TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

APPLICATION FOR ADMINISTRATIVE APPEAL (Ch. 40A, s. 15)

Date Filed: _____

Applicant's Name: _____

Applicant's Address: _____

Applicant's Phone Number: _____

Owner's Name: _____

Owner's Address: _____

The Owner hereby appoints _____to act as his/her/its agent for the purposes of submitting and processing this application for a special permit.

The Owner's title to the land that is the subject matter of this application is derived

under deed from , dated

And recorded in Registry of Deeds, Book _____, Page _____

Or Land Court Certificate of Title No. _____, registered in

District Book _____, Page _____.

The land is shown in the Assessor's records as Lot _____ on Map _____, Block_____

And has an address of or is located at _____

in the _____ zoning district.

Applicant's Signature: _____

Owner's Signature: _____

GateHouse Media
New England

GATEHOUSE MEDIA NEW ENGLAND
COMMUNITY NEWSPAPER COMPANY
PATRIOT LEDGER/THE ENTERPRISE
HERALD NEWS FALL RIVER/TAUNTON GAZETTE
WALPOLE TIMES/PROVINCETOWN BANNER
NANTUCKET INDEPENDENT/WICKED LOCAL.COM
254 Second Ave., Needham, MA 02494-2811
Remittance Address: P.O. Box 9113, Needham, MA 02492-9113

Date: _____/_____/20___

I herby acknowledge that the application I am submitting to the:

TOWN OF HOLLISTON, MASSACHUSETTS

☐ Zoning Board Of Appeals ☐ Planning Board

☐ Conservation Commission ☐ Historic Districts Commission

☐ Other: _____ ☐ Board Of Selectmen

requires a legal notice of public hearing. Said hearing is to be held on: _____/_____/20____. Legal notices are currently submitted to the ***METRO WEST DAILY NEWS*** for publication on the following date(s): ____/____/20___; _____/_____/20____.

I hereby ***AUTHORIZE*** that the required legal notice ***be billed directly to me*** by, ***GateHouse Media New England***, d/b/a, ***Community Newspaper Company Inc***.

Printed Name: _____

Signature: _____

Address: _____

City: _____, State: _____, Zip:_____

Phone:(_____) _____-_____

Original copy to Town, copy to customer and copy to Legal Publication Dept of CNC with ad copy.

TOWN OF HOLLISTON
ZONING BOARD OF APPEALS

703 Washington Street
Holliston, MA 01746

APPLICATION INSTRUCTIONS

1. Deadlines. The monthly deadline varies but generally, the Board meets once a month (Wednesday nights). Please contact staff for next meeting date(s). **All applications must be reviewed and signed by the Building Inspector!** File all materials with the Zoning Board, Planning or Town Clerk's Office.

2. Application Form. Please complete an application for a Variance or Special Permit or both, if required. All questions should be answered. If you have questions on filing out the Application, please contact the Inspector of Buildings (429-0606) or Town Planner (429-0635). Again, every application should be reviewed and signed by the Inspector of Buildings prior to submittal! **Please submit one (1) original and fifteen (15) copies of the application materials. Only one copy of the abutter's list is required.**

3. Maps, plans or drawings. All petitions are required to have an accompanying plot plan per ZBA Rules.

4. Authorization. If the applicant is not the owner, authorization to make application is required. Property owners must the sign application forms or provide a letter of authorization.

5. Filing Fee. A check made payable to the "Town of Holliston" or cash payment is required to complete the application. See accompanying fee schedule.

6. Abutter's List. Petitions must be accompanied by a list of abutters and their mailing addresses, compiled by the applicant and certified by the Holliston Board of Assessors. **Note: The Assessor's Office has ten working days for certification by law, so plan accordingly. Their office only responds to written requests for lists and there is a $50 fee.**

7. Envelopes. The ZBA is obligated to notify abutters and the six surrounding towns of the public hearing as well as the filing of their decision. Petitioners are required to submit two (2) sets of No. 10 business envelopes, stamped and addressed to all abutters as well as the owner and applicant (Note: 2 sets of abutter labels are produced by the Assessor's Department.). Also, submit twelve (12) blank, stamped envelopes. The return address area on all envelopes should be left blank for the ZBA return address.

8. Certified Envelope. The ZBA is obligated to notify the petitioner by certified mail the decision rendered. Petitioners are required to submit one (1) self-addressed certified stamped envelope.

9. Legal Advertisement. The ZBA is obligated to run a legal ad for the public hearing time and place as well as basic description of the petition in a newspaper of general circulation in the community. This ad is published twice, two weeks and one week before the public hearing. Applicants are also required to assume responsibility for the costs for advertising the Notice of Public Meeting. A billing statement shall be sent by the newspaper directly to the Applicant/Petitioner/Appellant. A completed billing authorization form must be submitted with the application.

10. Commercial and Industrial Petitions. **For all commercial and industrial petitions**, submit a completed Holliston Board of Health "Operations Information Questionaire" with all questions pertinent to the proposed action fully answered.

11. Hazardous Materials. Where petitions will involve the use of hazardous materials or processes, the applicant shall be prepared to submit the following: 1. A contingency/emergency plan for review and approval by the Police Chief, Fire Chief and Board of Health and 2. Material safety data sheets for each substance in use or stored, along with statements describing use, volume of use, and method of disposition of any waste or residual. A granted permit or variance may be nullified if the petitioner cannot or will not satisfy the Town's hazardous material or process requirements.

12. Flood Plain District. To submit a petition for Variance or Special Permit from regulations set forth in the Flood Plain District, the petitioner must supplement their application with the following:
    a. Existing base flood elevation data for review by the Inspector of Buildings prior to filing same with the application.
    b. Certification by a registered professional engineer that the proposed encroachment will not result in any increase in flood levels during a 100-year flood occurrence and that said encroachment will comply with the flood plain requirements of the State Building Code.

13. Comprehensive Permits. See special requirements as outlined in the ZBA Rules for the issuance of a Comprehensive Permit, GLc.40B. Reference MGL, c. 40B, Section 20-23.

Application Fee Schedule

Plan or action	Filing fee*
Special Permit	$250.00
Dimensional Variance	$250.00
Use Variance	$500.00
Administrative Appeal	$250.00
Comprehensive Permit Ch. 40B	$1000 base fee, plus 100 per unit proposed

***Payable at time of filing.**

Consultant Review Fees

In addition to the above filing fee(s) and the costs for advertising the Notice of Public Hearing, the Applicant/Petitioner/Appellant may also be subject to additional Consultant Review Fees. If the Board determines that it requires technical advice, it may employ outside consultants. The Board of Appeals shall then notify the Applicant/Petitioner/Appellant regarding the required Consultant Review Fee that is imposed by the Board. An additional fee may be collected if during the review, the above deposit is found insufficient to cover the actual cost of the review. At the completion of the Board's review, any excess in the account, including interest, shall be repaid to the Applicant/Petitioner/Appellant.

Deposit funds received pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. This fee is to be deposited into a special account as enabled by G.L. Chapter 44, Section 53G, referred to herein as the "593 Account". This fee shall be imposed on those applications which, as designated by the Zoning Board of Appeals, require the services of outside consultants for the review process due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town lacks the necessary expertise to perform the review work related to the permit or approval. In hiring outside consultants, the Board may engage engineers, planners, lawyers, designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances, bylaws and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decisions or regulations, or inspecting a project during construction or implementation. Expenditures from this special account may be made at the direction of the Board without further appropriation and shall be made only in connection with the review of the specific project for which this review fee has been collected. An additional fee may be collected from the applicant, if during the review, the above deposit is found insufficient to cover the actual cost of the review. The additional review fee shall be based upon a cost estimate, from the consultant(s) performing the review, to complete the review. Reimbursement of these expenses is a requirement of approval, and failure to reimburse shall be cause for denial. Review fees may only be spent for services rendered in connection with the specific project for which they were collected. Accrued interest may also be spent for this purpose.

Once the review process has been started, there shall be no refunding of Administrative Fees, including the case of withdrawal of the application by the applicant. For this reason, it is important that the applicants consult with Town staff prior to formal application to insure that the appropriate permits and review are being sought.

At the completion of the Board's review of a project, any excess in the account, including interest, shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this section, any person or entity claiming to be the applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

Any applicant may take an administrative appeal from the selection of the outside consultant(s) to the Board of Selectmen, providing such appeal is initiated within two weeks of the initial selection. The Selectmen shall convene a formal hearing within twenty days of receiving a written appeal filed by an applicant. The grounds for such an appeal shall be limited to the claims that the consultant(s) selected has (have) 1. a conflict of interest; a consultant may not have a financial interest in a project under review, or be in a position to financially benefit in some way from the outcome of the pending review process. Consultants must be in compliance with the Massachusetts Conflict of Interest Law (Chapter 268A) or 2. does (do) not possess the minimum required qualifications. The minimum qualification shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within 30 days following the filing of the appeal, the selection made by the Board shall stand. This administrative appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.

TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
703 Washington Street
Holliston, MA 01746
(508)429-0635

APPLICATION CHECKLIST

_____ Completed application signed by the Building Inspector and an additional 15 copies

_____ Plot plan (original and 15 copies) attached to the applications

_____ Certified abutters list (1 copy)

_____ Two sets of stamped envelopes to all abutters. Also include two envelopes addressed to the Owner and Applicant (if different than the Owner). Labels will be supplied by the Assessor's office.

_____ Filing Fee (Refer to fee schedule)

Please note: Failure to submit a complete application can result in a hearing continuance until the Zoning Board of Appeals receives all information.

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BOARD OF ASSESSORS
HOLLISTON, MASSACHUSETTS 01746

ABUTTER CERTIFICATION REQUEST

DATE: _____

APPLICANT'S NAME: _____

APPLICANT'S ADDRESS: _____

APPLICANT'S PHONE: _____

SUBJECT PROPERTY ADDRESS: _____

MAP _____ BLOCK _____ LOT _____

ASSOCIATED PERMIT/APPROVAL (i.e. Special Permit)

_____

PERMIT GRANTING AUTHORITY (i.e. Planning Board)

_____

RADIUS FOR NOTICE (i.e. 300 feet) _____

FEE (made payable to Town of Holliston): $50.00

Signed under the pains and penalties of perjury:

_____
Applicant's Signature

ABUTTERS' LIST POLICY
EFFECTIVE MARCH 1, 2004

(Voted by Assessors at Public Hearing held on January 22, 2004)

WRITTEN REQUEST FOR ABUTTERS LIST MUST INCLUDE PARCEL ID. , OWNER NAME AND ADDRESS AND WHETHER IT IS A 100 FT OR 300 FT ABUTTERS LIST. FEE $50.00

We will produce 3 lists, verified by Assessors Office, one will be kept here on file. Two lists will be provided to applicant along with 2 sets of mailing labels and a map designating locus and abutters.

Please allow ten business days for the processing of your request.