

HOUSE No. 4391

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 3, 1999.

The committee on Local Affairs, to whom was recommitted the petition (accompanied by bill, House, No. 1588) of Frank M. Hynes relative to notices of approval of subdivision plans by planning boards, reports recommending that the accompanying bill (House, No. 4391) ought to pass.

For the committee,

MARIE J. PARENTE.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO PLANNING BOARDS' APPROVAL OF SUBDIVISION PLANS.

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 81U of chapter 41 of the General Laws, as appearing in
2 the 1996 Official Edition, is hereby amended by adding the
3 following paragraph:—

4 In any city or town which has accepted the provisions of this
5 paragraph, in the case of approval or disapproval of a definitive
6 subdivision plan by action of the planning board, the planning
7 board shall send notice of such approval to all persons that they
8 were required to give the initial notice of the public hearing and
9 shall inform all persons of their right to appeal and the time in
10 which such appeal must be filed. The petitioner who seeks
11 approval by reason of failure of the planning board to act within
12 the time prescribed shall notify the city or town clerk in writing,
13 within fourteen days from the expiration of the approval period
14 required in Section 81U or extended time, if applicable, of such
15 approval. That notice shall be sent by mail to all persons that were
16 required to receive the initial notice of the public hearing and it
17 shall specify that appeals, if any, shall be filed within twenty days
18 after the date the city or town clerk received such written notice
19 from the petitioner that the board failed to act within the time
20 prescribed.