

By Ms. O'Brien of Hanover, petition of Janet W. O'Brien, Daniel J. Ranieri, Douglas W. Petersen, Pamela P. Resor and Mary S. Rogeness 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-Three.

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,
17 agencies, commissions, departments, permit granting and, where
18 applicable, the special permit granting authority, not less than
19 fourteen days prior to the date of such meeting. Notice shall
20 include the date, time and place for said meeting, at which meeting
21 all parties so notified shall have representatives and their

22 professional staff, if any, in attendance, for the purpose of
23 discussing and providing the applicant with input on said project.
24 The planning board shall keep notes of the discussion and
25 suggestions made at such meeting.

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

1 SECTION 2. Section 9 of Chapter 40A 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 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
7 the proposed project and related special permit. Upon the receipt
8 of such request, the special permit granting authority shall
9 schedule, notify the required parties, and hold a meeting. The
10 purpose of said meeting shall be to review and discuss the
11 proposed project and obtain such input from the related local
12 boards, agencies, commissions, departments, permit granting and
13 special permit granting authority, as will guide and facilitate the
14 approval process 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 and their

23 professional staff, if any, in attendance, for the purpose of
24 discussing and providing the applicant with input on said project.
25 The special permit granting authority shall keep notes of the
26 discussion and suggestions 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
29 available 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,
32 commissions and departments as the special permit granting
33 authority may require. Such information may not be required to
34 be sent to anyone other than a board, agency, commission or
35 official of local government which has an advisory role in or
36 approval power over all or some aspect of the proposed project.
37 Information sent prior to the filing of the special permit
38 application shall be considered advisory only and not public
39 information.

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,
8 coordinated and expedited review of a plan or a project requiring
9 a special permit, the conservation commission shall be required
10 to have at least one member and such professional staff as may
11 be employed by them in attendance at such meeting for the
12 purpose of discussing and giving input to the applicant on such
13 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
11 to the applicant on such plan or project.