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ZONING CHANGE REQUEST

GENERAL INFORMATION

Land use regulations exist to support community goals, protect resources and guide new development. It is accomplished, in part, through the establishment of zoning districts. Zoning districts define a set of characteristics that support and enhance the coexistence of residential, commercial and industrial uses within a community.

The zoning district of a property determines how a property can be utilized and the dimensions to which it must adhere within the context of the Town of Randolph Zoning Bylaws. A property owner seeking relief from such has a number of avenues by which to pursue change, one being a ZONING CHANGE REQUEST.

The Zoning Change Request is a multi-step process that ensures all interested parties in the community are aware of and have a voice in the proposed zoning change. Taking place over the period of approximately 2-4 months, a request to rezone a property typically involves the following steps:

- Request to Town Council
- Public hearing with Planning Board
- Public hearing with Town Council

The Town Council makes the final decision on all applications for a zoning change. They may approve, amend or deny, in total or in part, the requested zoning change.

WHO MAY APPLY

- The property owner - individual, partnership, corporation, trust
- An applicant - party responsible for information submitted for a zoning request
- A representative - person authorized to speak on behalf of the property owner
- The municipality

APPLICATIONS

Applications are available in the office of the Town Council and Planning Office at Town Hall. Applicants are encouraged to meet with a Council member and/or Planning staff member to review applications prior to submission. Completed applications are accepted by the Town Clerk's Office.

FILING FEES

Application packages will not be processed unless the correct filing fee has been paid in full. (**SEE FEE SCHEDULE**). An applicant is entitled to a full refund of the filing fee if a written request to withdraw is received within 5 business days following submission of a complete application.

NOTIFICATION REQUIREMENTS

The applicant must provide notice of intent for rezoning to abutters for each of TWO public hearings as follows:

- Abutters shall be notified by certified mail return receipt requested not less than 14 days prior to the hearing date.
- Abutters shall be:
 - those abutters to the site
 - abutters to abutters within 300 feet of the subject property
 - adjacent communities of Avon, Braintree, Canton, Holbrook, Milton, Quincy, Stoughton
 - Metropolitan Area Planning Council
- Town Staff will obtain a certified list of abutters, prepare and submit the notifications
- Written notice is required for each public hearing (Planning Board and Town Council) but not for continuations.
- All costs for notification are borne by the applicant.

REZONING PROCESS

On receipt of a completed application package and filing fee, the following steps will occur:

- 1) Order number assigned by Town Council
- 2) Town Council reads request into the record at a scheduled meeting and votes to refer the request to Planning Board and Ordinance Committee
- 3) Applicable Town departments complete review of request. This may include engineering, police, fire, etc.
- 4) Planning Board schedules a public hearing within 65 days following referral from Town Council.
- 5) Legal advertising and notification to abutters is completed.
- 6) Public Hearing held with Planning Board during which :
 - a. Applicant presents request
 - b. Interested parties speak in favor of or opposition to the request
 - c. Reports from Town departments read into record
 - d. Planning Board deliberates on the request.
 - e. Planning Board votes a recommendation which will be presented to Town Council.
- 7) Within 21 days following the vote by Planning Board, the recommendation is forwarded to Town Council.
- 8) After receiving the Planning Board report and within 65 days of receipt of the application, Town Council schedules a Public Hearing.
 - a. The applicant may be required to meet with the Ordinance Committee
 - b. The applicant may be required to notify abutters (by letter) of any meeting with the Ordinance Committee
- 9) Legal advertising and notification to abutters is completed.
- 10) Public Hearing with Town Council is held during which :
 - a. Applicant presents request
 - b. Interested parties speak in favor of or opposition to the request
 - c. Reports from Town departments read into record

- d. Town Council deliberates on the request.
- e. Town Council votes whether to APPROVE or DENY the request.

*During the review process, the proposed site may be visited to analyze existing conditions and determine the impacts the proposed use will have on the surrounding area. The applicant may be required to submit additional information and/or employ the services of professional consultants (i.e. engineer, architect, etc.).

POSTPONMENTS - CONTINUATIONS - WITHDRAWALS

Postponement

An applicant may postpone a case by submitting a written request to the Planning Office or Town Council within five (5) business days prior to a hearing. No fees shall be refunded. Additional notification to abutters and advertising may be required, the costs of which will be borne by the applicant.

If a postponement request is not received within the specified deadline, the case will remain on the meeting agenda and will require action by the applicable board.

Continuation

At either public hearing, the property owner, applicant or authorized representative may request a continuance which allows the case to be heard at a specified later date without incurring additional fees. An applicant's request for continuation may be approved or denied by the Planning Board or Town Council. If the continuance request is denied, the case will be heard as originally scheduled. Additionally, the Planning Board and/or Town Council may continue a case based on other factors.

Withdrawal

An applicant may withdraw a Zoning Change Request at any time during the process prior to the Town Council issuing a decision. There shall be no refund of fees.

DECISIONS

A copy of the written decision made by Town Council is sent to the Offices of the Town Clerk, Engineering Department and to the applicant. Failure of the Town Council to act within 120 days of a complete application will be deemed approval.

EFFECTIVE PERIOD OF APPROVAL

If Town Council grants approval, the new zone becomes effective upon adoption.

REAPPLICATION AFTER DENIAL

If a rezoning request is denied by Town Council, it will not be considered again for a period of two years in accordance with MGL Chapter 40A section 5 unless the Planning Board made a favorable recommendation.

After the applicable period, the applicant is responsible for submitting a new application package for consideration.



REZONING REQUEST

The information requested is required for REZONING REQUEST. All required information must be submitted with this application.
For assistance, call 781-961-0936.

1. Subject Property

MAP/BLOCK/ PARCEL NUMBER(s):

Total Acreage:

PROPERTY ADDRESS OR SITE LOCATION:

LEGAL DESCRIPTION (Attach additional sheets, if necessary):

Current Zoning

Requested Zoning

2. Statement of Purpose

The Statement of Purpose for a Zoning Change Request shall include all of the following information:

*Reason for request including description of all existing and proposed activities (uses)

*Explanation of how the request is consistent with the Town's Master Plan

*Indication of how the request will not substantially or permanently injure the property rights of the owner(s) of all real property affected by the proposed change

*Indication of how the request will not adversely affect the health, safety or welfare of the general public

3. Property Owner(s)

NAME:		PHONE:
ADDRESS:		FAX:
CITY / STATE:	ZIP:	E-MAIL:

4. Applicant(If different from owner)

NAME:		PHONE:
ADDRESS:		FAX:
CITY / STATE:	ZIP:	E-MAIL:

5. Agent (If different from owner / applicant)

NAME:		PHONE:
ADDRESS:		FAX:
CITY / STATE:	ZIP:	E-MAIL:

6. Contact

Who is the primary contact regarding this application? Check one: Owner Applicant Agent

7. Owner / Applicant Certification

By my signature below, I hereby certify the following:

1. I understand that the **BURDEN OF PROOF** is on the applicant to substantiate the request.
2. I understand that additional information, reports, studies, applications or fees may be required.
3. I understand that if my application is denied, there is no refund of fees paid.
4. I understand that submitting inaccurate or incomplete information may result in delays or denial of my application.
5. I certify that the information provided in this application, including attachments, is accurate and correct to the best of my knowledge
- 6.. I have read and understand the foregoing, and agree to the submittal of this application.

SIGNATURE (BLUE INK):	DATE:
PRINT NAME:	CHECK ONE: <input type="checkbox"/> Owner <input type="checkbox"/> Applicant



SUBMITTAL CHECKLIST

- Original application date & time stamped
- Digital submission of all plans and attachments
- 15 Copies of application, all plans and attachments
- Filing/hearing fees (see Fee Schedule) payable to “Town of Randolph”
- Site plan including:
 - The date, north arrow, and scale. The scale shall not be less than one [1] inch equals twenty [20] feet for property under three [3] acres, and at least one [1] inch equals fifty [50] feet for those projects three [3] acres or more;
 - All lot and/or property lines are to be shown and dimensioned, including building setback lines;
 - The location and height of all existing within three hundred [300] feet of the subject property;
 - The location and the pavement and right-of-way width of all abutting roads, streets or alleys;
 - The location of all utility easements (including water, sewer, electric, power, stormwater, and telephone);
 - The location and dimensions of all landscaping, berms, fences, walls, screening, and buffering.
 - Traffic pattern & controls
- Copy of current tax appraisal details and verification of paid property taxes (current year)