

Town of Ayer
ZONING BOARD OF APPEALS
Hearing Application

PLEASE READ THE ENTIRE APPLICATION PACKET, INCLUDING THE INSTRUCTIONS, PRIOR TO SUBMITTING THE APPLICATION.

1. The Zoning Board of Appeals is governed by the Commonwealth of Massachusetts not the Town of Ayer. Accordingly, all procedures must follow The Ayer Zoning Bylaw and Massachusetts General Law Chapter 40A.
2. Consult with the Building/Zoning Department prior to submission of this application.
3. Submit thirteen (13) hard copies of this application and all supporting materials to the Administrative Coordinator, and one (1) digital copy to zba@ayer.ma.us.

Application Date: _____

Property Information:

Location of Property: _____

Registry of Deeds: Book _____ Page _____

Assessor's Map: _____ Parcel ID: _____ Lot Size: _____

Zoning District: A-1 A-2 GR GB DBP LI I MU HCS WAV

Aquifer Protection Overlay District: Zone I Zone II N/A

Owner's Name: _____

Owner's Address: _____

Applicant Information:

Applicant Name: _____

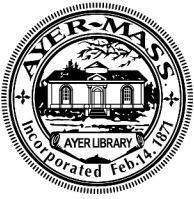
Applicant Address: _____

Phone Number: _____

Email Address: _____

Applicant is Owner _____ Tenant _____ Attorney _____ Licensee _____ Prospective Buyer _____

*A letter of authorization must be attached for all applicants who are **NOT** the property owner.*



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The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals for the following relief:

_____ **VARIANCE** from the requirements of the Town of Ayer Zoning Bylaws.

_____ **SPECIAL PERMIT** for a specific use which is subject to the approval of the Zoning Board of Appeals.

_____ **SPECIAL PERMIT** to expand, alter, or change a non-conforming use or structure.

_____ **ADMINISTRATIVE APPEAL** of the Building Inspectors decision.

_____ **COMPREHENSIVE PERMIT** for the building of low to moderate income housing per M.G.L. c. 40B.

Did you submit a Building Permit Application to the Town of Ayer Building Inspector? _____

If yes, were you denied a permit by the Town of Ayer Building Inspector? _____

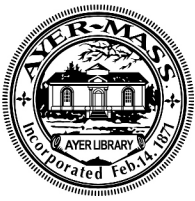
If you were denied a permit, please attach a copy of the decision from the Building Commissioner's Office.

Describe the proposal and relief requested:

List the appropriate Section(s) from the Ayer Zoning Bylaws.

The Building/Zoning Department was consulted to determine the required relief, and applicable section(s) of the Ayer Zoning Bylaws as noted in the above request.

Zoning Enforcement Officer Signature: _____



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Variance Requirements:

If applying for a variance, please answer the following questions on a separate sheet of paper:

1. What circumstances relating to the specific soil conditions, shape or topography of your land or structures causes you to need a variance?
2. What substantial hardship, financial or otherwise, owing to the specific soil conditions, shape or topography of your land or structures, would result if this application for a variance were denied?
3. How would the granting of this variance not be detrimental to the public good, nor be a substantially derogating from the purpose of the Bylaw?

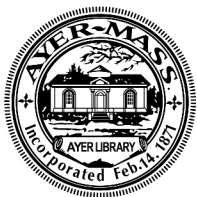
Special Permit Requirements:

If applying for a special permit, please answer the following question on a separate sheet of paper

Explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site.

Please keep in mind the following when answering the above question:

1. Social, economic, or community needs which are served by the proposal.
2. Traffic flow and safety, including parking and loading.
3. Adequacy of utilities and other public services.
4. Neighborhood character and social structures.
5. Impacts on the natural environment.
6. Potential fiscal impact, including impacts on town services, tax base and employment.



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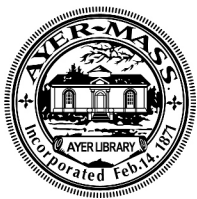
Items to be Submitted with the Completed Application:

- A summary of the proposed project.
- A certified plot plan that distinguishes existing structures from the proposed construction. This plan must show all setbacks (front, side, rear) and frontage measurements. All lot and structural dimensions, both existing and proposed, must be clearly delineated.
- Any correspondence from the Building Commissioner or Zoning Enforcement Officer concerning this request.
- Pictures of the existing conditions, renderings of proposed conditions, and any other documentation to best explain the requests.
- A certified list of abutters obtained from the Assessor's Office.

Please read and sign the following:

I certify that the information provided above is true and correct to the best of my knowledge; that I understand that the Board may require additional information to process or grant this application; that the Board may require me to pay additional consulting pursuant to M.G.L. c44 §53G; that errors in this information, or in the information I provide at the public hearing, may result in the denial of this application or the revocation of any favorable decision issued by the Board; that any relief granted by the Board shall be limited to the request made in this application; that I may be represented by counsel at my own expense; that if my application is denied it cannot be resubmitted for two years, following its denial, without prior approval of both the Zoning Board of Appeals and the Planning Board; and that I am responsible for all other applications, permits, approvals etc., that may be required by law.

Applicant's Signature: _____ Date: _____



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FILING INSTRUCTION
PLEASE READ CAREFULLY PRIOR TO SUBMITTAL.

Meetings:

The Zoning Board of Appeals meets on the 3rd Wednesday of the month at 6:00 PM at the Ayer Town Hall or remotely.

Submission Deadline:

Due to the requirements set forth in Massachusetts General Law, Chapter 40A, completed application submissions must be received by the Town no less than 21 days prior to the meeting date in which the applicant wishes to have their application heard. The Board has sixty-five (65) days to open a hearing once an application has been received.

Application:

Prior to submission the applicant will need to confirm the need for a Variance or Special Permit with the Zoning Enforcement Office. Applications not signed by the Zoning Enforcement Officer will not be accepted. The Zoning Enforcement Office is located within the Building Department.

All applications for a hearing must be received by the Administrative Coordinator and include:

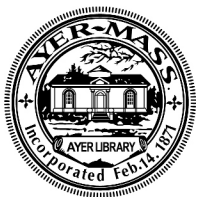
- Thirteen (13) copies of a certified plot plan (8 ½ x 11 or 11 x 17) and/or relevant certified drawings/sketches.
- One (1) electronic copy of the application and plans in PDF format emailed to zba@ayer.ma.us.
- Certified list of abutters obtained from the Assessor's Office.
- Hearing Filing Fee of \$165.00 made payable to the "Town of Ayer".

Once the application has been accepted it will be stamped by the Town Clerk and the original will be kept on file at the Town Clerk's Office. A copy will be given to the applicant, and one will be kept on file with the Administrative Coordinator.

Fees:

The Hearing Filing Fee of one hundred sixty-five dollars (\$165.00) is non-refundable. Checks can be paid payable to the "Town of Ayer". Payment can also be made online at ayer.ma.us/home/pages/online-payments.

The applicant is responsible for the cost of the legal ad. Ad may run in either the *Nashoba Valley Voice* or the *Lowell Sun*. The applicant will be informed of the cost after the application has been submitted, the cost is determined by the length of the ad. This fee can be paid by check made payable to the "Town of Ayer" or online at ayer.ma.us/home/pages/online-payments.



Town of Ayer ZONING BOARD OF APPEALS Hearing Application

The applicant is responsible for the cost of the mailing of the “Notice to Abutters”. The Board shall mail to all abutters by certified mail a notice describing the time, date and place of the hearing. The notice shall also be mailed to all abutting Towns by regular mail. A sample of the notice can be found on page 6 of this application.

Public Hearing:

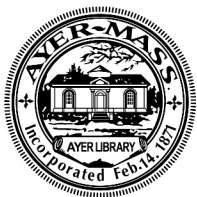
Notice of the Public Hearing, including the time and date will be posted on the Town Hall Posting Board (located outside the Columbia Street entrance of Town Hall) at least 14 days prior to the Public Hearing.

Hearings will open within sixty-five (65) days of an application being submitted. If payments for the hearing, legal ad and/or the mailings have not been received by the posted meeting the Board may continue the hearing until the following meeting so that all fees may be paid.

The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. Most decisions are subject to a twenty (20) day appeal period. After the 20-day appeal period, the decision must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Department Contacts:

Administrative Coordinator	978-772-8220 x 114	zba@ayer.ma.us
Building/Zoning Department	978-772-8220 x 154	building@ayer.ma.us
Building Commissioner	978-772-8220 x 116	cshultz@ayer.ma.us
Zoning Enforcement Officer	978-772-8220 x 119	mwallace@ayer.ma.us
Assessor	978-772-8220 x 140	jguthrie@ayer.ma.us



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Notification to Abutters
Public Hearing Notice

The Ayer ZBA will conduct a public hearing at 7:00 PM on Wednesday January 15, 2020 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by Joe Smith, 1 Happy Street Ayer, MA 01432. Applicant seeks a variance to raze a non-conforming structure on a non-conforming lot and replace with larger structure.

Advertised December 27, 2019 and January 1, 2020, *The Nashoba Valley Voice*

Name of Applicant: Mr. Joe Smith
1 Happy Street
Ayer, MA 01432

Date of Public Hearing: Wednesday January 15, 2020

Time of Public Hearing: 6:00 PM

Location of Public Hearing: Ayer Town Hall, 1 Main Street Ayer, MA 01432

Copies of the application are available at the Ayer Town Clerk's Office Monday, Wednesday and Thursdays from 8am – 4pm; Tuesdays 8am – 6pm and Fridays 8am – 2pm or by emailing zba@ayer.ma.us