

Guide to the Zoning Board of Appeals Process

This guide has been prepared in an effort to provide you, as an abutter or interested party, to a proposed appeal with an explanation of the public hearing and public participation process. It should be noted that this guide is not intended to be a legal guide, but to assist you with understanding how to participate in the development review process and how to best communicate any comments, questions or concerns you may have.

Why have I received a Legal Notice? Why are legal notices published in the local newspaper?

You may have received a Legal Notice because you are an abutter, as defined by State Law, to a proposed appeal to the Zoning Board. Legal notices are required to inform abutters that a public hearing will be held concerning a neighboring parcel.

How can I find out more about the proposed project?

Interested parties can obtain additional information about a proposed project by:

- Contacting the Zoning Board office at 978-688-9541 or by fax 978-688-9542.
- Reviewing the application, plans and supporting materials at the Zoning Board office (1600 Osgood Street) or at the Town Clerk (120 Main Street).
- Attending the public hearing.
- Viewing the Zoning Board hearing by live CAM broadcasts or on delayed broadcast.

The Zoning Board of Appeals office is located at 1600 Osgood Street, in Building 20, Suite 2-36. Office hours are Monday – Friday, 8:30 am to 4:30 pm.

What is the purpose of the public hearing?

Public hearings serve as a forum for the Zoning Board and the public to review and comment on appeals. The scope of the Zoning Board's review is restricted to the applicable sections of the Zoning Bylaw, or General Bylaw, as referenced in the legal notice.

What is the procedure of the Public Hearing?

- a. The Chair will open the hearing and the Clerk will read the legal notice
- b. The Chair will request a presentation of the petition from the applicant or applicant's representative.
- c. Members of the Zoning Board will ask questions of the applicant.
- d. The Chair will solicit public comments.
- e. At the Chair's discretion, the applicant will be requested to answer public comments.
- f. Members of the Zoning Board will ask final questions.
- g. The Chair will solicit final comments from the public.
- h. Members of the Zoning Board will comment on the appeal.
- i. The Chair will close the public hearing.
- j. The Zoning Board will issue a decision.

How long is the public hearing?

The complexity and size of the appeal determines how long the public hearing will be, typically ranging from one night to several nights. When a proposed appeal requires more than one night, the public hearing will be continued to a specified date. However, as an abutter, it is important to note that you will NOT be notified by mail of a continued hearing. Interested parties may either contact the Zoning office or view upcoming Zoning Board agendas on the Town's website.

How do I voice my comments, questions or concerns?

During the public hearing, the Chair will ask if anyone from the public wishes to speak on the proposed appeal;. Prior to speaking, you are requested to stand and state your name and address for the record. The following suggestions are provided to assist you in presenting testimony at a public hearing:

- Confine testimony to applicable sections within the Board's review
- Be clear and concise
- Facts are much stronger than opinion
- All questions should be directed to the Chair, not the applicant
- It is appropriate to state that you are in agreement with previous testimony.