

## HISTORIC COMMISSION APPEALS PROCESS

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### 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 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. [...] 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 the commission, unless a further appeal is sought in the superior court [...]”

### 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 MAPC.
- 3) Notified MAPC of Appeal** – Once an appeal has been filed with the Historic Commission, MAPC will be notified either directly by the Historic District Commission, the party bringing the appeal or the city/town solicitor or historic preservation planner.
- 4) Appellant sends filing form (attached) and fee to MAPC.**

### 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 Metropolitan Area Planning Council and submitted with the application to the attention of Joan Blaustein. The check must be a cashier's check or a money order. No hearing will be scheduled until payment has been received.



Smart Growth & Regional Collaboration

Local Historic District Commission Decision

## REQUEST FOR REVIEW BY MAPC

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Name of appellant:

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Address:

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Telephone:

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Email:

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Name of Historic District:

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Bylaw citation (*section of community bylaw/  
ordinance that allows for appeal to MAPC*)

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Address of subject property:

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

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Reason for appeal:

There is a fee of \$1,500 to file an appeal. Please make the check payable to Metropolitan Area Planning Council and submit with this application to the attention of Cynthia Wall. The check must be a cashier's check or a money order. No hearing will be scheduled until payment has been received.

Please address any questions about the appeals process to Cynthia Wall at (617) 933-0756 or [cwall@mapc.org](mailto:cwall@mapc.org).