

Date Received:

Town Clerk:



Number \_\_\_\_\_

**Town of Ashburnham  
ZONING BOARD OF APPEALS  
APPLICATION**

**Applications WILL NOT be accepted by the Land Use Office without all of the following information:**

Application is hereby made to the Ashburnham Zoning Board of Appeals for: (Check all that apply)

Finding \_\_\_\_\_ Appeal \_\_\_\_\_ Variance \_\_\_\_\_ Special Permit \_\_\_\_\_

1. **Application being filed under Ashburnham Zoning Bylaws, Section:** \_\_\_\_\_ **Lot Size:** \_\_\_\_\_  
(From Building Commissioner's Denial Letter)

**Date of Application** (Must be within 30 days of Building Commissioner's Decision): \_\_\_\_\_

**Date of Building Commissioner's Decision:** \_\_\_\_\_

**Building Setbacks:**

<u>Front Yard</u>	<u>Side Yards</u>	<u>Rear Yard</u>
Required   Provided	Required   Provided	Required   Provided

2. Parcel Information			
Address:			
Map #:	Parcel #:	2 <sup>nd</sup> Map #, Parcel #: (if applicable)	Zoning District:
Recorded in Worcester Registry of Deeds or Land Court		Book:	Page:

3. Applicant's Information	4. Owner's Information (if different from Applicant)
Name	
Street	
City	
State/Zip	
Phone	
Status of Applicant	Owner _____ Lessee _____ Contract Purchaser _____ Other _____

<p>FOR OFFICE USE: Distribute to: Building _____; Conservation _____; BOH _____; Town Planner _____; DPW Director _____ Please review and send comments or initial and date if no concerns _____ and return to the Land Use Administrator seven days prior to the Hearing.</p>	<p>The tentative meeting date is _____</p>
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**5. Check boxes below indicating that the following documentation has been included with this application:**

- Copy of field card (can be obtained from the Ashburnham Assessor's Office for a nominal fee)
- Copy of Assessor's map (can be obtained from the Ashburnham Assessor's Office for a nominal fee)
- Copy of Deed (can be obtained from the Ashburnham Assessor's Office for a nominal fee)
- Abutter's List (must be approved and signed by the Ashburnham Assessors for a nominal fee)
- Plot Plan – **12 copies** – (showing placement of structure and setbacks to property lines)
- Building Commissioner's denial letter
- Site Plan – **12 copies** – (showing building/structure placement, parking area, limited structural plan showing height from mean grade)
- Application – **12 copies** – **date stamped at the Town Clerk's Office** prior to filing it with the Ashburnham Land Use Office
- A hearing fee of \$100; a fee of \$5.32 per abutter to provide for postage, certified mail, and return receipt to mail notices of hearing and decision to all parties entitled thereto; and an amount of money sufficient to provide for the legal ad to be posted twice in the *Gardner News*.

<b>6. Project Type</b> (Check Box)	
Information for the following is located in the Building Inspector's Denial Letter, which is a prerequisite to filing this application.	
	Home Occupation
	Sign
	Detached Accessory Structure or Apartment
	Attaching Accessory Structure to Principal Building
	Other:

**7. Describe the Proposed Project/Work Below:**

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**8. Specific Reason for Appeal** (including the appropriate section of the Zoning Bylaw):

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**9. How will the proposed project provide for the following:**

Surface water drainage:

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Sound and sight buffers:

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Driveway opening locations in relation to traffic and adjacent streets:

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**10. Please complete the following information if seeking a Variance:**

What existing hardships of the land or building prohibit the proposed use from meeting Zoning requirements?

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What existing special conditions affect the land or building which makes the issuance of a Variance necessary?

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Explain how the requested use will be in harmony with the general purpose and intent of the Bylaw.

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Explain how the requested use will not be harmful to the public good or neighborhood.

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**11. Please complete the following information if seeking a Special Permit:**

How does the proposed project meet the requirements that granted uses be in harmony with the neighborhood and do not derogate from the Zoning Bylaw?

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Applicant's Signature	Date	Owner's Signature*	Date
I certify that the information contained herein is true and accurate to the best of my knowledge; the above signed owner(s) grant the Board and its agents permission to enter the property to review this application: I understand all documents will be entered into the public record; I understand that if neighboring issues have not been addressed/resolved prior to the hearing, the Board will continue the hearing.			

\*Owner's signature or letter from owner authorizing applicant/representative to sign on behalf of owner.

**What Happens After the Application Has Been Filed?**

1. Once the application has been filed, Town staff will review it to determine if the application is complete and ready for a Public Hearing. A Public Hearing will be scheduled for the next available agenda of the Zoning Board; generally the Board meets on Wednesdays on an as needed basis. A legal ad will also be posted in the *Gardner News* fourteen (14) days and seven (7) days prior to the hearing date.
2. The Public Hearing will be conducted and if all information is complete, the hearing will be closed. The applicant must be present at the hearing.
3. Once the Special Permit Hearing is closed, the Board has up to 90 days to issue a decision on the permit. Once the decision is approved, the Board has fourteen (14) days from the date that the decision is made to file the decision with the Town Clerk's Office.
4. The Board must make a decision on a Variance and file it with the Town Clerk's Office within 100 days of the receipt of a completed application.
5. Once a decision has been filed with the Town Clerk's Office, a twenty (20) day appeal period begins. Appeals must be filed with the Fitchburg District Court or Worcester Superior Court.
6. Once the twenty (20) day appeal period passes (without an appeal being filed), the applicant must deliver the decision to the Town Clerk's Office for Certification and then record it at the Registry of Deeds. **The decision is not valid until recorded at the Registry of Deeds.**
7. Proof that the decision was filed at the Registry of Deeds must be brought to the Building Department before a Building Permit will be issued.
8. The Land Use Office can be reached at (978) 827-4100 ext 117 with any questions.