

HOUSE No. 1799

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin G. Honan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to variances.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Kevin G. Honan

17th Suffolk

Patrick Joseph Kearney

4th Plymouth

HOUSE No. 1799

By Mr. Honan of Boston, a petition (accompanied by bill, House, No. 1799) of Kevin G. Honan and Patrick Joseph Kearney relative to zoning variances. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1093 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to variances.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 10 of chapter 40A of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out the third paragraph and inserting in place
3 thereof the the following new paragraph:–

4 If the rights authorized by a variance are not exercised within one year of the date of
5 grant of such variance, which shall not include such time required to pursue or await the
6 determination of an appeal referred to in section seventeen, such rights shall lapse; provided,
7 however, that the permit granting authority in its discretion and upon written application by the
8 grantee of such rights may extend the time for exercise of such rights for a period not to exceed
9 six months; and provided, further, that the application for such extension is filed with such
10 permit granting authority prior to the expiration of such one year period. If the permit granting

11 authority does not grant such extension within thirty days of the date of application therefor, and
12 upon the expiration of the original one year period, such rights may be reestablished only after
13 notice and a new hearing pursuant to the provisions of this section.