

TOWN OF WESTFORD
ZONING BOARD OF APPEALS

55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

Application Package

Special Permits, Variances, Use Variances and
Administrative Appeals (Appeals of the Building Inspector's Decisions)

To determine if you must petition the **Westford** Zoning Board of Appeals:

- Refer to the Town of Westford Zoning Bylaws
- Inquire at the Permitting Office (2nd floor Town Hall)
- Consult an Attorney

Please note that it is not appropriate for any members of the Board to review the specific details of your situation outside of the Public Hearing.

In order to fulfill the requirements of MGL Ch. 40A, applications must be submitted, in completion no later than 12:00 noon four weeks prior to the scheduled hearing date. Hearings are usually held on the third Wednesday of the month.

The Applicant or applicant's Representative is required to attend all Public Hearings. If the applicant or applicant's representative is not present at a hearing the Board will either continue the hearing or, in order to avoid a constructive grant, deny the application.

The following is required by the Board of Appeals when you submit a petition in accordance with MGL Ch. 40A and the Town of Westford Zoning Bylaws.

Make thirteen (13) individual packets up of the following information:

1. Thirteen (13) copies of the completed Board of Appeals application form.
2. Application form(s) stamped by Town Clerk. (Once assembled into 13 individual packets)

3. Thirteen (13) copies of the Assessor's Property Record Card (may be obtained from the Assessor's Office).
4. Thirteen (13) copies of a recent (no later than 3 months old) 300 foot (300') Certified Abutters List from the Assessor's Office (Please allow 10 days for request to be compiled).
5. Two (2) sets of mailing labels for each name on the Certified Abutter's List (Available from the Assessor's Office for an additional cost).
6. Thirteen (13) 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, which entitles him/her to have standing.
7. Thirteen (13) sets of four (4) current photographs of the premises. Include a photograph of the front, the rear and the sides. Additional views may be submitted.
8. Thirteen (13) copies of a Plot Plan indicating the following:
 - Address, square footage of the lot, and zoning district in which 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 lot
 - Driveways
 - Side-facing garages, location of garage doors, and relevant setbacks
 - Location of all structures on immediately abutting lots
 - All easements, streams and/or wetland areas
 - Location of wells, if applicable, and septic
 - Existing and proposed percentage of lot coverage
 - Existing and proposed maximum building coverage expressed in square feet

9. Thirteen (13) copies of all construction plans, which shall include the following:
 - Name of designer
 - Date of plan design
 - Name and address of applicant
 - Existing and proposed floor plans for all floors affected by the proposed structure.
 - Existing and proposed elevation drawings of all sides of the structure affected by the proposed structure
 - Plans shall be no larger than 11" by 17"

10. If this is an application for a Continuance, Expansion, or Re-establishment of a non-conforming use, the information you provide describing the basis for your petition should include:
 - How the property is presently used.
 - How the property will be enlarged or changed to a specific new use.
 - Evidence that the premises, or non-conforming use of the premises, existed at the time of the original adoption of the Zoning By-Law.

11. If this is a petition for a Variance from the terms of the Zoning By-Law, the information you provide describing the basis of your Petition should include:
 - How soil conditions, shape or topography of the lot affect your land or structure but not the rest of the zoning district.
 - How a literal enforcement of the Zoning By-Laws would involve substantial hardship, financial or otherwise.
 - How your Petition may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law.

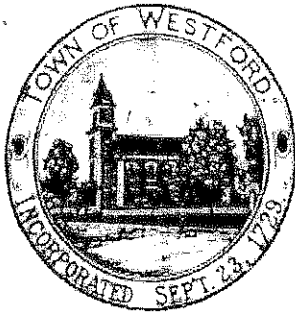
12. Filing Fee:
 - Variance - \$200
 - Special Permit - \$200
 - Administrative Appeal - \$200
 - All petitions require a fee of \$3.68 x the number of abutters as shown on the Certified Abutter's List, to be paid in a separate check made out to the Town of Westford. (The Notice of Public Hearing gets mailed out Certified and the Decision is mailed 1st class)

13. You may include any additional exhibits or information you feel may be helpful to your Petition. The Board may request additional information at the time of the public hearing.

14. All parties filing the Petition or their attorney must sign the Petition.

15. **Third Party Billing Form**

16. **DIGITAL COPY OF ENTIRE FILING**



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Special Permit

Date: _____

Pursuant to the provisions of Section _____ and Section 9.3 of the Zoning Bylaw, the undersigned hereby makes application for a Special Permit for the premises located at _____ in the following respect _____

Said premises are located within a _____ District, a District in which the above requested use is only allowed with the granting of a Special Permit. Therefore, a hearing before the Town of Westford Zoning Board of Appeals is requested at its next meeting.

The reasons for the above request are as follows: _____

FEE: _____

OWNER OF PROPERTY: _____

MAILING ADDRESS: _____

PHONE AT WORK: _____ HOME: _____

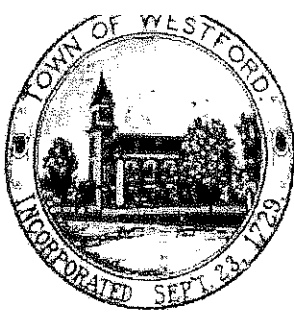
SIGNATURE OF OWNER: _____

PETITIONER (if other than owner): _____

MAILING ADDRESS: _____

PHONE AT WORK: _____ HOME: _____

SIGNATURE OF PETITIONER: _____



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Special Permit (Section 6) Finding

Date: _____

Pursuant to the provisions of MGL Ch. 40A Sec. 6, the undersigned hereby petitions your Board for a Special Permit that the reconstruction, extension, structural change or change in use of the pre-existing nonconforming lot located at: _____

shall not be substantially more detrimental to the neighborhood than the existing nonconforming lot.

Said change in the lot shall consist of:

Should the Board conclude that said alteration/addition will intensify or add to the existing nonconformance, the undersigned hereby requests a Finding that said alteration/addition will not be substantially more detrimental to the neighborhood than the existing nonconforming lot

A hearing, therefore, is requested at your next Board meeting.

FEE: _____ ZONING DISTRICT: _____

OWNER OF PROPERTY: _____

MAILING ADDRESS: _____

PHONE AT WORK: _____ HOME: _____

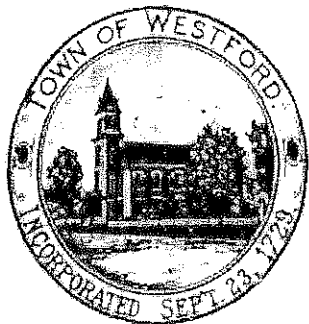
SIGNATURE OF OWNER: _____

PETITIONER (if other than owner): _____

MAILING ADDRESS: _____

PHONE AT WORK: _____ HOME: _____

SIGNATURE OF PETITIONER: _____



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3rd Party Billing Form

Date: _____

To: Beacon Community Newspapers
Legal Notice Department

I hereby authorize the Beacon Community Newspapers to bill me directly for the legal notice to be published in the _____ on _____.
This legal notice pertains to a _____.

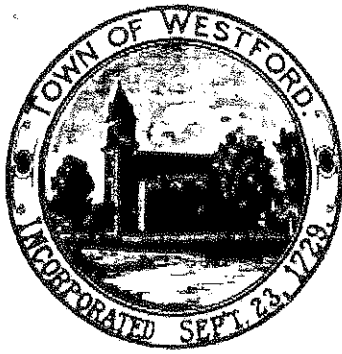
Signed: Applicant/Authorized Agent

Date

Print Name: _____

Address: _____

Phone: _____



TOWN OF WESTFORD

OFFICE OF THE ASSESSORS

Town Hall
55 Main Street
WESTFORD, MA 01886
(978) 692-5504 FAX (978) 399-2556

REVISED POLICY FOR ABUTTERS LIST

Effective August 6, 2009

This revision follows the guideline as published by the Secretary of the Commonwealth and known as "A Guide to the Massachusetts Public Records Law".

- 1) The Request is to be on a form created and provided by the Westford Assessors Office.
- 2) A **\$10.00 (Ten Dollar) deposit** must be paid at the time of the request. **No exceptions.** An Abutters List will not be started or completed until the deposit is paid. The Abutters Request Form, provided by this office, lists all other fees and services that can be provided along with the stated cost.
- 3) You will be called when the Abutters List has been completed and is ready to be picked up. You will also be notified of any pending balance due.
- 4) **All unpaid balances must be paid before the Abutters List is released.**

The acceptance of a filed form and paid deposit fulfills this Office's obligation and compliance to respond to a request for information within 10 calendar days per the Massachusetts Public Records Law (MPRL). MPRL says that a records custodian has 10 calendar days to respond to a request by accepting or denying said request for information.

Once accepted by the Assessors Office, this office will make every effort to comply, create, and certify an Abutters List within 10 (Ten) business days. This time frame has been interpreted and is assumed to be a reasonable time to complete said list or request for information. Any request for a RUSH will charged double the normal fees and will be done on a case by case basis as needs and time frame are determined.



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August 6, 2009

Effective immediately, policy and procedures for Abutters List Request is set forth as follows, per Massachusetts Public Record Law, updated March 2009 as published by the Secretary of the Commonwealth.

Excerpts from the Massachusetts Public Records Law

Keeping in compliance with the Massachusetts Public Record Law (MPRL), this revision is to further clarify the process to which the Assessors' Office will be following in accepting requests and completing said requests for an Abutters list.

1) Massachusetts Public Record Law and Frequently Asked Questions, updated March 2009

- A) (MPRL page 1, paragraph 7): "A records custodian must respond to your request within 10 calendar days" (MPRL page 6, paragraph 4): "The records custodian must respond to the requests as soon as practicable, without unreasonable delays and within 10 calendar days. The response must be either an offer to provide the requested materials or a written denial".
- B) (MPRL page 2, paragraph 1): "A records custodian's response must be in writing and must include a good faith estimate of the cost of providing the record ..."
- C) (MPRL page 2, paragraph 7; and page 3, paragraph 1): "...require that a records custodian provide a detailed, written, good faith estimate for the cost of complying with a public records request when the cost of compliance is expected to exceed \$10.00" "The estimate should contain a statement advising the requester that the actual cost of producing the record might vary once the custodian begins preparing the record. A records custodian may require payment of the estimated fee before commencing work"



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REQUEST FOR CERTIFIED ABUTTERS LIST
Requires \$10 deposit

NOTICE: The Assessors Office has 10 days to act on a request for C.A.L. We will make every effort to process your request as quickly as possible and you will be notified via telephone when the list is ready to be picked up.
"RUSH REQUESTS" WILL BE CHARGED DOUBLE!

Fees: \$10 for up to 25 parcels \$20 for 25 or more parcels
Mailing Labels - \$5 per sheet (30 labels/sheet)

Date: _____ Requested by: _____ Phone#: _____

Please check the appropriate box for which you are requesting the Certified Abutters List:

- Board of Health**
 - State Regulations (Immediate & Across Street)
 - Local Regulations (300 feet)
- Conservation Commission** (100 feet)
- Liquor License** (Immediate & Across Street)
- Planning/Zoning** (300 feet)
- (2) sets of **mailing labels**

List of Property Owners notified in connection with Public Hearing on the petition of:

Owner's name: _____

For the premises located at **street address:** _____

Map & Parcel ID: _____ relative to obtaining desirable relief from the Zoning Bylaw of the Town of Westford.

To the Board of Appeals:

We hereby certify the attached list, taken from our Real Estate Property Lists, includes the names and addresses of all parties in interest under M.G.L. Ch. 40A, as amended to the best of our knowledge and belief.

Date Completed: _____

Signed: _____
Westford Board of Assessors

| | | |
|------------------------|----|-------|
| Deposit/parcel charge: | \$ | _____ |
| Charge for labels: | \$ | _____ |
| Additional charge: | \$ | _____ |
| Total due: | \$ | _____ |

Completed C.A.L. received by: _____

Date: _____