A check or money order in the amount of $150.00 made payable to the Town of Palmer must accompany this application to defray the costs of the Public Hearing, notification and recording. The Newspaper will bill advertising costs directly to the applicant. All applicable fees and bills must be paid prior to the issuance of any permits.

The application must include a completed form, a list of abutters within 300 feet of the applicant’s property including property owners across a public or private way within 300 feet of the property, and written denial of building permit request.

The application must also include all required information as stated in c.171 §171.29, and any other pertinent materials supporting the request such as maps, photos, pictures and diagrams with complete measurements; blueprints, deeds and previous years tax bills, etc. All documents submitted by the applicant will not be returned and will remain as part of the public record in the Palmer Town Hall.

After submission of all necessary information a hearing will be scheduled for you. You will be notified of the date and time of the hearing.

Please respond to the following and return with your completed application.

_______ I have received authorization from the Tax Collector that I am current with all local associated property taxes. Tax Collector: ___________________________ Date: __________

_______ I have requested a certified abutters list from the Town Assessor. I have read the above and fully understand that I am responsible for the cost of the advertising of the public hearing notices. I hereby certify that I will pay this invoice immediately upon receipt.

_______ I have granted consent to the Planning Board of the Town of Palmer and/or its agents or employees to enter on my property for purposes of this request

_________________________ _______________________
Signature of Applicant Date

For office use only:

I have received an application fee in the amount of $__________
I have received a peer review engineering fee in the amount of $__________
Accepted by: __________________________
Date of filing: ________________________
OFFICE OF THE PLANNING BOARD

PETITION FOR A FINDING FOR THE ALTERATION OF A PRE-EXISTING NONCONFORMING STRUCTURE OR USE OTHER THAN A ONE-FAMILY OR TWO-FAMILY DWELLING.

The undersigned petitioner hereby petitions for a finding under M.G.L., Ch. 40A Section 6, and the applicable sections of the Palmer Zoning Ordinance Chapter 171.83K as follows:

1. Petitioner (includes equitable owner or purchaser on a purchase and sales agreement):
   
   Name: ________________________________
   
   Address: ________________________________
   
   Telephone #: ____________________ Cell ____________________
   
   Email address: ________________________________

2. Owner, if other than petitioner:

   Name: ________________________________
   
   Address: ________________________________
   
   Telephone #: ____________________ Cell ____________________
   
   Email address: ________________________________

3. Property:

   Street Address: ________________________________
   
   Assessor’s Map: _______ Lot _______
   
   Zoning district in which property is located ________________________________
   
   Registry of Deeds where deed, plan or both are recorded: ________________________________
   
   Deed Recording: Book ________ Page ____________
   
   Plan Recording: Plan # ____________________

4. Narrative Description of proposed work/project: (Please provide all pertinent documentation and plans as referenced in c.171,§171-29)
5. Explain why the existing use/structure is legally pre-existing nonconforming (buildings and structures that are now subject to the provisions of the Zoning Ordinance that were lawful before the Zoning Ordinance was adopted).

6. State how work/proposal complies with the following Planning Board Finding criteria (see Section 171.83K of the Zoning Ordinance):

(1) Non-conforming Uses:

(a) Explain how the alteration, change, expansion or extension of a non-conforming use is not substantially more detrimental than the current use

(2) Non-Conforming Structures:

(a) Explain how the degree of proposed non-conformity is not substantially more detrimental than the existing non-conformity to the neighborhood with particular consideration of abutting properties.

(b) Explain how the site coverage of the dwelling within that minimum setback is not increased to an extent so as to be substantially more detrimental than the existing non-conformity to the neighborhood, with particular consideration of abutting properties.
(c) Explain how the extension or enlargement is appropriate in scale and mass for the neighborhood, with particular consideration of abutting properties.

If someone other than the owner or equitable owner (purchaser on a purchase and sales agreement) is the Petitioner or will represent the Petitioner, owner or equitable owner must designate such representative below.

Name of Representative: _____________________________________________

Address of Representative: ___________________________________________

Telephone #: Days ___________________ Evenings _______________________

E-Mail Address ______________________________________________________

Relationship of representative to owner or equitable owner: _________________

I hereby authorize ________________________________ to represent my interests before the Permit Granting Authority with respect to this Finding Petition.

__________________________________________
(Signed by owner/equitable owner)

I hereby certify under the pains and penalties of perjury that the information contained in this Petition is true and complete.

__________________________ __________________________
Signature of Petitioner Date

__________________________ __________________________
Signature of Owner, if other than Petitioner Date

__________________________ __________________________
Signature of Equitable Owner who is filing Petition to satisfy condition of purchase and sales agreement Date

4/5
CONSENT TO WAIVER OF RIGHTS UNDER THE FOURTH AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES AND PART I, ARTICLE XIV, OF THE CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS

I, ________________________, being fully apprised of my rights under the Fourth Amendment of the Constitution of the United States and the correlative provisions of the Constitution of the Commonwealth of Massachusetts, and with full knowledge that the Planning Board of the Town of Palmer and/or its agents or employees cannot enter into or on my property without my knowing, free, and voluntary consent to such entry or in accordance with a warrant lawfully issued by a court or for other reasons consistent with these constitutional provisions, and with knowledge that I do not have to waive my rights under these provisions of these constitutions, I hereby CONSENT and give my permission to the Planning Board of the Town of Palmer and/or its agents or employees to enter into and on my property located at ______________________, Palmer, Massachusetts, and any enclosures or buildings thereon for the purpose of inspecting the property and my operations thereon for any violations of the approval/permit which it has and/or may issue to the me and for violations of any regulations, ordinances and laws regulating or pertaining to project at this location. I understand that the information gathered during such inspections or observations made by such inspectors may be used to determine whether any violations exist and to impose sanctions upon me including termination or non-renewal of the permit which the Planning Board has issued for this project.

Dated this _____ day of ______________________, 20__

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

Then personally appeared before me _______________________, (the President/Treasurer of _______________________) who, being by me duly sworn, did acknowledge the foregoing instrument to be his/her [the] free act and deed [of ______________________], before me,

Notary Public _______________________

My commission expires: _______________________

5/5