



Town of Mansfield

6 Park Row, Mansfield, Massachusetts 02048

Planning & Zoning Department

APPLICATION FOR REPETITIVE PETITION (RP)

Under [M.G.L. ch. 40A § 16](#).

SUBMITTED TO:

ZONING BOARD OF APPEALS PLANNING BOARD

Fee: _____

Owner Information		Applicant Information:	
Name(s):			
Address			
City, State, Zip			
Phone			
Email			
Site Address			
Assessors Map-Parcel:		Zoning District:	

1. If a petition for zoning relief is denied, the petition may not be resubmitted to the Board for a period of two years unless a finding is made by the permit granting authority that specific and material changes have been made to the conditions upon which the decision was based as stated in MGL Chapter 40A Section 16.
 - No appeal, application, or petition which has been unfavorably and finally acted upon by the Zoning Board of Appeals acting as Permit Granting Authority (finding, special permit, or variance) or Planning Board acting as Special Permit Granting Authority shall be acted favorably upon within two (2) years after the date such unfavorable action was filed with the Town Clerk.
 - An application may be resubmitted within two (2) years only if the Permit Granting finds specific and material changes in the conditions upon which the unfavorable action was based. Such findings must be made by an affirmative vote of four (4) of five (5) members of the Zoning Board of Appeals or five (5) of seven (7) members of the Planning Board. However, all but one member of the Planning Board must consent to the re-application (six (6) out of seven (7) votes).
 - Findings of the Permit Granting Authority must be recorded in a detailed record of the proceedings of the duly posted public hearing in which the facts were presented.
 - Appeals of the actions set forth in M.G.L., Chapter 40A, Section 17 may be made by the applicant or any party in interest within twenty (20) days of the filing of the decision in the office of the Town Clerk.
 - Complaints must conform to the procedures outlined in MGL Chapter 40A Section 17.

2. All requests for the filing of a Repetitive Petition shall be made in writing to the appropriate Board and filed with the Town Clerk prior to delivering to the appropriate Board. Date of unfavorable decision by (check one): _____ (attach decision)
 - Planning Board
 - Zoning Board of Appeals
3. The request for a Repetitive Petition shall include a plan of the site, a copy of the unfavorable decision, and documentation illustrating how the request is materially different from the request previously denied.
 - If the Zoning Board of Appeals is the Permit Granting Authority, a letter of findings shall be transmitted to the Planning Board with the request for the Planning Board's consent to reapplication to the Zoning Board of Appeals.
 - The Planning Board holds a hearing to determine if it gives consent to allow the ZBA to proceed first (before the ZBA hearing). All but one member of the Planning Board must consent to the re-application to the ZBA (six (6) out of seven (7) votes).
 - If the Planning Board declines to give its consent then the ZBA should state that on the record at the meeting when the hearing would have taken place so there's a clear record of what happened
 - if the ZBA is able to consider the new application AND votes in favor of granting the variance, it should specifically discuss and make findings as to the specific and material changes in the new application so those are clear on the record (in other words, make clear what is different in this application from the other application that was denied)
 - If the Planning Board is the Permit Granting Authority, the request for a repetitive petition may be consolidated into a concurrent public hearing. Both matters will be noticed, advertised, and posted; however, the Planning Board will hear the Repetitive Petition matter first, and only if it is granted will the other matter be heard. If denied, the second application will not be heard based on non-compliance with the provisions of MGL ch. 40 §16.
4. Submit with this application a listing of abutters as certified by the Board of Assessors containing full names and addresses of abutting owners of land and those directly opposite on any public or private street or way and owners of land within 300 feet of the property line, according to the most recent tax list. Also, submit a certified list of abutting property owners of surrounding towns (if any) certified by the assessors of that town. Abutters will be notified by USPS first-class mail.
5. The Appropriate Board shall record its decision on Repetitive Petition requests with the Town Clerk's Office and shall not be final until the twenty (20) day appeal period has expired.
6. Please provide a detailed project narrative with a list of specific and material changes, plus any other documentation that supports your request.

Project Narrative: *State how this application includes specific and material changes from the conditions upon which the previous unfavorable action was made*

Click or tap here to enter text.

The undersigned applicant(s) attest the information provided on this form is true and correct and it has been submitted with all material required and acknowledge my responsibility for legal ads and abutters notices.

X	X
---	---

Applicant

Owner

- Acknowledgments:
- Application Fee
 - Newspaper Notice(s)
 - Abutters Notice(s)