

SENATE . . . . . No. 1886

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**The Commonwealth of Massachusetts**

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SENATE, May 7, 1986.

The committee on Local Affairs, to whom was referred the petition (accompanied by bill, Senate, No. 1736) of Anna P. Buckley for legislation to clarify the protection of lots within certain subdivisions report the accompanying bill (Senate, No. 1886). (Senator Padula and Representative Cahir of Bourne dissenting.)

For the committee,

JOHN P. HOUSTON.

## The Commonwealth of Massachusetts

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

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### AN ACT TO CLARIFY THE PROTECTION OF LOTS WITHIN CERTAIN SUBDIVISIONS.

*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 6 of Chapter 40A of the General Laws, as most recently  
2 amended by chapter 185 of the acts of 1982, is hereby further  
3 amended by striking out the fifth paragraph and inserting in place  
4 thereof the following paragraph: —

5 If a definitive plan, or a preliminary plan followed within seven  
6 months by a definitive plan, is submitted to a planning board for  
7 approval under the subdivision control law, and written notice  
8 of such submission has been given to the city or town clerk before  
9 the effective date of ordinance or by-law, the land shown on such  
10 plan shall be governed by the applicable provisions of the zoning  
11 ordinance or by-law, if any, in effect at the time of the first such  
12 submission while such plan or plans are being processed under  
13 the subdivision control law, and if such definitive plan or an  
14 amendment thereof is finally approved, for eight years from the  
15 date of the endorsement of such approval, except in the case where  
16 such plan was submitted or submitted and approved before  
17 January first, nineteen hundred and seventy-six, for seven years  
18 from the date of the endorsement of such approval and that lots  
19 shown on such plans and placed into separate ownership within  
20 said seven year period shall be governed by the applicable  
21 provisions of Chapter 40A in effect at the time of submission of  
22 such plan. Whether such period is eight years or seven years, it  
23 shall be extended by a period equal to the time which a city or  
24 town imposes or has imposed upon it by a state, a federal agency  
25 or a court, a moratorium on construction, the issuance of permits  
26 or utility connections.