

HOUSE No. 5440

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 13, 1998.

The committee on Local Affairs, to whom was referred the petition (accompanied by bill, House, No. 5258) of Frank M. Hynes relative to notices of approval of subdivision plans by planning boards, reports recommending that the accompanying bill (House, No. 5440) ought to pass.

For the committee,

MARIE J. PARENTE.

The Commonwealth of Massachusetts

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

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

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 the case of approval or disapproval of a definitive subdivi-
5 sion plan by action of the planning board, the planning board shall
6 send notice of such approval to all persons that they were required
7 to give the initial notice of the public hearing and shall inform all
8 persons of their right to appeal and the time in which such appeal
9 must be filed.

10 The petitioner who seeks approval by reason of failure of the
11 planning board to act within the time prescribed shall notify the
12 city or town clerk in writing, within fourteen days from the expi-
13 ration of the approval period required in section 81U or extended
14 time, if applicable, of such approval. That notice shall be sent, by
15 mail, to all persons that were required to receive the initial notice
16 of the public hearing and it shall specify that appeals, if any, shall
17 be filed within twenty days after the date the city or town clerk
18 received such written notice from the petitioner that the board
19 failed to act within the time prescribed.