



OFFICE OF THE CITY CLERK

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Special Permit Granting Authority – City Council Timeline

The City Council grants Special Permits under the Gloucester Zoning Ordinance. The Zoning Ordinance is available on the City of Gloucester website (www.gloucester-ma.gov) and is found under “Government.” Check the Zoning Ordinance for the type of permit needed for a particular project. To determine if a Special Permit is needed, ask the Building Inspector (978) 325-5210.

The application for a Special Permit is available in the office of the City Clerk and is available on the Building Department webpage.

Special Permit application requirements are set out in Sec. 1.5.3 of the Zoning Ordinances (as most recently amended in November 2011 to allow for some of the required sets of materials to be filed in digital form). Also check on any additional requirements found in other sections of the ordinance depending upon the nature of the Special Permit (example would be additional requirements for Lowlands, Sec. 5.5.4).

Fees for Special Permits are generally \$350 unless the application is for a Major Project (as defined in the Zoning Ordinance) or for Personal Wireless Service Facility (PWSF) [i.e. cell towers] or modifications to an existing permitted PWSF in which case the fee is a minimum of \$1,000.

When the Special Permit application is filed in the Clerk’s office (after the required review/check off by Building Inspector and Planning Director) it will go to the next Council meeting for purposes of referral by the Council to their Planning & Development subcommittee. The Council meets on the 2nd and 4th Tuesday of each month so applications must be filed with the Clerk no later than close of business the previous Wednesday (before 4:00 p.m.).

The P&D Committee will review the application in detail with the applicant and the applicant’s representative(s) and may elect to do a site visit of the property. When the Committee completes its review it will vote to recommend approval of the project (or not) to the Council. The Committee will also vote to advertise in the local newspaper for the public hearing mandated by state and local law. Advertisements must run twice with the first being at least 14 days before the scheduled public hearing.

The public hearing will take place, as advertised (or as continued) before the City Council where the applicant and/or the applicant’s representative will appear before the Council to explain the

application and how it meets applicable zoning requirements. Interested persons may also speak against the project during the hearing. At the close of the hearing the Council will discuss their views and vote on the project's approval (6 of the 9 councillors must approve in order to grant a permit).

Next the Council will direct a written decision to be prepared which documents their approval (or denial). The written Decision must, by law, be returned to the Council at a City Council meeting where the Council will vote to adopt the written decision. The vote to adopt the written decision must occur within 90 days of the Council vote to grant (or deny) the permit. After the Council adopts the Decision it will be filed in the City Clerk's office and the 20 day statutory appeal period will begin to run. The applicant will receive a copy of the Decision and a notice of the appeal period. Once the appeal period has run (and if there has been no timely appeal) the applicant can obtain a "notice of no appeal" and must then file the Decision and the notice at the Essex County Registry of Deeds in Salem.

This timeline is intended as general procedural guidance and is not zoning advice. All applicants and/or their representatives should carefully review the zoning ordinance in order to assure compliance with applicable provisions. Questions on whether the ordinance applies should be directed to the City Building Inspector.