



Town of Reading Instructions for Submitting a Zoning Board of Appeals Application

Every property owner has the right to appear before the Zoning Board of Appeals to apply for a Variance, Special Permit or an Appeal of a Decision made by the Building Commissioner.

Start by meeting with the Building Commissioner with a completed Building Permit Application or Letter of Request. The application is available online or at the Public Services Office.

Review

- The Building Commissioner will review the building permit application and your up-to-date certified plot plan with you and explain the next steps to follow; applying for a Variance, Special Permit or filing an Appeal. **An Denial/Opinion Letter, where applicable, is needed first in order to complete the ZBA Application fully and correctly.**
- Once the Denial/Opinion Letter is received, complete and submit the ZBA Application and **all required** documents.
- Request for Abutters List: Complete the below Request for Certified Abutters List and submit it to the Public Services Department, this process may take up to 3 weeks. The list will be emailed to you.

Packet: The Applicant will then submit a complete packet as outlined below:

- Completed **ZBA Application Form**
 - If Requesting Variance:** Completed **Variance Criteria Form** below must be submitted.
- Copy of your **Building Permit Application** or **Letter of Request**
- Copy of the **Denial/Opinion Letter, if applicable.** This will inform you if you need a **Special Permit** and/or a **Variance.**
 - If Appealing:** A copy of the Building Commissioner's **Decision** that you are appealing. Applications for appeals must be submitted within 30 days from the date of the Building Commissioner's decision. Please include a supporting statement explaining your position.
- Certified Plot Plan** (instrument survey) by a Massachusetts Registered Land Surveyor must be submitted if you are seeking a dimensional or setback Variance and/or a Special Permit for a proposed new structure. The Plot Plan must show the proposed structure with its dimensions and indicate the setback distances from all lot lines. It must also contain a zoning compliance table that shall include the zoning district; required, existing and proposed setbacks; lot coverage and other applicable standards. If conservation issues are applicable, provide wetland area delineation and distances. The copy of the certified plot plan for the packet shall be provided **true to scale and size 11x17.**
- Certified Abutters List & Property Field Card** approved by the Board of Assessors. Submit the request to the Public Service Department. The list will be emailed to you when ready. The Property Field Card can be written in on the Request for Certified Abutters list.
- Copy of Assessor's Map** that shows the property as well as any other maps listed on the abutter's list must be obtained from the **Town Engineer's office.** These must be provided **in color and size 11x17** for the packets.
- Any Plans** needed to clarify your request: architectural building plans, floor/parking layouts. This should be shown to and discussed with the Building Commissioner.
- Two sets of business size envelopes that have been stamped and addressed** to each abutter and surrounding towns listed on the Abutter's List. **Staff will add the Town Hall's return address to the envelopes.** Please

separate each set with elastics. Be sure to include two envelopes addressed to you, one in each set of envelopes.

- Application fee of \$90 payable to the Town of Reading** and attached to the original packet.
- Once your packet is deemed complete and compliant by Town Staff, you can make 3 additional copies, **for a total of 4 hardcopies** and return them to staff.

Copies, Letters and Fees

- All 4 packets and 2 sets of envelopes are then submitted to the Building Department along with the \$90 fee. A hearing date will be assigned. The application will be filed with the Town Clerk by Town Staff.
- The Public Services Department will mail out the first set for the legal notice and second set for the ZBA Decision. **The Reading Chronicle will bill you directly** for the advertising fee for the Legal Notice of your ZBA hearing.

Hearing

- The hearing will typically be held in the Select Board's Meeting Room at Town Hall where you will present your information to the Board in support of your application.
- After hearing all pertinent information, including the testimony of any abutters who may be present, the Board will either vote on your application or continue the hearing to another date if they requested more information.
- Once your request is **granted or denied**, the Board has 14 calendar days to submit its written Decision to the Town Clerk.

Appeal Period

- Once the Decision is filed with the Town Clerk, there will be an appeal period of 20 calendar days. During this time anyone who thinks they have been harmed by the Decision may file an appeal pursuant to MGL C.40A Section 17.
- At the end of the 20 days, if no one has appealed, the Applicant may pick up a certified copy of the Board's Decision at the Town Clerk's office.

Registry of Deeds

- **The Applicant/Agent** is required to record the Decision at the Middlesex South Registry of Deeds in Cambridge. All required fees are the responsibility of the Applicant or Owner.
- **The Applicant/Agent** must bring a copy of the recorded Decision to the Public Service Department

Building Permit

- When you apply for your Building Permit to build in accordance with a Variance or Special Permit that has been granted, you must attach a copy of the certified Decision that indicates the recording of the Decision at the Registry of Deeds.
- Variances lapse after one year if not used but may be extended for six months by the ZBA if a request is presented to the Board before the elapsed date.
- Special Permits lapse after two years if not used, in most cases.