

MARSHFIELD ZONING BOARD OF APPEALS FORM 1 - INSTRUCTIONS

When filing an application to the Zoning Board of Appeals, a petitioner must submit his/her application on forms, which can be obtained at the Building or Zoning Departments or on-line at http://www.marshfield-ma.gov/Public_Documents/MarshfieldMA_Zoning/forms

Along with this form (Form 1), which is informational, there are the following forms to be used:

Form 2 Application for Public Hearing – must be included with EVERY Application

Form 2A Findings of Fact – Appeal **Form 2B** Findings of Fact - Variance

Form 2C Findings of Fact - Special Permit **Form 2D** Findings of Fact - Site Plan

Form 2E Findings of Fact Special Permit/Accessory Apartment

Applications: The following must be submitted together in order for an application to be complete:

1. A Completed, typewritten Form 2 (Application for Public Hearing) - 10 copies
 2. A Completed, typewritten Finding of Fact form, depending on the relief requested, or any combination, if there are multiple requests). – 10 copies
 3. A copy of the deed or land court certificate showing any easements or other encumbrances.
 4. A Plot Plan or Site Plan of the subject area as it exists, or a plan of land signed by a Registered Land Surveyor. – 10 copies (2 full size, 8-11" x 17") also in PDF
 5. A Plan of the proposed alterations, which can be done on the same plan if the resulting plan clearly distinguishes the existing and proposed conditions – 10 copies (2 full size, 8-11" x 17") also in PDF
- *Note, if seeking Site Plan Approval, the plans shall be endorsed by a Massachusetts Registered Land Surveyor.
6. Front, rear, side elevations. Floor area shall be listed for each story. – 10 copies also in PDF
 7. A Certified Abutters' List from the Assessors' Office (\$25.00). If your property is within 300 feet of a neighboring town, you must also obtain a Certified Abutters' list from the respective town.

8. Fees: Residential Petitions:

Appeal of Building Commissioner's Decision	\$200.00
Special Permit:	\$200.00
Variance:	\$200.00
2 or more petitions (Special Permits and Variances):	\$300.00

Commercial Petitions*:

Special Permit:	\$275.00
Variance:	\$275.00
Site Plan Review:	\$500.00
Site Plan Review with Special Permits and/or Variances	\$800.00
Minor Modification of existing plan (per Building Commissioner)	\$200.00

*The ZBA may determine that the assistance of outside consultant(s) is warranted due to the size or complexity of a proposed Commercial project. The Board may require applicants to submit a "Review Fee" which shall be deposited in an account in accordance with MGL c. 44, s. 53G.

9. A check for \$48.10 for the placing the legal advertisement in the local newspaper.
10. Pictures of the subject property and abutting properties.
11. Upon completion of the required forms, all materials must be submitted to the Town Clerk. It is advisable to have the Zoning Aide review your application prior to submission to the Town Clerk. Failure to submit all required materials may result in your hearing being delayed or your application being rejected.

The forms were designed to help both you and the ZBA process your request. The ZBA must find all of the questions in your favor before the Board can favorably act on the petition, so every question needs to be answered, giving specific details as to how your project addresses the question asked, or why it does not.

The ZBA will not accept any incomplete applications or revised plans after initial submission.

Important timing issues: Under the law, the Board has 65 days to schedule a public hearing on any matter, except an appeal to a decision of the Building Commissioner, in which case, the Board shall schedule a hearing within 35 days. Once the Public Hearing has been closed, the Board has 90 days in which to make its decision, except for Variance cases, which must be decided 100 days from the date the application is stamped in at the Clerk's office, unless otherwise extended. Once a decision has been made, the Board has 14 days to file it with the Town Clerk, at which time a 20 day appeal period starts. If no appeal is filed with the Court, the Town Clerk will issue a letter stating such, along with an attested copy of the decision, to the applicant. The Clerk's letter and the attested copy of the decision must be filed at the Registry of Deeds on the property prior to the submittal of the Building Permit.