Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278-8600 X 2014

TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS
INSTRUCTIONS
(Revised October 2009)

The ZBA Application is designed to assist you in providing all the information necessary for the Board to readily assess what it is that you are trying to do with your property and specifically what it is you are seeking from the Board.

In order for the ZBA to conduct an accurate review of your request, it is essential that you, the Applicant, provide the most complete and accurate "picture" of what exists on the property and what is proposed for the property. Therefore, all questions on the Application are to be answered completely. Applications submitted to the ZBA which are deemed incomplete will not be scheduled for review.

Reasons for filing an application to the Zoning Board of Appeals:

1. The work you want to do does not meet the dimensional requirements of the Zoning Bylaw, and a Dimensional Variance is required. Typically, you have filed a Building Permit Application and it has been rejected by the Building Inspector because your project or property does not meet one or all of the dimensional requirements of the Zoning Bylaw. Your letter (denying your building permit application, issued by the Building Inspector) will typically identify the issues clearly and should be included in your ZBA application.
2. Your proposed use for the property requires a Special Permit. Typically you have already filed a permit application with the Building Inspector, and it is his response letter that will identify the type of zoning permits required. Include this letter in your ZBA application package.
3. Your proposed use of the property is in accordance with the requirements of MGL Ch 40B. Be sure to follow the Town's Regulations regarding such submittals.
4. You seek to appeal a ruling or determination made by the Zoning Enforcement Officer, Building Inspector or other town official/board, in accordance with law.

General Information:

1. All Applications are to be clearly printed or typed.
2. Please use a blue pen wherever a signature is required to help differentiate the original Application from a copy.
3. All property owners MUST sign the application form, or submit a signed, notarized letter authorizing the applicant to act on the behalf of the owner(s) for the purposes of pursuing the application.
4. The applicant and/or authorized representative must be present at the ZBA public hearing, in order to present the application and address any comments of the Board.

PROCESS:

Application

The following items MUST accompany the completed Application Package or the entire Package will be deemed incomplete and will be returned to the Applicant/agent:

1. A copy of the letter from the Building Inspector indicating the specific reasons why he / she rejected your Building Permit Application or a copy of the letter from the Building Inspector or Town Planner indicating why he / she deems you must seek ZBA approval.
2. A valid (within 6 months) Certified Abutters List and the Certified Abutters labels from the Assessors' Office; two (2) sets of self-sealing envelopes corresponding to the Abutters List, plus one for each applicant, each property owner, and each representative, if applicable) plus an additional 15 envelopes (due to required notifications to adjacent communities and various agencies); Enough **Forever Stamps** for each recipient of each of the two required mailings.
3. The deed, land court certificate and/or Certificate of Title, showing any and all easements, rights of way or other encumbrances.
4. If the purpose of the application involves non-conformity, the deed information must be sufficient to determine that the property/condition is lawfully non-conforming.
5. Ten (10) copies of a stamped surveyor's Plot Plan of the property in question or, if none exists, a plan of the land signed and stamped by a registered land surveyor (depending on the project, 8½ X11, 11X17 or 24X36 sheets may be appropriate);
6. Ten (10) copies of the proposed alterations to the property in question. These alterations can be shown on the Plot Plan as long as the resulting Plan clearly shows both existing and proposed conditions, and detailing all area, frontage and setback measurements. If construction, existing and / or proposed, is of more than one-story, both front and side elevations must be submitted, and floor areas must be determined for each story;
7. Pictures of the property, when and if appropriate;
8. A copy of any prior Zoning Board or applicable decision(s) on said property;
9. All business applicants must submit a Municipal Lien Certificate from the Tax Collector's Office for the property in question;
10. Mark your property clearly (house number, lot number) so that the ZBA members can readily find it;
11. The ZBA Filing Fee, provided by bank check payable to the Town of Uxbridge. Fees are found in the ZBA Fee Schedule. The base application fee (applicable for most applications) is $300.00

Hearing

The ZBA holds it's regularly scheduled meetings on the first Wednesday of each month. Once your complete ZBA Application Package has been received, the Board will set a date for review. More often than not, your case will require a Public Hearing, and state law requires certain notifications of public hearings. Therefore, your hearing may be held a month or two after submittal of your application, and not necessarily during the next regularly scheduled meeting.

Decision

Within 14 days of the ZBA vote, a decision will be filed with the Town Clerk. The appeal period on Variances, Special Permits and Comprehensive Permits is twenty (20) days from date of filing with the Town Clerk. Any time after the 20th calendar day from the date on which the decision was filed, the applicant or his/her agent must pick up the Decision, including a statement from the Town Clerk certifying that no appeal has been filed.

The applicant or his/her agent must then take the above to the Worcester County Registry of Deeds for recording. THE VARIANCE OR SPECIAL PERMIT DOES NOT TAKE EFFECT UNTIL SUCH RECORDING OCCURS, and until we are provided evidence of the recording (including the Book and Page numbers issued by the Registry of Deeds.

Any subsequent applications for Building or other permits that you seek should include a copy of the RECORDED decision (with the Registry of Deeds book/page number shown).

If you still have questions after reviewing this material, please contact the ZBA clerk at 508-278-8600 X 2014

(doc name: ZBA App Instructions)

TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING
(Revised on June 1, 2008)

ZBA Case#: FY _____

Zone: _____

Referring Agent's Name: _____

Reason for ZBA Referral (check all that apply):

_____Variance

	Req'd	Has	Variance
Area:	_____	_____	_____
Frontage:	_____	_____	_____
Front Setback:	_____	_____	_____
Right Side Setback:	_____	_____	_____
Left Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____

_____Special Permit for Use

_____Comprehensive Permit (Chapter 40B)

_____Appeal from Decision

_____Determination

Property Location:

Address: _____

Assessors' Map(s):_____ Parcel #(s): _____

Deed Bk(s): _____ Deed Pg(s): _____

Has any prior appeal at this location been made? _____
(If yes, please attach prior decision, including Book/Page #)

Do you agree to let ZBA members review your property on site? Yes No

Owner(s) Information (identify every owner – use additional sheets if nec):
Please note: All owners MUST personally sign the application form

Name(s): _____
Address: _____
_____
Phone#(s): _____

Applicant Information:

Name: _____
Address: _____
_____
Phone#(s): _____

Representative/Contact Person Info:

Name: _____
Address: _____
_____
Phone#: _____
E-mail address: _____

Further Detail on Reason for Application

Variance: If you are applying for one or more dimensional variances, describe each and also provide evidence of the "hardship" as defined by State Law:

_____
_____
_____
_____
_____

Special Permit: Describe in detail the permit you are seeking and provide specific information as to how the proposed use will meet the Zoning By-laws of Uxbridge (include applicable Section #s of ZBL): _____
_____
_____
_____
_____

Comprehensive Permit: Describe project and attach all appropriate state eligibility paperwork, as well as material required by the Town of Uxbridge Comprehensive Permit Regulations _____

_____

_____

_____

_____

Appeal of a ruling. Attach a copy of said ruling and provide documentation/ describe in detail why you believe that the ruling is incorrect. _____

_____

_____

_____

_____

_____

Determination: Pursuant to MGL Ch 40A Section 6, the Zoning Board may make certain Determinations. Provide information about the Determination you seek, and the evidence therefore (attach additional sheets if necessary: _____

_____

_____

_____

_____

_____

Owner Name(s) (Please print): _____

_____

_____

Owner Signature(s): _____

_____

_____

Date: _____

TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS
CHECK LIST

Specific Requirements:

1. **Applications clearly printed or typed?** _____
2. **Blue ink wherever a signature is required?** _____
3. **If the application comes in from anyone other than the property owners, are raised letter notarizations of their signatures attached?** _____
4. **Is the front of the Application initialed by referring party?** _____
5. **Is a copy of the letter from the referring party attached?** _____
6. **Is a copy of the Abutters List Request Form attached?** _____
7. **Is the original Certified Abutters List attached?** _____
8. **Are the Abutter labels attached?** _____
9. **Is there two sets of (STAMPS SEPARATE - not metered), SELF-SEALING envelopes (proper quantity) included?** _____
10. **Is the deed or land court certificate attached?** _____
11. **Are ten (10) copies of a stamped surveyor's Plot Plan of the property in question or, if none exists, ten (10) copies of a plan of the land signed and stamped by a registered land surveyor included?** _____
12. **Are ten (10) copies of the proposed alterations to the property in question attached?** _____
13. **Are pictures of the property attached (not essential)?** _____
14. **Is a copy of a prior ZBA decision attached where applicable?** _____
15. **For a business applicant only, is a Municipal Lien Certificate attached?** _____
16. **Is a check or money order for the proper fee attached?** _____

Is the ZBA Application Package complete? **Yes** **No**

_____

Signature ZBA clerk

(updated 11/7/07 doc name: ZBA Pkg Chklist)

OFFICE OF THE
BOARD OF ASSESSORS
21 SOUTH MAIN ST.
UXBRIDGE MA 01569
508-278-8600 EXT. 2010
FAX 508-278-6393

APPLICATION FOR CERTIFIED ABUTTERS LIST

APPLICANT'S NAME _____

APPLICANT'S ADDRESS _____

APPLICANT'S TELEPHONE # _____

ADDRESS OF PROPERTY _____

MAP AND LOT NUMBER OF PROPERTY _____

I/WE HEREBY REQUEST A CERTIFIED ABUTTERS LIST FOR THE ABOVE PROPERTY FOR THE _____.
(DEPARTMENT/BOARD)

I/WE UNDERSTAND THAT THERE IS A MINIMUM $10.00 FEE* FOR THE ABOVE LIST PAYABLE WHEN THE APPLICATION IF RECEIVED. PAYMENT MAY BE CASH OR A CHECK MADE PAYABLE TO THE TOWN OF UXBRIDGE.

I/WE UNDERSTAND THAT THE ASSESSORS OFFICE HAS 10 WORKING DAYS FROM THE DATE THAT THIS REQUEST IS RECEIVED TO PROCESS THIS REQUEST.

*FEE SCHEDULE: $10.00 FOR THE FIRST HOUR. $10.00 PER ADDITIONAL HOUR OR ANY PART THEREOF.

_____
APPLICANT'S SIGNATURE