



# Town of Mashpee

16 Great Neck Road North  
Mashpee, MA 02649

## PETITION FOR WRITTEN FINDING

Date \_\_\_\_\_

*The undersigned hereby petitions the Zoning Board of Appeals for a Written Finding pursuant to MGL Chapter 40A §6 and Town of Mashpee Zoning Bylaw Section 174-17.*

Name of Applicant: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_  
\_\_\_\_\_

Name of Owner (if different): \_\_\_\_\_ Phone #: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
(Street) (City) (State) (Zip Code)

Barnstable County Registry of Deeds Book \_\_\_\_\_ Page \_\_\_\_\_ or Land Court Certificate of Title No. \_\_\_\_\_ (*Attach copy of the most recent recorded deed*).

Mashpee Assessor's Map(s) and Block(s): \_\_\_\_\_

Is this property within any of the following:

New Seabury Special Permit area? ☐ YES ☐ NO  
Any overlay District(s)? ☐ YES ☐ NO  
Cluster subdivision? ☐ YES ☐ NO

Please identify which overlay districts apply and if in a cluster subdivision, please indicate the Book and Page of the recorded special permit decision authorizing the cluster if applicable. If no special permit please indicate the year that the lot was created and the applicable dimensional criteria:

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

Identify the applicable pre-existing nonconformities:

☐ Lot Area ☐ Frontage ☐ Lot Coverage ☐ Building Height ☐ Side Yard Setback(s)  
☐ Front Yard Setback ☐ Rear yard setback ☐ Setback to water and wetlands

Please complete the table below (Lot area and structure coverage should be shown below in square feet):

| Criteria                      | Existing (if applicable) | Proposed |
|-------------------------------|--------------------------|----------|
| Lot Area (upland)             |                          |          |
| Lot Area (wetlands)           |                          |          |
| Lot Area (total)              |                          |          |
| Frontage                      |                          |          |
| Structure Coverage*           |                          |          |
| Lot Coverage**                |                          |          |
| Building Height               |                          |          |
| Side Yard Setback(s)          |                          |          |
| Front Yard Setback            |                          |          |
| Rear Yard Setback             |                          |          |
| Setback to Water and Wetlands |                          |          |

\*For structure coverage please show the aggregate total of existing and proposed structures on the site in square feet including but not limited to houses, barns, sheds, garages, pools, carport, pergolas, etc.

\*\*Lot coverage shall be calculated utilizing the Structure coverage as the numerator and lot area exclusive of water and wetlands as defined in MGL Ch. 131 Sec 40 as the denominator. Land Subject to Coastal Storm Flowage is a wetland for the purposes of calculating lot coverage.

$$\text{Lot Coverage} = \text{Structure Coverage} / \text{Lot Area}$$

**Accompanying Application Narrative:** The application and plans must be accompanied by a written narrative prepared and stamped by a qualified registered design professional that describes the site’s existing conditions. Further, the letter should include a description of the alterations proposed in the application and identify how the proposed continuance, extension, and/or alteration of any pre-existing nonconformities will not be substantially more detrimental to the neighborhood than existed previously. The narrative should describe the storm water management and drainage provided on the site and how it comports with the requirements of the Mashpee Zoning bylaws. Further, the narrative should attest to the accuracy of the information provided in the application including on the submitted plans, application form, and within the accompanying narrative.

Signature of Owner or Authorized Representative (Attach written authorization signed by property owner if applicable):

\_\_\_\_\_

Mail certified copy of Decision to: \_\_\_\_\_

\_\_\_\_\_

Scheduled Date \_\_\_\_\_

**TOWN CLERK  
DATE STAMP**



# *Town of Mashpee*

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Mashpee, MA 02649

**PLEASE SUBMIT FORM WITH ZBA PETITION AFTER OBTAINING TAX COLLECTOR  
AND 911 COORDINATOR SIGNATURES**

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

Property address: \_\_\_\_\_

Assessor's Map # \_\_\_\_\_ Parcel # \_\_\_\_\_

I have reviewed the address. \_\_\_\_\_

**GIS and E911 Coordinator Signature**  
**Clay Nicholson**

\_\_\_\_\_ Date

\*\*\*\*\*

I hereby attest that \_\_\_\_\_

**OWNER OF RECORD**

Is (are) the owner(s) of the above-referenced property.

I hereby further attest that the owner of the above-cited property is not, to the best of my knowledge, in arrears of payment of any local taxes as may be applicable under Section 1 of Chapter 112 of the Mashpee Code.

\_\_\_\_\_  
**Treasurer/Collector**

\_\_\_\_\_  
Date

## **CHECKLIST FOR A WRITTEN FINDING**

**1.) Plan Submittal:** The application shall be accompanied by three (3) hardcopies of the building plans and three (3) hardcopies of the Site Plans. In addition, all plans shall be provided in pdf format to the Administrative Secretary ([mromero@marshpeema.gov](mailto:mromero@marshpeema.gov)) to the Zoning Board of Appeals at the time of filing.

It is strongly encouraged that applicants engage the Building Commissioner for a pre-application conference to ensure the application is complete. Plan submissions that do not comport with the minimum requirements enumerated below will be found to be incomplete and will be denied.

The information detailed in §174-24(C)(3) of the Mashpee Zoning Bylaw shall be depicted on the plan set submitted in support of a petition for a Written Finding. In addition, the plan should include the items shown in the checklist below at a minimum:

- ☐ The plans shall clearly list all applicable existing and proposed dimensional criteria detailed in Section 174-31: Land Space Requirements of the Mashpee Zoning Bylaw in a table format. The Zoning Table should indicate the difference between the existing conditions and proposed conditions, and clearly identify those conditions that are pre-existing nonconforming:
  - ☐ Lot area inclusive of water and wetlands MGL C. 131, §40.
  - ☐ Lot area exclusive of water and wetlands MGL C. 131, §40.
  - ☐ Frontage.
  - ☐ Setback distances to the front lot line.
  - ☐ Setback distance to the side lot lines (If setback to the side lot lines differ on either side, please clearly identify which setback applies to which lot line (northerly, southerly, easterly, westerly).
  - ☐ Setback distances to the rear lot line.
  - ☐ Setback distance to any water and wetland as defined in MGL C. 131, §40.
  - ☐ Lot coverage by structures.
  - ☐ Building Height/Number of Stories above grade.
  - ☐ If the lot is partially or totally within the Floodplain Zone Overlay District the area of the lot within said zone needs to be shown on the plan. If there are other wetlands delineated on the site, the plan should note the area of the lot that is wetlands to accurately calculate lot coverage in accordance with the bylaws. Land Subject to Coastal Storm Flow (LSCSF) is a wetland as defined in MGL C. 131, §40 and must be considered accordingly.
  - ☐ If applicable, a landscaping plan that shows existing and proposed landscaping conditions. EASEMENTS, LIGHTING, AND DRAINAGE STRUCTURES, EXISTING AND PROPOSED.
  - ☐ Any exterior non-structural appurtenances including but not limited to AC Condensers, all retaining walls less than 4' in height, and fences.

- ☐ If relevant, an interior floor plan with ALL rooms clearly labeled. A design engineer certification noted on the plan that the plan as designed is true and correct to the best of his/her knowledge.
- ☐ Any additional information that may assist the Board in their deliberation

**2.) FILING FEES:** Each Petition must be accompanied by a filing fee payable by check to the Town of Mashpee.

**Filing Fee:        \$125 for Residential Petitions (per Petition)**  
**\$250 for Commercial Petitions**

**3.) GIS/911 COORDINATOR/TAX COLLECTOR FORM**

- ☐ GIS/E911 Coordinator's signature verifying correct address.
- ☐ Confirmation from Town Treasurer/Tax Collector that all taxes have been paid on the subject property.

**4.) ABUTTERS' LISTS:**

- ☐ Payment for Certified Abutters List from the Mashpee Tax Assessor's office.