

**Town of Uxbridge  
Zoning Board of Appeals  
21 So. Main St.  
Uxbridge, MA 01569  
(508) 278-8600 X 2013**

**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS  
INSTRUCTIONS  
(Revised October 2009)**

The ZBA Application is designed to assist you in providing all the information necessary for the Board to readily assess what it is that you are trying to do with your property and specifically what it is you are seeking from the Board.

In order for the ZBA to conduct an accurate review of your request, it is essential that you, the Applicant, provide the most complete and accurate "picture" of what exists on the property and what is proposed for the property. Therefore, all questions on the Application are to be answered completely. Applications submitted to the ZBA which are deemed incomplete will not be scheduled for review.

**Reasons for filing an application to the Zoning Board of Appeals:**

1. The work you want to do does not meet the dimensional requirements of the Zoning Bylaw, and a Dimensional Variance is required. Typically, you have filed a Building Permit Application and it has been rejected by the Building Inspector because your project or property does not meet one or all of the dimensional requirements of the Zoning Bylaw. Your letter (denying your building permit application, issued by the Building Inspector) will typically identify the issues clearly and should be included in your ZBA application.
2. Your proposed use for the property requires a Special Permit. Typically, you have already filed a permit application with the Building Inspector, and it is his response letter that will identify the type of zoning permits required. Include this letter in your ZBA application package.
3. Your proposed use of the property is in accordance with the requirements of MGL Ch 40B. Be sure to follow the Town's Regulations regarding such submittals.
4. You seek to appeal a ruling or determination made by the Zoning Enforcement Officer, Building Inspector or other town official/board, in accordance with law.

**General Information:**

1. All Applications are to be clearly printed or typed.
2. Please use a blue pen wherever a signature is required to help differentiate the original Application from a copy.
3. All property owners **MUST** sign the application form, or submit a signed, notarized letter authorizing the applicant to act on the behalf of the owner(s) for the purposes of pursuing the application.
4. The applicant and/or authorized representative must be present at the ZBA public hearing, in order to present the application and address any comments of the Board.

### **Application:**

The following items **MUST** accompany the completed Application Package or the entire Package will be deemed incomplete and will be returned to the Applicant/agent:

1. A copy of the letter from the Building Inspector indicating the specific reasons why he / she rejected your Building Permit Application or a copy of the letter from the Building Inspector or Town Planner indicating why he / she deems you must seek ZBA approval.
2. A valid (within 3months) Certified Abutters List and the Certified Abutters labels from the Assessors' Office; two (2) sets of self-sealing envelopes corresponding to the Abutters List, plus one for each applicant, each property owner, and each representative, if applicable) plus an additional 15 envelopes (due to required notifications to adjacent communities and various agencies); **Forever Stamps** for each recipient of each of the two required mailings.
3. The deed, land court certificate and/or Certificate of Title, showing any and all easements, rights of way or other encumbrances.
4. If the purpose of the application involves non-conformity, the deed information must be sufficient to determine that the property/condition is lawfully non-conforming.
5. Six (6) copies of a stamped surveyor's Plot Plan of the property in question or, if none exists, a plan of the land signed and stamped by a registered land surveyor (depending on the project, 8½ X11, 11X17 or 24X36 sheets may be appropriate);
6. Six (6) copies of the proposed alterations to the property in question. These alterations can be shown on the Plot Plan as long as the resulting Plan clearly shows both existing and proposed conditions, and detailing all area, frontage and setback measurements. If construction, existing and / or proposed, is of more than one-story, both front and side elevations must be submitted, and floor areas must be determined for each story;
7. Pictures of the property, when and if appropriate;
8. A copy of any prior Zoning Board or applicable decision(s) on said property;
9. All business applicants must submit a Municipal Lien Certificate from the Tax Collector's Office for the property in question;
10. All applicants for Accessory Dwelling Units must submit a signed Affidavit confirming Primary Resident lives on the premises and that the ADU occupants meet the criteria of Section C, a, IX of the Uxbridge Zoning Bylaw
11. Mark your property clearly (house number, lot number) so that the ZBA members can readily find it;
12. The ZBA Filing Fee, provided by bank check payable to the Town of Uxbridge. Fees are found in the ZBA Fee Schedule. The base application fee (applicable for most applications) is \$300.00

### **Hearing**

The ZBA holds its regularly scheduled meetings on the first Wednesday of each month. Once your complete ZBA Application Package has been received, the Board will set a date for review. More often than not, your case will require a Public Hearing, and state law requires certain notifications of public hearings. Therefore, your hearing may be held a month or two after submittal of your application, and not necessarily during the next regularly scheduled meeting.

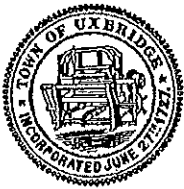
### Decision

Within 14 days of the ZBA vote, a decision will be filed with the Town Clerk. The appeal period on Variances, Special Permits and Comprehensive Permits is twenty (20) days from date of filing with the Town Clerk. Any time after the 20<sup>th</sup> calendar day from the date on which the decision was filed, the applicant or his/her agent must pick up the Decision, including a statement from the Town Clerk certifying that no appeal has been filed.

The applicant or his/her agent must then take the above to the Worcester County Registry of Deeds for recording. **THE VARIANCE OR SPECIAL PERMIT DOES NOT TAKE EFFECT UNTIL SUCH RECORDING OCCURS**, and until we are provided evidence of the recording (including the Book and Page numbers issued by the Registry of Deeds).

Any subsequent applications for Building or other permits that you seek should include a copy of the RECORDED decision (with the Registry of Deeds book/page number shown).

If you still have questions after reviewing this material, please contact the ZBA clerk at 508-278-8600 X 2013



**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS  
APPLICATION FOR A HEARING**

(Revised June 1, 2008)

Uxbridge Town Hall  
21 South Main Street  
Uxbridge, MA 01569  
508-278-8600 x2013 p  
508-278-0709 f

ZBA Case#: FY \_\_\_\_\_

Zone: \_\_\_\_\_

Referring Agent's Name: \_\_\_\_\_

Reason for ZBA Referral (check all that apply):

<input type="checkbox"/> Variance			
	Req'd	Has	Variance
Area:	_____	_____	_____
Frontage:	_____	_____	_____
Front Setback:	_____	_____	_____
Right Side Setback:	_____	_____	_____
Left Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____

☐ Special Permit for Use

☐ Comprehensive Permit (Chapter 40B)

☐ Appeal from Decision

☐ Determination/Special Permit

Property Location:

Address: \_\_\_\_\_  
Assessors' Map(s): \_\_\_\_\_ Parcel #(s): \_\_\_\_\_  
Deed Bk(s): \_\_\_\_\_ Deed Pg(s): \_\_\_\_\_

Has any prior appeal at this location been made? \_\_\_\_\_  
(If yes, please attach prior decision, including Book/Page #)

Do you agree to let ZBA members review your property on site? Yes No

**Owner(s) Information (identify every owner – use additional sheets if nec):**

Please note: All owners MUST personally sign the application form

Name(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone#(s): \_\_\_\_\_

**Applicant Information:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone#(s): \_\_\_\_\_

**Representative/Contact Person Info:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone#: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Further Detail on Reason for Application:**

**Variance:** If you are applying for one or more dimensional variances, describe each and also provide evidence of the “hardship” as defined by State Law:

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**Special Permit:** Describe in detail the permit you are seeking and provide specific information as to how the proposed use will meet the Zoning By-laws of Uxbridge (include applicable Section #s of ZBL): \_\_\_\_\_

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**Comprehensive Permit:** Describe project and attach all appropriate state eligibility paperwork, as well as material required by the Town of Uxbridge Comprehensive Permit Regulations \_\_\_\_\_

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**Appeal of a ruling.** Attach a copy of said ruling and provide documentation/ describe in detail why you believe that the ruling is incorrect. \_\_\_\_\_

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**Determination:** Pursuant to MGL Ch 40A Section 6, the Zoning Board may make certain Determinations. Provide information about the Determination you seek, and the evidence therefore (attach additional sheets if necessary): \_\_\_\_\_

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**Owner Name(s) (Please print):**

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**Owner Signature(s):**

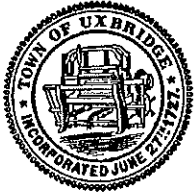
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**Date:**

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# **TOWN OF UXBRIDGE ZONING BOARD OF APPEALS APPLICATION CHECKLIST**

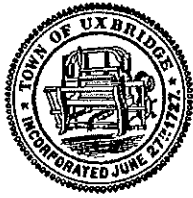
Uxbridge Town Hall  
21 South Main Street, Room 203  
Uxbridge, MA 01569  
508-278-8600 x2019 p

Any person who applies for relief from the Zoning Board of Appeals shall provide the following documents and information with the Board to consider the application complete:

- ☐ A properly executed Application Form: two (2) originals and five (5) additional copies
  - Clearly printed or typed.
  - Signature of property owner(s) provided in blue ink
  - Identification of the party that referred the applicant to the ZBA
  - The original letter from the referring party
- ☐ All required information to notify abutters of the public hearing and the ZBA's decision:
  - A copy of the completed Application for Certified Abutters List
  - The original Certified Abutters List, including neighboring Towns (*provided by the Assessor*)
  - Two (2) sets of Abutter labels, including neighboring Towns (*provided by the Assessor*)
  - Two (2) set of envelopes with non-metered USPS Forever stamps
- ☐ The deed or land court certificate to verify property ownership
- ☐ One (1) large size copy and six (6) 11" x 17" copies of a stamped surveyor's Plot Plan of the property. If none exists, one (1) large size copy and six (6) 11" x 17" copies of a plan of the land signed and stamped by a registered land surveyor.
- ☐ One (1) large size copy and six (6) 11" x 17" copies of the proposed alterations plan (*if applicable*)
- ☐ Photographs of the property (*if applicable*)
- ☐ A complete copy of any prior ZBA decision(s) related to the property.
- ☐ A Municipal Lien Certificate to verify taxes are up to date (for business applicants only)
- ☐ Signed Affidavit confirming Primary Resident lives on the premises and that the ADU occupants meet the criteria of Section C, a, IX of the Uxbridge Zoning Bylaw (for Accessory Dwelling Unit applicants only – see page 2 for additional ADU application submittal requirements)
- ☐ A filing application fee tendered by check or money order, made payable to the Town of Uxbridge.

Is the ZBA Application Complete?    Yes    No

\_\_\_\_\_  
Signature ZBA Clerk



**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS  
APPLICATION FOR A HEARING**

Uxbridge Town Hall  
21 South Main Street, Room 203  
Uxbridge, MA 01569  
508-278-8600 x2019 p

**Requirements for Accessory Dwelling Unit Applications:**

An application for an Accessory Dwelling Unit (ADU) shall include site plans and plans for the ADU and shall include such other material as necessary to describe in detail the general arrangement of the ADU, including:

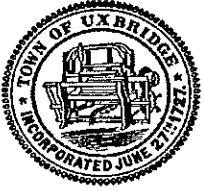
- Description of the proposed use and relationship of property owner with proposed occupants
- Number and approximate size of rooms and structures
- Location of parking
- How utilities will be provided
- Means and location of access and egress
- Description of exterior appearance
- Signed Affidavit confirming Primary Resident lives on the premises and that the ADU occupants meet the criteria of Section C, a, IX of the Uxbridge Zoning Bylaw.

**Requirements for Plans Submitted:**

ZBA Plans shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn. The plan shall be at a scale of one (1) inch equals forty (40) feet or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24"x36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The plans shall contain the following information:

- Application name, boundaries, north point, date and scale.
- Name and address of record owner, applicant, engineer or surveyor.
- Existing and proposed lines of streets, ways, lots, easements, and public or common areas within the property.
- Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
- Location of all permanent monuments properly identified as to whether existing or proposed.
- Location, names, and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- Suitable space to record the action of the Board and signatures of the members of the Board (or officially authorized persons).
- Existing and proposed topography at a suitable contour interval as required by the Board.
- Profiles on the exterior lines of proposed streets at a horizontal scale of one (1) inch equals forty (40) feet and vertical scale of one (1) inch equals four (4) feet, or such other scales acceptable to the Board. Reference point for elevations shall be shown.
- Proposed layout of storm drainage, water supply and sewage disposal systems.
- Plans must include all utilities (electrical, water, sewer, cable, and gas).





**TOWN OF UXBRIDGE**  
**ASSESSOR OFFICE**  
21 S Main St., Room 109  
Uxbridge, MA 01569-1851  
Phone: 508-278-8600 #2  
Email: [assessor@uxbridge-ma.gov](mailto:assessor@uxbridge-ma.gov)

Kenneth M. O'Brien,  
MAA Principal Assessor

**ABUTTERS LIST REQUEST FORM**

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

Property Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Parcel Number: Map \_\_\_\_\_ Parcel \_\_\_\_\_

Request Made by: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Purpose:**

_____ Conservation Commission	100'
_____ Zoning Board of Appeals	300', 2 sets of labels
_____ Planning Board	300', 3 sets of labels
_____ Special Permit	300', 3 sets of labels
_____ Liquor License	Direct & 500' Churches & Schools
_____ Street Acceptance	100'
_____ Pole Hearing	100'
_____ Fire Department	Direct Abutters
_____ Other _____	

Signature: \_\_\_\_\_

Fee: \$25.00

PLEASE ALLOW TEN (10) BUSINESS DAYS TO PREPARE  
CERTIFIED ABUTTERS LIST.