



ZONING BOARD OF APPEALS

TOWN HALL, 10 CENTRAL STREET, MANCHESTER-BY-THE-SEA, MA 01944-1399

Please review the accompanying “Application Instructions and Information” before completing this Application. Please refer to Documents Required on Page 4.

APPLICATION

Applicant Name: _____ | **Application filed in the Office**
Applicant Address: _____ | **of the Town Clerk**
Property Address (if different): _____ | **Date:** _____
Owner Name (if different): _____ | **Clerk:** _____
Applicant Phone: _____ **Email:** _____ **Fee Paid:** _____
Zoning District: _____ **Assessors Map No:** _____ **Lot No:** _____ **Existing Use:** _____

Location of any contiguous land owned by owner: _____

Is the property location within the Water Resources Overlay Protection District: Y / N (If so, Planning Board relief may be required under Section 4.9 of the Zoning By-Law)

This Application concerns: (Check all that apply)

- Appeal of an Administrative Decision** (See page 3, #1)
- Special Permit: Swimming Pool or Tennis Court** (See page 3, #2)
- Special Permit: Flood Control District** (See page 3, #3)
- Special Permit: Pre-Existing, Non-Conforming Lots, Structures, or Uses District D** (See page 3, #4)
- Special Permits: Other** (See page 3, #5)
- Variance or Change of Use** (See page 4, #6)

Description of request: (use additional sheets as necessary)

For Special Permits and Variances complete the following table with information relevant to your application. (See Section 5.4 of Zoning By-Laws)

CATEGORY	EXISTING CONDITIONS	REQUESTED CONDITIONS	ZONING REQUIREMENTS
Lot size, sq. ft.			
Gross floor area, sq. ft.			
Lot width, ft.			
Lot frontage, ft.			
Front setback, ft.			
Side setback, ft.			
Rear setback, ft.			
Building height, ft.			
Building lot coverage sq ft			
Pervious surface, sq. ft.			
Impervious surface, sq. ft.			

The Board of Appeals reserves the right to require additional drawings or information and to continue the hearing on this application until adequate information is provided.

It is in the best interest of the Applicant to provide as much information as may be necessary for the Board to conduct a full review of the Applicant's proposal as it pertains to the Zoning By-Laws. Applicants are strongly encouraged to seek advice from the Town Building Inspector and to consult with relevant professionals to ensure the timely resolution of their application.

Applicant is required to obtain any additional reviews and approvals, from any from other Town Boards or Committees that may be required by law.

Applicant Certification:

I hereby certify that I have reviewed the accompanying "Application and Instructions and Information" and that the information contained in this application and any supporting materials is true and accurate to the best of my knowledge, information, and belief.

Applicant Signature: _____

Applicant (printed name): _____ **Date:** _____

Relationship with Applicant (if different): _____



ZONING BOARD OF APPEALS

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APPLICATION INFORMATION AND INSTRUCTIONS

Below is information typically required to fully review and make a legally binding decision on your project. Applicants should review the applicable by-laws and provide the noted documents together with the application. If the information is not submitted with the application the hearing may have to be continued.

For items 2 through 6, a certified surveyor's site plan is not necessarily required to be submitted with the application: however, if such a plan is not provided, it may later be required by the Board, should the Board consider it necessary to fully consider the Application. In any event, provide as accurate a site plan as possible so that the Board can determine the exact location of any proposed construction.

Provide a geographic information system (GIS) map by going to the town website, selecting "Maps & Parcels" on the left of the main page, locate your property, use the zoom option to illustrate your property as well as at least two (2) neighboring properties in all directions.

1. APPEAL OF AN ADMINISTRATIVE DECISION

- a) Provide copies of any documentation regarding the decision being appealed, including the decision itself, and any written requests for the decision.

2. SPECIAL PERMIT FOR a SWIMMING POOL or TENNIS COURT

- a) Review Sections 4.1.10 (f) and 7.5 of the Zoning By-Law and Article X, Section 32 of the General By-Law.
- b) Provide a narrative addressing Section 7.5.2 items "a" through "g" of the Zoning By-Law.
- c) Provide a site plan illustrating: lot and setback lines, distances from pool to lot and setback lines, closest neighboring buildings, length, height, and location of fencing.
- d) Describe any walkways, patios, fencing, lighting, and any other incidental fencing or accessory items to be constructed with the proposed pool or court.

3. SPECIAL PERMIT for lot within a FLOOD CONTROL DISTRICT

- a) Review Sections 4.7 and 7.5 of the Zoning By-Law.
- b) Provide a site plan illustrating: lot lines, dimensions of non-pervious areas, lot area, and any proposed topographical changes.
- c) Provide narrative explaining any measures taken to control water on the property, both now and in the future.

4. SPECIAL PERMIT for PRE-EXISTING, NON-CONFORMING LOTS, STRUCTURES, OR USES; and in DISTRICT D

- a) Provide site plan illustrating: building footprint dimensions, distances to lot and setback lines, and if relevant, lot coverage by structures, total impervious areas, zoning district lines, and topography.
- b) Provide elevations illustrating: building height, materials to be used, and proposed grade lines.
- c) Provide narrative addressing Section 7.5.2, items "a" through "g" of the Zoning By-Law.
- d) For District D applications, provide narrative addressing factors set forth on Section 4.2.

5. SPECIAL PERMITS (Other) (Such as those required by Sections 4.6.2.2: accessory units and 4.1.10: garaging and doctor's offices)

- a) Provide narrative addressing Section 7.5.2, items "a" through "g" of the Zoning By-Law.
- b) Provide site plan illustrating: all buildings on the lot, distances to lot and setback lines and if relevant lot coverage by structures, total impervious areas, zoning district lines, topography.

Information and Instructions continued on page 4.

6. VARIANCE

- a) Provide a narrative addressing all the elements of Section 7.4.6 of the Zoning By-Law and including the substantial hardship(s) for which relief is being requested.
- b) Provide all drawings listed in Item #4, above. (Not required for change of use unless later requested by the Board.)
- c) Provide floor plans and/or elevations if necessary to understand why proposed work is desirable.
- d) Provide documentation of any soil conditions, topographical information, and /or other matters relevant to alleged hardship.

Fees:

Special Permit	\$240
Variance	\$265
Special Permit and Variance (one application)	\$290
Appeal of Administrative Decision same fee as category of appeal.	

Documents Required: Please provide and original (1) and eight (8) copies of the entire application, the Narrative, and all plans/drawings, a list of the plans/drawings submitted, as well as a scanned e-mail copy of the entire application and plans/drawings to aardolino@manchester.ma.us

The application, narrative, and list of plans/drawings submitted should be 8.5" x 11", and all the plans and drawings should be either legal size or 11" x 17", but no larger. Larger plans/drawings can be submitted and presented by the applicant or the applicant's representative at the ZBA meeting.

Site Visit: Applicant will be notified when the Board has scheduled a site visit. Applicant or his/her/its representative should attend and be prepared to answer basic questions. The building's or structure's footprint should be marked. The purpose of the site visit is to obtain a basic understanding of the site conditions relating to the proposal. A site visit is not a public hearing and presentations or substantive discussions must be reserved for the scheduled public hearing.

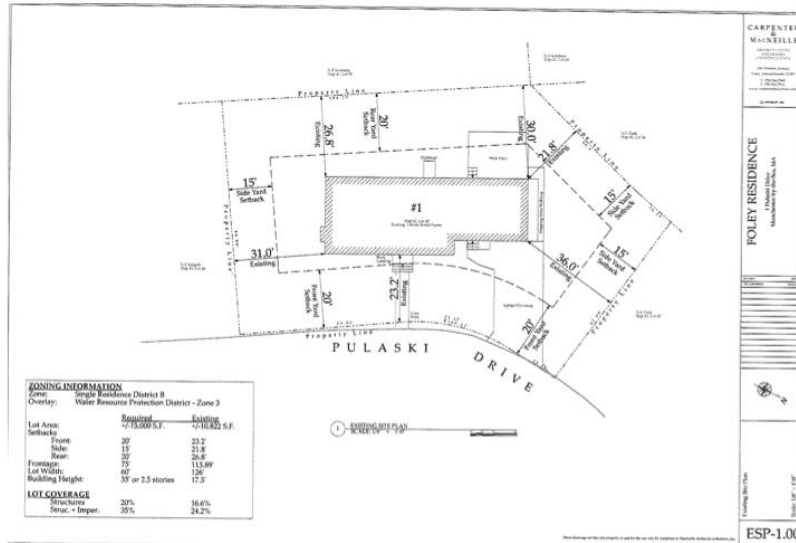
Public Hearing: The hearing date will be scheduled by the Board and it will be advertised at least two (2) weeks prior to the hearing and posted at Town Hall at least two (2) weeks hours prior to the hearing.

Decision and Timeline: Applicant will be notified when the Board has filed its decision. A twenty (20) day appeal period shall commence upon the date of filing. Prior to the expiration of the appeal period, Applicant may apply for a building permit with the Building Inspector and begin work as instructed by the Building Inspector, subject to the outcome of any appeal. A decision by the Board does not mean that other approvals are not necessary from other Boards or Committees.



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APPLICATION INFORMATION AND INSTRUCTIONS – Site Plans



The plan pictured above is a good example for illustrating distances of the building from lot lines as well as setbacks, lot lines, and a zoning chart.

- A site plan submitted for filing with a decision should illustrate the following minimum information:
- All lot lines and neighboring streets;
- Fully dimension any proposed building additions or modifications identifying existing and proposed conditions;
- If parking is involved, parking spaces should be drawn to scale and labeled;
- Address of project and contact information for applicant;
- A graphic scale;