

**Massachusetts House of Representatives
Bill Summary**

- Bill #:** H.5434
- Title:** An Act providing for the appointment of associate members of the Planning Board of the town of Tisbury to fill vacancies on the board
- Sponsor:** Rep. Thomas Moakley and Sen. Julian Cyr
- Committee:** Joint Committee on Municipalities and Regional Government
- Hearing Date:** June 23, 2026
- Current Law:** Paragraph 11 in Section 9 of MGL Chapter 40A allows zoning ordinances or by-laws to provide for associate members of a planning board when the board has been designated as a special permit granting authority. One associate member may be authorized when the planning board consists of five members, and two associates may be authorized when the planning board has more than five members. The chairman of the planning board may designate an associate member to sit on the board for the purposes of acting on a special permit in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.
- MGL Chapter 41, Section 81A provides for the establishment of planning boards. Sections 81K through 81GG, is the Subdivision Control Law. Tisbury has a 5-member elected planning board.
- Summary:** Section 1 of the bill authorizes the select board and planning board, by combined majority vote, to appoint up to 2 associate members of the planning board to serve terms of five years each. Current law only allows the town to have one associate member.
- If any members of the planning board are absent, unable to act or have a conflict of interest, the chair of the planning board could designate one or both associates to sit and act on any matter in its jurisdiction. This could include zoning or subdivision control issues.
- Section 2 provides for the act to take effect upon its passage.
- Notes:** Approved as Article 3 at the December 17, 2024 Special Town Meeting by majority vote.