

Bond Case Briefs

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ZONING - MASSACHUSETTS

Almeida v. Arruda

Appeals Court of Massachusetts, Bristol - March 18, 2016 - N.E.3d - 2016 WL 1063135

Abutting property owners appealed decision of town zoning board of appeals allowing convenience store owners to sell beer and wine as part of store's pre-existing nonconforming use on residentially-zoned property. The Superior Court Department affirmed board's decision. Abutting property owners appealed.

The Appeals Court held that owners' proposed sale of beer and wine at store was not substantial change in use and, thus, such activity was protected as prior nonconforming use.