



TOWN OF HOLLISTON ZONING BOARD OF APPEALS

703 Washington Street
Holliston, MA 01746

APPLICATION INSTRUCTIONS

General Requirements

1. Deadlines. The monthly deadline for the next meeting is the 20th. If the 20th falls on a weekend or holiday, we will accept applications until close of business on the next business day. ***All applications must be reviewed and signed by the Building Inspector!*** File all materials with the 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). ***The application form can be downloaded to Adobe Acrobat, filled out and signed electronically. The application should then be emailed to the building inspector (kaferleinm@holliston.k12.ma.us).*** Every application should be reviewed by the Inspector of Buildings prior to submittal!
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. Please note that property owners must sign application forms as well.
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. Petitioners are required to submit two (2) sets of No. 10 business envelopes, stamped and addressed to all abutters (labels produced by the Assessor's Department) as well as the owner and applicant. Also, submit twelve (12) blank, stamped envelopes. The return address should be left blank for the ZBA return address. ***Note: The ZBA is obligated to notify abutters and the six surrounding towns of the public hearing as well as the filing of their decision.***
8. Certified Envelope. Petitioners are required to submit one (1) self-addressed certified stamped envelope. ***Note: The ZBA is obligated to notify the petitioner by certified mail the decision rendered.***
9. Commercial and industrial petitions. ***For commercial and industrial petitions***, a completed Holliston Board of Health "Operations Information Questionnaire" with all questions pertinent to the proposed action fully answered.
10. 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.

**Please submit one (1) original and five (5) copies of the application materials.
Only one copy of the abutter's list is required.**

Special Requirements

11. 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:
- Existing base flood elevation data for review by the Inspector of Buildings prior to filing same with the application.
 - 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.
12. 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.

Fee Schedule

Plan or action	Filing fee*	Advertising fee**
Special Permit	\$250.00	\$100.00
Dimensional Variance	\$250.00	\$100.00
Use Variance	\$500.00	\$100.00
Administrative Appeal	\$250.00	\$100.00
Comprehensive Permit Ch. 40B	\$1000 base fee, plus 100 per unit proposed	\$100.00

*Payable at time of filing.

** The Applicant/Petitioner/Appellant is also required to assume responsibility for the costs for advertising the Notice of Public Meeting in the Metrowest Daily News. The town will collect the appropriate fee before submitting the advertisement. Upon receipt of the final bill, the town will reimburse any unused funds or seek payment for any additional costs.

Consultant Review Fees

In addition to the above filing fees 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 Planning Board, 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.

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 the Planning Board office 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.