



## STEPS TO THE TOWN OF SHARON ZONING APPEAL PROCESS

Make an appointment with the Building Inspector to review application and appeal process.

Obtain legal counsel if desired.

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 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 and will be presented on two complete sets of mailing labels.

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

Bring six (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 kept by the Town Clerk for their records. The Conservation Agent will be reviewing the application, so 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 of 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 may 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 percent increase of habitable 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 their information, the hearing will be closed. The Board will then render a decision as required by M.G.L. Decisions for special permits must be filed with the Town Clerk within ninety (90) days from the date of the hearing. Decisions for variances must be filed within one hundred (100) days from the date of application. These dates may be extended if continuances have been agreed to.

Twenty (20) 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 and 1 original of this application
- \_\_\_\_\_ 6 copies of the site plan of land
- \_\_\_\_\_ 7 copies of the building plans as described in instruction sheet
- \_\_\_\_\_ 1 original abutters list certified by the Board of Assessors
- \_\_\_\_\_ 2 Copies of the abutters list on labels.
- \_\_\_\_\_ Check in the amount of the filing fee
- \_\_\_\_\_ 6 copies of the building inspector's denial (if issued).

**Sharon Zoning Board of Appeals  
Application of 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 of hiring the professional who will perform these certifications will be borne by the Applicant.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**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:

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2. 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: \_\_\_\_\_

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

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4. 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:

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

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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: \_\_\_\_\_

\_\_\_\_\_

4. 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?

\_\_\_\_\_

\_\_\_\_\_

TO: Applicant to Zoning Board of Appeals

FROM: James R Andrews

RE: 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 Health Agent:

- Certified plot plan showing all existing and proposed dwellings/additions and current septic system locations.
- Certification of current septic system status. A Title V Inspection is sufficient.
- Any and all supporting documentation related to your project.

The above required documentation should be submitted at least two (2) weeks prior to your hearing date. Otherwise, this Department may not have sufficient time needed to review your documents and make comment to the Zoning Board.