



**TOWN OF BELMONT
OFFICE OF COMMUNITY DEVELOPMENT**

Homer Municipal Building
19 Moore Street
Belmont, Massachusetts 02478

Telephone: (617) 993-2666 Fax: (617) 993-2651

SPECIAL PERMIT PROCESS

Single- and Two-Family Dwellings in the General Residence Zoning Districts

June 27, 2014

Special Permits for Single- and Two-Family Dwellings in the General Residence Zoning Districts are issued by the Planning Board (PB). This process can take up to approximately six (6) months to complete and includes a formal public hearing. The following is a general outline of the Special Permit process based on MGL, Ch 40A.

1. **Make an appointment with Staff** to review this process and your building plans. This may include discussing other construction options to achieve your goals.
2. **Submit your building plans to the Office of Community Development Building Division** for review to insure compliance with all dimensional requirements contained in Section 4.2 of the Zoning By-Law
3. **File your application and ten (10) copies** with the Office of Community Development.

The PB meets the first and third Tuesday of each month. In order to meet notice requirements, all application materials must be submitted approximately 4 weeks in advance of the public hearing. Cases are scheduled on a first come first serve basis and will be scheduled once the application is deemed complete.

4. **Distribution to other Town departments** for technical review and comment – the Office of Community Development will distribute the complete application to the Board of Selectmen, Health, Fire and Police Departments, Department of Public Works and/or other Town departments or committees, as appropriate.
5. **Meet with abutters to the project** - The Staff encourages all applicants to discuss their proposed project with their abutters prior to submitting their application. This enables issues and concerns about their project to be discussed and get them resolved prior to the public hearing. Additionally, the Town's Zoning By-Law requires consultation with those that will be substantially impacted by the proposed project.

5. **Notice of the public hearing will be sent to abutters** within 300' of your property. This notice indicates when the hearing will occur, describes the zoning relief requested, and provides a brief description of the project.
6. You are required to **attend the public hearing** and to give a presentation on your project, briefly stating what you submitted in the application.

The PB will also take input on your application from the audience, both in opposition and support.
7. **The PB has up to ninety (90) days** from the date your public hearing closes to make and file a written decision with the Town Clerk. The decision may be made either at the end of the night after all the public hearings have been heard or at the next regularly scheduled hearing. This depends on several factors - the complexity of your application, whether or not it is controversial, and how late it is when the PB begins deliberations.
8. **A 20 day appeal period** follows the filing of the decision, whether or not your application is granted or denied. The Special Permit decision is held until the appeal period has expired. An appeal of the PB decision to a court of law can be filed by any aggrieved person, including you.

If a decision has been appealed then the Special Permit is held pending the resolution of the appeal.
9. After the appeal period has lapsed, the **approved Special Permit must be certified with the Town Clerk and filed at the Registry of Deeds**. The Registry will give you a copy of the decision and a receipt, both of which must be filed with the PB.

Please note –

- A building permit will not be reviewed or issued until the decision is filed at the Registry of Deeds and proof of its filing is submitted to the PB.
- The granted Special Permit is not the building permit – a new building permit application will need to be filed after the decision is recorded at the Registry.

A Special Permit is good for two years. If this permit expires and you wish to proceed with your construction, a new Special Permit will have to be issued requiring the public hearing process again.

If you have any questions about the process, please do not hesitate to contact Jeffrey Wheeler, Senior Planner, at 617-993-2666 or at jwheeler@belmont-ma.gov.



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SPECIAL PERMIT APPLICATION SUBMISSION REQUIREMENTS:

June 27, 2014

In order for the application to be considered complete you must submit **10 COPIES** of the following information (items 1 – 7):

1. **Building Permit Denial Letter**, when applications involve modifying dimensional requirements;
2. The appropriate **Application**;
3. A **Statement** explaining what you are doing and why;

Please note that this is the most important piece to the application and will make your argument for approving the application;
4. A **Certified Plot Plan** less than six (6) months old;
5. **Zoning Compliance Check List** completed and stamped by the surveyor who drafted the plot;
6. **A Total Fee of \$300.00** - two checks:
 - a. **\$150** to the "Town of Belmont" to cover administrative expenses, and
 - b. **\$150** to the "Town of Belmont" to pay for the legal advertisements.
 - c. **\$50** is also required if your property is within 300' of a surrounding town.
7. **Elevations and Interior Layout Plans**;

The following information can be submitted up until your public hearing -

1. **Neighborhood Letters or a Petition** of those who do not object to the proposed project; and
2. **Anything Else** that you feel is relevant to your application, i.e., pictures, etc.



Town of Belmont
Planning Board

APPLICATION FOR A SPECIAL PERMIT

Date: _____

Planning Board
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Law of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on _____ Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for _____

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner _____

Print Name _____

Address _____

Daytime Telephone Number _____

Zoning Compliance Check List

Properties Located within the GR Zoning Districts

(To be Completed by a Registered Land Surveyor)

Property Address: _____

Surveyor Signature and Stamp: _____

Date: _____

<u>Per §4.2 of the Zoning By-Laws</u>				
		REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)				
Lot Frontage (feet)				
Lot Area/Unit (sq. ft./d.u.)				
Lot Coverage (% of lot)				
Open Space (% of lot)				
Setbacks: (feet)	➤ Front			
	➤ Side/Side			
	➤ Rear			
Building Height:	➤ Feet			
	➤ Stories			
1/2 Story (feet) (Per §1.4)	➤ Perimeter			
	➤ Area			
	➤ Length			
<u>Per §6D of the Zoning By-Laws</u>				
		REQUIRED	EXISTING	PROPOSED
Front Doors:	➤ Face Street			
	➤ Setback			
Curb Cut				
HVAC:	➤ Front Yard			
	➤ Side/Rear Setbacks			

SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated