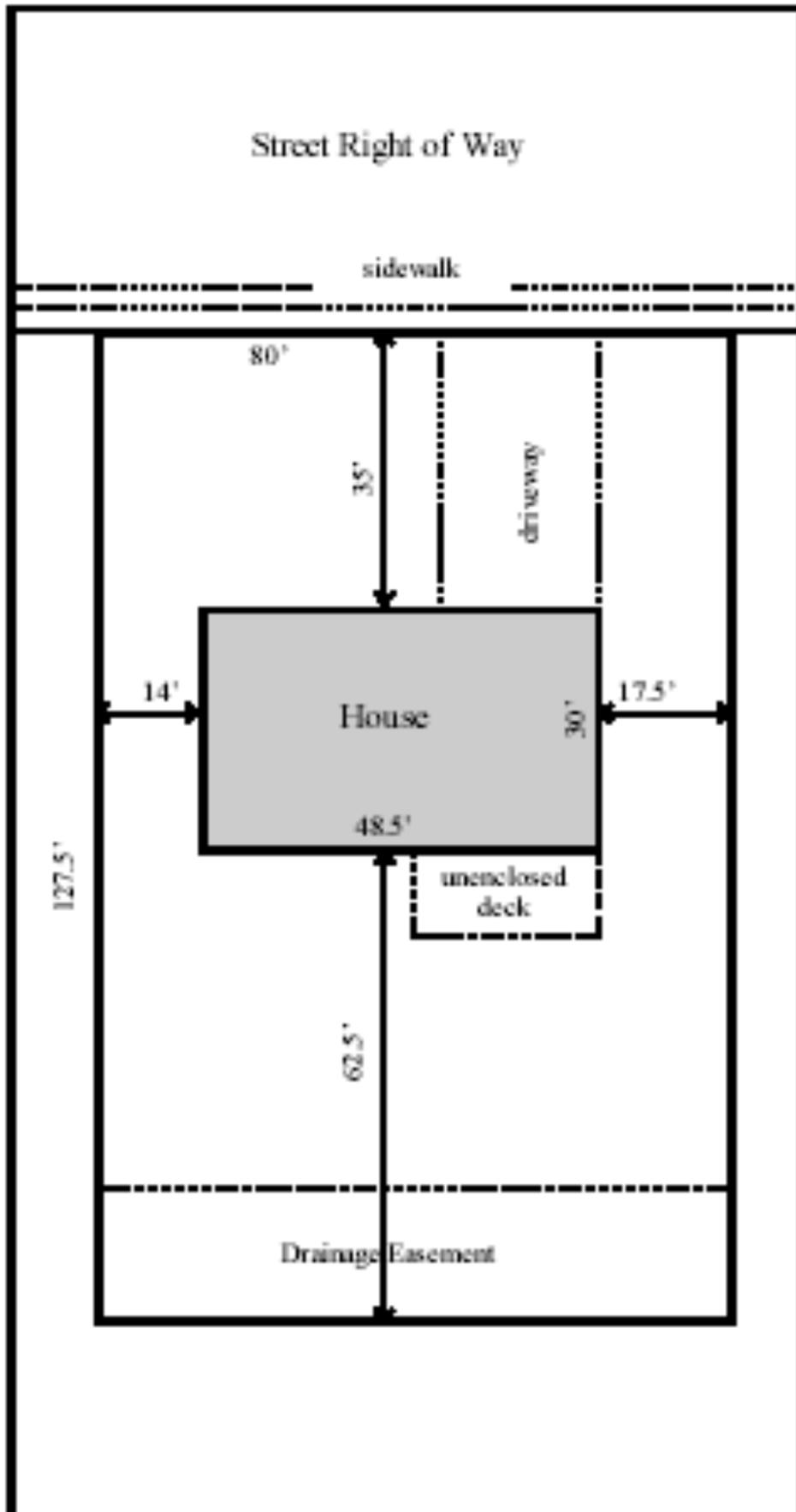
How to prepare a Site Plan.

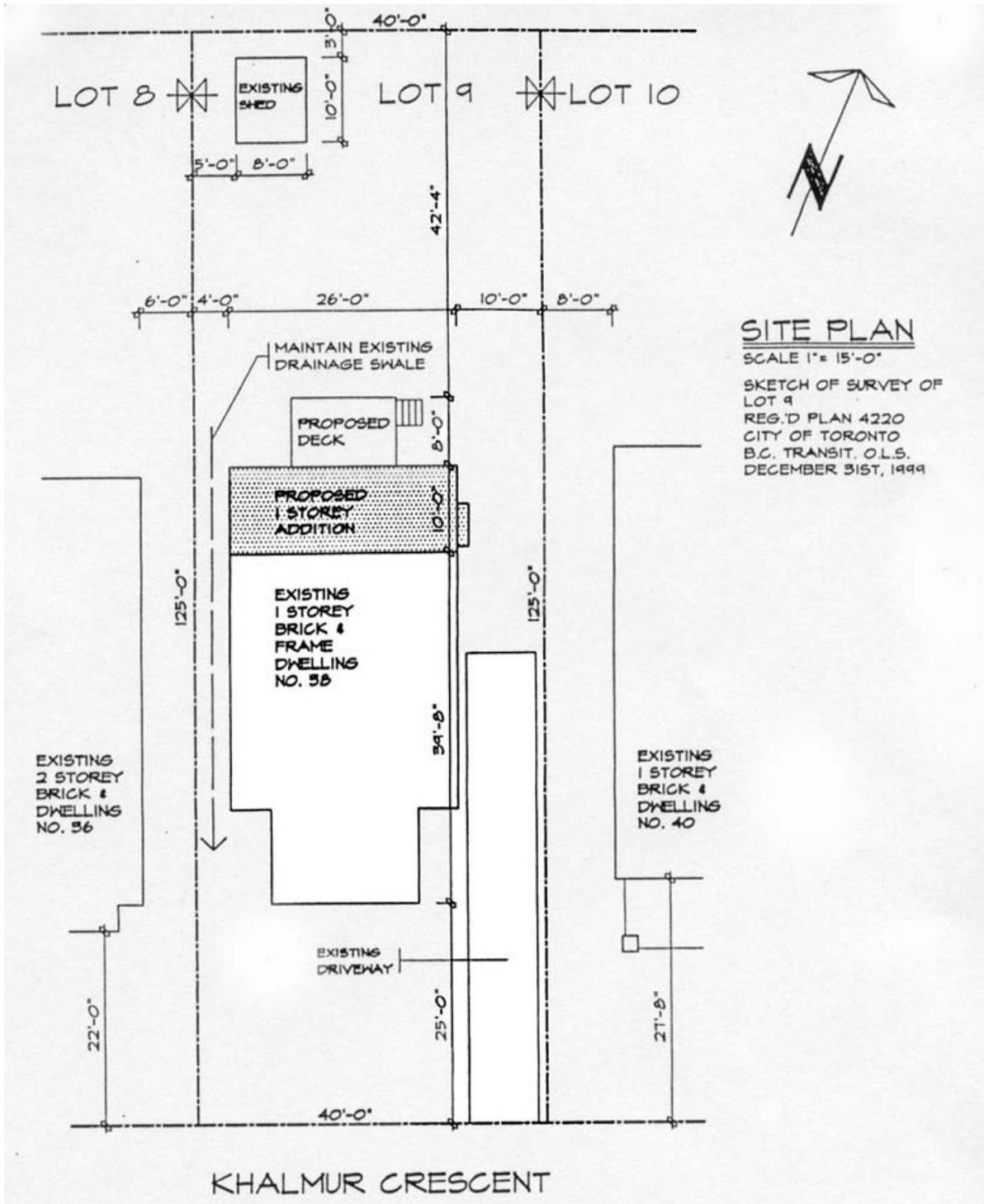
1. Determine the property boundaries. The following methods may assist an applicant to determine the location of their property lines.
 - a. refer to the surveyor's map that accompanies your real estate deed;
 - b. obtain a copy of the Assessor's plat map of your property;
 - c. obtain a copy of your Building Inspection "As-Built" plan;
 - d. ask Department of Planning and Development employee to print an Attleboro GIS map of your property;
2. Determine the location of all structures and other features to be shown on the site plan
 - a. measure the size of all buildings and features on your property;
 - b. determine the distance of all buildings and features to your property lines;

3. Draw the Plan

- a. Using an engineer's scale, select a scale that will permit you to draw the plot plan so that the information is not crowded together and so that it is large enough to be easily read by someone who is not familiar with your property (e.g. 1"=20').
- b. It is easiest to draw site plans in the following order:
 1. draw in the property lines,
 2. add the existing features,
 3. display new additions and features,
 4. draw notes and dimensions last
 5. indicate the new work with notes and cross-hatching;
- c. Most Site Plans Need to Display the Following:
 1. property lines and property dimensions,
 2. location, size, and shape of all existing and proposed structures,
 3. location and dimensions of all existing and proposed parking areas,
 4. location and dimensions of all existing and proposed driveways,
 5. any easements that cross the property or other pertinent features,
 6. a north arrow,
 7. identification of the drawing's scale,
 8. dimensions showing front, side, and rear setbacks, size of structures, paving, porches and decks,
 9. roof overhangs, and other architectural features such as bay windows and chimneys,
 10. identification of the proposed work, including the changes that are proposed to the physical features of the site or existing structures,
 11. streams, and drainage ditches,
 12. any wetlands on the property,
 13. the location of the 100-year flood plain if applicable,
 14. ground elevations and contour lines for sloping sites or where earth grading is proposed;

Examples of a Site Plans:





SITE PLAN

SCALE 1" = 15'-0"
 SKETCH OF SURVEY OF
 LOT 9
 REG'D PLAN 4220
 CITY OF TORONTO
 B.C. TRANSIT. O.L.S.
 DECEMBER 31ST, 1999

KHALMUR CRESCENT



CERTIFIED LIST OF ABUTTERS

Submit this completed form to the Assessor's Office on the first floor of City Hall (77 Park Street).
The Assessor's Office will call you when your list and mailing labels are ready to be picked up.

City Assessor's or designee's initials: _____ Date: _____

Type of Application: _____

Property Address: _____

Assessor's Plat Map #: _____

Assessor's Plat Lot #: _____

Name of Applicant: _____

Telephone Number: _____

Name of Property Owner: _____

Signature of Property Owner: _____

Telephone Number: _____

THE "ABUTTERS LIST" WILL NOT BE PROCESSED UNLESS TAXES ARE CURRENT.