City of Woburn, Massachusetts

BOARD OF APPEALS

City Hall
10 Common Street
Woburn, MA 01801

Board of Appeals
Filing Guidelines for Variances

1. The petition must be completely and accurately filled out and all information must be entered before the petition can be accepted for filing. **One original and six copies, collated** of all forms, plans, maps and lists must be filed. Incorrect information may result in a denial of the request for a variance.
2. The petition must show the specific details for the variance required.
3. Submit an **Engineer's Certificate and plot plan** which has been prepared and stamped by a registered land surveyor or engineer. This plot plan must be on paper that is **11 inches by 17 inches** and an on-ground survey in compliance with 250 CMR 3.00-6.00. The plan must show all existing buildings on the property and all proposed buildings, changes, extensions or alterations. Distances from structure to lot line and length of lot line must be shown. The plan must show the location of the dwelling, fences, stone walls, drainage, easements, and location of the driveway. The petitioner/applicant shall file proposed **building plans** which shall clearly show the dimensions of the proposed change(s), alteration(s) and/or extension(s), specifically including, but not necessarily limited to, the proposed final elevations, as well as a description of the materials to be used on the exterior of the change(s), alteration(s) and/or extension(s). An **area map** which can be obtained from the City Engineer must be attached.
4. Submit a **list of all abutters** within a three hundred (300) foot radius of this property. This list must be certified by the Board of Assessors and submitted with petition along with two sets of mailing labels.
5. **Filing fees** are $100 for residential applications, and $250 for commercial applications. Advertising fees will be billed directly to the applicant by the Daily Times Chronicle.
6. All petitioners should be prepared at the public hearing to present evidence to the Board on each of the following areas:
    a. Any special conditions affecting the particular parcel of land and/or building which do not affect generally the zoning district in which it is located.
    b. Substantial hardship
    c. That relief from the zoning by-laws may be granted without substantial detriment to the public good.
    d. The impact of the change on the traffic volumes, traffic congestion, adequacy of municipal water supply and sewerage capacity, noise, odor, scale, character and visual effects.
    e. Such other information as may be required by the Board to render a finding.
7. **Certificate of Treasurer/Collector** must be filled out and signed off by the Treasurer/Collector.

(amended 2/17/2022)

City of Woburn, Massachusetts

BOARD OF APPEALS
City Hall/City Clerk's Office
10 Common Street
Woburn, MA 01801
781-897-5850

Filing Fee: $100 – Residential
$250 - Commercial

VARIANCE PETITION OR CLAIM OF APPEAL

DATE_____

To the Board of Appeals:
Woburn, Massachusetts

The undersigned, being (circle one):

1. aggrieved by an inability to obtain a building permit or by action taken by the Building inspector.
2. affected by the terms of the Zoning Ordinances.
3. (other)_____

hereby **petitions for a variance** or **claims an appeal** in accordance with the General Laws of the Commonwealth, Chapters 40A and 41, and the Zoning Ordinances of the City of Woburn, and requests a hearing thereon.

1. Name and address of applicant for building permit _____

   _____Telephone: _____

2. Name and address of landowner _____

   _____Telephone: _____

3. Date of application for building permit_____

4. Property Location: _____

5. Zoning District: _____

Relief desired (If additional space is required, use back of the sheet.)

Signature of petitioner/appellant_____ Date: _____

Signature of landowner _____ Date: _____

City of Woburn

ENGINEER'S CERTIFICATE

FORM C-2

Date_____

To the **BOARD OF APPEALS** of the City of Woburn

I hereby certify that the accompanying plan, entitled _____
_____

and dated _____, is true and correct to the accuracy required by the Rules and Regulations of the Massachusetts Board of Registration of Professional Engineers and of Land Surveyors and that all pertinent data are shown in accordance with Regulation 250 CMR 3.00 – 6.00.

_____
Registered Land Surveyor

SEAL

Registration No._____

_____
Registered Professional Engineer

SEAL

Registration No._____

NAME & ADDRESS OF PETITIONER:_____

CERTIFICATION OF TREASURER/COLLECTOR

(MGL c.40,§57; WMC 3-24)

Office Use Only: DEPARTMENT
CLERKS
Board of Appeals

NOTE - ALL LINES MUST BE COMPLETED BY APPLICANT

1. Parcel which directly relates to the application filed. (*This numeric Parcel I.D. can be found: on the tax bill, or in Street Listing Records at the Building or Assessor's office. Web: http://data.visionappraisal.com/WoburnMA/.*

   Map _____ Block _____ Lot _____

2. Does Real Estate Owner and/or tenant own or have a beneficial or financial interest in any other Real Estate properties within the City of Woburn?

   Circle one: NO YES

   A beneficial interest can be as an individual, partnership, trust, LLP, LLC etc. If YES, insert Map, Block, and Lot below for each property. Use back of form, if necessary.

   Map _____ Block _____ Lot _____
   Map _____ Block _____ Lot _____

3. Property Address where permit is sought: _____
   Real Estate Owner Name(s): _____
   Real Estate Owner(s) Legal Business Name *(if any)*: _____
   Real Estate Owner's Current Residential Address *(if different)*: _____
   Telephone Number: _____

   Tenant/Lessee Name: _____
   Legal Business Name *(if any)*: _____ Telephone Number: _____
   Tenant's Main Address *(if different)*: _____

4. **Ownership type (Check one):** ☐ Individual ☐ Corporation
   ☐ Trust ☐ LLC/LLP ☐ Other _____

5. **I certify under the penalties of perjury that I am the record owner or tenant of the within described property and the above information is accurate and complete.**

_____ _____
Date Signature of Applicant Property Owner or Tenant (Not contractor)

_____ _____
Title Print Name

For Office Use Only

CERTIFICATION OF TREASURER/COLLECTOR

The records of this office indicate that there are no unpaid real estate taxes, municipal fees, liens or other municipal charges outstanding and unpaid, or for the payment of which the owner has entered into a payment agreement with this office, on the above described parcels as of:

_____
Certification Date

EXPIRES: _____

_____
Treasurer/Collector

*** FAXES OR SIGNATURE COPIES WILL NOT BE ACCEPTED ***

For copies of this form: http://www.cityofwoburn.com/index.asp?nid=279

Summary of Process

1. Board of Appeals meetings are held once a month, typically on the third Wednesday (call for specific date).

2. Deadline for application submission is 21 days before meeting date.

3. Once applications have been filed, notices are mailed to all abutters and advertisements of the variance or special permit petition notice are placed in the Woburn Daily Times twice during the two weeks before the meeting.

4. At the hearing, petitioners will be called to the podium individually to explain their projects and why the variance or special permit is needed. The Board may ask additional questions. All testimony and evidence (photos, letters, petitions, etc.) must be presented at the public hearing.

5. The hearing will be opened to the public and those in favor and in opposition to the petition are allowed to be heard.

6. The Board typically will announce its decision at the hearing. In some cases, it may decide that a viewing of the property is necessary. Viewings are scheduled for mutually convenient date and time following the meeting. No additional testimony or evidence will be accepted at that time.

7. Once the Board renders its decision, it is then reduced to writing and filed with the City Clerk's office, a standard **20-day waiting/appeal period** commences. Notice will then be sent to the abutters of the decision. Barring any appeal, the decision will issue on the 21st day. Note, the 20th day must be a valid business day, should it fall on a weekend/holiday, the last day of the appeal period will be considered the following business day.

8. On the day following the 20-day appeal period, the Decision shall issue. The petitioner may pick up or arrange to have mailed with the Clerk of Committees.

9. **The Decision must be filed with the Middlesex South District Registry of Deeds located in Cambridge, MA, and proof of recording must be presented to the Building Department to further the process.**

This information is provided as a convenience to petitioner and does not supercede or void any State or municipal law to the contrary.

Instructions for Preparation of List of Abutters

The following requirements must be met in submitting a list of abutters for certification:

1. The property to be certified must be listed at the top of the page as follows (see Example below):

   I.D. # Map-Block-Lot
   Location
   Owner
   Mailing Address

2. A list may be compiled from the Assessors maps by measuring each property within three (3) inches using the borders of the property as a guideline.

3. The corresponding identification numbers for each property are listed in the ownership book at the Assessors Office. If you need assistance in locating a particular property or owner, the staff of the Assessors Office will assist you.

4. The list must be typed and submitted with your petition. The list will be submitted by the City Clerk to the Assessors Office for certification. The Assessors Office will complete an examination of the list of abutters with in two (2) working days. The list will then be returned to the City Clerks after certification. The petitioner should contact the City Clerk after this period of time to make sure that the list has been certified.

5. In no case will the Assessors Office correct or certify lists found to be unacceptable.

6. Please note that in addition on the above abutters list format said list shall also be submitted on mailing labels for distribution by the Planning Board/City Council (as appropriate). The labels shall be in a form suitable for mailing and contain the name of the property owner(s), street address. Apartment or unit number (if any), city, state and zip code only.

7. Example:

   Map-Block-Lot
   Property Location
   Owners Name
   Owners Address
   City, State, Zip

   1. 15-10-26
      2 Main Street
      Jane Doe
      2 Main Street
      Woburn, MA 01801

   2. 15-10-27
      6 Main Street
      John J. Forbes
      6 Main Street
      Woburn, MA 01801

City of Woburn, Massachusetts

BOARD OF APPEALS

City Hall/City Clerk's Office
10 Common Street
Woburn, MA 01801
(781) 897-5853

Date: _____

To: Daily Times Chronicle
1 Arrow Drive
Woburn, MA 01801-2090

I hereby authorize the Daily Times Chronicle to bill me directly for legal advertising for a public hearing with the Woburn Zoning Board of Appeals regarding the property at:

Address: _____ Date of Hearing: _____

Signature: _____

Please print name and billing address:

Name: _____

Street Address: _____

City/Town: _____ State: _____ Zip code: _____

Phone number: _____

Email address: _____