

TOWN OF NEW MARLBOROUGH
ZONING BOARD OF APPEALS
MILL RIVER, MA 01244

Please print or type all information.
Separate sheets can be used as needed.

An APPEAL can look for the alteration of a negative decision by a permit granting authority or a request for enforcement action that has not taken place after proper notification. A VARIANCE is a request to vary the terms of the Town of New Marlborough Zoning By-Laws either as to use or dimension.

Until this form has been properly completed and any other needed papers, documents or required information attached, it is merely advisory and can't be considered as a viable application.

To qualify for a variance you must show:

Owing to circumstances relating to the soil conditions, shape or topography of such land or structures, and especially affecting such land or structures but not affecting the zoning district in which it is located, a literal enforcement of the provisions of the by-law would involve substantial hardship, financial or otherwise to the petitioner.

And

Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the by-law.

Request for Appeal should provide copies of the decisions and the reasons why you believe that the decisions should be reversed, what the positive and negative effects of this might be on the public good.

It is to the appellant's advantage to provide concise information presented in a clear and legible manner.

Decisions of the board do not take effect until 20 days after the decision has been presented to the Town Clerk and it is the responsibility of the appellant to file a copy of the decision with the Registry of deeds.