

HOUSE No. 4166

By Mr. Ranieri of Bellingham, petition of Daniel J. Ranieri relative to the approval of certain projects under the law regulating the dredging or altering of land bordering waters. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE FOR APPROVAL OF CERTAIN PROJECTS.

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 40 of Chapter 131 of the General Laws, as most recently
2 amended by Chapter 141 of the Acts of 1991, is hereby amended
3 in the thirteenth paragraph, by inserting after the fifth sentence
4 thereof, the following new sentence: — Failure by the department
5 to take final action upon such request within ninety days of the
6 receipt of said request shall be deemed to be approval of the
7 activity as proposed by the applicant. In the event that approval
8 is based on the department's failure to act, the department shall
9 issue, forthwith, a written statement to that effect in a form
10 sufficient for recording in the applicable registry of deeds.

