

ZONING BOARD OF APPEALS

WINCHENDON, MASSACHUSETTS



Application for ADMINISTRATIVE APPEAL

Two checks: Town of Winchendon \$ _____ Winchendon Courier \$ _____

Tax Certification

Pursuant to the provisions of Massachusetts General Law, Chapter 40, Section 57, the Town Bylaw, Licenses and Permits of Delinquent Taxpayer, Section 21.1: "Any Board... shall deny application... for any person, corporation, or business enterprise who has neglected to pay any local taxes, fees, assessments, betterments, or any municipal charge." **Certification must be obtained from the Town Treasurer on this form before it is submitted to the Zoning Board of Appeals. The Treasurer has up to ten (10) days to complete this certification process.**

I hereby certify that the applicant or the owner of record owes no debt to the Town of Winchendon for a period of time greater than twelve (12) months.

(Town Treasurer)

(Date)

Date _____

Book _____ Page _____

Appellant's name _____

Map _____ Parcel _____

Address _____

Lot size _____

Location of property _____

Zone _____

Property owner's name _____

Address (if different) _____

Appellant's tel. # _____

Nature of Appeal:

Nature of Relief Requested:

Applicable Section of Zoning Bylaw: _____

Eight (8) copies of this appeal must be accompanied by 8 copies of the following:

- (a) Any supporting information and data the appellant feels will support the appeal.
- (b) Letter(s) or other documentation clearly showing the date of denial/action of the Building Inspector or other administrative official.

The application must also be accompanied by the appropriate application fee and Winchendon Courier advertising fee.

Application certification and signature

I hereby certify that the information provided in this application and the accompanying drawing(s) of the property as well as any supporting data are accurate, true, and correct to the best of my knowledge and belief.

Signature of Applicant (or their representative)

Date

The original of this form is to be filed with the Town Clerk.

This appeal will not be considered complete until all of the above information is provided.

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Instructions for Filing an APPEAL with the Zoning Board of Appeals

1. You may make an appeal to the Zoning Board of Appeals if you are aggrieved by your inability to obtain a permit or enforcement action from the building commissioner or if you are aggrieved by an order or decision of the building commissioner or other administrative official in violation of any provision of MGL Chapter 40A or the Winchendon Zoning Bylaw. **Appeals must be made within 30 days of the date of the decision or action that you are appealing.**

2. To make your appeal to the Zoning Board of Appeals, fill out an *Application for Administrative Appeal*.

3. In your application you must cite the reasons for your appeal, give reference to the particular zoning bylaw(s) that pertains to your appeal and what action you would like the Zoning Board to take (relief requested). You will need to provide written documentation to support your appeal. This could encompass copies of deeds, maps, soil information, etc. Anything that you feel will substantiate your claim and help the Zoning Board to make its decision may be included with your application.

4. Submit your completed application to the Town Treasurer for tax certification. Please be aware that the Town Treasurer has up to ten (10) days to complete certification. When that is done, submit your application to the Town Clerk **within 30 days of the date of the decision or action that you are appealing.** You will also need to pay the appeal fee of \$100 in the form of a check made payable to the "Town of Winchendon" and a fee of \$84.00 for advertising costs in the form of a check made payable to the "Winchendon Courier". The Town Clerk will give you a copy of your application.

5. You must submit your tax certified, date stamped application and all supporting materials *forthwith* to the officer or board whose decision you are appealing. *Forthwith* generally means *within 24 hours*. The officer or board whose decision you are appealing is required to transmit *forthwith* to the Zoning Board of Appeals all documents and papers pertaining to your case.

6. Upon receipt of your application, the Zoning Board will schedule a public hearing at which they will hear your appeal. The Board has up to sixty-five (65) days in which to hold this hearing. The Board will notify you of the date of this hearing by mailing a copy of the *Notice of Public Hearing* to you.

7. The Board has one hundred (100) days from the date of receipt of your application in which to make a decision on your appeal. The concurring vote of four Board members is required for the Board to reverse any order or decision of any administrative official under MGL Chapter 40A. You will receive this *Notice of Decision* from the Board forthwith in the mail.

8. The Board must then make a detailed record of its proceedings indicating the vote of each member upon each question, setting forth clearly the reason(s) for its decision and of its official actions. This documentation must be filed in the Town Clerk's office within fourteen (14) days of the date of their decision, where it will become public record. You will receive a copy of this documentation in the mail.

9. Should you or any other interested party be dissatisfied with the decision of the Zoning Board, you (or they) will have twenty (20) days from the date the Board's decision was filed with the Town Clerk to appeal the Board's decision to the superior court department for the county in which the land concerned is situated or to the division of the district court department within whose jurisdiction the land is situated. Check MGL Chapter 40A section 17 for more complete instructions on this appeal process.

10. If no appeal to the Zoning Board's decision is taken within the twenty (20) day appeal period, you will receive a certified "Notice For Recording" from the Town Clerk. This notice is a summary of your appeal.

