

# **Bond Case Briefs**

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## **ZONING & LAND USE - MASSACHUSETTS**

### **Roma, III, Ltd. v. Board of Appeals of Rockport**

**Supreme Judicial Court of Massachusetts, Suffolk.- January 8, 2018 - 478 Mass. 580 - 88 N.E.3d 269**

Landowner, who was a licensed helicopter pilot, had a heliport on his property, and did not use his helicopter for any commercial purpose, sought review of local board of appeals' decision to uphold town building inspector's enforcement order that stated that a heliport was not permitting in any of the town's zoning districts.

The Land Court Department entered summary judgment for landowner. Board of appeals applied for direct appellate review.

The Supreme Judicial Court of Massachusetts held that local zoning regarding noncommercial private restricted landing areas is not preempted by state law; abrogating *Hanlon v. Sheffield*, 89 Mass.App.Ct. 392, 50 N.E.3d 443.