

said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of each of said towns and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 2. This act is enacted for the sole purpose of including within the North Sagamore water district, established by chapter two hundred and ninety of the acts of nineteen hundred and thirty-nine, that portion of the town of Sandwich lying north of the Cape Cod canal, and is to be construed as a continuation of the provisions of said act and not a new enactment, except as herein provided. Wherever in said act reference is made to the town of Bourne, if the context admits, such reference shall mean to include the town of Sandwich.

SECTION 3. This act shall take effect upon its passage.

*Approved June 12, 1948.*

*Chap. 567* AN ACT RELATING TO THE EMERGENCY HOUSING COMMISSION AND TO LOCAL BOARDS OF APPEALS.

Emergency  
preamble.

*Whereas*, An acute shortage of housing still exists in the commonwealth and on account of such shortage many veterans of World War II and other inhabitants of the commonwealth are unable to obtain homes for themselves and their families and this shortage is likely to continue for a substantial period of time; and inability to obtain adequate shelter will cause suffering and disease among such veterans and their families and other inhabitants unless such shortage is relieved at once, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

*Be it enacted, etc., as follows:*

SECTION 1. Section 2 of chapter 592 of the acts of 1946, as amended, is hereby further amended by striking out, in line 3, as appearing in said chapter 592, the word "two" and inserting in place thereof the word: — five, — so as to read as follows: — *Section 2.* During the period of the present emergency, which, unless changed by the general court, shall be deemed to extend for a period of five years from the effective date of this act, a board of appeals of a city or town referred to or appointed under section thirty of chapter forty of the General Laws may grant a variance with respect to a particular parcel of land from the terms of an ordinance or by-law adopted under section twenty-five of said chapter forty under the following circumstances and conditions: (1) That the application relates to the construction or alteration of a building designed to contain when the work thereon is completed a dwelling place or dwelling places.

(2) That if the variance relates to the alteration of an existing building so that it may accommodate more families, the cubical content of the building and its width, length and height shall not be substantially increased, and its exterior shall be changed as little as possible. (3) That the variance may be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of such ordinance or by-law. (4) That the variance be granted without discrimination among applicants and as far as possible in accordance with the principles set forth in the fourth paragraph of section twenty-five of said chapter forty.

SECTION 2. Said chapter 592 is hereby further amended by striking out section 3, as amended by section 1 of chapter 609 of the acts of 1947, and inserting in place thereof the following:— *Section 3.* There shall be a commission to be known as the emergency housing commission, in this act called the commission, to serve during the present emergency, as defined in section two, under the governor and council and to be subject to such supervision as the governor and council shall deem necessary and proper, consisting of five members, namely:— a chairman to be appointed by the governor with the advice and consent of the council; the chairman of the state housing board; the chairman of the state planning board; the commissioner of labor and industries; and the commissioner of public safety. Any of said members, other than the chairman, may, if he so elects, designate a person from the personnel of his department or board to represent him on the commission. Any designation of his representative as aforesaid shall be made by a writing filed in his office, and shall be effective for such period as he may prescribe therein, and may at any time be revoked by him. Upon appeal or petition by any person aggrieved by the refusal of a board of appeals of a city or town referred to or appointed under section thirty of chapter forty of the General Laws or similar provisions of a special law, or any board of appeals under a local building ordinance or by-law or a building code, to reverse any order or decision of any inspector of buildings or other administrative official having similar duties, to decide in favor of the applicant on any matter upon which such board of appeals is required to pass, or to effect any variance in the application of any zoning or building ordinance, by-law or code, the commission by an affirmative vote of four of its members may, subject to such terms and conditions as it may impose, reverse such order or decision, decide in favor of such applicant or effect any such variance. The commission shall not grant any relief under this section unless it finds that such relief may be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of such ordinance, by-law, or code, having regard to the purposes set forth in section twenty-five of chapter forty of the General Laws,

section three of chapter one hundred and forty-three of the General Laws, or similar provisions of special law, respectively. The commission shall grant relief only after a hearing, notice of which shall have been given by mail, postage prepaid, to the appellant or petitioner, the board of appeals and the owners of all property deemed by the commission to be affected by such appeal or petition, and by publication in a newspaper of general circulation in such city or town. At the hearing any party may appear in person or by agent or by attorney. No appeal or petition under this section with respect to a particular parcel of land which has been unfavorably acted upon by the commission shall be reconsidered by said commission except with the consent of a majority of the board of appeals. The commission may reconsider any appeal or petition which has been withdrawn by the appellant or petitioner before action by the commission or after favorable action by the commission. The determination of the commission under this section shall be final.

SECTION 3. Said chapter 592 is hereby further amended by striking out section 4, as amended by section 1A of said chapter 609, and inserting in place thereof the following:—

*Section 4.* The commission may appoint a secretary, who may be one of its members, and may, subject to appropriation, employ such officers, agents and employees as may be necessary to assist it in the performance of its functions and shall determine their salaries. The members of the commission shall be reimbursed for expenses incurred in the performance of their duties. There shall be paid to the chairman the sum of twenty-five dollars for every day spent in the performance of his duties, provided that he does not receive an annual salary from the commonwealth and provided further that the sum paid hereunder to him shall not in any year exceed three thousand dollars. Such compensation shall be in addition to any other compensation received from the commonwealth by the chairman; provided that no compensation shall be paid to him for services under this act on any day with respect to which he is compensated by the commonwealth for services performed under any other provision of law. *Approved June 12, 1948.*

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**Chap.568** AN ACT TO AUTHORIZE THE TOWN OF HOPEDALE TO ACQUIRE CERTAIN PROPERTY OF THE MILFORD WATER COMPANY.

*Be it enacted, etc., as follows:*

SECTION 1. The town of Hopedale may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such property of the Milford Water Company as may be located in said town and its rights and privileges to sell and distribute water in said town, and said company is authorized to sell and convey such property by good and sufficient instruments in writing.