

HOUSE No. 2014

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act providing a simplified procedure for municipal acceptance of subdivision roads..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 In any city or town which accepts this section, the procedure hereinafter set out shall be
2 the exclusive means for municipal acceptance of roads constructed within a subdivision in
3 accordance with a planning board approved definitive plan, notwithstanding the provisions of
4 G.L. Chapters 82 and 79 or any other general or special law. The planning board, on request of a
5 developer or on its own initiative, shall prepare a written certification that a subdivision road has
6 been laid out and construed in accordance with the board’s rules and regulation and the approved
7 definitive plan. The board shall submit its certification, together with the original mylars of an
8 acceptance plan, in required form for recording at the Registry of Deeds, and an “as-built” plan
9 to the city council or board of selectmen. The city council or board of selectmen shall hold a
10 public hearing, after first giving written notice by first-class mail, postage prepaid, to the owner
11 of record of each property abutting the road, as appears from municipal records, and giving
12 notice by publication in a newspaper of local circulation at least seven days prior to the hearing.
13 The purpose of the public hearing shall be to determine whether it is in the public interest to
14 accept the road, they shall so vote and cause to be prepared for recording at the local Registry of

15 Deeds an Order of Acceptance. The Order of Acceptance, together with the original acceptance
16 plan, shall be recorded within thirty (30) days following the vote and, upon recordation, shall
17 operate to vest title to the road, together with all drainage structures and other improvements, in
18 the municipality with no additional notice or other action required. No owner or interest holder
19 of land abutting a road so accepted shall have any claim for compensation against the
20 municipality on account of said acceptance.