

Procedure after the granting of a Variance or Special Permit

This document is to inform the petitioner, or their representative, of the normal procedure following the granting of a Variance or Special Permit by the Board of Appeals. This is a guideline only. Please call the Board's clerk, Paula Covino, at 508-366-3045 if you have any questions.

1. The clerk will type the Decision, Minutes, Certificate of No Appeal, and any other necessary documents.
2. The Board will receive a draft copy of the Decision and Minutes to review and make any necessary changes.
3. After the Board has signed the Decision and Minutes, the clerk will file these documents with the Town Clerk. **THIS BEGINS THE 20 DAY APPEAL PERIOD.**

Note: Steps 1 through 3 normally take two or more weeks.

4. The Clerk will send the petitioner a copy of the Decision, Minutes, and Certificate of No Appeal. The Certificate of No Appeal will contain the ending date of the appeal period. The Town Clerk cannot stamp the Certificate of No Appeal until the day after the ending date of the appeal period (if there is no appeal).
5. The petitioner must go to the Town Clerk's office and get the original Certificate of No Appeal certified by the Town Clerk or Assistant Town Clerk that no appeal was filed or that such an appeal has been dismissed or denied.

Note: Please read the Conditions of your Variance/Special Permit. Normally, Special Permits expire **six months** after the end of the appeal period if not exercised; and Variances expire **one year** after the end of the appeal period if not exercised. If your Variance or Special Permit expires, you will need to apply over again (Section 1320). If necessary, you may request an extension from the Board of Appeals, which must be requested *before* your Variance or Special Permit expires. The Building Department can help you determine if an extension is required.

6. The petitioner must have the Decision, Certificate of No Appeal, and any other necessary documents recorded at the Worcester Registry of Deeds in person or by mail. The Registry of Deeds is located in downtown Worcester at 90 Front Street, upper level, and they recommend parking in the Yellow Garage on Commercial Street. Recording hours are Monday-Friday 9am to 4m. They are closed on state and federal holidays. Their phone number is 508-368-7000 and their website is www.worcesterdeeds.com.
7. According to the Conditions of the Variance/Special Permit, the petitioner must submit proof to the Building Department (in order to get a Building Permit) and to the Board of Appeals that the Decision, Certificate of No Appeal, or any other necessary documents have been recorded at the Registry of Deeds or it will be considered a violation of the Variance/Special Permit.