

By Ms. O'Brien of Hanover, petition of Janet W. O'Brien for legislation to provide for an optional, joint coordinated and expedited review process for certain subdivision plans and projects requiring special permits. Local Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE FOR AN OPTIONAL JOINT, COORDINATED AND EXPEDITED REVIEW PROCESS FOR CERTAIN SUBDIVISION PLANS AND CERTAIN PROJECTS REQUIRING SPECIAL PERMITS.

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 81S of Chapter 41 of the General Laws,
2 as appearing in the 1990 Official Edition is hereby amended by
3 adding at the end thereof the following: —

4 Prior to or following the submission of a preliminary plan, an
5 applicant may request, in writing, that the planning board conduct
6 a joint, coordinated and expedited review of such plan. Upon the
7 receipt of such request, the planning board shall schedule, notify
8 the required parties, and hold a meeting. The purpose of said
9 meeting shall be to review and discuss the plan and proposed
10 project and to obtain such input from the related local boards,
11 agencies, commissions, departments, permit granting and, where
12 applicable, special permit granting authority, as will guide and
13 facilitate the approval process for such plan.

14 The planning board shall hold such meeting within thirty days
15 of their receipt of an applicant's written request and shall give
16 written notice to the applicant and all related local boards, agen-
17 cies, commissions, departments, permit granting and, where appli-
18 cable, the special permit granting authority, not less than fourteen
19 days prior to the date of such meeting. Notice shall include the
20 date, time and place for said meeting, at which meeting all parties
21 so notified shall have representatives or their professional staff, if
22 any, in attendance, for the purpose of discussing and providing the

23 applicant with input on said project. The planning board shall
24 keep notes of the discussion and suggestions made at such
25 meeting.

26 Upon filing a written request, the applicant shall forward copies
27 of the plan, along with any other available and pertinent informa-
28 tion to the planning board, to the special permit granting authority,
29 if applicable, and to the board of health, the conservation commis-
30 sion, and such other local agencies, boards and commissions as
31 the planning board may require. Such information may not be
32 required to be sent to anyone other than a board, agency, commis-
33 sion or department of local government which has an advisory
34 role in or approval power over all or some aspect of the proposed
35 plan. If such request is made prior to the filing of a preliminary
36 plan, the information so sent shall be considered advisory only.

1 SECTION 2. Section 9 of Chapter 40A of the General Laws, as
2 appearing in the 1990 Official Edition is hereby amended by
3 adding at the end thereof the following: —

4 Prior to the filing of an application for a special permit, the
5 applicant may request, in writing, that the special permit granting
6 authority, conduct a joint, coordinated and expedited review of the
7 proposed project and related special permit. Upon the receipt of
8 such request, the special permit granting authority shall schedule,
9 notify the required parties, and hold a meeting. The purpose of
10 said meeting shall be to review and discuss the proposed project
11 and obtain such input from the related local boards, agencies,
12 commissions, departments, permit granting and special permit
13 granting authority, as will guide and facilitate the approval pro-
14 cess for such specially permitted project.

15 The special permit granting authority shall hold such meeting
16 within thirty days of their receipt of an applicant's written request
17 and shall give written notice to the applicant and all related local
18 boards, agencies, commissions, department, permit granting and,
19 where applicable, other special permit granting authorities, not
20 less than fourteen days prior to the date of such meeting. Notice
21 shall include the date, time and place of said meeting, at which
22 meeting all parties shall have representatives or their professional
23 staff, if any, in attendance, for the purpose of discussing and pro-
24 viding the applicant with input on said project. The special permit

25 granting authority shall keep notes of the discussion and sugges-
26 tions made at such meeting.

27 Upon filing a written request, the applicant shall forward copies
28 of the application for special permit, along with any other avail-
29 able and pertinent information to the special permit granting
30 authority, the board of health, the conservation commission, the
31 planning board and such other local agencies, boards, commis-
32 sions and departments as the special permit granting authority
33 may require. Such information may not be required to be sent to
34 anyone other than a board, agency, commission or official of local
35 government which has an advisory role in or approval power over
36 all or some aspect of the proposed project. Information sent prior
37 to the filing of the special permit application shall be considered
38 advisory only.

1 SECTION 3. Section 40 of Chapter 131 of the General Laws
2 as appearing in the 1990 Official Edition, is hereby amended by
3 inserting after the twenty-first paragraph (line 292), the following
4 new paragraph: —

5 Notwithstanding the foregoing, if the conservation commission
6 receives notice from a planning board or a special permit granting
7 authority that an applicant has filed a request for joint, coordinated
8 and expedited review of a plan or a project requiring a special per-
9 mit, the conservation commission shall be required to have at least
10 one member and such professional staff as may be employed by
11 them in attendance at such meeting for the purpose of discussing
12 and giving input to the applicant on such plan or project.

1 SECTION 4. Chapter 111 of the General Laws is hereby
2 amended by inserting after section 127P the following new
3 section: —

4 Section 127Q. If the board of health receives notice from a
5 planning board or a special permit granting authority that an
6 applicant has filed a request for coordinated review and expedited
7 approval of a plan or of a project requiring a special permit, the
8 board of health shall be required to have at least one member and
9 such professional staff as may be employed by them in attendance
10 at such meeting for the purpose of discussing and giving input to
11 the applicant on such plan or project.

