



Steps to the Town of Sharon Zoning Appeal Process

1. Make appointment with Building Inspector to review application and appeal process.
2. Obtain legal counsel if desired.
3. Complete application and gather necessary submittals. All applications require:
 - a) Building plans.
 - b) Plot plan, which may be an existing mortgage plot plan if you are not changing the footprint of any structure. If the footprint of the building changes, a certified plot plan from a registered land surveyor is required showing existing and proposed improvements with dimensions and distances to lotlines. An instrument survey is not necessary.
 - c) A copy of a certified list of abutters. This list shall contain the names and addresses of all abutters within 300 feet. This certified list can be obtained from the Board of Assessors' office at the Town Hall.

The Building Inspector will advise you if letters of comment are needed from the Conservation Agent, Board of Health Agent or Town Engineer.

Bring 6 application packages (including your original) and your check to the Town Clerk's office at the Town Hall to be date stamped. A copy of your application will be taken for the Town Clerk's records. If the Conservation Agent will be reviewing the application, an additional copy should be left for him.

Bring remaining applications and check to the Building Inspector's office. If it is necessary for the Board of Health Agent and Town Engineer to review your application, copies will be forwarded to the appropriate people.

You will be notified regarding your scheduled hearing date and for payment of the advertisement, which must be placed in The Sharon Advocate.

Follow up with Conservation Agent, Board of Health Agent, and Town Engineer regarding letters of comment. The Zoning Board of Appeals must receive these submittals prior to your hearing or you will be asked to continue your hearing to a later date.

Appear before the Zoning Board of Appeals. Be prepared to answer questions regarding type of construction that will be done, (including dimensions of existing and new structure, along with % increase of habitable living space,) the type of zoning relief that is needed and how you will comply with the Board of Health's septic regulations. Other questions may arise during the course of the hearing.

After you have presented all relevant information, and any additional parties have presented all relevant information, the hearing will be closed. The Board will then render a decision as required by state law. Decisions for special permits must be filed with the Town Clerk within 90 days from the close of the hearing, and decisions for variances must be filed within 100 days from the date of the application. These dates may be extended if continuances have been agreed to.

Twenty days after the decision has been filed, you will need to check with the Town Clerk to see if any appeals have been filed. If none have been filed, you may take the decision and the Town Clerk's certification to be filed at the county registry of deeds. You may then file for a building permit.



Sharon Zoning Board of Appeals Application for Hearing

1. Name of Applicant: _____

2. Mailing Address of Applicant: _____

3. Phone: Home _____ Business: _____

4. Applicant is: (check) Owner _____ Tenant _____ Licensee _____
 Prospective Purchaser _____ Abutter _____
 Other _____

5. Address/Location of Property to be Subject to Hearing: _____

6. Owner of Property _____

7. Mailing Address of Owner _____

7a. Phone: Home: _____ Business: _____

8. Date of deed into current owner: _____

9. Has any application or appeal ever been filed with the Board of Appeals on this property? _____ If yes, name of applicant: _____

10. Has the lot been surveyed by a Registered Land surveyor? _____

11. Nature of Application: (check)

a. _____ Appeal in accordance with MA GL Ch. 40, Sec 8 as amended.

b. _____ Special permit in accordance with MA GL Ch. 40A, Sec 9 as amended.

c. _____ Variance in accordance with MA GL Ch. 40A, Sec. 10 as amended.

12. State the **exact nature** of this application (see instructions). State applicable section of Sharon Zoning Bylaws. _____

13. Complete the following checklist and include all necessary enclosures with application. (Refer to instruction sheet.)

- 5 copies of this application
- 6 copies of the site plan of land
- 6 copies of the building plans as described in instruction sheet
- 1 copy of the abutters list certified by the Board of Assessors
- Check in the amount of the filing fee
- 6 copies of the building inspector's denial (if issued).

Sharon Zoning Board of Appeals
Application for Hearing
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I hereby request a hearing before the Sharon Zoning Board of Appeals with reference to the above noted application or appeal.

I am aware that the **cost of advertising** will be billed to me directly as the Applicant, by the newspaper at a later date. I am also aware that certain provisions of the By-Laws require the Applicant to provide certifications to the Zoning Board of Appeals. The cost for hiring the professional who will perform these certifications will be borne by the Applicant.

Signed: _____ Date: _____
Applicant's signature or Agent

Signed: _____ Date: _____
Applicant's signature or Agent

Schedule of Filing Fees

Application shall be accompanied by a filing fee, payable to the Town of Sharon of \$100.00 for the first two acres and \$25.00 for each additional acre or part thereof of the locus, except for applications for a public stable permit, that fee being \$25.00 regardless of land area.

APPENDIX A
SPECIAL PERMIT CONDITIONS AND WORKSHEET

1. That the use is in harmony with the general purpose and intent of the bylaw:

That the use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district:

Adequate and appropriate facilities will be provided for the proper operation of the proposed use:

That the proposed use would not be detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances:

That the proposed use would not cause undue traffic congestion in the immediate area:

APPENDIX B
VARIANCE CONDITIONS AND WORKSHEET

1. The Variance must be with respect to particular land or structures.

Parcel of Land: _____

Structures: _____

2. There must be circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.

Circumstances: _____

3. Literal enforcement of the provisions of the bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant.

Hardship would be: _____

Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such bylaw.

Relief would be: _____

Detriment would be: _____

Is it substantial? _____

Intent or purpose of bylaw section? _____

Would the variance nullify intent or purpose above? _____

Is there any substantial derogating, (Lessening) of the intent or purpose; and if so, what is it? _____



BOARD OF HEALTH

SHARON, MASSACHUSETTS 02067

TOWN OFFICE BUILDING
90 SOUTH MAIN STREET

TEL. (781) 784-1510
FAX. (781) 784-1509

TO: Applicant to Zoning Board of Appeals

FROM: Jim Andrews, Health Agent for Engineering *JA*

DATE: July 28, 1999

SUBJECT: Requirement of Board of Health

As an applicant to the Zoning Board of Appeal you will be required to provide the following information to the Board of Health Agent.

1. Certified plot plan, showing all existing and proposed dwelling/additions, and current septic system locations:
2. Certification of current septic system status. A Title 5 Inspection is sufficient.
3. Any and all supporting documentation related to your project.

The above documentation should be turned in two weeks prior to your hearing date. Otherwise, this Department may not have the time needed to review these documents and advise the Zoning Board.