



PIONEER VALLEY PLANNING COMMISSION

Historic District Commission Appeals Process

BACKGROUND

State law (M.G.L. Chapter 40C Section 12) provides that a city or town may provide in its ordinance or by-law for a review procedure whereby any person aggrieved by a determination of the historic district commission may, within twenty days after the filing of the notice of such determination with the city or town clerk, file a written request with the commission for a review by a person or persons of competence and experience in such matters, designated by the regional planning agency of which the city or town is a member. If the city or town is not a member of a regional planning agency, the department of community affairs shall select the appropriate regional planning agency. The finding of the person or persons making such review shall be filed with the city or town clerk within forty-five days after the request, and shall be binding on the applicant and Section 12A.

HOW THE PROCESS IS INITIATED

1. Historic District Commission Decision. An historic district commission makes a decision on a matter before it and files the decision as a Record of Action with the city or town clerk. The date of the decision is not the date that the Commission made the decision but the date on which the Commission filed the decision with the city or town clerk.
2. Decision to Appeal. If the applicant or an abutter wishes to appeal the decision, they have 20 days after the filing of the official decision in which to file an appeal. The appeal must be filed with the Historic District Commission, not with the Pioneer Valley Planning Commission (PVPC).
3. Notified PVPC of Appeal. Once an appeal has been filed with the Historic Commission, the PVPC will be notified either directly by the Historic District Commission or its designated representative, the party bringing the appeal or the city/town solicitor.
4. Appellant Responsibility. Appellant sends filing form (attached) and fee to THE PVPC.

FILING FEE

There is a \$1,500 filing fee for bringing an appeal. The fee must be in the form of a certified check or money order. The check must be made payable to Pioneer Valley Planning Commission and submitted with the application to the attention of "PVPC Historic Preservation Planner". The check must be a cashier's check or a money order. No action will be taken until payment has been received.

HISTORIC DISTRICT COMMISSION DECISION REQUEST FOR REVIEW BY THE PVPC

Name of Appellant: _____

Address: _____

Telephone: _____

Email: _____

Name of Historic District: _____

Bylaw Citation (*section of community bylaw/* _____

ordinance that allows for appeal to the PVPC): _____

Address of Subject Property: _____

Date of Decision (*please attach a copy of the
decision being appealed*): _____

Reason for Appeal: _____

Please note that there is a \$1,500 filing fee for bringing an appeal. The fee must be in the form of a certified check or money order. The check must be made payable to Pioneer Valley Planning Commission and submitted with the application to the attention of "PVPC Historic Preservation Planner". The check must be a cashier's check or a money order. No action will be taken until payment has been received.