

Town of Gill
Special Permit Overview

Gill ZBA Rules & Regulations	A special permit application shall be made on the official form of the Zoning Board of Appeals (ZBA), which can be obtained from the Gill Town Clerk. The date of receipt by the Town Clerk shall be considered to be the date on which the application has been filed with the ZBA.
MGL Zoning Chapter 40A Section 9	A public hearing must be held within 65 days after the effective date of filing of a special permit application.
MGL Zoning Chapter 40A Section 11	Notice shall be given by publication in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing and by posting such notice in a conspicuous place in the town hall for a period of not less than 14 days before the day of such hearing. <i>Note: the Greenfield Recorder must receive the notice 2 days prior to the publication date. When a holiday is involved, they need at least 3, and possibly 4, days.</i>
MGL Ch. 40A Section 11	Notice of a public hearing shall be sent, postage prepaid (certified mail recommended), to abutters within 300 feet of the property line of the locus; to the petitioner; owner's of land across the street on any public or private way; Planning Board of the Town; and Planning Board of every abutting Town as they appear on the most recent applicable tax list. The assessors maintaining any applicable tax list shall certify to the Zoning Board of Appeals the names and addresses of parties in interest and such certification shall be conclusive for all purposes. <i>Note: The Assessor's Clerk needs 5-10 days to generate the list.</i>
MGL Ch. 40A Section 9	The decision of the Zoning Board of Appeals shall be made within 90 days following the date of the public hearing.
MGL Ch. 40A Section 9	The Zoning Board of Appeals shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact (minutes), and setting forth clearly the reason for its decision (findings) and of its official actions, copies of which shall be filed within 14 days in the office of the Town Clerk and shall be deemed a public record. Upon a favorable vote of the Zoning Board of Appeals, the applicant may choose to proceed with the project with the understanding that the result of an appeal could require dismantling and removal.
MGL Ch. 40A Section 9	Appeals, if any, shall be filed within 20 days after the date of filing of the notice of the decision of the Zoning Board of Appeals in the office of the Town Clerk and in the appropriate court of law pursuant to MGL C40A Section 17.
Gill Zoning Section 2D	If substantial use or construction has not commenced without good cause within a period of one year from the date of the granting of a special permit, the special permit shall lapse. This time limit does not include time required to pursue or await the determination of an appeal.

SPECIAL PERMIT PROCESS
Gill Zoning Board of Appeals (ZBA)

