

**SENATE . . . . . No. 1143**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Barbara A. L'Italien***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to mandate setbacks in home construction near high pressure gas pipelines.

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PETITION OF:

NAME:

*Barbara A. L'Italien*

DISTRICT/ADDRESS:

*Second Essex and Middlesex*

**SENATE . . . . . No. 1143**

By Ms. L'Italien, a petition (accompanied by bill, Senate, No. 1143) of Barbara A. L'Italien for legislation to mandate setbacks in home construction near high pressure gas pipelines. Municipalities and Regional Government.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act to mandate setbacks in home construction near high pressure gas pipelines.

*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. Chapter 41 of the General Laws is hereby amended by inserting in section  
2 81M the following language:-

3 Section 81M is hereby amended by inserting after "securing safety in the case of fire,  
4 flood, panic and other emergencies;" the text "insuring appropriate setbacks from high-pressure  
5 natural gas transmission pipelines."

6 SECTION 2. Chapter 41 of the General Laws is hereby amended by inserting in section  
7 81U the following language:-

8 Section 81U is hereby amended by replacing the text "Failure of such board or officer to  
9 report shall be deemed approval by such board or officer" the text:

10 In the event that the proposed subdivision includes residential structures located within  
11 75 feet of an existing high-pressure gas transmission pipeline easement that contains a pipeline

12 with a MAOP (Maximum operating pressure) of at least 300 psi, or within 100 feet of an existing  
13 gas transmission line easement containing a pipeline with MAOP greater than 1000psi, the  
14 person submitting the plan must provide to the board of health upon submission of the plan a  
15 map showing the actual placement of the pipeline within that easement, and the board of health  
16 shall be required to issue a report on the definitive plan, and is required to hold a public hearing  
17 on the plan to consider issues related to prevention of natural gas pipeline explosions. The board  
18 of health shall provide notice of the public hearing in coordination with the planning board, or on  
19 its own using the same notification procedures as required by section 81T of the planning board.  
20 The board of health shall verify that the following minimum setbacks between a new residence  
21 and a pipeline are met: 50 feet for pipelines with a pressure of 300-599 psi; 75 feet for pipelines  
22 of 600-1000psi; 100 feet for pipelines with a pressure greater than 1000psi. The board of health  
23 may adopt local regulations with greater setback requirements than those specified in this  
24 section.

25           If the event that no report on gas pipeline proximity is triggered by this section, failure of  
26 the board of health or its officer to report shall be deemed approval by such board or officer.