

ARTICLE VII

APPENDIX OF FORMS

FORM 1

INSTRUCTIONS FOR:

APPEALS FOR DECISION OF ADMINISTRATIVE OFFICIAL OR BUILDING INSPECTOR; APPLICATIONS FOR SPECIAL PERMITS; APPEALS OR PETITIONS FOR VARIANCES FROM THE TERMS OF THE ZONING BY LAW.

1. Twelve (12) copies of Form 2, request for Findings of fact shall be prepared for all appeals, applications and petitions. Twelve (12) copies of all attachments and exhibits, including the following, shall accompany the form (machine copies are acceptable);

(a) Prints of the latest recorded plan of the land which will be affected; or in cases where no such plan exists, prints of a plan of the land endorsed by a registered engineer or land surveyor.

(b) The plan shall show dimensions on lots and area, existing and proposed buildings and respective dimensions, including floor area and distance from lot lines, scale and north arrow.

(c) If construction is more than one story, the front and side elevations must be submitted.

(d) A list of the "parties in interest" including the names and addresses of abutters, owners of land directly opposite the property on any public or private street or way and the owners of land within 300 feet of the property line. All names and addresses shall be obtained from the most recent applicable tax list maintained by the assessors. The assessors shall certify the list of names and addresses. An assessor's map showing the parcel number of each "party in interest" shall also be included. In addition to the list, two (2) sets of pre addressed stamped envelopes shall be submitted with the application form.

2. All pertinent paragraphs of this form must be completed, and all information required by the form shall be concisely stated. If there is insufficient space in the form, additional sheets may be attached bearing the applicable paragraph number and containing the additional information. Indicate at the top of page 1 under which section of the General Laws the case is to be considered.

3. The original of the form shall be signed personally by the applicant(s) or petitioner(s).

4. Each appeal, application or petition must be accompanied by a filing fee payable to the Town of Holden. Filing fees shall be as follows:

Appeal from decision of building inspector	\$100.00
Variance or special permit for single family residence	\$100.00

Variance or special permit for two, three and four family and duplex and townhouse and multi family residences and cluster residential	\$200.00 plus \$50.00 per unit
Variance or special permit for commercial or high density residential	\$500.00 plus \$50.00 per unit (multi family only)
Soil removal and all other cases	\$200.00
Sign variance or special permit	\$150.00
Wireless Communication Facility/Tower	\$5,000.00

5. In addition, we must advertise this hearing in the Landmark for two (2) consecutive weeks prior to the hearing date. Once the Town of Holden has received the invoice, we will contact you with the amount due. Please make checks payable to Column Software PBC.
6. All appeals, applications, and petitions shall be filed in the office of the Town Clerk.
7. In order to be acceptable for filing with the Town clerk, all sections of the form which are appropriate to your case must be filled in.
8. Additional documents may be submitted at the public hearing.
9. All rules and regulations of the Board of Appeals should be reviewed prior to appearing before the Board.

NOTE: DO NOT ATTEMPT TO DISCUSS THE MERITS OF YOUR CASE WITH ANY MEMBER OF THE BOARD OF APPEALS AT ANY TIME AFTER FILING THIS APPEAL, APPLICATION OR PETITION WITH THE TOWN CLERK AND PRIOR TO THE PUBLIC HEARING THEREOF.

APPLICATION FOR HEARING
AND FINDINGS OF FACT

1. Nature of action or relief requested

- _____ Appeal from a person aggrieved (G.L., Ch. 40A, Sec. 8)
- _____ Application for Special Permit (G.L., Ch. 40A, Sec. 9)
- _____ Petition or appeal for a Variance from the terms of the Zoning Bylaw (G.L., Ch. 40A, Sec. 10)
- _____ Other _____

Has the Zoning Board of Appeals acted unfavorably as to any petition for a special permit or variance as to the premises described within the last two years? _____ Yes _____ No
(please check) (G.L., Ch. 40A, Sec. 16)

If your answer to the preceding question was "yes," please describe the specific and material changes in the conditions which exist now from those which existed at the time that the previous unfavorable action was taken by the Holden Zoning Board of Appeals.

2. Name and address of each appellant, applicant or petitioner:

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Applicant's Phone #: _____ Applicant's Email _____

3. The undersigned hereby petition(s) the Board of Appeals as follows:

4. The undersigned is the owner of the holder of a written option to purchase (strike in applicable phrase) the land or building situated at Street and No. _____ located on the _____ side of _____ N., S., E., W. (Street and No.) _____ feet from the intersection of _____ (Street or Streets)

5. The record title to said land which is the subject of this case stands in the name(s) of _____ whose address is _____ by a deed duly recorded in the Worcester County Registry of Deeds in Book _____, Page _____, or registered in the Worcester Registry District of Land Court, Certificate No. _____, Book _____ Page _____ .

6. The said land or building is situated in a zoning district classified under the Zoning By law as _____

7. State briefly what is on the premises

8. The name and mailing address of each attorney, agent or other representative of the undersigned are as follows:

Signed this _____ day of _____ 20____

REQUEST FOR FINDING OF FACT VARIANCE

Now comes the petitioner _____ who has petitioned this Honorable Board for a variance for property located at _____ and asks that the said Board make the following findings of fact:

1. That the following circumstances relating to the soil, conditions, shape, or topography especially affect the land or structure(s) in question, but do not affect generally the zoning district in which the land or structure(s) are located:
 - (a)
 - (b)
 - (c)
2. That a literal enforcement of the provisions of the Holden Zoning By law would involve substantial hardship, financial or otherwise, to the undersigned for the following reasons:
 - (a)
 - (b)
 - (c)
3. That I/we believe that desirable relief may be granted without substantial detriment to the public good for the following reasons:
 - (a)
 - (b)
 - (c)
4. That I/we believe that the variance desired may be granted without nullifying or substantially derogating from the intent or purpose of the Holden Zoning Bylaw for the following reasons:
 - (a)
 - (b)
 - (c)

Date _____ Respectfully submitted by _____

NOTE: THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN G.L., CH. 40A, SEC. 10 ARE SATISFIED. EACH ONE OF THE ABOVE FOUR CATEGORIES MUST BE ANSWERED IN DETAIL.



REQUEST FOR CERTIFIED LIST OF ABUTTERS

PLEASE ALLOW 3-5 BUSINESS DAYS TO PROCESS

FEE: \$25

Please print and complete the form below and mail to Board of Assessors, 1204 Main Street, Holden, MA 01520 or fax to 508/829-0227.

PROJECT NAME & STREET LOCATION: _____

OWNER: _____

MAP & PARCEL NUMBERS: _____

BOARDS (CHECK ONE): PLEASE REFER TO EACH BOARD'S REQUIREMENTS

VARIANCE _____ SPECIAL PERMIT _____ PRELIMINARY PLAN _____

DEFINITIVE PLAN _____ OTHER (SPECIFY) _____

NAME & PHONE # FOR PICK -UP _____

FOR OFFICE USE ONLY

The Board of Assessors has made the following amendments to the above list:

This is to certify this is a List of Abutters to Map _____, Parcel _____ or as cited above but not necessarily in its entirety.

Date _____

Board of Assessors