



TOWN OF GROTON
ZONING BOARD OF APPEALS
173 Main Street
Groton, Massachusetts 01450
TEL (978) 448-1121

Application Checklist

In order to be complete, your application must contain at least the following:

1. ____ Eight copies of application and map. Must be signed by applicant, owner and condominium association agent, as applicable.
2. ____ \$159.00 fee for special permit, variance, and administrative appeal, which includes a 6% administrative fee.
3. ____ Map or plot plan showing structures, boundaries, dimensions, setbacks, or any other information necessary to support the application.
4. ____ Bylaw provision under which application is filed.
5. ____ Relevant street names and lot numbers.
6. ____ Abutters list certified by the Assessors' Office.

Dawn Dunbar, Town Clerk: _____

Date filed: _____ .



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Application Instructions

Variances, Special Permits, and Administrative Appeals

These instructions are intended to guide applicants through the application process and are divided into two parts. Part I focuses on the content of the application itself, and the numbering of items in Part I corresponds to the numbering in the application form. Part II relates to more general filing requirements. If you have any questions contact Amanda Urmann, Zoning Coordinator, at 978-448-1121.

The boards will schedule a public hearing no sooner than four weeks after receiving a completed application. The time lapse is necessary for the publication of hearing notices and for informing abutters. The Board usually conducts its hearings on Wednesday evenings. The application or the applicant's representative must attend the initial hearing and every continuation that follows.

After the hearing concludes and the decision is filed with the Town Clerk, aggrieved parties may appeal to the court in accordance with G.L. chapter 40A, section 17. Appeals to the court usually must be filed within 20 days of the date the decision is filed in the Town Clerk's office.

Part 1. Application Requirements

Section A. General Information (all applications)

1 & 2. These sections are self-explanatory; please provide both the applicant's name and the owner's name. If the applicant is not the owner, he/she must provide the documentation of authority to submit the application on behalf of the owner.

3. Please identify the type of relief you are requesting by checking the appropriate item. You will be required to state the basis for the request in following sections.

4 & 5. The parcel's ID's, lot number(s) and zoning district of the property may be obtained from the official town maps located in the Assessors' Office or at the Building Department counter at Town Hall. This information is also available online from the Town website www.grotonma.gov by going to the "Groton GIS" link found at the top of the site's home page.

6. To obtain a Certified Abutters List, fill out the request form included in this application package and file it with the Assessors' Office. For timing purposes, you should allow ten days or consult the Assessors' Office regarding when the list will be ready.

7. It is the applicant's responsibility to provide adequate factual information to support the application. In simple or routine applications, the maps, plans and drawings may be hand drawn and need not be professionally done. However, it is imperative that the submission be complete and accurate.

8. If the applicant or any member of his/her family has owned or controlled abutting property at any time since 1962, provide the requested information.

9. State whether there were any delinquent unpaid real estate taxes for the property as of the date the application was filed.

Section B. Variances

10. **In the case of a variance, the following points**, based on Chapter 40A, Section 10 of the Massachusetts General Laws and the Groton Zoning Section 218-2.4. B (2), **must be clearly addressed with factual support:**

- a. Describe the particular land or structure and/or the use proposed for the land or structure.
- b. Identify the variance(s) from the specific Zoning Bylaw being requested.
- c. Explain the particular circumstances relating to the soil conditions, shape or topography of the land and structures and especially affecting the land or structure for which the variance is sought but not generally affecting the zoning district in which it is located.
- d. State the facts that comprise the substantial hardship, financial or otherwise, which would result from the literal enforcement of the applicable zoning restrictions with respect to the land or structure for which a variance is sought.
- e. State the facts to support a finding that the relief sought will be without substantial detriment to the public good.
- f. State the facts to support a finding that the relief sought may be given without nullifying or substantially derogating from the intent or purpose of the Groton Zoning Bylaw.

Section C. Special Permits

11. **In the case of a special permit, the following points**, based on the General Laws, Chapter 40A and the Groton Zoning Bylaw, **should be clearly addressed with factual support.**

- a. Describe the particular type of use proposed for the land or structure.
- b. Identify the specific section of the Groton Zoning Bylaw authorizing the special permit particularly including whether the special permit is for a use designated in section 218-5.2 of the Groton Zoning Bylaw or is authorized under some other section of the bylaws.
- c. Explain the conditions and character of operations of the current and proposed uses which show that it will be in harmony with the general purpose and intent of the zoning district and the bylaw.
- d. Describe the nature of the proposed use in relation to both the general and specific provisions of the bylaw governing that use and the district in which it is located.

Section D. Renewal of Special Permits

12. Self explanatory. Use additional sheets as necessary.

Section E. Administrative Appeals

13. Self explanatory. Identify the specific action (or failure to act) from which relief is sought and described in detail the specific facts upon which you rely. Include whatever supporting documentation you may have.

Part II. General Filing Requirements

To be considered *complete*, your application must include the following information:

14. The original signed (by applicant, owner and condominium association agent, as required) copy of the Board of Appeals application form stamped by the Town Clerk.

15. Eight copies of the complete Board of Appeals application form.

16. Eight copies of a recent (no more than 3 months) Certified Abutters List from the Assessors' Office. Please allow 10 days for the request to be compiled.

17. Eight copies of the Deed. If the petitioner is not the owner, he/she must provide to the Board a copy of the Purchase and Sale Agreement or any other documentation, that entitles him/her to have standing.

18. One set of at least four current photographs of the premises. Include a photograph of the front, the rear and the sides. Additional views may be submitted.

19. Eight copies of a plan indicating the following:

- The address, square footage of the lot, and the zoning district in which the property is located.
- Names of abutting streets.
- All existing structures on the lot with relevant setbacks from the affected lot lines.
- Dimensions of the proposed addition or structure, including bay windows and chimneys, and all relevant setbacks.
- Existing and proposed square footage of all structures on the lot.
- Driveways.
- Garages and location of garage doors.
- Location of all structures on immediately abutting lots.
- All easements, streams and/or wetland areas.
- Location of wells and septic area.
- If applicable, existing and proposed percentage of lot coverage and existing and proposed maximum building coverage expressed in square feet.
- A map showing where in town the property is located.

20. Eight copies of construction plans, no larger than 11" by 17", including the following:
- Existing and proposed floor plans for all levels affected by the proposed structure.
 - Existing and proposed elevation drawings of all sides of the structure affected by the proposed structure.
 - Maximum height of the structure.

21. If this is an application for a Continuance, Expansion, or Re-establishment of a non-conforming use, the information you provide should include:
- How the property is presently used.
 - How the property, structure or use will be modified.
 - Evidence that the premises, or non-conforming use of the premises, existed at the time of the original adoption of the Zoning Bylaw.

22. Filing Fees:
- Special Permit, Variance and Administrative Appeal - \$159 (includes 6% administrative fee)

23. You may include any additional exhibits or information you feel may be helpful to your application. The Board may request additional information and may conduct a site walk.



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Application Form

For office use only:

Received by Town Clerk: _____ ZBA File No. _____
Date application filed: _____

Section A. General Information (all applications)

1. Applicant's name _____
Address _____; Telephone No. _____

Owner (if different) _____
Address _____; Telephone No. _____

2. Legal Standing. Check all that apply:

- a. Owner
- b. Owner's agent (e.g., attorney, real estate agent) (include written authority)
- c. Contractual party (include written authority)
- d. Aggrieved party (G.I. c. 40A, sec. 8)

3. Purpose of applicant. Check one of the following:

- a. **Petition for Variance** from section(s) of the Zoning Bylaw (also complete Section B below).
- b. **Application for Special Permit** authorized by section(s) _____ of the Zoning Bylaw (also complete Section C below).
- c. **Application for renewal or alteration of Special Permit** (also complete Section D below).
- d. **Appeal of action by Building Commissioner or other administrative official** under section(s) of the Zoning Bylaw
- e. Other (explain basis for seeking relief from the Board of Appeals)

4. **Identify the property** in question by Map and Parcel numbers as recorded on the Assessors' Map (and, if different, as recorded in the Registry of Deeds) and provide the street name(s) and number(s): _____

5. Check the **zoning district**

Residential-Agricultural Residential-Business Village Center Business
 Neighborhood Business General Business Industrial
 Official Open-Space Public Use

6. Submit a **Certified Abutters' List**, stating the names and addresses of all abutters to the property from the Assessors' Office. A form for that purpose is included at the end of this application (see Instructions section A.6).

7. The applicant must provide complete and accurate information from which the Board of Appeals can assess the application. Furnish **whatever maps, plans, drawings and photographs** as needed to explain clearly the matter you are submitting to the Board. At a minimum, show (a) all boundaries defining the property in question, (b) all existing and proposed structures, (c) any changes to existing structures, and (d) locations and approximate dimensions of structures on immediately abutting properties. Failure to provide such information will render the application incomplete and delay the Board's consideration.

8. State whether the applicant or any family members now or since 1962 **owned or controlled property abutting the lot(s)** identified by this application. yes no

If yes, for each lot state:

<i>Lot Number</i>	<i>Dates of Ownership</i>	<i>Owner</i>	<i>Relationship to Applicant (Owner)</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9. As of the date of filing this application, are there any delinquent and **unpaid real estate taxes** on the property? yes no

Section B. Applications for Variances

10. Please **explain the variances you are requesting** (e.g., reduced setback, insufficient frontage, etc.), including a detailed and quantitative description of the relief requested (such as number of feet lacking in frontage or setback) and the reasons you believe justify the variance. Refer to Section B.10 of the Instructions and to the Zoning Bylaw, especially §218-2.4 B (2) for specific legal requirements. Include in your explanation how a variance from zoning requirements is necessary due to the particular **(a) soil conditions, (b) shape or (c) topography** of the property. Attach additional sheets as necessary.

Section C. Applications for Special Permits

11. Identify the section of the zoning bylaw which authorizes your request for a special permit and explain the purpose of your special permit application.

12. State the facts you believe justify the granting of this special permit (see Instructions, section c).

Section D. Renewal of Special Permit

13. Attach a copy of the original special permit decision, together with all renewals, extensions or modifications, and describe any changes to the property or its use and the reasons justifying renewal of the special permit.

Section E. Appeal of Administrative Action

14. Describe the specific action(s) being appealed. Include with your application any notice, letter or communication comprising the administrative action. State the reasons you believe the administrative action is in error. Submit whatever documentation you may have to support your position (attach additional sheets if necessary).

Condo Association Agent

Owner's Signature

Applicant's Signature