



ZONING BOARD OF APPEALS
TOWN OF NORFOLK

MASSACHUSETTS 02056

Map: _____
Block: _____
Lot: _____
Zone: _____

APPLICATION FOR HEARING

1. NAME OF APPLICANT OR APPELLANT: _____
2. MAILING ADDRESS OF APPLICANT: _____
ZIP CODE: _____ PHONE NO: _____
3. ADDRESS OR LOCATION OF PROPERTY - SUBJECT OF HEARING: _____
4. OWNER OF PROPERTY: _____
5. MAILING ADDRESS OF OWNER: _____
ZIP CODE: _____ PHONE #: _____
6. APPLICANT IS: (CHECK) OWNER _____ TENANT _____ LICENSEE _____
7. NATURE OF THE APPLICATION: (CHECK)
 - ___ a. Appeal in accordance with M.G.L, c.40A, Sec. 8, as amended
 - ___ b. Special Permit in accordance with M.G.L., c.40A, Sec. 9, as amended
 - ___ c. Variance in accordance with M.G.L., c.40A, Sec. 10, as amended
 - ___ d. Exception from Sec. 3 in accordance with Sec. 4 of the Flood Plain/Wetland Protection District Bylaw of the Town of Norfolk (see also Item 9.g. of this application
 - ___ e. Special Permit as allowed in paragraph 2.9 in accordance with Sec. 4 of the Flood Plain/Wetland Protection Bylaw of the Town of Norfolk (see also Item 9.g. of this application
 - ___ f. Special Permit as allowed in Sec. D.3.e. of the Watershed Protection district Bylaw of the Town of Norfolk (see Item 9.g. of this application
 - ___ g. Addendum requests, requests for modification or changes to conditions of approval and/or site plans

h. Extension requests for Special Permits or Variances

i. Renewal requests for Special Permits

j. Repetitive Petition in accordance with Sec. 16 of Mass. G.L., Chapter 40A, as amended

8. State the EXACT NATURE of this application (see Instructions) and the APPLICABLE SECTION of the Norfolk Zoning Bylaws. You may attach additional sheets if necessary.

9. Complete the following checklist and include ALL enclosures with the application. (Refer carefully to information and instruction sheets).

a. Twelve (12) copies of the site plan of land

b. Three (3) copies of the letter of denial from the Building Inspector (if applicable)

c. Three (3) copies of a list of abutters certified by the Board of Assessors

d. Three (3) copies of Articles of Incorporation (if applicant is incorporated)

e. Check or money order, payable to "Town of Norfolk" in the correct amount (see fee schedule included with this application)

f. Written verification that application has been made to the Norfolk Planning Board for Site Plan Approval and Design Review Board, if required

g. One (1) copy of this application and site plan sent to each of the following: Board of Health, Planning Board, Conservation Commission, and Building Inspector if the application is for item 7d., 7e., or 7f.

h. Good Standing Form (Norfolk Bylaws, Article II, Section 4)

I hereby request a hearing before the Norfolk Zoning Board of Appeals with reference to the above noted application or appeal

Signed: _____ Date: _____
(Applicant)

Signed: _____ Date: _____
(Property Owner)

Title: _____

NOTE: Town Clerk or Agent shall stamp the date received on this application, sign or initial adjacent to the date, and forward the material to the secretary/Agent of the board of Appeals.

(Town Clerk) (Date)

TOWN CLERK NOTE: If the nature of the application refers to Sec. 7a., send one (1) copy to the building inspector and initial here. _____
(Require by Mass. G.L., Ch. 40A, Sec. 15)

Revised: 1/6/94
Signature page revised 1/7/02



TOWN OF NORFOLK

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS 02054

GOOD STANDING APPROVAL

Address of property/vendor: _____

Owner of Property/Vendor Name: _____

Type of Permit: _____

Applicant.....please complete the above and obtain signature at the following offices:

The above applicant is applying for a permit/license and has no outstanding debt on record from the following offices:

Treasurer/Collector's Approval: _____

Date Approved: _____

Water Dept. Approval: _____

Date Approved: _____

Town Clerk Approval: _____

Date Approved: _____

APPENDIX A

Variance Criteria and Worksheet
(Per Mass. G.L. Chapter 40A, Section 10)

1. The Variance must be with respect to particular land or structures.

Parcel of land: _____

Structures: _____

2. There must be circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.

Circumstances: _____

3. Literal enforcement of the provisions of the bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant.

Circumstances: _____

4. Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such bylaw.

Relief would be: _____

Detriment would be: _____

Is it substantial? _____

Intent or purpose of bylaw section? _____

Would the Variance nullify intent or purpose above? _____

Is there any substantial derogating (lessening) of the intent or purpose; and if so, what is it? _____

APPENDIX B

Special Permit Conditions and Worksheet

(Per NORFOLK ZONING BYLAWS, Section G.6.b.2.a-f)

1. That the use is in harmony with the general purpose and intent of the bylaw:

2. That the use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district:

3. Adequate and appropriate facilities will be provided for the proper operation of the proposed use:

4. That the proposed use would not be detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances:

5. That the proposed use would not cause undue traffic congestion in the immediate area:

6. That a proper site plan has been filed for approval with the Planning Board and the proper number of copies have been submitted with the application for a Special Permit to the Board of Appeals.

Site plan filed with the Planning Board for approval on: _____

APPENDIX C

Watershed Protection Bylaw Criteria Worksheet (per Norfolk Zoning Bylaw, Sections D.3.f.5.(a)-(d))

1. The use must be in harmony with the purpose and intent of this bylaw and will promote the purpose of the Watershed Protection District as outlined in Section D.3.a. of the Norfolk Zoning Bylaws: _____

2. The use must be appropriate to the natural topography, soils, and other characteristics of the site to be developed: _____

3. The use will not, during construction or thereafter, have an adverse environmental impact on any water body or course in the district: _____

4. The use will not adversely affect an existing or potential water supply: _____

PLEASE NOTE: All construction and land disturbing activities within the Watershed Protection District shall be designed or sited to minimize erosion and runoff by minimizing the construction period, slope stabilization, ditch maintenance, filtering, sedimentation basins, and revegetation (Norfolk Zoning Bylaw, Section D.3.h.)

1/6/94

IMPORTANT INSTRUCTIONS AND INFORMATION FOR APPLICANTS

Please read carefully all the instructions below prior to completing the **APPLICATION FOR HEARING** form.

All Applications to this Board will be acted upon, but because of several legal requirements, all information must be complete and correct to the best of the applicant's knowledge. Incomplete applications may cause delays and may be deemed invalid and rejected in accordance with the Rules and Regulations of the Board which are on file with the Town Clerk. No member of this Board may volunteer information, advise, or answer any questions about your application as this may be deemed prejudicial. It is suggested that any legal questions be answered by an attorney.

LINE 1-6 are basic information

LINE 7a - These applications are usually based on the decision of the Building Inspector, i.e., the denial of a building permit, or persons aggrieved by the granting of a permit. In the case of the denial of a permit, three copies of the letter of denial must be included with the application. An appeal per MA G.L. ch. 40A, Section 8 shall be taken within thirty (30) days from the date of the order or decision which is being appealed. (Ref. MA G.L. ch 40A, Sec. 15).

LINE 7b - This application is for **SPECIAL PERMITS** which are allowed under the Norfolk Zoning Bylaws. See attached **SPECIAL NOTICE TO ALL APPLICANTS**.

LINE 7c - A **VARIANCE** is a petition for relief from the Norfolk Zoning Bylaws. See attached **SPECIAL NOTICE TO ALL APPLICANTS**.

LINE 7d., 7e., & 7f. - These represent a request from the **FLOOD PLAIN/WETLAND PROTECTION DISTRICT BYLAW** and the **WATERSHED PROTECTION DISTRICT BYLAW** of the Town of Norfolk.

LINE 7g - This is an **ADDENDUM** request or request for modification or changes to conditions of approval and/or site plans, etc.

LINE 7h - This represents an **EXTENSION** request for Special Permits or Variances. Applications for **EXTENSIONS** must be time stamped by the Town Clerk and filed with the Board **PRIOR** to the expiration date of the decision.

LINE 7i - This represents a request for a **RENEWAL** of a Special Permit which was conditioned as such by decision of the Board.

LINE 7j - This is a request for a hearing in accordance with Section 16 of Ch. 40A, as amended. A request for a **REPETITIVE PETITION** hearing must also be filed with the Planning Board.

LINE 8 is a statement of exactly what the hearing will be for. The Applicant must state the intentions and reasons for the application and also refer to the applicable paragraph (Section) of the Norfolk Zoning Bylaws. If the **APPEAL** is pertinent to a denial by the Building Inspector, reference the date of the letter of denial. (Add an additional sheet if there is insufficient space).

LINE 9a - *****IMPORTANT***** (Please see **SPECIAL NOTE** and **LINE 9f** before preparing the site plan).

The site plan must include the following:

1. Size to scale not less than 1 inch equals 40 feet.
2. Property lines and dimensions
3. Names of streets
4. Zoning district
5. North Point
6. Location of all buildings and their percentage of lot coverage
7. Present use of the property
8. Names of owners of all abutting property
9. The location of buildings on abutting property and their distance from buildings on the petitioner's property
10. Required parking (if any) entrance, exits, driveways, etc. pertinent to the granting of the variance or special permit shall be shown
11. All proposed changes must be shown in **RED**
12. Plans must be certified by a Registered Land Surveyor or a Registered Professional Civil Engineer
13. Show two-foot contour intervals, starting at two hundred feet from proposed construction

SPECIAL NOTES:

1. When applying for a **NON-CONFORMING** addition to a **NON-CONFORMING** **STRUCTURE** (Section F.4.a. of the Norfolk Zoning Bylaws) the applicant must submit, in addition to the twelve (12) copies of the site plan above, four copies of a site plan showing the original structure and documentation of any special permits and/or building permits issued since zoning on the age of any additions, or proof of additions prior to the advent of zoning laws. The burden is on the applicant to prove that the existing structure and/or additions were constructed prior to zoning.

2. If Site Plan Approval is required under Section F.11. of the Norfolk Zoning Bylaws, Site Plans submitted by the applicant must be the same as those filed with the Norfolk Planning Board and must be drawn in conformance with the most recent Planning Board Regulations

for Site Plan Approval. All site plan information shall be verified in the field by the applicant.

LINE 9b - Three (3) copies of the letter of denial from the Building Inspector of this hearing is in regard to an **APPEAL** in accordance with Section 8 of Chapter 40A. (Item 7a of the APPLICATION FOR HEARING).

LINE 9c - Three (3) copies of a certified list of abutters. The list shall contain the names and addresses of all abutters and owners of land directly opposite and adjacent on any public or private way or street and abutters to abutters within 300 feet of the property line of the subject property as they appear on the most recent tax list; not withstanding that the land of any such owner is located in another city or town. This certified list or lists must be obtained from the Assessors' Office.

LINE 9d - Three (3) copies of Articles of Incorporation if the applicant or appellant is incorporated.

LINE 9e - Please note the fee schedule attached to the application

LINE 9f - If applying for a Special Permit that requires filing with the Norfolk Planning Board (See Section F.11. of the Norfolk Zoning Bylaws) for Site Plan Approval, or with the Building Inspector (Section F.11.a.) one must submit written verification from the Planning Board that an application and site Plan has been filed for approval and accepted for review by that Board or a filing of a Request for Determination of Applicability (Section F.11.a.) has been filed and accepted by the Building Inspector.

LINE 9g - Please note that if the application is for item 7d, 7e or 7f on the application form, one must also file one (1) copy of the application and site plan with each of the following: Board of Health, Planning Board, Conservation Commission, and Building Inspector.

LINE 9h - All applications must be submitted with a completed copy of the GOOD STANDING APPROVAL form that has been signed by the Town Treasurer/Collector. In accordance with the provisions of Chapter 640 of 1985, adopted by the Town at the Special Town Meeting held on November 25, 1986 and incorporated into the Town of Norfolk Bylaws, Article II, Section 4, a permit granting authority may deny any application submitted by a person, corporation or business enterprise who has neglected or refuses to pay any local taxes, fees, assessments or any other municipal charges. (ZBA Rules and Regulations, May, 1997).

A copy of the Norfolk Zoning Bylaws may be purchased from the Town Clerk.

One circulating copy of Massachusetts General Laws, Chapter 40A, as amended, and one non-circulating copy of the Rules and Regulations of this Board are on file with the Town Clerk.

A copy of the Norfolk Zoning Bylaws may be purchased from the Town Clerk.

One non-circulating copy of M.G.L. Chapter 40A, as amended, and one non-circulating copy of the Rules and Regulations of this Board are on file with the Town Clerk.

SCHEDULE OF FEES

FEES PER HEARING:

SPECIAL PERMIT	\$300.00
(plus \$50.00 per each additional special permit request pertaining to the same site)	
VARIANCE	\$300.00
(Plus \$50.00 per each additional variance request pertaining to the same site)	
SPECIAL PERMIT AND VARIANCE.	\$400.00
(Plus \$50.00 per each additional special permit or variance request pertaining to the same site)	
COMPREHENSIVE PERMIT	\$1080.00
(Plus \$220.00 per unit)	
WETLAND ACT AND/OR WATERSHED HEARING	\$300.00
ADDENDUM AND CHANGES/RELIEF FROM CONDITIONS.	\$300.00
(Advertised)	
APPEALS.	\$300.00
EXTENSIONS	\$ 50.00
(Unadvertised)	
RENEWALS OF SPECIAL PERMITS	\$100.00
(Unadvertised)	
REPETITIVE PETITIONS	\$220.00
(Unadvertised)	

PLEASE NOTE: In addition to the application fee, the applicant will be required to reimburse the Town for any and all costs incurred by the Town to have an engineer/consultant review the proposal, as deemed necessary by the Zoning Board of Appeals. (Please note Article V, Section 2, Rules and Regulations).

revised: 3/97