

Town of Northfield  
Zoning Board of Appeals  
[www.town.northfield.ma.us](http://www.town.northfield.ma.us) [Northfieldzba@gmail.com](mailto:Northfieldzba@gmail.com)  
69 Main Street, Northfield, MA 01360

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## ZBA Application Guide

Applications that are incomplete are subject to dismissal.

This guide is intended to help you through the application process only. For additional information please see our web site.

1. Applications are available at the Northfield Town Hall, in the main hallway.
2. The applicant shall meet with Jim Hawkins, Building Inspector (498-2901 Ext. 22). He will determine if you need a special permit or variance. At this meeting the applicant must provide a sketch of the plan with distances to abutting property lines and street boundaries (if building construction is planned). The applicant should provide a description of the business if it is to be conducted in an existing building.
3. For assistance the applicant may contact the ZBA Chair (Jennifer Cox at 498-2007), a member of the ZBA or Administrative Assistant (Vivien Venskowski at 863-2916) to answer questions.
4. If the applicant is not the owner, the applicant must provide a copy of a lease or agreement and a notarized letter of approval/consent signed by the owner or authorized agent.
5. The Assessor's Office (498-2901 ext 18) can provide you with information to fill out the application. They can provide you with the "Map and Lot" number, lot size, frontage information, and deed information.
6. The applicant shall include a scaled drawing of the premises showing: a.) all property lines, b.) distances from any buildings, or proposed buildings, to all property lines, c.) driveways and parking areas, d.) location of septic, e.) location of any soil conditions, topography or ledge which would affect a variance, f.) a scale drawing of any changes to the building interiors and exteriors, g.) note any exterior lighting, h.) location of any buried utilities, and i.) any other relevant information.
7. The applicant shall return the completed application to the Town Clerk. Upon its receipt, the application will be date stamped by the Town Clerk. A filing fee of \$150.00 is required. No further changes or adjustments to the application can be made. Additional supporting information to the existing application can be submitted at the hearing.
8. The applicant will be contacted by the Chair or Administrative Assistant for the ZBA to set up the public hearing date and time. The Administrative Assistant will prepare the legal notice to be posted and published twice in a local newspaper and will furnish a copy of the notice to the applicant. The Administrative Assistant will mail copies of the legal notice, containing the date and time of the public hearing, to abutters by Certified Mail.
9. If a VARIANCE is necessary, please fill out the "Petition for Variance" (see page 5). An applicant/petitioner must establish that special hardship conditions exist affecting the parcel of land or building to be eligible for a variance. (A special hardship as defined in Massachusetts General Law Chapter 40A.)

10. If the applicant would like to view a copy of the Northfield Zoning Bylaws, they are available at the Dickinson Memorial Library, the Town Clerk's Office, the Town's Secretary's Office and available on-line at the Town of Northfield website <http://www.northfield.ma.us/index.php?id=44> or The Zoning Act Mass General Laws Chapter 40A <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40A>.
11. A variance or special permit shall not take effect until:
- A copy of the decision of the Zoning Board of Appeals is obtained from the Town Clerk **by the applicant**. This copy must bear the certification of the Town Clerk that twenty (20) days have elapsed after the decision has been filed, and that no appeal has been filed.
  - The decision must be taken to the Registry of Deeds **by the applicant** where it is recorded in the Registry of Deeds for the county and district in which the land is located, and is indexed in the grantor index under the name of the owner of record; or is recorded and noted on the Owner's Certificate of Title.
  - A copy of the "recorded" document must be filed **by the applicant** with the Town Clerk and ZBA.

## **ZBA APPLICATION GUIDE**

### **CHECK LIST**

#### **To complete your application be sure to include**

- ☐ Copy of Assessor's Map (#5)
- ☐ Scale drawing of premises (#6)
  - ☐ Showing all property lines
  - ☐ Distances from any buildings or proposed buildings
  - ☐ Driveways and parking areas
  - ☐ Location of septic
  - ☐ Location of any soil conditions, topography or ledge which would effect a variance
  - ☐ Drawing of any changes to buildings (interior or exterior)
  - ☐ Note any exterior lighting additions
  - ☐ Underground utilities
  - ☐ Any other relevant information
- ☐ Description (including location) of signage
- ☐ If not owner copy of lease or rental agreement
- ☐ Notarized letter of approval/consent signed by owner or authorized agent(#4)
- ☐ Application Form
- ☐ \$150 filing fee

**Zoning Board of Appeals****Town of Northfield****Town Hall, 69 Main Street, Northfield, MA 01360****Application to the Zoning Board of Appeals for Special Permit, Variance or Appeal****Application is hereby made for a Special Permit, Variance, Determination or Appeal in accordance with Section \_\_\_\_\_ of the Northfield Protective Regulations By-laws.**

Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Tel #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

Name of Property Owner (according to the Registry of Deeds): \_\_\_\_\_ Tel #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State ZipPremises affected: \_\_\_\_\_  
Street Assessor's Map/Lot # Book & page #**Description of Proposed Building or Business****(See ZBA Application Guide).****1. Map & scale drawing of lot, structures and setbacks from all property lines must be attached to application.****2. Dimension of structure in feet: Front \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ Number of Stories: \_\_\_\_\_****3. Occupancy Use (of each floor): \_\_\_\_\_****4. Zoning District: \_\_\_\_\_****5. Type of Structure: \_\_\_\_\_****6. Has there been a previous appeal, under zoning, on these premises? \_\_\_\_\_**  
\_\_\_\_\_**7. Description of proposed work or use: \_\_\_\_\_**  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. The principal reasons upon which I base my application are as follows: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicant's signature: \_\_\_\_\_ Title: \_\_\_\_\_

Owner/Agent's signature: \_\_\_\_\_ Title: \_\_\_\_\_

(The tenant must have owner or authorized agent co-sign this application.)

\_\_\_\_\_  
Signature of Owner/Authorized Agent

\_\_\_\_\_  
Date

(Please review and become familiar with attached instructions.)

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Filing fee \$150.00 Date Paid: \_\_\_\_\_ Payment Received by: \_\_\_\_\_

Additional application review fees may be charged if the ZBA determines that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project per The Board of Appeals Regulation on Application – Special Municipal Accounts approved on August 17<sup>th</sup>, 1992.

Applicant must include all of the following information or the Town Clerk will not accept the application:

☐ Scale Drawing ☐ Payment ☐ Completed Application ☐ Lease or rental agreement, if applicable

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**PETITION FOR A VARIANCE**

**Please consider that your proposal must not be a substantial detriment to the public good and it must not nullify or substantially derogate from the intent and purpose the zoning ordinance bylaw.**

**Why/how does your petition qualify for a variance in relation to the criteria specified on page number 8 of this application? Respond to each criteria.**

**1. Soil conditions, lot shape, topography?** \_\_\_\_\_

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**2. Hardship?** \_\_\_\_\_

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**3. Public good?** \_\_\_\_\_

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**In your opinion, is it physically possible to accomplish your proposal on any other location on the property where it would comply with the zoning bylaw? (Please explain your answer.)**

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**(Instructions to the Applicant on Reverse)**  
**Instructions for Completing the Petition for a Variance**

1. Complete this form and review it with the Building Inspector.
2. For assistance contact Jennifer Cox, ZBA Chair (498-2007) or Vivien Venskowski, Administrative Assistant (863-2916).
3. Submit this form to the Town Clerk with the required application fee.
4. It is required that the petitioner or his representative be present at the public hearing for case discussion.
5. To be granted a variance, a petitioner must establish that due to circumstances relating to the soil conditions, shape or topography of the land or structures, and especially affecting the land or structures, but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating the intent or purpose of such bylaw.
6. If your petition is for a special permit rather than a variance, be prepared to present information that shows your use is in harmony with the intent and purpose of the zoning bylaw, and that it complies with the special provisions outlined in the zoning bylaw.
7. A Decision may be appealed to the appropriate court by bringing an action within twenty (20) days after the decision has been filed in the office of the Town Clerk. In order to stay the Decision, notice of a court action, with a copy of the complaint, must be given to the Town Clerk within twenty (20) days of the Notice of Decision being filed.
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  - b. The decision must be taken to the Registry of Deeds **by the applicant** where it is recorded in the Registry of Deeds for the county and district in which the land is located, and is indexed in the grantor index under the name of the owner of record; or is recorded and noted on the Owner's Certificate of Title.
  - c. A copy of the "recorded" document must be filed **by the applicant** with the Town Clerk and ZBA.