



Town of Stockbridge Massachusetts

Application to the Zoning Board of Appeals

FOR OFFICE USE ONLY: Date filed with the Town Clerk _____

FOR ZBA USE: Advertising dates: _____ & _____ Public hearing date _____

INSTRUCTIONS: You may download this form and fill it in on your computer. Fill out all applicable information. Save and print the form, and sign it where required. When you are ready with your form and all supporting plans and materials, deliver to the Town Clerk's Office along with payment. You will need to submit the original and 7 full copies of the entire package along with a digital copy. Incomplete applications and those not accompanied by the required fee or copies may be rejected.

TIMELINE: The Zoning Board of Appeals (ZBA) will set a public hearing date that is no more than 65 days from the date of your filing. The hearing date will be posted at Town Hall and in accordance with the Open Meeting Law, and notice of the hearing will be sent to the Applicant and/or Applicant's agent and abutting property owners by mail, and advertised for two consecutive weeks in the local newspaper.

A. WHAT ARE YOU SEEKING? Check all that apply. If you are unsure, please consult with your attorney, or the Building Inspector.

- ☐ **VARIANCE** (exempts a property from some Zoning requirements)
- ☐ **APPEAL** (to overturn a decision of Building Inspector or a Board)
- ☐ **Extension or Alteration of a Non-Conforming Use, Structure, or Lot**
- ☐ **Site Plan Review**
- ☐ **Abbreviated Site Plan Review**
- ☐ **Special Permit: (State Type)**
- ☐ **Comprehensive Permit**

B. SITE / PROPERTY INFORMATION

Address of Subject Property _____

Assessor's Map: _____ Lot: _____

Registry of Deeds Book: _____ Page: _____

Zoning District (s): _____ Existing Lot Size: _____

Overlay District(s), if any: _____

C. APPLICANT AND OWNER INFORMATION

Applicant's Information:

Name (please print) _____

Phone (area code first) _____

Street Address _____

City, State, Zip Code _____

If Applicant is a corporation, provide name of contact person: _____

Email Address _____

Signature _____

☐ Check here if Applicant and Property Owner are the same, and skip to the next section.

☐ Check here if Applicant is different than the Property Owner, and to verify that you have the Property Owner's permission to file to file this Application.

Property Owner's Information:

Enter Property Owner's information EXACTLY as it appears on the most recent tax bill. Property Owner's Information:

Name (please print) _____

Phone (With area code) _____

Street Address _____

City, State, Zip Code _____

Email Address _____

Signature _____

D. VARIANCES If you are requesting a variance, please answer all of the following.
Attach additional sheets if necessary.

1) From which Section(s) of the Zoning Bylaw do you request a variance?

2) What are the circumstances relating to the soil conditions, shape, or topography of the land or structures, and especially affecting your property or structures but not affecting generally the zoning district in which your property or structure is located?

3) Describe how the literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, to you due to the circumstances referenced in the previous question.

4) Explain why the substantial hardship noted above is not a result of your own actions.

5) Describe how desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Stockbridge.

6) What will the requested variance(s) enable you to do?

7) Are there any previous Special Permits, Variances, Appeals and/or Building Permits for this property? No ☐ Yes ☐

E. SPECIAL PERMITS

If you are requesting a special permit, please answer all of the following.
Attach additional sheets if necessary.

- 1) A special permit is being requested in order to (please describe project):
- 2) This application is made under the following Sections of the Zoning Bylaw (check all that apply)
- 3) Reason(s) that this property is not in conformance with the Zoning Bylaw, if applicable.
- 4) Are there any previous Special Permits or Variances for this property? No ☐ Yes ☐

F. APPEALS

If you are seeking an appeal, please answer all of the following. Attach additional sheets if necessary.

- 1) This application is to appeal the decision of ☐ Building Inspector ☐ Board of Selectmen ☐ Planning Board
- 2) Date of decision
- 3) Nature of the decision (include a copy of the decision)
- 4) Applicable Section(s) of the Zoning Bylaw
- 5) Describe your interpretation of the nature of the decision and the remedy you seek. Attach additional sheets if needed.

G. REQUIREMENTS FOR ALL APPLICATIONS

By checking the items below, applicant acknowledges that each application is accompanied by each of the items listed below.

- ☐ Project narrative; a thorough description of the existing conditions and/or use; the proposed changes; justification of the proposal; and any other relevant information.
- ☐ Existing and Proposed Site Plan of the entire property including all perimeter dimensions and area of the property. The Board may require the plan to be signed by a licensed surveyor or engineer, particularly if the matter involves dimensional issues. The plan should include a scale drawing showing all property lines, distances from buildings or proposed buildings, septic location, wells, other structures and their distances from said boundaries. The location of any soil conditions or topography which would affect a variance should also be indicated.

H. APPLICATION FEE AND SUBMISSION

Application fee is **\$200**. The additional cost of publication of notice of public hearing and mailing costs will be invoiced to and paid by the applicant prior to hearing.

☐ Check here to confirm that your check in the appropriate amount is enclosed. Make checks payable to Town of Stockbridge.

☐ Check here to confirm that you have submitted the original application and 7 full copies of the entire package along with a digital copy (flash drive or emailed to Town Staff) to the Town Clerk. Incomplete applications and those not accompanied by the required fee or copies may be rejected.

I. ADDITIONAL INFORMATION

Recommending Boards: All applications to the Zoning Board of Appeals are referred to the Building Inspector, Planning Board, Conservation Commission, Board of Selectmen and Board of Health for comments and recommendations. Applicants should be prepared to attend those meetings in order to brief those boards of their project and answer any questions.

Site Visits: The ZBA and recommending Boards may contact the Applicant to request a site visit. Applicants agree to facilitate access to the site at a mutually convenient date and time.

Timeline/ Procedures: The ZBA conducts its business in accordance with Massachusetts General Laws. Accordingly, the ZBA will hold its Public Hearing not later than 65 days after the filing of the application. A decision for a variance or appeal will be rendered not later than 100 days from the filing date, and the decision will be filed with the Town Clerk within 14 days after expiration of those 100 days. A decision for a special permit will be made and filed with the Town Clerk not later than 90 days after the close of the Public Hearing. The appeal period lasts for 20 days after the filing with the Town Clerk. On the 21st day, if no appeals are filed, or once all appeals are resolved, the applicant shall have the decision certified by the Town Clerk. The Applicant is responsible for then filing the decision with the Registry of Deeds, at which time the decision becomes effective.

Guidance and Counsel: In preparing this application and when presenting the case to the ZBA, applicants are advised to be fully familiar with, or seek counsel from a qualified person who is familiar with, the Zoning Bylaw and other rules, regulations, and laws as may be appropriate. If you wish to discuss the completeness of this application, or have any questions about this application, please contact the Town at 413-298-4170. However, we will not discuss the merits or strategy of your case.

Applicant's Signature: "I have read and I understand all of the information on this application."

_____ (signed) _____ (date)