



**TOWN OF NORTH ANDOVER
ZONING BOARD OF APPEALS**

**SPECIAL
PERMIT**

NAME

ADDRESS OF APPEAL

Town Clerk Time Stamp

**Procedure & Requirements for
an Application for a Special
Permit**

Twelve (12) copies of the following information must be submitted thirty (30) days prior to the first public hearing. Failure to submit the required information within the time periods prescribed may result in a dismissal by the Zoning Board of an application as incomplete.

The information herein is an abstract of more specific requirements listed in the Zoning Board Rules and Regulations and is not meant to supersede them. The petitioner will complete items that are underlined.

STEP 1: ADMINISTRATOR PERMIT DENIAL:

The petitioner applies for a Building Permit and receives a Zoning Bylaw Denial form completed by the Building Commissioner.

STEP 2: SPECIAL PERMIT APPLICATION FORM

Petitioner completes an application form to petition the Board of Appeals for a Special Permit. All information as required in items 1 through and including 11 shall be completed.

STEP 3: PLAN PREPARATION:

Petitioner submits all of the required plan information as cited in Section 10 page 4 of this form.

STEP 4: LIST OF PARTIES IN INTEREST:

The petitioner requests the Assessors Office to compile a certified list of Parties in Interest (abutters).

STEP 5: SUBMIT APPLICATION:

Petitioner submits one (1) original and 11 Xerox copies of all the required information to the Town Clerk's Office to be certified by the Town Clerk with the time and date of filing. The original will be left at the Town Clerk's Office, and the 11 Xerox copies will be left with the Zoning Board of Appeals secretary.

STEP 6: SCHEDULING OF HEARING AND PREPARATION OF LEGAL NOTICE:

The Office of the Zoning Board of Appeals schedules the applicant for a hearing date and prepares the legal notice for mailing to the parties in interest (abutters) and for publication in the newspaper. The petitioner is notified that the legal notice has been prepared and the cost of the Party in Interest fee.

STEP 7: DELIVERY OF LEGAL NOTICE TO NEWSPAPER

The petitioner picks up the legal notice from the Office of the Zoning Board of Appeals and delivers the legal notice to the local newspaper for publication.

STEP 8: PUBLIC HEARING BEFORE THE ZONING BOARD OF APPEALS:

The petitioner should appear in his/her behalf, or be represented by an agent or attorney. In the absence of any appearance without due cause on behalf of the petition, the Board shall decide on the matter by using the information it has received to date.

STEP 9: DECISION:

After the hearing, a copy of the Board's decision will be sent to all parties in interest. Any appeal of the Board's decision may be made pursuant to Massachusetts General Law ch. 40A sec. 17, within twenty (20) days after the decision is filed with the Town Clerk.

STEP 10: RECORDING THE DECISION AND PLANS.

The petitioner is responsible for recording certification of the decision, Mylar, and any accompanying plans at the Essex County North Registry of Deeds, 354 Merrimack St., Lawrence MA 01843, and shall complete the Certification of Recording form and forward it to the Zoning Board of Appeals and the Building Department.

IMPORTANT PHONE NUMBERS:

978-688-9533 Office of Community Dev. & Services
1600 Osgood Street
Building 20, Suite 2035

Town Hall
120 Main Street
North Andover, Massachusetts 01845

978-688-9542 fax for Community Development offices
978-688-9545 Building Department
978-688-9541 Zoning Board of Appeals Office

978-688-9501 Town Clerk's Office
978-688-9566 Assessor's Office

Application for a SPECIAL PERMIT

North ANDOVER ZONING BOARD OF APPEALS

Please complete all items 1 - 10 below:

1. **Petitioner:** Name, address and telephone number:

*The petitioner shall be entered on the legal notice and the decision as entered above.

2. **Owners of Land:** Name, Address and Telephone number and number of years under this ownership:

Years Owned Land:

3. **Location of Property:**

- a. Street: _____ Zoning District _____
- b. Assessors: Map number _____ Lot Number: _____
- c. Registry of Deeds: Book Number _____ Page Number: _____

4. **By-Law Sections under which the petition for the Special Permit is made.**

*Refer to the Permit Denial and Zoning By-Law Plan Review as supplied by the Building Commissioner.

5. **Describe the Special Permit request:**

*The above description shall be used for the purpose of the legal notice and decision. A more detailed description is required pursuant to the Zoning Board Rules and Regulations as cited on page 4 of this application.

NORTH ANDOVER ZONING BOARD OF APPEALS application for a **SPECIAL PERMIT**

6A. Existing Lot(s):

Lot Area Sq. Ft.	Open Space Sq. Ft.	Percent Lot Coverage	Frontage Feet	Parking Spaces	Minimum Lot Setback			
					Front	Side A	Side B	Rear
_____	_____	_____ %	_____	_____	_____	_____	_____	_____
_____	_____	_____ %	_____	_____	_____	_____	_____	_____

6B. Proposed Lot(s):

Lot Area Sq. Ft.	Open Space Sq. Ft.	Percent Lot Coverage	Frontage Feet	Parking Spaces	Minimum Lot Setback			
					Front	Side A	Side B	Rear
_____	_____	_____ %	_____	_____	_____	_____	_____	_____
_____	_____	_____ %	_____	_____	_____	_____	_____	_____

6C. Required Lot: (As required by Zoning Bylaws & Table 2))

Lot Area Sq. Ft.	Open Space Sq. Ft.	Percent Lot Coverage	Frontage Feet	Parking Spaces	Minimum Lot Setback			
					Front	Side A	Side B	Rear
_____	_____	_____ %	_____	_____	_____	_____	_____	_____

7A. Existing Building(s):

Ground Floor Square feet	Number of Floors	Total Sq. feet	Use of Building*	Number of Units**
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

*Reference Uses from the Zoning Bylaws & Table 1.
 **State number of units in building.

7B. Proposed Building(s):

Ground Floor Square feet	Number of Floors	Total Sq. feet	Use of Building*	Number of Units**
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

*Reference Uses from the Zoning Bylaws & Table 1.
 **State number of units in building.

8. Petitioner and Landowner signature(s):

Every application for a Special Permit shall be made on this form, which is the official form of the Zoning Board of Appeals. Every application shall be filled with the Town Clerk's Office. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the Town Clerk or the Zoning Board of Appeals does not absolve the applicant from this responsibility. The petitioner shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal by the Zoning Board of this application as incomplete.

Signature _____

Type above name(s) here _____

9. WRITTEN DOCUMENTATION

Application for a Special Permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. When requesting a Special Permit from the requirements of MGLA ch. 40A, and the North Andover Zoning By-laws, all dimensional requirements shall be clearly identified and factually supported. **All points, 1-6, are required to be addressed with this application.**

1. The particular use proposed for the land or structure.
2. The specific site is an appropriate location for such use, structure or condition.
3. There will be no nuisance or serious hazard to vehicles or pedestrians.
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
5. The use is in harmony with the purpose and intent of the Zoning Bylaw.
6. Specific reference and response to the criteria required by the particular Special Permit for which this application is made (i.e. the Earth Removal Special Permit has unique criteria and submittal requirements.).

10. PLAN OF LAND

Each application to the Zoning Board of Appeals shall be accompanied by the following described plan. Plans must be submitted with this application to the Town Clerk's Office and ZBA secretary at least thirty (30) days prior to the public hearing before the Zoning Board of appeals.

A set of building elevation plans by a Registered Architect may be required when the application involves new construction/a conversion/ and/or a proposed change in use.

10 A. Major Projects

Major projects are those, which involve one of the following whether existing or proposed:

- I) five or more parking spaces,
- II) three (3) or more dwelling units,
- III) 2000 square feet of building area.

Major Projects shall require that in addition to the above features, plans must show detailed utilities, soils, and topographic information.

***10. B. *Plan Specifications:**

- I) **Size of plan:** Ten (10) paper copies of a plan not to exceed 11"x17", preferred scale of 1"=40'

II) **One (1) Mylar**, with one block for Registry Use Only, and one block for five (5) ZBA signatures and date.

III) Plan shall be prepared, stamped and certified by a **Registered Professional Land Surveyor**. Please note that plans by a Registered Professional Engineer, Registered Architect, and/or a Registered Landscape Architect may be required for Major Projects.

10 C. *Required Features On Plan:*I) Site Orientation shall include:**

1. north point
2. zoning district(s)
3. names of streets
4. wetlands (if applicable)
5. abutters of property, within 300' radius
6. locations of buildings on adjacent properties within 50' from applicants proposed structure
7. deed restrictions, easements.

II) Legend & Graphic Aids shall include:

1. Proposed features in solid lines & outlined in red
2. Existing features to be removed in dashed lines
3. Graphic Scales
4. Date of Plan
5. Title of Plan
6. Names addresses and phone numbers of the applicant, owner of record, and land surveyor.
7. Locus.

10 D. Minor Projects

Minor projects, such as decks, sheds, and garages, shall require only the plan information as indicated with an asterisk (*). In some cases further information may be required

11. APPLICATION FILING FEES

A. Notification fees: Applicant shall provide a check or money order to: "Town of North Andover" for the cost of first class, certified, return receipt x # of all parties in interest identified in MGLA ch. 40A §11 on the abutter's list for the legal notice check. Also, the applicant shall supply first class postage stamps for each address listed on the abutter's list, plus an additional 2 for the decision mailing.

B. Mailing labels: Applicant shall provide four (4) sets of mailing labels no larger than 1"x2-5/8" (3 copies for the Legal mailing and one copy for the Decision mailing).

C. See 2005 Revised Fee Schedule.

A Special Permit once granted by the ZBA will lapse in 2 (two) years if not exercised and a new petition must be submitted.