

## SECTION VIII. ADMINISTRATION:

### 1. Enforcement:

The Inspector of Buildings in Princeton (or the Board of Selectmen if no Building Inspector has been appointed) shall enforce the provisions of this by-law and amendments thereto. He (they) and all other appropriate public officers shall be governed by and act in accordance with the applicable provisions of Chapter 40A Section 7 and this by-law. (*Amended May 30, 1978*)

#### (A) Penalty Clause:

Whoever violates any provision of this by-law may be punished by a fine not exceeding three hundred (\$300.00) dollars per violation. Each day such violation continues shall constitute a separate offense. (*Amended May 30, 1978, May 9, 1989, Renumbered April 2, 2002*)

### 2. Board of Appeals:

- (A) The Board of Appeals established under Section 1-C of Article VI of the warrant for the December 31, 1955 Town Meeting shall also act as the Board of Appeals under this zoning by-law, and for zoning purposes said Board shall be constituted and act in accordance with the applicable provisions of Chapter 40A and any amendments thereto. The Selectmen shall also appoint one or more associate members of the Board of Appeals pursuant to the provisions of Massachusetts General Laws, C. 40A ss 12 and C. 41 ss 81Z. (*Amended June 25, 1968, May 30, 1978*)
- (B) The Board of Appeals shall adopt such rules of procedure and exercise such powers and duties as are consistent with Chapter 40A of the General Laws and any amendments thereto. Such rules of procedure shall include provisions for submission of petition in writing, for advertising and holding hearings, for keeping records of proceedings, for recording the vote of each member upon each question, for setting forth the reason for each decision, and for notifying the parties at interest, including the Planning Board, as to each decision. The powers and duties of the Board of Appeals shall include the power to determine action in the cases set forth in paragraphs (C), (D), and (E) below, as well as any other applicable powers and duties specified in Chapter 40A, except as otherwise specified in this by-law. (*Amended May 30, 1978*)
- (C) The Board of Appeals shall hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from the Building Inspector (or the Board of Selectmen, if no Building Inspector has been appointed) acting as enforcement officer under this by-law. (*Amended June 8, 1999*)
- (D) The Board of Appeals acting as a special permit granting authority shall hear and decide requests for special permits as provided in Sections III.1.B., III.1.I., III.1.J., III.1.K., III.1.L., IV.1.J., VII.2.B., VII.2.D., VII.3.A. and VII.4. of this by-law. (*Amended May 30, 1978, May 21, 1991*)
- (E) The Board of Appeals shall hear and decide requests for variance from the terms of this by-law pursuant to and in accordance with the provisions of Massachusetts General Laws Chapter 40A, Section 10. Variances for use are expressly permitted under this by-law provided the statutory requirements are met. (*Amended May 30, 1978*)
- (F) In carrying out the provisions of paragraphs (D) and (E) above, the Board may impose, as a condition of its decision, such restrictions as to manner and duration of use not otherwise prohibited by statute as will in its opinion safeguard the legitimate use of the property in the neighborhood and the health and safety of the public, and conform to the intent and purpose of this by-law, such restrictions to be stated in writing by the Board and made a part of the permit. (*Amended May 30, 1978*)

### 3. Special Permits:

- (A) Special permits shall be granted only following public hearings held as required under Chapter 40A, Section 9, and shall lapse unless substantial use or construction has commenced in the manner specified in said section 9 within two (2) years from the date of the grant. Accessory uses relating to scientific research and development, as specified in said section 9 shall be permitted upon the issuance of a special permit by the Board of Appeals acting as a special permit granting authority pursuant to said section 9. (*Amended April 2, 2002*)

- (B) No appeal, application or petition which has been unfavorably acted upon by the Board of Appeals or any Special Permit Granting Authority shall be acted favorably upon within two (2) years after the date of final unfavorable action except in accordance with the applicable provisions of Chapter 40A, Section 16.
- (C) The Planning Board shall act as the special permit granting authority for telecommunication facilities, telecommunication towers and telecommunication devices. *(Amended May 30, 1978, June 8, 1999 & May 10, 2005)*
- (D) The Planning Board, when acting as the Special Permit Granting Authority shall have one (1) Associate Member. The Board of Selectmen and Planning Board shall appoint the Associate Member for a period of one (1) year. The Chairman of the Planning Board may designate an Associate Member to sit on the Board for the purpose of acting on a Special Permit Application in the case of absence, an inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board. *(Adopted May 15, 2001)*

4. Chapter 40A:

Reference in this by-law to Chapter 40A shall mean Chapter 40A of the Massachusetts General Laws, as amended from time to time. *(Amended May 30, 1978, April 2, 2002)*

5. Site Plan Review:

The Planning Board shall act as the granting authority in connection with Site Plan Reviews required under this by-law. *(Amended May 10, 2005)*