



TOWN OF BURLINGTON

Board of Appeals/Town Clerk's Office

Amy E. Warfield, Town Clerk, CMC
Linda A. McNeill, Assistant Town Clerk
Kirsten Midgley, Administrative Assistant
Kaitlyn O'Shea, Administrative Assistant

Charles Viveiros, Jr, Chairman
Jennifer Cutillo, Administrative Clerk

Quick Reference Checklist

Applicant is advised to review the Burlington Zoning Bylaw and the Rules of the Board of Appeals prior to filling out an application and prior to appearing before the Board at a public hearing. These can be found at www.burlington.org Please note, there are time-schedules with this process, you must plan on getting this paperwork started at least 30 days prior to your hearing.

When you submit your application you will need the following:

- A copy of Building Inspector's Decision - Please check with the Building Department to obtain the Building Inspector's Decision.
- Completed Variance Application – Application is attached or can be completed online via the online permitting system found at: <https://burlingtonma.viewpointcloud.com/>
- Certified plot plan must be submitted. The plot plan must not be more than 6 months old. Scale not less than 1 inch=40 feet, North point shown, All existing or proposed structures and distance to lot lines., All easement locations and width, if any; Names and locations of direct abutters, Location of Flood Hazard District, if any; (Plot Plan not required if filing for a sign permit)
- A filing fee of \$100.00 for applications for residential property, \$250.00 for Commercial property, and \$5,000.00 for Comprehensive Permits.
- Administrative fee for abutters list and mailings. Fee calculated and paid online via online permitting system found at: <https://burlingtonma.viewpointcloud.com/>
- If Filing for a Sign Permit-** Include a sketch of the proposed sign, showing the size, type, illumination(including outputs in units of Lumens or NITs), position on building, nighttime rendering, distance from nearest residentially zoned land and distance and location from the nearest public way. All existing and proposed signage on the building must be shown, including any and all signs permitted even if by right.
- Signed release to allow Daily Times to bill applicant.

If you have any further questions email:

appealsclerk@burlington.org

Jen Cutillo

Board of Appeals - Administrative Clerk





TOWN OF BURLINGTON
Board of Appeals

Charles Viveiros., Chairman
Jennifer Cutillo, Administrative Clerk,

Date: _____

To : Daily Times Chronicle
1 Arrow Dr.
Woburn Ma.01801-2090

I hereby authorize Daily Times Chronicle to bill me directly for the legal notice published twice in the Burlington for a public hearing with the Burlington Zoning Board of Appeals regarding property at:

Signature: _____

Please print where to send the bill to:

Name: _____

Street Address: _____

City/Town: _____

State: _____ Zip Code: _____

Day-time Telephone Number: _____

Email address: _____



Town of Burlington Board of Appeals Application for Hearing

(Instructions are contained on the reverse side)

This application must be completed, signed and submitted with the necessary documents and filing fee by the applicant or his/her representative in accordance with the Board's Rules and Procedures as set forth on the reverse side of this application.

Location of Property _____
Applicant _____ **Property Owner** _____

Name _____ Name _____

Address _____ Address _____

Telephone Number _____ Telephone Number _____

Email _____ Email _____

Characteristics of the Property

Lot Area _____ Map # _____ Parcel # _____ Zoning District _____ Present Use _____

Application is for: _____ An appeal from the Building Inspector _____ A Variance _____ A Sign Permit _____

Applicable Section of the Zoning By-Law: Article # _____ Section # _____

Nature and justification of request – Please give a detailed description (Use additional pages if necessary)

I hereby request a hearing before the Board of Appeals with reference to the above application.
Signature of Applicant (or his/her representative) _____
Address if not Applicant _____
Telephone Number _____
Owner's permission if other than Applicant _____

Application and fee in the amount of \$ _____ received and filed with the Town Clerk for the Town of Burlington on _____

Summary of Board of Appeals Action _____ (Date)

Received by Hearing _____
Date Decision _____
required by _____

Decision of the Board:
Granted _____ (Date)

Denied _____

(100 days after filing for appeal or variance)
Parties in Interest Notified or Public Hearing _____

Withdrawn _____ (Date)

Notice of Decision sent to Parties in Interest _____

Decision filed with Town Clerk _____ (Date)

1.0 Application

- 1.01 Applicant is advised to review the Burlington Zoning By-Law and the Rules of the Board of appeals prior to filling out an application and prior to appearing before the Board at a public hearing. The application form shall be filled out in accordance with the Rules of the Board so that there will be no ambiguity or uncertainty as to the applicant's intent in seeking approval of his/her application.
- 1.02 In the case of a variance the following points, based on Massachusetts General Laws, Chapter 40A, Section 10, shall be identified and factually supported on the application form and verbally at the hearing. A) The particular land or structure, or the use proposed for the land or structure, if any; B) the circumstances relating to the soil conditions, shape or topography of the land or structures and especially affecting the land or structure for which the variance is sought which do not affect generally the zoning district in which it is located; C) the facts which make up the substantial hardship, financial or otherwise, which results from the literal enforcement of the applicable zoning restrictions with respect to the land or structure for which a variance is sought; D) the facts to support a finding that the relief sought will be without substantial detriment to the public good, and E) the facts to support a finding that the relief sought may be given without nullifying or substantially derogating from the intent and purpose of the Zoning By-Law.

In order for a variance to be granted all of the above conditions must be met.

2.00 Submission of Application (Procedures for Applications).

- 2.01 An appeal, a petition for a variance or an application for a sign permit, shall be decided following a public hearing. Application for the above shall be made with the permit granting authority (Zoning Board of Appeals) a copy of which shall be given to the Town Clerk by the applicant (Reference G.L. 40A, Sec. 9). The application can be submitted electronically via the online permitting system accessible at the following web address: <https://burlingtonma.viewpointcloud.com/>**
- 2.02 The following documents must accompany all applications for resident applications.**
- A) A certified plot plan must be submitted. The plot plan must not be more than six (6) months old, certified by a registered engineer or land surveyor. Plot plan must meet the following requirements and show the following items:**
- Scale not less than 1 inch=40 feet**
 - North point shown**
 - All existing or proposed structures and distance to lot lines.**
 - All easement locations and width, if any; Names and locations of direct abutters, Location of Flood Hazard District, if any;**
- B) Sign permit applications should include a rendering of the proposed sign; showing the sign size, type, illumination, position on building, distance from nearest residentially zoned land and distance from nearest public way.**
- C) A copy of building Inspector's decision.**
- D) Filing fee of \$100.00 for Residential, \$250.00 for Commercial, \$5,000.00 for Comprehensive Permits.**
- E) Administrative Fee for Abutters List and Mailings. Fee is paid online via electronic permitting system found at: : <https://burlingtonma.viewpointcloud.com/>**
- F) Legal Notice to be advertised in the newspaper and sent to abutters; assistance with this is provided by the Board of Appeals Administrative Clerk**
- All conditions must be met before an application can be accepted.**

3.00 Notice of Hearing

- 3.01 Notice of the hearings shall be advertised as required by the provisions of General laws, Chapter 40A, Section 11.
- 3.02 All hearings shall be open to the public and shall be conducted in accordance with the Massachusetts Open Meeting Law, General Laws, Chapter 39, Section 23B.
- 3.03 Regular meetings of the Board shall be held as necessary at 7:30p.m., on the first and third Tuesday of each month, or as determined at other times by the Board. The meetings will be held in the Main hearing room at the Town Hall unless posted otherwise.