



## TOWN OF BELCHERTOWN

Lawrence Memorial Hall  
2 Jabish Street  
Belchertown, Massachusetts 01007

### Application For Accessory Apartment Special Permit

This application form is to request a Special Permit for an Accessory Apartment under the Town Of Belchertown Zoning By-Law, §145-30.

The application must be either typed or neatly printed. The application must be filled out completely. The application must be reviewed and signed by either the Town Planner or the Building Commissioner as to adherence to the zoning by-law. When completed and signed, the application and fee are to be filed with the Town Clerk.

The fee for this Special Permit is \$100.

No application shall be accepted by the Town Clerk until signed by the Town Planner or the Building Commissioner.

The planning board is required by law to hold a public hearing to consider the merits of the application within 65 days of the date the application was filed with the Town Clerk. A notice of public hearing will be published in a newspaper of general circulation in the town and written notice will be mailed to the property's abutters and others who are legally entitled to receive notice. You must apply to the assessors' office for an abutters list to accompany this application.

APPLICATION INSTRUCTIONS – Follow these carefully to fill out the application form properly. The application form is on Page 3.

*Please check with the Health Department to determine if your septic system can accommodate an apartment! You'll save time and money up front if you know this.*

1. Write the applicants' full names.  
Write the applicants' full addresses and telephone numbers.
2. Write the property owners' full names.  
Write the property owners' full addresses and telephone numbers.
3. Where is the property located? Write the address and the Assessors' map and lot numbers.
4. What zone is the property in? (Accessory apartments may be considered only in VR, LR, Ag-A and Ag-B zones)
5. How big will the apartment be, in square feet? The maximum allowed is 600 square feet.

6. Is the apartment is going to be built to Americans With Disabilities Act (ADA) standards?
7. The applicant is required to submit a floor plan. This is to include a sketch of apartment and how it is integrated into the main residence. Include dimensions, doors, windows, rooms.
8. Describe how the apartment's parking will be managed. Remember that the intent is to keep the property's appearance as a single dwelling unit.
9. Applicants should explain why the planning board may make a favorable finding. Please refer to the special permit criteria in §145-70A(1) as written below.

*The SPGA shall issue a special permit for an exception under the following conditions:*

*(1) The SPGA shall grant special permits which:*

- (a) Are found not to be detrimental to the established or future character of the Town and the neighborhood;*  
*(b) Will not nullify or substantially derogate from the intent or purpose of the zoning district in which they are located; and (c) Are in harmony with the general intent and purpose of this chapter. Conditions, safeguards and limitations on time or use may be imposed when deemed appropriate.*

Attach additional sheets if you need to.

10. Indicate if there has been a previous application concerning the subject property within the last two years. If so, indicate the purpose for the application and its date.
11. Read the application to be sure it is in order. Sign the application. If the ownership of the property is two or more persons, i.e. spouses, siblings, etc., each person must sign. If an owner is unavailable, e.g. by death or another incapacity, signer's authority must be presented. If the applicant is a corporation, partnership, trust or other business entity, an authorized officer must sign. An attorney or other authorized representative of the applicant may sign on behalf of the applicant. Such authority must be demonstrated by a notarized letter from the applicant assigning authority to the attorney or other representative.
12. Have the Town Planner or the Building Commissioner review the application for completeness. Either the Town Planner or the Building Commissioner must sign the application for it to be considered.
13. The filing fee of \$100 is required to be paid to the Town Clerk at the time the application is filed. In addition to the original application, two copies of the complete application, including attachments, are required.

A notice of public hearing will be published in a newspaper of general circulation in Belchertown. The applicant will be billed directly by the newspaper for this notice. Page 4 must be filled in and signed by the applicant. Notice is required to be sent to all "parties in interest" as defined in MGL 40A, Section 11. To do this, the applicant must request the Belchertown Assessors' office to generate and certify a list of the names and postal addresses of all parties in interest. There is a separate fee for this service by the Assessors' office.

If the application is granted, the planning board may use their discretion and impose further reasonably appropriate conditions to protect the neighborhood and to serve the purposes of the zoning by-law. Such conditions shall be stated in the decision, a copy of which is required under MGL 40a, Section 11 to be recorded at the Hampshire Registry of Deeds, before the applicant's special permit may be acted upon.

**RESPONSIBILITY IS WITH THE APPLICANT TO SUBMIT A COMPLETE APPLICATION. AN INCOMPLETE APPLICATION WILL BE REJECTED.** You should review these documents with the Town Planner or the Building Commissioner prior to submitting this application.

For additional information contact the Town Planner or the Building Commissioner.

Belchertown planning board, Accessory Apartment Special Permit Application

Please check with the Health Dept as to your septic system's capacity.

1. Names of applicants \_\_\_\_\_

Address \_\_\_\_\_ Phone # \_\_\_\_\_

2. Owners of Property \_\_\_\_\_

Address \_\_\_\_\_ Phone # \_\_\_\_\_

3. Property Location

Street Address: \_\_\_\_\_

Assessors' Map \_\_\_\_\_ Lot \_\_\_\_\_

4. What zone is the property in? \_\_\_\_\_

(Accessory apartments are allowed only in VR, LR, Ag-A and Ag-B zones).

5. Proposed size of the apartment in square feet \_\_\_\_\_

6. Will the apartment be handicapped accessible?

7. Attach a floor plan and photographs of the house.

8. How will the apartment's required parking be managed? (attach a separate sheet)

9. Why should the planning board grant this special permit? Please refer to the special permit criteria in §145-69A(1). (Attach a separate sheet)

10. Has there been a previous application or appeal concerning this property?  
If so, when? \_\_\_\_\_ What was the previous application for? \_\_\_\_\_

11. I hereby certify the information contained in this application is true to the best of my knowledge:

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

12. The Town Planner or Building Commissioner certifies that this application complete.

Town Planner or Building Commissioner's signature: \_\_\_\_\_ Date: \_\_\_\_\_

13. Date received by Town Clerk: \_\_\_\_\_ Date received by planning board \_\_\_\_\_



# TOWN OF BELCHERTOWN

Lawrence Memorial Hall  
2 Jabish Street  
Belchertown, Massachusetts 01007

**TO:** The Sentinel  
**FROM:** Belchertown planning board  
**RE:** Public Hearing Notice Form  
**DATE:** \_\_\_\_\_

This memo is to request that a public hearing notice be placed in your newspaper for a Special Permit application.

Mr./Ms. \_\_\_\_\_, applicant, agree to pay for this publication as part of their request, and submit their signature and address for this purpose:

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone no.: \_\_\_\_\_

If there are questions, please call the planning board office at 413-323-0407.

Thank you.

copy: Board of Selectmen  
Applicant  
File

sentinel



Office of the  
**Board of Assessors**

LAWRENCE MEMORIAL HALL  
P.O. Box 515  
Belchertown, Massachusetts 01007-0515  
(413) 323-0413

**REQUEST FOR ABUTTERS LIST - \$25 Fee**

Location of Property: \_\_\_\_\_

Map \_\_\_\_\_ Lot \_\_\_\_\_

**PLEASE CHECK (✓) OFF ONE:**

\_\_\_\_\_ **Planning Board OR** \_\_\_\_\_ **Zoning Board of Appeals (ZBA)**  
300ft Certified List per MGL Ch. 40A, Sec. 11

\_\_\_\_\_ **Conservation Commission**  
100ft Certified List per MGL Ch. 131, Sec. 40

\_\_\_\_\_ **Stormwater Management Bylaw**  
100ft Certified List per Wetlands Protection Act 310, CMR 10.05 (4)

**Board of Selectman:**

\_\_\_\_\_ **Class I / \_\_\_\_\_ Class II / \_\_\_\_\_ Class III License**  
Certified List of Immediate Abutters per MGL Ch. 140, Sec. 59

\_\_\_\_\_ **Liquor License - Certified List of Immediate Abutters**  
PLUS church, hospital or school within 500ft per MGL Ch. 138, Sec. 15A

\_\_\_\_\_ **Other** \_\_\_\_\_

\*\*\*\*\*

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Signature:** \_\_\_\_\_ **Phone #:** \_\_\_\_\_

Pick-up  Fax  Mail  Email

**To:** \_\_\_\_\_

Cash \_\_\_\_\_ OR Check# \_\_\_\_\_

**Office use only:**

Initial \_\_\_\_\_ Date Completed \_\_\_\_\_ Sent To Customer \_\_\_\_\_ / Office \_\_\_\_\_