



Town of Hubbardston Zoning Board of Appeals, Application Form 1
APPLICATION FOR PUBLIC HEARING BEFORE THE ZONING BOARD OF APPEALS

FEE \$200.00

The undersigned hereby requests the Hubbardston Zoning Board of Appeals to: (check one)

GRANT A VARIANCE. State reason for denial of building permit as given by Building Commissioner _____

OVERRULE THE DECISION of the Building Commissioner with regard to an enforcement order *OR* (explain other reason) _____

1)a) Print name and address of applicant:

b) Print name and address of owners (if different):

Phone _____

Phone _____

2) Street address of the land and/or building that is the subject of this application:

3) Hubbardston Assessor's Map # _____ Parcel # _____

4) Zoning District in which the property cited herein is located (circle one):

- a) Residential/Agricultural b) Commercial/Industrial c) Town Center District

5) Deed to the subject land showing landowners and holders of title can be found on Worcester District Registry of Deeds Book # _____, Page # _____. (Attach certified copy)

6) If requesting a variance, state the specific Hubbardston Zoning Bylaw Article # _____, Section # _____, and Description Heading _____ from which relief is sought.

Please answer question 7 or 8 on a separate sheet and attach to your application.

7) *If requesting an appeal* of a decision made by the Building Commissioner, state the reasons for your grievance and the basis on which the Board of Appeals should overrule that decision. Under Massachusetts General Law, your application must be filed within thirty (30) days from the date of the decision being appealed.

8) *If requesting a variance* under MGL Chapter 40A, §10 and Hubbardston Zoning Bylaws §10.1, state the following:

- a) What circumstances there are that relate to the soil conditions, shape, or topography of the land or structures in question, especially affecting such land or structures but not generally affecting the zoning district in which they are located.

- b) What substantial hardship would occur to you, financial or otherwise, if the Board of Appeals should deny your request for a variance, and why the hardship would be caused by circumstances stated in (a) above.
- c) Why the relief you seek would not be detrimental to the public good.
- d) Why the relief you seek may be granted without nullifying or substantially derogating from the land use and environmental objectives of the Hubbardston Zoning Bylaws.

9) Refer to the Instruction Sheet for additional information that must be included with the Application Form 1.

10) **Signatures:** By signing below, the owner grants permission to the Board to enter onto the subject property for purposes of verification and review with regard to this application.

a) Signature of Applicant(s):

b) Signature of Owner(s) (REQUIRED):

Date: _____

Date: _____

FOR TOWN CLERK USE ONLY

INSTRUCTIONS - Zoning Board of Appeals Application Form 1

- 1) Fill out the application form completely. Any missing information will cause your application to be returned to you.
- 2) In the top section of the application, check off whether you are applying for a variance or appealing a decision made by the Building Commissioner.
- 3) Include the following information with your application package:
 - a) **Letter of denial** from the Town Board or Official (i.e., Building Commissioner) from whom you are seeking the variance or relief.
 - b) A true copy of **plot plans of the subject property** (available from Worcester County Registry of Deeds or owner's mortgagor) showing lot lines, location of septic system and well, all existing and proposed buildings with the exact dimensions of setbacks and distances from each other, all underground utilities, and adjoining streets.
 - c) A certified copy of the **deed for the property** showing current ownership.
 - d) Any special permit **applications and/or decisions** by town agencies that involve the proposed use.
 - e) A **statement** signed by the property owner explaining reason(s) for variance request. Include any exhibits, plans, and legal opinions you want included in your hearing presentation.
 - f) A **certified abutters list** with names and addresses of all abutters to the property cited in this application, all owners of land directly opposite the land cited herein, and all abutters to the abutters who are within 300 feet of the land cited. This is available from the Assessor's Office and requires an additional fee.
 - g) A copy of the Hubbardston **Assessor's map** showing the subject parcel.
- 4) Submit 8 copies of the complete application package to the Town Clerk along with an application fee of \$200.00 made payable to the "Town of Hubbardston." (You may want to keep an additional copy for your records.)

TIME TABLE AND ADDITIONAL INFORMATION FOR APPLICANT

- Applicant and owner will be notified by mail of the date and time of the scheduled public hearing. Massachusetts General Law requires the initial public hearing to be held within 65 days of filing with the Town Clerk.
- Notice of the hearing will also be published in *The Gardner News* at least 14 days in advance of the public hearing.
- The Board of Appeals must render a decision within 100 days of the filing date.
- There is a 20-day appeal period after the date of decision. After this time, the Town Clerk will certify the decision, indicating whether any appeals have been filed.
- **No variance shall take effect until the decision bearing the Town Clerk's certification has been recorded with the Worcester Registry of Deeds.**

Keep this instruction page as a reference.