

## **ZBA APPLICATION INSTRUCTIONS**

Prior to submittal of the application, it is recommended that you meet with the Building Commissioner and/or Town Planner, in addition to abutters of your property, to discuss the project. Town employees are available to assist you, but if you know or feel you may have legal concerns, please consult an attorney.

- **COMPLETE APPLICATIONS** - Applications that are incomplete and/or do not include the required supporting documents will be rejected and will not be considered as filed for purposes of deadlines, constructive approvals, or otherwise. You may wish to consult an attorney.
- **REPRESENTATION AT MEETINGS** - Attendance at the ZBA public hearing, Planning Board meeting, & ICDRC meeting by the applicant or an authorized representative is required.
- **FILING DEADLINES** - Public Hearings are generally scheduled for the fourth Thursday of the month at 7:00pm in the Fuller Meadow School Media Center. To increase the chance that the board will schedule the required public hearing on the next available meeting date, applications should be filed at least 28 days prior to the regular scheduled meeting date. The board has 65 days from the date of filing with the town clerk to open the public hearing. To be accepted and considered by the board at a meeting, additional information must be submitted by Thursday at 3:00 pm, one week before the given meeting.

### **1 & 2 FAMILY RESIDENTIAL FILINGS**

The petitioner shall upload the following application materials using the Online Permitting Portal:

<https://middletonma.gov/330/Licenses-Permits>

1. Two (2) page ZBA application form
2. Deed showing the recorded owner of the property, a purchase and sales agreement, or other.
3. An accurate plot plan of the subject property showing:
  - a. All lot dimensions, including the front, side, and rear setbacks existing and proposed, and the existing and proposed dimensions of all of the structures on the property.
  - b. Building plans and elevation views of existing and proposed buildings and structures with respective dimensions, including height.
  - c. North arrow;
4. Building Commissioner's decision and any relevant permit application (if an appeal.)
5. Assessor's certified abutter's list
6. Filing fee
7. ZBA application checklist

Submittal will be complete when the applicant delivers two (2) copies of the executed ZBA application, including all plans and supporting documents, to the ZBA office (195 No. Main St.) along with the required payment. Once the Building Commissioner reviews the application and signs it, the ZBA office will deliver the application to the Town Clerk's office. A copy of the town clerk stamped application will be uploaded to the online portal by the office.

## COMMERCIAL/INDUSTRIAL/MULTI-FAMILY FILINGS

The petitioner shall upload the following application materials using the Online Permitting Portal:

<https://middletonma.gov/330/Licenses-Permits>

1. Two (2) page ZBA application form
2. Deed showing the recorded owner of the property, a purchase and sales agreement, or other.
3. Plans in accordance with Section 9.5 of the Middleton Zoning Bylaws
4. Building Commissioner's decision & any relevant permit application (if an appeal)
5. Assessor's certified abutter's list
6. Filing fee
7. ZBA application checklist

Submittal will be complete when the applicant delivers six (6) copies of the executed ZBA application, including all plans and supporting documents, to the ZBA office (195 No. Main St.) along with the required payment. Once the Building Commissioner reviews the application and signs it, the ZBA office will deliver to the Town Clerk's office. A copy of the town clerk stamped application will be uploaded to the online portal by the office.

## FEES

*Make all checks payable to the Town of Middleton except for legal advertisement fee paid directly to newspaper.*

\$150      Residential 1 & 2 Family applications

\$200      Commercial/Industrial/Multi-Family Residential  
Separate fees may be required to cover the costs of consultant review as deemed necessary by the Board.

\$15      Certified Abutters List  
Please request the abutters list directly from the Middleton Assessor's Office, 48 South Main Street, Middleton, MA (978) 774-2099. Payment due to the Assessor's Office. The law allows the Assessor 10 days to prepare an abutters list. Please plan ahead as this is a required document. If your parcel is close to a town border, you may need to contact abutting towns for abutters information.

\$ TBD      Parties-In-Interest Notices  
Notification will be sent out by the ZBA office to the Abutters and the Planning Boards of each of the seven (7) towns that surround Middleton. (\$1 per name on abutters list plus \$7). This fee to be paid at time application is submitted.

\$ TBD      Advertising Fees  
You will be required to pay the cost of the legal advertisement and you will be billed directly. Payment is made directly to the news publication.