



Town of Dighton
Zoning Board of Appeals
979 Somerset Ave.
Dighton, MA 02715

MEMO

2/7/2022

RE: Guidance for applications for zoning relief

FROM: Zoning Board of Appeals

TO: All potential ZBA applicants

Deadline for Applications

- The deadline for applications to the [Zoning Board of Appeals](#) is currently 4 weeks in advance of our next regularly scheduled meeting. It is recommended that potential applicants for variances and special permits start the application process early to avoid potential delays.

Contacting the ZBA

- The best way to reach the Office Manager is by email at keasterday@digton-ma.gov. You may reach the Office Manager Monday – Thursday from 7:30AM to 4:30 PM at 508- 669-6431, extension 114.

Citing specific zoning relief sought

- On the 1st page of the application, you'll need to cite what sections of the Zoning Bylaws you will be seeking relief from under "Variance [or Special Permit] from section/parts:" A copy of the [Zoning Bylaws](#) can be found on the ZBA webpage under the "Documents" tab or by clicking the link above. If you are unclear whether your proposal needs relief from specific sections of the Zoning Bylaws, refer your question to the [Building Commissioner](#), as he is the final say on all zoning enforcement matters.

Requesting an abutter's listing and map from the Assessor's Office

- It is the applicant's responsibility to contact the [Assessor's Office](#) to request an abutters listing and map, which is a list of all abutters within 300 feet of the property who will be notified by certified mail of the public hearing date where your case will be heard by the ZBA. Contact the Assessor's office by email or phone to get that list and map generated. The Assessor's office can also provide you with the parcel's map & lot number if you do not have that information. The abutter's listing will be a word document that is generated. A copy of the certified and signed abutters listing and map should be included in your completed application packet. **Please have the word document (unsigned digital copy) of the abutters listing file emailed directly to the Zoning Office Manager from the Assessor's Office staff.** Additionally, it may take a day or two for the Assessor's Office staff to complete your request for a abutter listing and map.

Requesting a Tax Status Form from the Treasurer/Collector's Office

- The top half of the "Tax Status Form" which is a part of the application, will be completed by you, the applicant. The bottom half will be completed by the [Treasurer/Collector's Office](#).

Contact the Treasurer/Collector's office by emailing or faxing them the document with the top half completed as well as a request for completion of the form. The tax status form must be stamped by the Treasurer/Collector's office, and included as a part of a complete application packet. Additionally, it may take a day or two for the Treasurer/Collector's Office staff to complete your request.

Extension of time form

- The Extension of Time form is the only aspect of the ZBA application packet to leave blank. The ZBA Office Manager will have you fill out that form after submittal of the completed application package.

Submitting your completed application package

- Completed application packages may be submitted to the ZBA by mail or hand delivered . Our address is at the top of this document. Applications must be complete, and received prior to the deadline for submittal to get on the agenda for the next ZBA Meeting. Incomplete applications received at the deadline will be delayed one month.
- **All required copies of site plans must also be received by the deadline.** The ZBA requires 2 large 24"x36" site plans, in addition to 7 copies of the site plans in 11"x17" format. Site plans must be drawn to the requirements outlined in Section 3 of the application. Site plans not meeting this requirement will be rejected.

Application cost

- A check for \$750 for each variance, special permit, or appeal hearing will need to be made out to "Town of Dighton," and submitted along with the application. Under the check memo, please include the property address seeking zoning relief. **The check for the hearing fee must be received by the Zoning Office prior to the deadline for application submittal.** P
- For a variance or a Special Permit, you will need a check for \$750. Applicants needing a combination of both a variance and a special permit will need to pay for both, at a total cost of \$1500.
- Please note that this application fee paid cost does not include the cost of abutter notification or the required advertisement of the public hearing in the Taunton Daily Gazette. Those costs will be assessed at a later date after the full application and payment has been received, and an invoice for those will be sent to the applicant, where they can then mail an additional check, or pay by phone. An approximate projected cost of your abutter notification is \$7.00 per abutter located within 300 feet of your property line. For example purposes only, a typical property with 27 abutters would cost approximately \$180 for abutter notification via certified mail, and approximately \$300 for advertisement in the Taunton Gazette. These prices are subject to change based on market forces out of the Town's control, as well as the number of abutters your property has.

End of Memo. Application Packet attached below.



*Town of Dighton Zoning
Board of Appeals
1111 Somerset Avenue
Dighton MA. 02715
Phone 508 669-6431, Ext. 114*

INSTRUCTIONS FOR THE PETITIONER

1. Please review all RULES AND REGULATIONS of the BOARD OF APPEALS prior to appearing before the Board. A copy of the Zoning Bylaws can be found here: (<http://www.dighton-ma.gov/Zoning%20Bylaws.pdf>). Please contact Kerrie Easterday at the Planning Board if a hard copy is required.
2. To be granted a variance, the petitioner must establish that special circumstances exist that affect the parcel of land or building in question that do not affect other properties in the same zoning district, that literal enforcement of the zoning ordinance would involve substantial hardship and that the variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent of the ordinance.
3. In case of a special permit, be prepared to present evidence that indicates that the public convenience and welfare will be served by granting the permission requested; that the permission requested will not impair the status of the neighborhood, and that the permission will be in harmony with the intent of the zoning ordinance.
4. All petitions must be filed in **DUPLICATE** to the ZONING BOARD OF APPEALS office.
5. A CERTIFIED ABUTTERS LIST including abutters within 300 feet of the property lines will be created by the assessor's department prior to the filing of your application. You will be responsible to supply the Zoning Board with a copy of the assessors certified listing and generated map. The Zoning Board will then create a Certified Mailing and request a check from the applicant made out to the United States Postal Service in the amount determined by the number of abutters.
6. You must submit SITE PLANS as described in the application. (2 Full Size, 7 11x17, 1 PDF copy emailed to ZBA office). Please contact the ZBA office if you are requesting a subdivision or have a lack of frontage for more specific details.
7. An advertisement notice will be created for you and sent to the Taunton Daily Gazette to be published 15 and 8 days prior to the hearing. You are responsible for PAYMENT OF THE ADVERTISEMENT IN THE TAUNTON DAILY GAZETTE to contact Gate House Media at #781433-6700. Submission of a copy of the paid invoice should be received by the Zoning Board of Appeals 7 days prior to the hearing. Failure to submit invoice before the hearing will result in denial or continuance of your case.
8. A TAX STATUS APPLICATION FORM, included in the application packet, must be completed for each piece of property owned by the applicant. The applicant must take the document to the Treasurers department to have taxes paid and the document stamped by the treasurer's department before submitting it with the application.
9. If your variance or special permit is granted, the decision must be recorded with the REGISTRY of DEEDS within 1 year. The decision must be acted upon within one year to ensure it does not expire. You must supply a copy of the recorded document to the Zoning Board and Town Clerk when the decision is recorded.
10. Make checks payable to the "TOWN OF DIGHTON" for the required filing fee of \$750.00 per Variance, Special Permit, or Appeal.



Town of Dighton

Board of Appeals

1111 Somerset Avenue

Dighton, MA. 02715

Phone (508) 669-6431, Ext 114

Helpful Hints in Completing Reasons for Petition

The following statements should be addressed when filling out the application.

1. Identify unique circumstances relating to the soil conditions, shape or topography of such land or structures which are the basis for the variance request.
2. Explain how such circumstances affect this land or structures, but do not generally affect the Zoning District in which it is located.
3. Explain how desirable relief may be granted without substantial detriment to the public good.

IF YOU HAVE ANY QUESTIONS REGARDING YOUR PETITION, PLEASE DO NOT HESITATE TO CONTACT OUR OFFICE (508) 669-6431, EXT 114.



TOWN of DIGHTON
ZONING BOARD of APPEALS

1111 Somerset Avenue, Dighton, MA. 02715

(508) 669-6431, Ext 114

To the Zoning Board of Appeals of the Town of Dighton: **Application Fee \$750.00/each**

The undersigned hereby petitions for a public hearing on the action checked below:

- ☐ Variance from section(s)/parts _____
_____ of the Town of Dighton's Zoning Bylaws (Be specific)
- ☐ Special Permit from section (s) _____
_____ of the Town of Dighton's Zoning Bylaws (Be specific)
- ☐ Appeal decision of Building Commissioner to (grant/ deny) permit. (Attach decision)

Nature of the Request is to allow:

The Property is Located at (Address) _____ Dighton / North
Dighton MA. and is known as Map# _____ Lot# _____

The Petitioner will attach hereto the following:

- ☐ 1. Reasons for the Petition
- ☐ 2. Legal description of the premise (including most recent deed of property)
- ☐ 3. Site Plans: the subject property must be drawn to scale, accurate and shall include (but not limited to) to following information; all property lines with distances, all buildings located on the site, with distances to the property lines, any wetlands all parking and impervious surfaces, all proposed changes, lot area, frontage and abutters. Detailed and accurate plans (2 Full Size and 7 11x17), which includes measurements, heights, landmarks, etc, should be provided. If request involves a lack of frontage, the plans will require a review before the Planning Board and Conservation Committee as well.
- ☐ 4. A Check for \$750 for each Variance, Special Permit and/or Appeal. The application fee(s) check should be made out to the 'Town of Dighton'.
- ☐ 5. Tax Status Application Form which should be cleared and stamped by the Treasurers Department

- ☐ 6. Extension of Time Form
- ☐ 7. In the event of an appeal of the Building Commissioner's Decision, decision must be attached.
- ☐ 8. In the event that any other approvals have been issued on the property, such decision(s) shall be included as part of the application.
- ☐ 9. The Petitioners interest is set out as follows;
- A.** The owner of said land acquired legal title to the property on _____ and is recorded in book _____. Page _____ of Bristol County Registry of Deeds.
- B.** State whether you are the owner, or whether you have a lease, purchase and sale agreement etc. (giving dates and other pertinent information)

If represented by counsel, please enter name, address and phone number:

Petitioner Signature: _____

Type/ print name clearly: _____

Telephone: _____

Address: _____ City: _____

State: _____ Zip Code _____

If Petitioner is not the owner, Owner shall affix assent here:

Owner Signature: _____

Type/ print name clearly: _____

Telephone: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Reviewed by Signature: (Chairman) _____

Reviewed by Signature: (Office Manager) _____



Town of Dighton, Massachusetts

TAX STATUS APPLICATION FORM

In order to process your application request efficiently and promptly we ask that you provide us with the following information. **One form must be filled out completely for each parcel(s) owned by you and any other parties involved.**

Date of request: _____

Requested by:

Name: _____

Address: _____

Telephone Number: _____

Assessed Owner: _____

Current Owner: _____

(If different from the Assessed owner)

Scope of Work: _____

Property Address: _____

To Be Completed and Initialed by the Assessors Office

Assessor's Reference (M&L): ____ - ____ - ____

If a developer or contractor is involved in this project then this section must be completed.

Contractor/Business Name _____ Business ID _____

Business Address _____ Phone Number _____

Contact person _____

(SIGNATURE REQUIRED TO COMPLETE TAX STATUS)

I hereby attest that all the information provided herein is true and complete to the best of my knowledge.

_____ Petitioner

For Office use only: _____

Tax Office Initials _____

Real Estate Amt. Due _____

Personal Property Amt. Due _____

Motor Vehicle Amt. Due _____

Tax Title Amt. Due _____

*As part of Article XXVII of Dighton's bylaws, we have adopted MGL Chapter 40A Section 57 titled "Licenses & Permits of Delinquent Taxpayers".

Please Note: You must contact the office that is requesting the Tax Status Report for any questions or information relating to this form.



DIGHTON ZONING BOARD OF APPEALS

EXTENSION OF TIME PERIOD

DATE: _____

NAME OF PETITIONER(S): _____
(Please Print Name)

(Please Print Name)

VARIANCE CASE NUMBER: _____

SPECIAL PERMIT CASE NUMBER: _____

COMPREHENSIVE PERMIT NUMBER: _____

I/We agree to extend the time limits of the above-mentioned case(s) to: _____
The time limit for the Special Permit, Notice of Appeal and the Variance to be coterminous.

Applicant's Signature: _____

(Please Print Name): _____

ZBA: _____

(Please Print Name): _____



DIGHTON ZONING BOARD OF APPEALS

PROJECT REVIEW CONSULTANT FEES

DATE: _____

NAME OF PETITIONER(S): _____
(Please Print Name)

(Please Print Name)

VARIANCE CASE NUMBER: _____

SPECIAL PERMIT CASE NUMBER: _____

I/We agree to pay all Project Review Fees to outside consultants for review work related to the above-mentioned case(s).

Petitioner's Signature: _____

(Please Print Name): _____

Petitioner 's Signature: _____

(Please Print Name): _____