



Town of Concord
Zoning Board of Appeals
141 Keyes Road
Concord, MA 01742
Tel: (978) 318-3295
www.concordma.gov
Rev. Aug 2022

Zoning Board of Appeals *Application Procedures*

General Information

The Zoning Board of Appeals (ZBA) acts upon matters as it relates to Special Permits and Variances under the Town's Zoning Bylaw and Sign Bylaw, appeals of the Building Inspector's decisions, and provision of the Subdivision Control Law, Section 81Y through 81BB. A copy of the ZBA meeting schedule, review submission deadlines, filing deadlines, and applications can be found on the ZBA website or can be obtained at the ZBA office located at 141 Keyes Road. All hearings are open to the public, as required by law, and all applications and materials submitted become public record.

Step 1 | Preparing the Application for Review

Review the Concord Zoning Bylaw before completing the application. Identify the specific sections of the [Zoning Bylaw](#) that pertain to the application and enter these section numbers on the application form. If a Special Permit is sought, reference Section 11.6 of the Bylaw or if a Variance is sought, reference Section 11.7 of the Bylaw. Failure to cite or note the correct sections could cause delays for your project.

Fill out the ZBA Application completely in accordance with these procedures and the appropriate application checklist so that there will be no ambiguity or uncertainty as to the intent of your application. Much of the required property information can be easily obtained through Concord's [WebGIS](#) program.

Please note that certain types of Applications require recommendations and/or approvals from other Boards and Commissions before a decision may be rendered by the ZBA. Some examples are:

- If any portion of the property is located within one of Concord's Historic Districts, contact the Historic Districts Commission office directly for a determination of applicability. A Certificate of Appropriateness may be required before a decision will be rendered by the ZBA.
- If a Planning Board review and recommendation is required, the Letter of Recommendation may be required before a decision will be rendered by the ZBA.
- If any portion of the project falls under the jurisdiction of the Natural Resources Commission, contact the Division of Natural Resources office directly. A Determination of Applicability and/or an Order of Conditions issued may be required before a decision will be rendered by the ZBA.

Step 2 | Application Review

Your application must be reviewed by the Building Commissioner to ensure that the application is correct, complete, and clear. The application and applicable site plans, building plans and any required documentation must be submitted to the Building Commissioner by the application review submission deadline.

The Building Commissioner will review the application for completeness and sign the application when a determination is made that it is complete. You will be notified that the application package is ready to be picked up from the Building Division. You can then proceed to Step 3 to prepare the application package for filing with the Town Clerk and submit it to the Planning Division Office.

The submission deadline for application review can be found here: <https://concordma.gov/1223/Zoning-Board-of-Appeals>

Step 3 Prepare the following documentation:

Once the application has been reviewed and signed by the Building Commissioner, prepare the following materials for submission. The applications and materials must be printed double sided on standard 8 ½” x 11” paper unless otherwise noted in the checklist below. Applications and supportive materials must be collated into three separate application packages. Do not use plastic covers or binding when preparing the application packages.

- Three (3) copies of the completed application (1 original and 2 copies)
- Three (3) copies of all supportive materials (see application checklist for the required materials)
- One (1) full size (24” x 36”) copy of architectural and site plan(s) showing all requested information
- Three (3) reduced size (11” x 17”) copies of the plan(s) showing all requested information
- One (1) copy of the Abutters List Request Form
- One (1) copy of the Legal Notice Form
- Application Fee (Checks should be made out to the Town of Concord)
- One (1) copy of the Stormwater Management Report and/or Drainage Calculation Report (if required)
- Electronic copy of application, plans, and supporting documentation (saved as separate pdf files) on a flash drive or emailed to Town Staff.

Step 4 Filing the Application

The application filing deadline can be found here: <https://concordma.gov/1223/Zoning-Board-of-Appeals>

Assessor’s Office – Email the abutters list request form to assessing@concordma.gov

- Assessing will send the abutters list directly to the Planning Division Office and notify the Applicant of the fee. A separate check should be dropped off or mailed to the Assessor’s Office at 24 Court Lane.

Town Clerk’s Office – Bring 3 copies of the application and supporting documentation to the Town Clerk’s office at 22 Monument Square to be date stamped.

- The Town Clerk will return the applications (1 original and 1 copy) and the supporting documentation to you for submission at the Planning Division Office. The Town Clerk will keep 1 copy of everything for their records.

Planning Division Office – Bring the following to be submitted in the Planning Division Office at 141 Keyes Road.

- Two (2) copies of completed application (1 original and 1 copy)
- Two (2) copies of all supportive materials
- One (1) full size (24” x 36”) copy of architectural and site plan(s) showing all requested information
- Two (2) reduced size (11” x 17”) reduced architectural and site plan(s) showing all requested information
- One (1) copy of the Legal Notice Form
- Application Fee
- One (1) copy of the Stormwater Management Report and/or Drainage Calculation Report (if required)
- Electronic copy of application, plans, and supporting documentation (saved as separate pdf files) on a flash drive or emailed to Town Staff.

The Planning Division Office is open Monday to Thursday 8:00 am to 4:00 pm and Friday 8:00 am to 12:00 pm.

Fee Schedule

Special Permit	\$200
Special Permit with Site Plan Review	\$200 + Appropriate Site Plan Fee (\$500 or \$15 per 1,000 SF of gross floor area, whichever is greater)
Special Permit Renewal	\$100
Variance	\$200
Sign Variance	\$200
Planned Residential Development	\$500 + \$100 per dwelling unit (dwelling unit fee waived if subdivision fee is required)
Comprehensive Permit	\$500 + \$100 per dwelling unit
Appeal of a Decision of the Building Inspector	\$50
Personal Wireless Services Facilities	\$750

Prior to the ZBA Public Hearing

Fourteen (14) days before the scheduled meeting date, the meeting agenda will be posted with the Town Clerk's office. On the same day that the agenda is posted with the Town Clerk, the Applicant and all parties listed on the abutters list will be mailed a copy of the meeting agenda. Notice of public hearings shall be published twice, one being two weeks in advance of the hearing, in a newspaper of general circulation for Concord, in this case the Concord Journal. ZBA staff will send the legal notice and contact billing information to the newspaper publisher who will call in advance of publication for prepayment by credit card.

If it is determined that review and recommendation of the proposed project by Town Staff and Town boards will not be completed in time for your scheduled hearing date, you should request a continuance of the ZBA hearing, in writing, until such board review and recommendation is completed.

Although it's not required, the ZBA encourages all Applicants to meet with abutters prior to the public hearing to discuss and review the Application.

On the day of the ZBA Public Hearing

The Applicant and/or their Representative must appear at the hearing. At the hearing, the Applicant and/or their Representative will be asked to briefly review the Application and answer any questions presented by the Board. If any new material is provided at the meeting, the Applicant must provide copies to Town Staff for the official record file. The ZBA may vote to continue the public hearing if there are any outstanding issues and/or concerns that need to be addressed or a site visit is required or modifications to the project or plans is required. Alternatively, the ZBA may close the public hearing and render a decision on the application.

After the ZBA Public Hearing

After the public hearing is closed, the ZBA has 90 days to render a decision and file their written decision with the Town Clerk. On the day the decision is filed with the Town Clerk, the twenty (20) day appeal period begins, and all abutters will be notified by mail.

When the 20-day statutory appeal period has elapsed and no appeals have been filed, the certified original decision will be released by the Town Clerk and prepared for pickup by Town Staff. The Applicant will be notified when the decision is ready for pickup in the Planning Division Office.

It is the Applicant's responsibility to record the decision with the Middlesex South Registry of Deeds. The Registry of Deeds is located at 208 Cambridge Street, Cambridge, MA 02141. The fee for recording or registering is paid by the owner or applicant. Prior to the issuance of a Building Permit, a copy of the recorded decision is required to be submitted to the Building Inspections Division.