

HOUSE No. 4972

The Commonwealth of Massachusetts

PRESENTED BY:

Alyson M. Sullivan and Michael D. Brady

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 relative to the procedure for municipal acceptance of subdivision roads in the town of East Bridgewater.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>	<i>5/27/2022</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>6/2/2022</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>5/31/2022</i>
<i>Gerard J. Cassidy</i>	<i>9th Plymouth</i>	<i>6/7/2022</i>

HOUSE No. 4972

By Representative Sullivan of Abington and Senator Brady, a joint petition (accompanied by bill, House, No. 4972) of Alyson M. Sullivan, Michael D. Brady and others (by vote of the town) relative to the procedure for municipal acceptance of subdivision roads in the town of East Bridgewater. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to the procedure for municipal acceptance of subdivision roads in the town of East Bridgewater.

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. Notwithstanding chapters 79 and 82 of the General Laws or any other
2 general or special law to the contrary, the town of East Bridgewater may employ the procedure
3 set out in this act for municipal acceptance of roads constructed within a subdivision in
4 accordance with a definitive subdivision plan that has been approved pursuant to the subdivision
5 control law, as defined in section 81K of chapter 41 of the General Laws.

6 The board of selectmen of the town of East Bridgewater shall hold a public hearing,
7 after first giving: (i) written notice by first-class mail, postage prepaid, to the owner of record of
8 each property abutting the road, as appearing in the records of the assessors of the town of East
9 Bridgewater; and (ii) notice by publication in a newspaper of local circulation not less than 7
10 days before the hearing. The records of the assessors of the town of East Bridgewater shall be
11 conclusive evidence of ownership for purposes of this act. If the board of selectmen determines,

12 after the public hearing, that it is in the public interest to accept the road, they shall so vote, by a
13 majority vote, and place an article on the warrant for the next annual or special town meeting for
14 acceptance of the road.

15 Upon a 2/3 vote of town meeting to accept the road, the board of selectmen shall
16 prepare an order of acceptance setting forth the vote of the town meeting for recording at the
17 Plymouth county registry of deeds. The order of acceptance shall contain a description of or
18 reference to a plan showing the boundaries and measurements of the road, which may be an
19 existing approved and recorded definitive subdivision plan. The order of acceptance shall be
20 recorded not later than 60 days after the town meeting vote and, upon recordation, shall vest
21 ownership of a permanent roadway easement in the road for all purposes for which public ways
22 are commonly used in the town of East Bridgewater, together with ownership of all utility,
23 drainage, access and other easements shown on the plan and specifically identified in the order of
24 acceptance, as well as all pipes, structures and other improvements located therein, in the town of
25 East Bridgewater with no additional notice or other action required.

26 SECTION 2. This act shall take effect upon its passage.