



About the Zoning Board of Appeals

Overview

Zoning Board of Appeals (ZBA): Five (5) Regular Members (3-year terms) and Four (4) Associate Members (1-year terms). Associate Members are in reserve if the Regular Members can't serve. The Associate Members don't attend or participate unless they have been assigned.

ZBA webpage: <https://www.amherstma.gov/235/Zoning-Board-of-Appeals>

ZBA Rules and Regulations: <https://www.amherstma.gov/DocumentCenter/View/52278/Amherst-ZBA-Rules-and-Regulations-Effective-Date-July-28-2020>

ZBA in the Zoning Bylaw, Appointments (Section 10.00, page 97):

<https://www.amherstma.gov/DocumentCenter/View/54392/Zoning-Bylaw-Complete-Nov-2020>

Most decisions of the ZBA, no matter how many Members are present at the meeting, require four (4) of five (5) votes instead of a simple majority or unanimous vote.

Meets the second and fourth Thursday of each month, from 6:00 pm – 9:00 pm, in the Town Room, plus one or two annual workshops on administrative practices, as needed.

At this time, meetings are not live broadcast nor video recorded, but are audio-taped by Town staff.

During the COVID-19 State of Emergency, meetings are held via Zoom, with links available on the Town's Board and Committees Calendar and meeting video recordings are available on the Town of Amherst, MA YouTube Channel.

Work between meetings is limited to site visits, reading materials provided by Town staff, and to sending questions to Town staff. Members cannot email each other about pending applications, decisions, or issues as all deliberations must be held at a posted meeting to comply with Open Meeting Law.

The Zoning Board of Appeals is a quasi-judicial body that operates under the authority of MGL Ch. 40A for the purpose of promoting the health, safety, convenience, and general welfare of the inhabitants of the Town of Amherst. Section 10.38 of the Amherst Zoning Bylaw also outlines the process and specific findings that must be made for all ZBA Special Permit decisions.

The ZBA holds public hearings and acts on applications for Special Permits, Variances, Appeals of actions of the Building Commissioner, and Comprehensive Permits. Most ZBA hearings are for Special Permit applications for residential or business uses not allowed by right. All meetings and public hearings of the ZBA are open to the public. Hearings are advertised in the local paper and abutters are notified at least 2 weeks in advance of the hearing.

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