



Town of Randolph

OFFICE OF

Zoning Board of Appeals

41 South Main St. Randolph, MA 02368

www.randolphzba.com

Instructions for Application for Hearing

Decisions from other Boards or Commissions must be completed before this application can be filed.

Application must be filed with the Town Clerk at the Town Hall and be accompanied by a check payable to the Town of Randolph to cover expenses. All fees are non-refundable.

Lot Size Scale Fee Structure: Up to 12,000 square foot lots.	\$250.00
12,001 to 20,000 square feet.	\$350.00
20,001 to 44,000 square feet.	\$450.00
Each additional half-acre.	\$250.00
Continued Hearing	\$150.00
Administration/Section 8	\$250.00

The petitioner shall pay for all Postage associated with your petition. (*Postage includes Abutters Certified Mailing Return Receipt, First Class Mailing to Abutting Planning Boards, Mass Housing, Fee letter to Petitioner, Post Hearing notification Post Cards, and Decision to Petitioner.*) The total amount of Postage must be paid by check (Made out to the Town of Randolph) at the time of your hearing.

The Legal notice will be placed by the Board and paid by the petitioner before the night of the hearing.

The application shall also include:

One Mylar plan suitable for recording in the Registry of Deeds with Assessors Map Block and Parcel, Book and Page or Land Certificate #.

15 copies of each:

Plans and Decision(s) from other Boards or Commissions.

Denial letter received from the Town Building Department. Dated no later than thirty day's past.

Certified plans and locus of the property involved, including measurements height of structure and lot coverage (Structures and Impervious Surface) and abutters names.

If the land is registered, the applicant shall include the attested copy of current certificate of title and decree plan. If the land is un-registered land the application shall include deeds & book & page numbers and any incumbencies or restrictions. **Quick Claim Deeds** or **County website** copies are not acceptable.

The application shall state if the petitioner is the owner of the land or agent. If agent; a Letter, authorizing the agent to speak for all owners.

Provided plans, maps or other instruments referred to in the application to be used as a basis for establishing the claim, which the petitioner/agent must cite, including Hardship for Variance.

Each application shall address one set of circumstances.



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Application for Special Permit Application Fee = Lot Size Scale Fee

Date: _____ ZBA: _____

Property Location: _____ Zoning District: _____

Map: _____ Block: _____ Parcel: _____

Brief Reason for Request: (Please specify Addition, Garage, Second Level, 2 Story, Etc)

Owner of Property: _____

Mailing Address: _____

Phone: Work: _____ Home: _____ Cell: _____

E-Mail Address: _____

Signature of Owner: _____

Petitioner (If Owner Leave Blank) _____

Mailing Address: _____

Phone: Work: _____ Home: _____ Cell: _____

E-Mail Address: _____

Zoning Board Official Use:

Date Stamp: _____	Abutters List: # _____	<input type="checkbox"/>	Application Fee: _____
Hearing Date: _____	Legal Notice: _____	<input type="checkbox"/>	Mailing Fee: _____
Hearing Time: _____	Documents: _____	<input type="checkbox"/>	Legal Notice Fee: _____
Hearing Closed: _____	Variance: <input type="checkbox"/> SP: <input type="checkbox"/>	<input type="checkbox"/>	Other Fee: _____
Petition Filed (clerk) _____	Disposition: Granted Denied Withdrawn Other		

Accepted by Board 4/14/2011



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Application for Variance Application Fee = Lot Size Scale Fee

Date: _____ ZBA: _____

Property Location: _____ Zoning District: _____

Map: _____ Block: _____ Parcel: _____

Brief Reason for Request: (Please specify Addition, Garage, Second Level, 2 Story, Etc)

Hardship:

Owner of Property: _____

Mailing Address: _____

Phone: Work: _____ Home: _____ Cell: _____

E-Mail Address: _____

Signature of Owner: _____

Petitioner (If Owner Leave Blank) _____

Mailing Address: _____

Phone: Work: _____ Home: _____ Cell: _____

E-Mail Address: _____

Zoning Board Official Use:

Date Stamp: _____	Abutters List: # _____	<input type="checkbox"/>	Application Fee: _____
Hearing Date: _____	Legal Notice: _____	<input type="checkbox"/>	Mailing Fee: _____
Hearing Time: _____	Documents: _____	<input type="checkbox"/>	Legal Notice Fee: _____
Hearing Closed: _____	Variance: <input type="checkbox"/> SP: <input type="checkbox"/>	<input type="checkbox"/>	Other Fee: _____
Petition Filed (clerk) _____	Disposition: _____	Granted Denied Withdrawn Other	



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Application Checklist

Item #	Description	Petitioner	ZBA
1.	Completed Application (Variance/Special Permit)	<input type="checkbox"/>	<input type="checkbox"/>
2.	Application Fee (Check made out to the Town of Randolph)	<input type="checkbox"/>	<input type="checkbox"/>
3.	One Mylar Plan (Suitable for recording in the Registry of Deeds with Assessors Map Block and Parcel)	<input type="checkbox"/>	<input type="checkbox"/>
	15 Copies of each below:		
4.	Denial Letter received from the Town Building Department. (Dated no later than thirty day's past.)	<input type="checkbox"/>	<input type="checkbox"/>
5.	Certified Plans and Locus of property involved, including measurements, height of structure, lot coverage, impervious surface coverage and abutters names.	<input type="checkbox"/>	<input type="checkbox"/>
6.	Registered Land – Include attested copy of current certificate of title and decree plan and any restrictions.	<input type="checkbox"/>	<input type="checkbox"/>
7.	Un-Registered Land – Include Deeds, Book and Page Numbers and any restrictions.	<input type="checkbox"/>	<input type="checkbox"/>
8.	Letter Authorizing Agent to speak on your behalf.	<input type="checkbox"/>	<input type="checkbox"/>
9.	Decisions and Plans from other Town Boards or Commissions.	<input type="checkbox"/>	<input type="checkbox"/>
10.	Other Documentation to assist board in making a decision.	<input type="checkbox"/>	<input type="checkbox"/>

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Petitioner _____ Address _____

Map _____ Block _____ Parcel _____ ZBA Number _____

Lot Coverage: **Existing**

	Lot Area Sq.Ft.	Structure/Building Sq.Ft.	Detached Structures Sq.Ft.	Coverage %
Structure				
Impervious				

Lot Coverage: **Proposed**

	Lot Area Sq.Ft.	Structure/Building Sq.Ft.	Detached Structures Sq.Ft.	Coverage %
Structure				
Impervious				

Deed Reference: Book _____ Page _____

Existing Height of Structure	
Proposed Height of Structure	

Accepted by Board 4/14/2011



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Rules and Regulations

1. Election of Officers
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12. Time limit for action

Revised April 14, 2011

Rules and Regulations of the Zoning Board of Appeals

1. Chairman, vice-Chairman, Clerk, and Treasurer

Chairman, vice-Chairman, Clerk, and Treasurer shall be elected annually by a majority vote of the Board, and shall hold office until their successors are chosen. The election shall take place at the first meeting of the Board held in each year, or at any subsequent meeting.

The Chairman shall have the powers and duties vested in them by law or specified herein, as well as the powers and duties not inconsistent therewith generally incident to the position of Chairman.

The vice-Chairman shall serve as Chairman in the absence or inability of the Chairman to carry out the function of Chairman, and shall have all the powers vested to the Chairman. The vice-Chairman shall also assist the Chairman in special matters as needed.

The Clerk shall take the attendance at each meeting, read aloud any documents that the chairman requests be read, and maintain the board's processed files. The treasurer shall keep a record of the board's financial accounts, and transfer all fee checks that are received by the ZBA to the office Town Treasurer.

2. Staff

Staff may be hired by the ZBA from time to time to receive requests for action by the Board, process applications, record the testimony at hearings and meetings, prepare decisions, transmit and file decisions and minutes of meetings. They shall be responsible for correspondence, and notifications to board members and any other duties deemed necessary by the Chairman.

3) Compensation

The staff shall be compensated on such a basis as may be decided by the Board from time to time. A member may be compensated for staff duties provided to the board.

A member of the ZBA required to appear in court shall receive compensation as voted by the Board at a rate of \$125.00 per 4-hour appearance.

4) Meetings

Meetings of the ZBA may be called by the Chairman, vice-Chairman, Clerk, Treasurer, or by vote of the board. Notice of such meetings shall be given to the Town Clerk as per State Statute and to each board member at least five days prior to the meeting.

Three members of the board shall constitute a quorum necessary for transacting business, except where the State Statutes or Town By-laws require a four-fifths vote. A hearing may be adjourned for any reason by the Board or by any member in case of the absence of a quorum to a date and time certain, by a statement to that effect at the hearing. A hearing so adjourned may be re-scheduled without further notice, unless the Board shall vote that notice shall be given. Any hearing, which is continued, shall have the same members sitting on that continued meeting. All meetings shall be held in the Town Hall unless otherwise stated in the call and notice.

5) Fees, Appeals, Applications, Petitions

The Board shall have the authority to determine and set fees as necessary. A fee shall accompany each appeal, application, and petition. Application for Variance and/or Special Permit Lot Scale Fee listed below.

Lot Scale Fee Schedule:

Up to 12,000 square foot lot	\$250.00
12,001 to 20,000 square feet	\$350.00
20,001 to 44,000 square feet	\$450.00
Each additional half-acre	\$250.00
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- a) Pursuant to Chapter 593 of the Acts of 1989 where specific conditions arising from the land or the nature of the proposal necessitate the assistance of experts i.e., planning, engineering, traffic, soils, hydrologic or other consultants, the ZBA may engage such consultant services to assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances, by-laws and regulations. The Board may require that applicants pay a "review fee" consisting of the reasonable costs incurred by the ZBA for the employment of these outside consultants engaged by the Board in review of the application.
- b) Funds pursuant to this section shall be deposited with the Town of Randolph Treasurer who shall establish a special account for this purpose. Expenditures from this special account shall be made only in connection with the review of a specific project for which a review fee has been or will be collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for a denial of the application or permit.
- c) At the completion of the Boards review, any excess amount in the account, including interest, shall be repaid to the applicant or the applicant's successor in interest. Any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.
- d) Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen, providing that such appeal is taken within 14 days of notification of the Board's appointment of the consultant. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum qualifications. The minimum qualifications shall consist of an educational degree in, or related to, the field at issue or three or more years of practice in the field of issue or a closely related field. The required time limit for action upon an application by the

Board shall be extended by the duration of the administrative appeal. In the event no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Board shall stand.

- e) The Chairman, vice-Chairman, Clerk or Treasurer, shall upon the filing with the Town Clerk of a proposal of the scope of work which in their judgment shall require the filing of a consultant fee shall set the amount of the fee and hire a consultant, advising the applicant prior to the hearing. In the event that the Chairman, vice-Chairman, Clerk or Treasurer is unavailable, the chairman or vice-Chairman shall select a member to ensure a majority of members make the decision.

6) Fees, Town of Randolph Policy as set by the Town Council

Consultant fees shall be a bankbook with a special withdrawal slip in the name of the Town of Randolph.

7) Cash Sureties

The Board may from time to time vote to condition of a proposal or any part of a proposal with a performance guarantee called a cash surety. Which shall be a bankbook with a signed withdrawal slip shall be posted with the Town Treasurer prior to the start of work.

8) Linkage

The Board may vote a cash surety bankbook with a signed withdrawal slip in the name of the Town of Randolph be posted with the Town Treasurer to pay for any part of the Town's infrastructure which is deemed to be necessary for the health, safety and welfare of the residents and land users and would not be needed if a project had not obtained a permit. Said linkage cash surety bankbook may be required to pay for a part of an improvement so may be held by the Town Treasurer until the Town's share is voted by Town Meeting or obtained elsewhere. It shall be posted prior to the start of work and if the project is abandoned the bankbook could be returned after application and affirmative vote by the Board, with the revocation of the permit.

9) Fraud and Revocation of a Permit

If after the issuance of a permit, fraud is determined by the Board, after consultations with Town Counsel and other departments having jurisdiction, the Board may take legal steps to revoke the permit.

10) Procedures Relating to Applications, Appeals and Petitions

- a) Preparation of forms: The Board may from time to time prepare, keep a supply of printed forms for use in connection with various kinds of appeals.
- b) Proper forms: Every appeal, and or petitions shall be on the proper applicable form.
- c) Appropriate methods: Applications shall be picked up and filed at the Town Clerks office. Forms are also available online at www.randolphzba.com/forms
- d) Documents Required
 - i) Fifteen copies of the application
 - ii) Check for fees
 - iii) Building Commissioners letter (15 Copies)
 - iv) 15 certified plans of the premises (Must match Mylar)
 - v) One Mylar certified plan suitable for recording at the Registry of Deeds (Variance only)
 - vi) Plans, deeds, maps, documentation referred to in the application (15 Copies)
 - vii) Letter Authorizing Agent to speak on your behalf

- e) Hearing transcripts: Shall contain the names of all members present, the members who will be making the decisions, the names and addresses of all persons who make a statement or speak.
- f) Decisions: Shall state the reasons, which the ZBA may cite, amend, and vote upon, and the limitation and or waiver of requirements. At the time a decision is made an issue date will be announced.

11)Time Limits for Action

- a) Variances: Public hearing must be held within 65 days, acted upon within 100.
- b) Special Permits: Public hearing must be held within 65 days, acted upon within 90 days after close of hearing.
- c) Building Commissioner decision appeal: Shall be made to the Board within 30 days.
- d) Decisions: Shall be filed with the Town Clerk within 14 days from the date the board renders a decision.

*Moneysaver Advertising Paid by petitioner in advance (See Flyer from Moneysaver in package)
Patriot Ledger will bill petitioner at address listed on application.
Receipt for payment in full must be presented at time of hearing.

The foregoing may be amended at any time by vote of the Board. No prior notice need be given. Any Rule or Regulation not in conformity with any State Statute, Town By-Law, or Town Zoning By-Laws shall be null and void. Adopted by the Randolph Zoning Board of Appeals June 14, 1984; Revised: March 5, 1985; May 11, 1989; March 21, 1991; May 28, 1992; June 4, 2002; April 14, 2004; February 24, 2005, March 9, 2006, April 26, 2007, and September 20, 2007; April 14, 2011.



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Extension of Time Waiver

Date: _____

Petitioner/Agent Name: _____
(Please Print)

Address: _____
(Please Print)

City: _____ State: _____ Zip Code: _____
(Please Print)

Zoning ID: _____ File Date: _____ Hearing Date: _____

I _____ of _____ Randolph, MA
(Please Print Name) (Please Print Address)

Does hereby give an extension of time to the Board of Appeals from the 90/100-day requirement.

(M.G.L. Chapter 40A: Section 9) and (M.G.L. Chapter 40A: Section 15)

This extension will stay in effect until _____.
(Date)

Reason for Extension:

Signature _____
(Petitioner/Agent)

Signature _____
(Board of Appeals Representative)