

SPECIAL PERMIT PROCESS

A Special Permit allows for certain exceptions from the Newton Zoning Ordinance to allow alterations to your home or property. The special permit requires approval from the City Council via a public process mandated by Massachusetts General Law. Given the number of steps, please expect the process to take three to four months from staff's initial review (see below) to when a building permit application may be submitted (should the special permit be approved).

If you have any questions on the status of your application please check [NewGov](#) for the stage your application is at and the City Staff member assigned to it.

Pre Application

- Development Review Team
Once architectural and site plans are prepared, please contact planning staff for a “DRT”. This informal meeting allows staff to provide feedback and more information on the special permit process. You may need more than one “DRT”. DRTs are conducted over Zoom.
- Zoning Review
Apply for **Zoning Review** via NewGov. The Chief Zoning Code Official will review your plans/project to identify the relief required from the sections of the zoning ordinance. The Chief Zoning Code Official has 45 days to review the materials and draft the Zoning Review Memorandum. You can apply for zoning review here: <https://newtonma.viewpointcloud.com/> (Planning Applications → Zoning Review)

Special Permit Application

- Apply for the special permit on NewGov: <https://newtonma.viewpointcloud.com/>. The permit will be assigned a Planner to review the application for completeness. The Planner will reach out to you if there is missing information. (Planning Applications → Special Permit Application)
- The City Council will assign the public hearing at their biweekly meeting.

Pre Land Use Committee Hearing

- The Land Use Committee Clerk will advertise the public hearing in a newspaper and will mail notices to abutters within 300 feet.
- The Applicant should discuss and communicate their project with neighbors.
- Planning Staff will create public hearing sign(s) to be installed along the front property line(s) two weeks prior to the hearing. Each sign costs \$20, payable by check only.
- The Planning Department will draft the Public Hearing Memorandum in advance of the public hearing. The Memorandum will be uploaded to NewGov the Friday prior to your hearing and also posted [here](#). The applicant should review the memorandum, the draft council order in advance of the meeting and contact staff with any questions.

Land Use Committee Hearing

- The Land Use Committee Chair will ask you to present the project. The Planning Department will also present, and the Committee may ask questions of you and/or staff. Members of the public will also be allowed to speak.
- The Land Use Committee will vote or continue the discussion to a future meeting.
- If the Land Use Committee votes to approve the petition, the petition would be on the agenda of the next City Council meeting when all members of the City Council may vote or take other action to hold the item.

City Council Meeting

- If the City Council approves the petition, a 20-day appeal period will follow.

Building Permit Application

- If no appeal is filed, pick up the special permit from the City Clerk, and record it at the Registry of Deeds. Upload the Recorded Special Permit with the building permit application.
- Work with your design team and contractor to apply for a building permit. Read through the special permit familiarize yourself with any conditions precedent to the issuance of a building permits.
- Please notify the planner if the plans changed between the special permit and the building permit applications. Changes in between the approved plans and building permit plans may cause your building permit application to be delayed.
- Depending on the scope of the permit and size of the project, other departments may need to review the application.

Certificate of Occupancy

- The special permit will list the items precedent to the issuance an occupancy certificate. These items are in addition to other conditions that may be required by other City Departments, e.g., Inspectional Services, Engineering, and the Fire Department.
- Upload the required documents at the Occupancy stage, the Planner assigned will review, and in most cases, conduct a site visit to ensure consistency between what is built and what is shown on the as built plans.
- The Inspector typically will not do their final inspection unless they have sign off from Planning.

Ongoing Conditions

- The special permit may contain ongoing conditions that will need to be satisfied after a certificate of occupancy. Failure to satisfy these conditions may result in a zoning violation that could be enforced by the Inspectional Services Department.
- The property would also be under “Site Plan Review” which requires the site and building(s) to be consistent with the site plans and the architectural plans cited in the special permit. Future alterations to the home or property may result in an administrative review or an amendment to the special permit.