

SENATE No. 1548

By Mr. Aylmer, a petition (accompanied by bill, Senate, No. 1548) of John F. Aylmer for legislation relative to the inclusion of land shown on certain plans in the application of zoning ordinances or by-laws. Urban Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT RELATIVE TO THE INCLUSION OF LAND SHOWN ON CERTAIN PLANS IN THE APPLICATION OF ZONING ORDINANCES OR BY-LAWS.

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. Section 7A of Chapter 40A of the General Laws
2 is hereby amended by striking out in lines 8, 12 and 29 re-
3 spectively the words "in effect" and inserting in place thereof
4 the words: — as most recently adopted by the city or town.

1 SECTION 2. The first paragraph of section 81P of Chapter 41
2 of the General Laws is hereby amended by inserting after the
3 fourth sentence the following sentence: —

4 If a city or town has, before the submission of any plan not
5 requiring approval under the subdivision control law, voted
6 favorably on a new zoning ordinance or by-law which is pend-
7 ing approval by the Attorney General, the board may withhold
8 approval on any plan thereafter submitted without such re-
9 fusal to act upon said plan being deemed approval until a final
10 determination by the Attorney General on said zoning ordi-
11 nance or by-law has been received by the city or town and said
12 ordinance or by-law shall then control the plans submitted.

1 SECTION 3. The fourth paragraph of Section 81U of Chap-
2 ter 41 of the General Laws is hereby amended by inserting
3 after the first sentence the following sentence: —

4 If a city or town has, before the submission of any plan re-

5 quiring approval under the subdivision control law, voted fa-
6 vorably on a new zoning ordinance or by-law which is pending
7 approval by the Attorney General, the board may withhold
8 approval on any plan thereafter submitted without such re-
9 fusal to act upon said plan being deemed approval until a final
10 determination by the Attorney General on said zoning ordi-
11 nance or by-law has been received by the city or town and said
12 ordinance or by-law shall then control the plans submitted for
13 approval under the subdivision control law.