



**TOWN OF CONWAY ZONING BOARD OF APPEALS**  
**SPECIAL PERMIT APPLICATION FOR HEARING**

Name of Petitioner: \_\_\_\_\_

Petitioner Address: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Applicant is: \_\_\_\_\_ (owner, tenant, licensee, prospective purchaser)

Use of Special Permit Requested (attach additional required pages and other useful information as indicated in the underlined portions bylaw printed on reverse of this application — please indicate all building dimensions including height):

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

Applicable Section of Zoning By-law: \_\_\_\_\_

I hereby request a hearing before the Town of Conway Zoning Board of Appeals (Special Permit Granting Authority) with reference to the above noted application.

Signed \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date Received

( ) With this application, payment of \$210.00 has been received for advertising and notifications.

## From Article 4

### Protective Bylaws of the Town of Conway, Massachusetts

#### **41.2: Clearances (Setbacks)**

*(Amended 08 May 2017)*

No primary building or structure shall be located within 25 feet of any boundary or within 50 feet of a public way. However, if a primary building or structure already exists on an adjacent lot on the same street and is less than 50 feet from a public way, a new primary building or structure may be located at a distance that is the same or greater from the public way.

For accessory use buildings and structures, the clearances are one-half (1/2) the distances specified for a primary building or structure.

#### **41.2.1 Exceptions to dimensional clearances requirements for accessory buildings or structures**

*(Added 08 May 2017)*

- a) The Zoning Board of Appeals may reduce, by Special Permit, the dimensional clearance requirements for front, rear, and side yards related to accessory building or structure setbacks provided that the Zoning Board of Appeals makes a determination that the proposed building or structure is consistent in scale or setback with the structures in abutting parcels and the immediate neighborhood. The Zoning Board of Appeals shall make the following determinations before granting an exception:
1. The Zoning Board of Appeals shall specifically determine that the reduced dimensional clearance requirement for a front, side or rear yard will have no adverse effect on adjacent properties or historic structures.
  2. The Zoning Board of Appeals shall specifically determine that the reduced dimensional clearance requirement for a front, side or rear yard will not be a detriment to the public good and will not substantially undermine the intent of the Conway Zoning Bylaws.
- b) **The applicant shall file, with the application for a Special Permit, a detailed plan drawn to scale of the property that shows the lot lines and dimensions of the property, the clearance setbacks as they currently exist for front, side or rear yards, the proposed location of the structure and any proposed reduction to the clearance requirements. In addition, the diagram shall include all utility accesses and shall be signed under pains and penalties of perjury. The applicant shall provide an explanation as to why they are requesting a reduction in setbacks from the clearance requirements of the Zoning Bylaws. The Zoning Board of Appeals may grant any setback reduction where the boundary or lot line from which setback relief is requested has been established by survey or other recognized documentation from which the ZBA can readily determine the location of the lot lines.**