



## BOXBOROUGH ZONING BOARD OF APPEALS

29 Middle Road, Boxborough, Massachusetts 01719

Phone: 978.264.1722

[www.boxborough-ma.gov](http://www.boxborough-ma.gov)

### APPLICATION PROCEDURES

\*\*Refer to Comprehensive Permit Rules for additional submission requirements.\*\*

1. The applicant shall submit 1 *original* set including the following:
  - A form entitled “APPLICATION”;
  - A certified list of abutters obtained from the Assessor’s Office;
  - A full-sized plan of the site drawn, dated, and signed by a registered engineer, according to the stipulations below **or** the applicant shall request a waiver of such requirement;
  - One reduced 11” x 17” set of plans;
  - Any supporting materials; and
  - 1 electronic PDF version** of the above.

*Additionally*, applicant shall submit the following:

- 8 hard copies of a form entitled “APPLICATION”;
  - 3 full-sized copies of the site plan drawn, dated, and signed by a registered engineer, according to the stipulations below **or** the applicant shall request a waiver of such requirement
  - 8 copies of the reduced 11” x 17” set of plans; and
  - 8 copies of any supporting materials.
- A) The plan shall be drawn, dated and signed by a registered engineer or land surveyor, to a scale of 40 feet or less to the inch, except for individual lot details which shall be drawn to a scale of 20 feet to the inch. All vertical profile scales shall be 1 to 4.
  - B) Each plan shall have a north point, as well as the name of all streets, zoning districts and owners of properties within 300 feet of the property line of the subject property.
  - C) The area, frontage and location of all structures, existing and proposed, on the subject property as well as all streets and ways therein or adjacent thereto shall be shown on said plan.
  - D) Where a variance or special permit is requested, the distance of each structure from all adjacent buildings and property lines shall be shown on the plan so as to be subject to verification in the field. The dimensions of the subject lot, the percentage of the lot covered by the principal and accessory structures and the required parking spaces shall be shown.
  - E) Whenever such information shall be material to an application, the plan shall also show all entrances, exits, driveways, parking spaces, service areas and other open uses, significant spot elevations in relation to mean sea level, signs and exterior lighting, all facilities for sewage, refuse and other waste disposal, all facilities for surface water drainage, and all principal landscape features including fences, walls, planting areas and walks.
  - F) If the topography of the lot or lots is one of the reasons for the application, or if any portion of the lot or lots in question are in the Wetlands and Watershed Protection District, a separate plan shall be furnished showing the grade lines of each such lot.

- G) Every application for the construction or alteration of one or more buildings shall be accompanied by a plan showing the location and use of rooms within the building.
- H) All proposed modifications shall be shown in red for clarification.

The Board may deny any application that is not accompanied by a plan that complies with all of the above requirements.

- 2. The applicant shall submit a check for application and mailing fees [refer to ZBA Fee Schedule]. Mailing fees are calculated based on current first class 1-oz postage for 2 sets of mailings to each abutter.
- 3. The applicant shall attach information as to which department or board rejected the original application together with a copy of such written denial, i.e., building inspector, planning board, conservation commission, and selectmen.
- 4. If the subject property is located in the Town Center District, the applicant shall submit an additional complete ZBA application for the Design Review Board. Additionally, the applicant must submit to the ZBA an original and 8 copies of the Design Review Board Application together with the plans and materials specified in Addendum A of “Design Guidelines” for approval by the Boxborough Design Review Board.
- 5. If this is a petition seeking the modification or reversal of the action of some board or official, or their refusal to act, state the following in response to #6 on the “APPLICATION”:
  - A) Name of such board or official.
  - B) Action or failure to act by which you are aggrieved.
  - C) Date of such action, or in the case of a refusal to act, the date and manner in which action was requested.
  - D) Attach a copy of the official rejection order.
- 6. All real estate taxes, fees and fines applicable to this property shall be paid in full pursuant to Article 8 of the Special Town Meeting Warrant held on October 20, 1986 and 27, 1986 and approved by the Attorney General on November 18, 1996.

NOTE: The Zoning Board of Appeals may deny, revoke or suspend any appeal, variance or permit, including any request for modification or amendment to same, whose name appears on said list furnished to the licensing or permitting authority from the Tax Collector; provided however, that written notice is given to the Party and the Tax Collector.

### **ZBA PROCEDURES**

- 1. In the event of an application of unusual complexity or expense, the Board shall charge an additional fee to the applicant measured by its estimate of the costs that the Town shall incur to process, consider and evaluate said application. The Board may require the hiring of an expert(s) to evaluate the information submitted at a hearing. The applicant is responsible for this expense.
- 2. Applicant submits 1 original set and copies as noted above of all pertinent material. The original copy is submitted to the Town Clerk and a copy is submitted to the Planning Board for their review and comment prior to the hearing.
- 3. If the property to be considered in the application is within 100 feet of the wetlands, then the applicant should file simultaneously a Notice of Intent to the Conservation Commission. This allows

the Conservation Commission time to hold their hearing and have their Order of Conditions by the date of the Zoning Board of Appeals hearing.

4. The Zoning Board of Appeals reviews new submissions at their next scheduled meeting and sets a hearing date for this application, unless the Board determines more information is needed.
5. Once a date is set, the legal notice is submitted to the newspaper and the applicant is billed directly by them. Additionally, copies of the legal notice are mailed to all abutters and distributed to the Planning Board, Conservation Commission, Building Inspector, Board of Health and Board of Selectmen.
6. Prior to the hearing date, the Planning Board may submit a written report regarding the application.
7. Prior to the hearing date, the Conservation Commission may submit a written report and copy of their Order of Conditions for the hearing.

For further information, call Mary Nadwairski at 978.264.1722 Mon/Tues/Wed 9:00 – 4:00.