

BELMONT ZONING BOARD OF ADJUSTMENT APPLICATION REVIEW PROCESS

1. Applicant submits completed application to the Land Use Office by the meeting closing date. The standards to be met for Zoning applications are mandated by State Law and the Belmont Zoning Ordinance. It is the applicant's burden to provide evidence of how their proposal meets each of the standards applicable to their request.
2. If complete, the Land Use Office makes all required Public Hearing notice and provides a packet of application information to each Board member prior to that meeting.
3. Board members may view the site prior to the Public Hearing.
4. The purpose of the Public Hearing is to solicit input from anyone who may be affected by the proposal. Meetings are not subject to Roberts Rules of Order.
5. The chair calls the meeting to order, appoints alternate members as necessary. In the instance where five members are not available, the applicant has the choice to proceed with a reduced Board or have the hearing postponed. An affirmative vote of three members is required to decide in favor of any appeal.
6. The chair reads the notice of each hearing. Conflicts for any member to sit on a hearing are disclosed prior to the hearing.
7. For a reapplication, the Board determines whether a material change of circumstances affecting the merits of the applications has or has not occurred prior to the hearing.
8. For a special exception, the chair shall confirm that at least three members have viewed the site.
9. The applicant presents the application, followed by questions by the Board.
10. The Chairman will next open the hearing to abutter/public comment and questions. All comments and questions are addressed to the chair. Each person who speaks shall identify himself/herself.
11. Written evidence related to any matter may also be provided to the Board.
12. Any physical evidence submitted by any party during the public hearing (plans, drawings, pictures, correspondence, etc.) shall be kept by the Board as part of the permanent record.
13. The Board may contract with outside review services or technical assistance at the cost of the applicant.
14. The Chair may close a public hearing when there is no further relevant testimony. Once closed additional testimony may not be offered.
15. The Zoning Board discusses the proposal followed by one of the following actions:
 - a. approve the application as submitted;
 - b. approve the application with conditions;
 - c. disapprove the application, stating the reasons for same;
 - d. continue discussion and action until a later date;
 - e. some other action.
16. Within five business days of a meeting, the Land Use Staff will produce a written record (minutes) of the meeting and a letter to each applicant stating the action of the Board.
17. The applicant, any party to the action or proceedings or any person directly affected by the Board's action may apply for a rehearing within 30 calendar days of the order or decision.

Notes:

- Applications may require multiple, non/sequential meetings to be reviewed
- This application review process is intended to be a general guide. The process for each application will depend on the specifics of the application and property and is subject to change at the discretion of the Zoning Board Chairman.
- Any meeting or public hearing that is properly noticed may be tabled or postponed by the Zoning Board to another time. If the Board states the date, time and place at the time they act to postpone or table no further abutter notice will occur. If they do not, the applicant must repeat the abutter/public notice process prior to the Board continuing with the application.
- Contact the Land Use Office for further information and refer to the [Land Use Development Process Chart](#) and [Zoning Board of Adjustment Administrative Rules](#).

March 29, 2011