



Town of Reading Zoning Board of Appeals Application Instruction

Every property owner has the right to appear before the Zoning Board of Appeals to apply for a Variance, Special Permit, or an Appeal of a Decision made by the Building Commissioner.

Step 1: Review

- The Building Commissioner will review with you, the building permit application, and your up-to-date certified plot plan, and explain the next steps; applying for a Variance, Special Permit, or filing an Appeal. **A Denial/Opinion Letter, if applicable, will be issued by the Building Commissioner.**
- Once the Denial/Opinion Letter is received, complete the online ZBA Application and **upload all required documents**. *If you have submitted any of these documents to another department/division, you are still required to upload and provide the physical copies for this application.*

Step 2: Packet – items to be uploaded and dropped off

- Completed **ZBA Online Application Form** <https://readingma.viewpointcloud.com/categories/1098>
 - If Requesting Variance:** Completed **Variance Criteria** portion must be filled out.
- Copy of your **Building Permit Application** or **Letter of Request**. You can download/print your online application through OpenGov.
- Copy of the **Denial/Opinion Letter**, if applicable. This state if you need a *Special Permit* and/or a *Variance*.
 - If Appealing:** A copy of the Building Commissioner's **Decision** that you are appealing. Applications for appeals must be submitted within 30 days from the date of the Building Commissioner's decision. Please include a supporting statement explaining your position.
- Certified Plot Plan** (instrument survey) by a Massachusetts Registered Land Surveyor must be submitted if you are seeking a dimensional or setback Variance and/or a Special Permit for a proposed new structure. The Plot Plan must show the proposed structure with its dimensions and indicate the setback distances from all lot lines. It must also contain a zoning compliance table that shall include the zoning district; required, existing and proposed setbacks; lot coverage, and other applicable standards. If conservation issues are applicable, provide wetland area delineation and distances. The copy of the certified plot plan for the packet shall be provided **true to scale and size 11x17**.
- Certified Abutters List & Property Field Card** approved by the Board of Assessors. Submit the request to the Public Service Department. The list will be emailed to you when ready. The Property Field Card can be written on the Request for Certified Abutters list.
- Any Additional Plans** to clarify your request: architectural elevation, floor plans/parking layouts. This should be shown to and discussed with the Building Commissioner.
- Copy of the Assessor's Map** that shows the property as well as any other maps listed on the abutter's list must be obtained from the **Town Engineer's office**. These must be provided **in color and size 11x17**
- Two sets of business-size envelopes that have been stamped and addressed** to each abutter and surrounding towns listed on the Abutter's List. **Staff will add the Town Hall's return address to the envelopes**. Please separate each set with elastics, including the two envelopes addressed to you, one in each set of envelopes.
- Application **fee of \$90 payable to the Town of Reading** – can be paid online or cash/check in person.

- Once your packet is deemed complete and compliant by Town Staff, you will need to provide a **total of 2 hard copies** of the packet. You can drop these off at the Public Service Department.

Step 3: Copies, Letters and Fees

- Two copies of your entire packet. Town Staff will file the application with the Town Clerk.
- Two sets of abutters envelopes with a postage stamp and abutters addressed.
- Application fee: \$90, which can be paid online or in-person with cash or check.
- Legal Notice fee: **The Reading Chronicle will bill you directly.**
- Decision fee: \$5 for a certified copy of the Decision from the Town Clerk's
- The Legal Notice and Decision will be mailed to the abutters per the ZBA schedule.
- Registry of Deeds: there is a fee for recording your Decision.

Step 4: Hearing

- The hearing will typically be held in the Select Board's Meeting Room at Town Hall where you will present your information to the Board in support of your application. Hearings may also allow for remote participation
- After hearing all pertinent information, including the testimony of any abutters who may be present, the Board will either vote on your application or continue the hearing to another date if they requested more information.
- Once your request is **granted or denied**, the Board has 14 calendar days to submit its written Decision to the Town Clerk.

Step 5: Appeal Period

- Once the Decision is filed with the Town Clerk, there will be an appeal period of 20 calendar days. During this time anyone who thinks they have been harmed by the Decision may file an appeal pursuant to MGL C.40A Section 17.
- At the end of the 20 days, if no one has appealed, the Applicant may pick up a certified copy of the Board's Decision at the Town Clerk's office.

Step 6: Registry of Deeds

- **The Applicant/Agent** is required to record the Decision at the **Middlesex South Registry of Deeds** in Cambridge. All required fees are the responsibility of the Applicant or Owner.
<https://massrods.com/middlesexsouth>
- **The Applicant/Agent** must bring a copy of the recorded Decision to the Public Service Department.

Step 7: Building Permit

- You must upload a copy of the certified Decision that indicates the recording of the Decision at the Registry of Deeds to your building permit application.
- **Variations lapse after one year** if not used but may be extended for six months by the ZBA if a request is presented to the Board before the elapsed date.
- **Special Permits lapse after two years** if not used, in most cases.