

By Mr. Magnani of Framingham, petition of David P. Magnani, Barbara E. Gray, Henry R. Grenier, Robert A. Durand, Carol C. Amick and Barbara Gardner relative to review fees for applications for special permits, variances and subdivision approvals. Local Affairs.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Seven.

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AN ACT RELATIVE TO REVIEW FEES FOR APPLICATIONS FOR SPECIAL PERMITS, VARIANCES AND SUBDIVISION APPROVALS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The eighth paragraph of section 9 of Chapter  
2 40A of the General Laws is hereby amended by inserting after the  
3 fourth sentence the words:

4 Such rules may include a requirement for review fees reasonably  
5 related to the complexity and nature of the project requiring  
6 special permits and sufficient to evaluate their implications,  
7 including, but not limited to, the engineering, legal, administra-  
8 tive, environmental and economic implications. Such fees may be  
9 put into a separate account to be expended for the sole purpose  
10 of implementing the foregoing provision without further  
11 appropriation.

12 Any unexpended fees shall be returned to the applicant from  
13 whom they were collected. For any year in which such fees were  
14 collected or expended, the municipal clerk shall file a report with  
15 the director of the Commonwealth's Bureau of Accounts.

1 SECTION 2. The first paragraph of section 10 of Chapter 40A  
2 of the General Laws is hereby amended by adding at the end of  
3 the paragraph the words:

4 local ordinances or bylaws may include a requirement for  
5 review fees reasonably related to the complexity and nature of the  
6 project requiring a variance and sufficient to evaluate its

7 implications, including but not limited to, the engineering, legal,  
8 administrative, environmental and economic implications. Such  
9 fees may be put into a separate account to be expended for the  
10 sole purpose of implementing the foregoing provision without  
11 further appropriation.

12 Any unexpended fees shall be returned to the applicant from  
13 whom they were collected. For any year in which such fees were  
14 collected or expended, the municipal clerk shall file a report with  
15 the director of the Commonwealth's Bureau of Accounts.

1 SECTION 3. The first paragraph of section 81Q of Chapter  
2 41 of the General Laws is hereby amended by inserting after the  
3 second sentence the words:

4 Such rules may include a requirement for review fees reasonably  
5 related to the complexity and nature of the proposed subdivision  
6 under review and sufficient to evaluate its implications including,  
7 but not limited to, the engineering, legal, administrative,  
8 environmental and economic implications. Such fees may be put  
9 into a separate account to be expended for the sole purpose of  
10 implementing the foregoing provision without further  
11 appropriation.

12 Any unexpended fees shall be returned to the applicant from  
13 whom they were collected. For any year in which such fees were  
14 collected or expended, the municipal accountant shall file a report  
15 with the director of the Commonwealth's Bureau of Accounts.