



TOWN OF DEERFIELD

Zoning Board of Appeals
8 Conway Street
South Deerfield MA 01373
Voice: 413.665.1400
Facsimile: 413.665.1411
Website: www.deerfieldma.us

Zoning Application Checklist

The **Deerfield Zoning Board of Appeals** meets on the 2nd and 4th Thursday of each month, as needed. Applicants that wish to appear before the Board must comply with the following:

- Carefully read all sections of the application for procedures that you must follow.
- Please type or print all information. Incomplete and/or illegible applications will delay the application process.
- Please be sure to provide responses to the Special Permit Criteria outlined in section 5320 of The Town of Deerfield Bylaws (attached).
- All applications must be reviewed by a staff member in the Building Department once completed.
- After the Building Department reviews and initials the application, the application and \$300 application fee must be submitted to the Town Clerk's Office. **Please keep a copy of the entire application packet for your own records.**
- A **300'** abutters list from the Assessors' Office must be obtained as required by M.G.L. Chapter 40A, Section 11, at the published cost determined by the Board of Assessors.
- Staff in the Inspections Department will create a hearing notice to be mailed to the abutters. **It is the responsibility of the applicant to pay for the cost of the abutters mailing (certified / return receipt) plus \$2.00 for the cost of paper and processing.** We will notify you of the final cost after we have processed your application.
- Legal advertisements will be generated by office staff and emailed directly to *The Recorder*. If the applicant supplies an email address, the advertisement will be forwarded accordingly, otherwise it will be mailed or available for pickup during regular office hours.
- Please allow a minimum of fourteen (14) days + three (3) business days notice to publish and pay for the required legal advertisement. The Town of Deerfield is not responsible if an advertisement is not published in time to hold the hearing.**
- Applicants pay publication costs directly to the Recorder.** Please contact Suzanne Hunter to arrange payment:

Telephone: 413-772-0261 ext. 228
Email: legalads@recorder.com
Fax: 413-774-5511

We appreciate your cooperation. Please feel free to contact Building Department staff at 413-665-1400 ext. 108 with any questions.

Reviewed by BD Staff



Deerfield Zoning Board of Appeals Application

- Special Permit Application**
 Variance Application
 Appeal
 (check all that apply)

1. Name of Applicant: _____ Phone #: _____
Affected Premises: _____
E-mail Address: _____

2. Property Owner(s) (If different from above. All entities listed on deed must be included. Please attach additional sheets if necessary.)
Name: _____ Phone #: _____
Mailing Address: _____
E-mail Address: _____

3. Name of Registered Land Surveyor/Engineer: _____
Mailing Address: _____
Phone #: _____ **E-mail Address:** _____

4. Parcel ID: Street Address: _____
Map:* _____ **Lot/Parcel #:*** _____ **Zoning District:*** _____
**This information can be found on your tax bill or can be obtained from the Board of Assessors.*

5. Deed Reference: Book: _____ **Page:** _____

6. Plan Reference: Book: _____ **Page:** _____

7. Parcel Area: (all figures should be in square feet)
Total Land Area: _____ **Area of Disturbed Land:** _____
Gross Floor Area of proposed construction: _____ **Net Floor Area:** _____

8. For a VARIANCE, Basis for Requested Relief:
 _____ Soil Conditions _____ Shape of land or structures
 _____ Topography

9. For a VARIANCE, APPEAL, and/or a SPECIAL PERMIT please use the space below to briefly describe the appeal request, proposed use, and/or basis for the requested variance, including square footages, where applicable. If applying for more than one type of permit, please itemize each description. Use additional pages if necessary.

- 10. Property listed under Chapter 61, 61A or 61B for tax purposes? ___ Yes ___ No
- 11. Modification of Existing Permit? ___ Yes ___ No
- 12. Site Plan Review Application Pending? ___ Yes ___ No
- 13. Stormwater Permit Required? ___ Yes ___ No
- 14. Special Permit Application to Planning Board Pending? ___ Yes ___ No
- 15. List any other Federal, State, and/or Municipal Permits required: _____

16. I hereby certify that the information contained in this application is true and complete:

Applicant's Signature: _____ Date: _____

Owner(s) Signature(s): _____ Date: _____
 (if different from applicant;
 attach additional sheets if necessary) _____ Date: _____

17. Board of Assessors Certification of Abutters (not necessary if requesting appeal)

We, the undersigned Board of Assessors, hereby certify to the permit granting authority that the names and addresses of the parties in interest as attached are in accord with Chapter 40A of the Massachusetts General Laws.

17. Building Commissioner Certification: _____ Date: _____

Comments: _____

18. Town Clerk Certification: _____ Date: _____



Deerfield Zoning Board of Appeals Application

- Special Permit Application** **Variance Application** **Appeal**
(check all that apply)

1. **Name of Applicant:** _____ Phone #: _____
Affected Premises: _____
E-mail Address: _____

2. **Property Owner(s)** (If different from above. All entities listed on deed must be included. Please attach additional sheets if necessary.)
Name: _____ Phone #: _____
Mailing Address: _____
E-mail Address: _____

3. **Name of Registered Land Surveyor/Engineer:** _____
Mailing Address: _____
Phone #: _____ E-mail Address: _____

4. **Parcel ID: Street Address:** _____

Map:* _____ **Lot/Parcel #:*** _____ **Zoning District:*** _____

**This information can be found on your tax bill or can be obtained from the Board of Assessors.*

5. **Deed Reference: Book:** _____ **Page:** _____

6. **Plan Reference: Book:** _____ **Page:** _____

7. **Parcel Area:** (all figures should be in square feet)

Total Land Area: _____ **Area of Disturbed Land:** _____

Gross Floor Area of proposed construction: _____ **Net Floor Area:** _____

8. **For a VARIANCE, Basis for Requested Relief:**

_____ Soil Conditions

_____ Shape of land or structures

_____ Topography

9. **For a VARIANCE, APPEAL, and/or a SPECIAL PERMIT** please use the space below to **briefly** describe the appeal request, proposed use, and/or basis for the requested variance, including square footages, where applicable. If applying for more than one type of permit, please itemize each description. Use additional pages if necessary.

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17. Building Commissioner Certification: _____ Date: _____

Comments: _____

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5300. SPECIAL PERMITS.

5310. Special Permit Granting Authority. Unless specifically designated otherwise, the Board of Appeals shall act as the Special Permit Granting Authority.

5320. Criteria. Special permits may be granted by the Special Permit Granting Authority upon its written determination that benefits of the proposed use outweigh its detrimental impacts on the town and the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any criteria set forth in specific provisions of this by-law, the determination shall include consideration of each of the following:

5321. Social economic, or community needs which are served by the

proposal; 5322. Traffic flow and safety, including parking and loading;

5323. Adequacy of utilities and other public services;

5324. Neighborhood character and social structures;

5325. Impacts on the natural environment;

5326. Potential fiscal impact, including impact on town services, tax base, and employment.

5330. Procedures. Whenever an application for a special permit is filed with a special permit granting authority, the applicant shall also file, within three (3) working days of the filing of the completed application with said authority, copies of the application, accompanying site plan, and other documentation, to the Board of Health, Conservation Commission, Building Inspector, Director of Public Works, Police Chief, Fire Chief, for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant. An application shall not be deemed complete until all copies of required information and documentation have been filed with the special permit granting authority. Said authority shall notify applicants by registered mail, within 14 days of submittal, of incomplete application status, and the applicant shall have 14 days from the mailing of such notice to complete an application. Failure to complete an application within such time shall result in a return of all materials to the applicant, without prejudice. Reports from other boards and officials shall be submitted to the special permit granting authority by the date of the public hearing, but in any case within thirty-five (35) days of receipt of the reviewing party of all of the required materials; failure of these reviewing parties to make recommendations after having received copies of all such required materials shall be deemed a lack of opposition thereto. In the event that the public hearing by the special permit granting authority is held prior to the expiration of the 35 day period, said authority shall continue the Public Hearing to permit the formal submission of reports and recommendations within that 35 day period. The Decision/Findings of the special permit granting authority shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

5340. Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the Special Permit Granting Authority may deem necessary to serve the purposes of this By-Law.

5350. Plans. An applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 5430, herein.

5360. Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 24 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.