



Town of Lancaster, Massachusetts
Office of Community Development and Planning

LANCASTER BOARD OF APPEALS

SPECIAL PERMIT APPLICATION

- 1.) Instructions
- 2.) Form A -- Application for Hearing
- 3.) Form B -- Special Permit
- 4.) Form C -- Certified List of Parties in Interest
- 5.) Form D -- Revenue Certification

A site plan must accompany each application, petition or appeal to the Board for projects involving new construction. This check list provides a summary of the site plan contents as specified in the Board's Rules and Regulations. The Rules and Regulations are available online at www.ci.lancaster.ma.us and at the Community Development and Planning Office.

Provided

<u>Yes</u>	<u>No</u>	<u>Site Plan Requirement</u>
___	___	Minimum drawing size of 8.5" X 11"
___	___	Drawn to scale with scale noted
___	___	Property lines and boundaries
___	___	Name and address of record owner
___	___	Names and locations of adjacent streets
___	___	North arrow
___	___	Zoning District and any zone lines in vicinity of project
___	___	Existing and proposed buildings or additions including number of stories and height of all structures

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- ___ ___ Paved areas, existing and proposed parking or loading spaces
- ___ ___ Existing utility lines including septic and underground structures
- ___ ___ Locations of structures on adjoining property
- ___ ___ Lot area and dimensions, including setbacks where new construction or additions are proposed.

By checking the “No” box on any of the items listed above, the applicant is requesting that Board consider granting a waiver of strict compliance with the Rules and Regulations. Please note that if this waiver requested is not granted, the hearing process may be continued until the Site Plan is completed.

The Board may also require that additional drawings or drawing content be provided specific to the application. This may include items such as site topography or existing and proposed building elevations. The applicant should consider providing this type of information with the initial application if it will help the Board better understand the basis of the requested findings.

- Special Permit*** \$150.00 for a single-family dwelling
- Application Fee:*** \$250.00 for a multi-family dwelling or commercial property
- Advertising Fee:*** \$30.00

Checks should be made payable to the *Town of Lancaster*.

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INSTRUCTIONS

APPLICATION PROCEDURE

- Obtain application forms from the Community Development and Planning Office located at the Town Hall on the 2nd floor.
- Complete applicable forms and required exhibits (see Zoning Bylaw for specifics).
- Complete and have Assessor certify list of parties in interest (Form C).
- Complete and have Town Collector certify Revenue Certification (Form D).
- File with Town Clerk completed signed application and forms.
- Applicants will be notified of public hearing date.
- The Board's rules should be reviewed prior to hearing.
- Additional exhibits may be submitted at hearing.
- Do not attempt to discuss case with Board members.
- Applicant must appear personally or by an authorized representative.
- Approved permits allowing use of construction will not take effect until appeal periods expire, the decision is recorded, and proof of recording is submitted to the Community Development and Planning Office.

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FORM A

APPLICATION FOR HEARING

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LANCASTER:

I, the undersigned respectfully petition your Honorable Board for a hearing upon Applicant's Request for [variance, special permit, comprehensive permit, appeal].

(1) Applicant _____
Name Address Telephone

(2) Owner _____
Name Address Telephone

(3) If there is an option to purchase; the name and address of the prospective purchaser

(4) The record Title stands in the name of: _____ whose
address is _____
by a Deed duly recorded in the Worcester District Registry of Deeds, Book _____, Page
_____ OR Land Court Title Certificate # _____

(5) Said premises are situated in a District classified under the Zoning By-Law of the Town of
Lancaster as: _____

(a) Location of property affected _____

(b) Assessor's Book _____, Parcel _____

(c) State what is located on premises (e.g. number, type and use of buildings; type of
vegetation, etc. _____

(d) State in full what Applicant desires to do upon the properties: _____

Received and Filed:

_____/_____/_____
Date

Signature of Applicant

Town Clerk

Signature of Owner

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FORM B (Special Permit)

**REQUESTS FOR FINDINGS OF FACT IN
SUPPORT OF PETITION FOR SPECIAL PERMIT**

Applicant hereby requests that the Board, upon public hearing and after review of the evidence submitted, find as follows in support of the Application for Special Permit:

1. The Applicant _____ whose address is _____, is the (owner) (lessee) (optionee) of certain land situated at _____ in the Town of Lancaster and more particularly described in a deed recorded with the Worcester District Registry of Deeds, Book _____, Page _____.

If Applicant is not the owner, complete the following:

The owner of said land is _____, whose address is _____.

2. Said land is situated in a district classified under the Lancaster Zoning By-Law as _____.
3. Presently located on the premises is: _____

4. The Applicant desires to use said premises as follows and in conformity with the Site Plan filed with this application: _____

5. Grant of the Special Permit is authorized by Section _____ of the Lancaster Zoning By-Law.
6. Applicant alleges that each of the requirements for the grant of the Special Permit set forth in G.L. c. 40A §9 and the Zoning By-Law are met for the following reasons (attach extra sheets if necessary):

(A) The proposed use is in harmony with the general purpose and intent of the Lancaster Zoning By-Law, for the following reasons: _____

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(B) The specific site is an appropriate location for the proposed use, for the following reasons:

(C) The proposed use as developed will not adversely affect the neighborhood, for the following reasons: _____

(D) There will be no nuisance or serious hazard to vehicles or pedestrians, for the following reasons: _____

(E) Adequate and appropriate facilities will be provided for the proper operation of the proposed use, for the following reasons: _____

7. (Applicable to requests for Special Permit for Uses in Water Resource District - Section 220-39). The proposed use will conform to any special requirements provided in Section 220-39 of the Zoning By-Law in the following respects: _____

8. (Applicable to a request for extensions or alteration of a pre-existing non-conforming structure or use pursuant to G.L. c. 40A §6 and Section 220-51 and/or 220-52 of the Zoning By-Law.) The requested change, extension or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood, for the following reasons:

Signature of Applicant

Signature of Owner

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FORM C

CERTIFIED LIST OF PARTIES IN INTEREST

OWNERS NAME: _____
ADDRESS OF PROPERTY: _____
MAP & PARCEL: _____

The following is a list of all parties of interest, as defined by Massachusetts General Laws, Chapter 40A, Section 11.

PARTIES IN INTEREST shall mean the Petitioner, abutters, owners of land directly opposite on any Public or Private Street or way and abutters to the abutters within 300' of the property line, even though said land is in another city and/or town, and the Planning Boards of Lancaster and contiguous towns.

	NAME	LEGAL MAILING ADDRESS (ZIP)
APPLICANT:		
OWNER:		
AGENT/ATTORNEY:		
	LANCASTER PLANNING BOARD	
	HARVARD PLANNING BOARD	
	BOLTON PLANNING BOARD	
	CLINTON PLANNING BOARD	
	LEOMINSTER PLANNING BOARD	
	SHIRLEY PLANNING BOARD	
	LUNENBURG PLANNING BOARD	

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FORM D

REVENUE CERTIFICATION

Application/Petition/Appeal of

1. Applicant: _____
2. Owner: _____
3. Property: Assessors Map _____ Parcel _____

Pursuant to G.L. c. 40D, Section 57, and the General By-Laws of the Town of Lancaster, the undersigned applicant hereby certifies as follows:

- 1) The following named persons, firms or corporations constitute the complete list of all parties having an ownership or proprietary interest in the property or use subject to the above-entitled application.
- 2) Each of the below listed parties have complied with the laws of the Commonwealth of Massachusetts and the Town of Lancaster in that they have not neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period.

NAME OF INTERESTED PARTY	ADDRESS
OWNER:	_____
APPLICANT:	_____
OTHER:	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signed under the pains and penalties of perjury

Signature of Applicant

DATED: _____

CERTIFIED BY TOWN OF LANCASTER TOWN COLLECTOR

DATED: _____

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