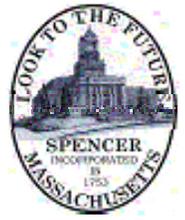


Planning Board  
Zoning Board of Appeals  
Conservation Commission  
Board of Health

Town Planner  
Inspector of Buildings  
Health Agent  
Wetland/Soil Specialist

# TOWN OF SPENCER

Office of Development & Inspectional Services



## Application for Special Permit, Variance or Appeal

Memorial Town Hall  
157 Main Street  
Spencer, MA 01562

Tel: 508-885-7500 ext. 180  
Fax: 508-885-7519

\_\_\_\_\_  
\_\_\_\_\_  
Name of Applicant: \_\_\_\_\_  
Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_  
Name of Owner (s): \_\_\_\_\_ Address: \_\_\_\_\_  
\_\_\_\_\_

Application for:  Special Permit  Variance  Appeal of Decision by: \_\_\_\_\_

Applicable Zoning Bylaw Section: \_\_\_\_\_

(See Zoning Bylaw for appropriate section numbers and section 7.2 Special Permits/7.3 Variance requirements)

Are you filing under the 1985 Zoning Bylaw?  Yes  No If yes, attach an explanation of why and by what zoning freeze mechanism.

Location of Property: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Spencer Assessor's Tax Map Number: \_\_\_\_\_ Parcel Number(s): \_\_\_\_\_

Deed Reference – Worcester Registry of Deeds Book: \_\_\_\_\_ Page: \_\_\_\_\_

Brief description of  
the application

Check here if additional pages attached to provide more detailed information.

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

Owner's signature (s): \_\_\_\_\_

*Note: All affected owners  
must sign the application*

\_\_\_\_\_

Date: \_\_\_\_\_

Town Clerk's Date Stamp:

Checked by:

Date:

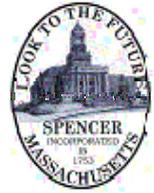
Official Use Only:

Fee: \$ \_\_\_\_\_ Date Paid: \_\_\_\_\_ Check #: \_\_\_\_\_

Zoning Board of Appeals  Planning Board

Date(s) of Public Hearing (s): \_\_\_\_\_

**TOWN OF SPENCER**  
*Office of Development & Inspectional Services*



*Planning Board  
Zoning Board of Appeals  
Conservation Commission  
Board of Health*

*Town Planner  
Inspector of Buildings  
Health Agent  
Wetland/Soil Specialist*

**REQUIREMENTS TO APPLY  
FOR A SPECIAL PERMIT  
OR VARIANCE**

*Memorial Town Hall  
157 Main Street  
Spencer, MA 01562*

*Tel: 508-885-7500 ext. 180  
Fax: 508-885-7519*

1. Complete application form signed by applicant and all owners.
2. Copy of legal description of property (narrative from Registry of Deeds). Description must include accurate and current owner's deed book and page reference – Not Plan Book.
3. List of abutters from Town Assessors office.
4. Seven copies of registered plot plan or site plan which is stamped and certified by a civil engineer or land surveyor, if necessary. Any application involving variation to any dimensional or design requirement must include a plot plan. (e.g. setbacks, buffers, parking, frontage, lot size, etc.) Plan must include parking facilities if appropriate.
5. Letters of support from applicable town departments, if desired.

Submit with a check made payable to the Town of Spencer for the application fee to ODIS, where the application will be checked by staff prior to submission to the Town Clerk's office. The application will then be date-stamped by the Town Clerk's office. Additional fees may be required by the ZBA if a professional review is deemed necessary.

See Section 7.2 for requirements for a special permit and/or Section 7.3 for requirements for a variance. Variances are very difficult to obtain since certain criteria must be met, including proof of hardship.

After your application has been accepted you will receive a notice informing you of when your hearing is scheduled; you or a representative must be present at this hearing.

Within 14 days of the decision, it will be filed with the Town Clerk's office and the 20 day appeal period required by MGL Ch. 40A sec 17 will commence. After the appeal period, if no appeals have been filed the original decision will be mailed to you and you must then record it at the Worcester District Registry of Deeds.

TOWN OF SPENCER  
Office of Development & Inspectional Services



Planning Board  
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Board of Health

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Health Agent  
Wetland/Soil Specialist

Memorial Town Hall  
157 Main Street  
Spencer, MA 01562

## Application for ANR

(Approval Not Required under the Subdivision Control Law)

Tel: 508-885-7500 ext. 180  
Fax: 508-885-7519

Name of Applicant: \_\_\_\_\_

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

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Name of Owner(s): \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Name of Surveyor: \_\_\_\_\_

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

Daytime Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Location of Property: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Spencer Assessor's Tax Map Number: \_\_\_\_\_ Parcel Number(s): \_\_\_\_\_

Deed Reference - Worcester Registry of Deeds Book: \_\_\_\_\_ Page: \_\_\_\_\_

Plan Reference - Worcester Registry of Deeds Book: \_\_\_\_\_ Page: \_\_\_\_\_

Purpose of Application:

- create new lot(s); indicate total number (including original parcel): \_\_\_\_\_
- boundary line adjustment \_\_\_\_\_

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

Owner's signature(s): \_\_\_\_\_

*Note: All affected owners  
must sign the application.*

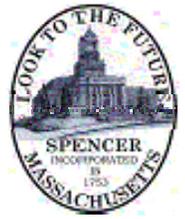
Date: \_\_\_\_\_

Town Clerk's Date Stamp:

Official Use Only:

Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Check #: \_\_\_\_\_

**TOWN OF SPENCER**  
*Office of Development & Inspectional Services*



*Planning Board  
Zoning Board of Appeals  
Conservation Commission  
Board of Health*

*Town Planner  
Inspector of Buildings  
Health Agent  
Wetland/Soil Specialist*

**APPROVAL NOT REQUIRED  
(ANR) PLANS  
REQUIREMENTS**

*Memorial Town Hall  
157 Main Street  
Spencer, MA 01562*

*Tel: 508-885-7500 ext. 180  
Fax: 508-885-7519*

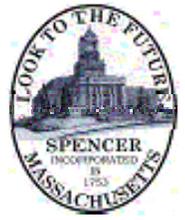
- 
- A. Description of an ANR Plan: An ANR plan is one which does not require approval under the Subdivision Control Law (MGL Ch 41 § 81P). Such plans may be divisions of land such that each parcel contains the minimum frontage required under the Spencer Zoning Bylaw where the frontage is on an existing street as defined in Article 1 of these subdivision regulations. Where no frontage is specified in the Zoning Bylaw, each parcel must have a minimum of 20 feet frontage.
- B. Plan Requirements: An ANR plan shall be prepared by a land surveyor registered in the Commonwealth of Massachusetts and shall be clearly and legibly drawn to the requirements of the Recording Rules adopted by the Registry of Deeds in Massachusetts. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire plan. An ANR plan shall contain the following information:
1. Total frontage and area of each lot shown on the plan, including any "remaining land" area, and including the net useable area of each resulting lot. In cases where a parcel is being subdivided from a large parcel, a copy of the Assessor's map may be used to show the location, approximate boundaries, frontage, and area of the "remaining land".
  2. Existing and proposed boundaries shall be shown with lines of different thickness or types (e.g. solid vs. dashed) to clearly illustrate the purpose of the plan.
  3. Location and approximate area of wetlands as shown on the most recent DEP Wetlands map from MassGIS, to prove compliance with Section 5.3.9 of the Spencer Zoning Bylaw (minimum net useable area; must have 15,000 sf non-wetland if relying on individual septic, or 5,000 sf if on public sewer).
  4. Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and monuments or references necessary to establish these lines on the ground.
  5. Location of all existing structures on all lots affected by the ANR, showing setback dimensions for front, side and rear (note that for setbacks that are clearly well above the minimum required by the Spencer Zoning Bylaw, an approximate distance may be used, but shall be so noted on the plan).
  6. Square foot coverage of existing structures (for use in determining compliance with building coverage requirements).
  7. Where practical, boundary lines of contiguous and adjacent land and the names of the owners thereof, as determined from the most recent tax list.
  8. Location, names, present widths, and status of public and private ways abutting the property.
  9. A note indicating the specific purpose of the plan including a description of the proposed changes to the parcels or lots.

10. Locus map, north point, date and scale.
11. Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
12. Notice of any decisions by the Planning Board and the Zoning Board of Appeals, including, but not limited to, variances and special permits regarding the land or any buildings thereon.
13. Suitable space to record the endorsement of the Board that Approval is Not Required and the signatures of the members of the Board or their designee.
14. A note on the plan indicating that any parcel being created that does not conform to the Spencer Zoning Bylaw is not a buildable lot.
15. Name of the record owner, name of the registered land surveyor, and the Worcester Registry of Deeds book and page reference of conveyance to record owner.
16. Town of Spencer Assessors Map and Parcel numbers.

C. Approval Process:

1. Any Person who wishes to cause to be recorded in the Registry of Deeds, or to be filed with the Land Court a plan of land may submit to the Planning Board the mylar for said plan, three (3) prints thereof, the filing fee, and the application form, accompanied by the necessary evidence to show that the plan does not require approval under the subdivision control law.
2. Applications shall be submitted to the Office of Development & Inspectional Services. The application and plan will be reviewed by the Office, including by the Wetland/Soil Specialist, and when determined to be complete shall be taken to the Town Clerk for stamping for the purpose of commencing the official timeframe for action by the Planning Board. Applicants with incomplete applications will be notified by ODIS within 2 days of receipt of the application with incorrect or missing items, whereupon the process will be put on hold until a modified plan is submitted. The application will be listed on the next available agenda of the Board for consideration, in compliance with the deadline schedule established by the Board.
3. Once endorsed, the applicant will be notified to pick up the mylar and he/she shall be responsible for having it recorded at the Worcester District Registry of Deeds.
4. For purposes of maintenance of Town records, including tax maps kept by the Assessors Office, an electronic copy in compliance with Level III of the current version of the MassGIS Standard for Digital Plan Submission to Municipalities (available at the Office of Development & Inspectional Services or at [www.mass.gov/mgis](http://www.mass.gov/mgis)) shall be filed within 14 days of endorsement of the plan, if the plan was produced in CAD or other electronic format. The Planning Board may waive this requirement or allow a submission in compliance with Level I of the Standard upon written request which must include a statement as to the reasons electronic submission is not possible. For Level III submissions, the coordinate system to be used shall be the Massachusetts Coordinate System, North American Datum 1983, with units of US Survey Feet, and the vertical datum shall be the North American Vertical Datum 1988.

TOWN OF SPENCER  
*Office of Development & Inspectional Services*



*Planning Board  
Zoning Board of Appeals  
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**Waiver of ANR Timeframe  
for Rear Lot Subdivision**

*Memorial Town Hall  
157 Main Street  
Spencer, MA 01562*

*Tel: 508-885-7500 ext. 180  
Fax: 508-885-7519*

\_\_\_\_\_

\_\_\_\_\_

I, \_\_\_\_\_ hereby waive the 21 day timeframe  
Owner's Name

allowed for an Approval Not Required (ANR) for \_\_\_\_\_  
Property Address

\_\_\_\_\_ under MGL Chapter 41 Section 81P.  
Assessor's Map & Parcel

\_\_\_\_\_  
Owner's Name (please print)

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Board Signature

\_\_\_\_\_  
Date

**Note: The ANR will not be endorsed until after the 20 day appeal period for the Special Permit is up, and then only if no appeals have been filed on the Special Permit decision.**