

# HOUSE . . . . . No. 171

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By Mr. Linsky of Natick, petition of David Paul Linsky and others relative to the approval of definitive plans for subdivisions by planning boards in municipalities. Community Development and Small Business.

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## The Commonwealth of Massachusetts

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### PETITION OF:

David Paul Linsky	Michael E. Festa
William G. Greene, Jr.	James B. Eldridge
J. James Marzilli, Jr.	Karen E. Spilka
Susan C. Fargo	

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In the Year Two Thousand and Seven.

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AN ACT ALLOWING PLANNING BOARDS TO RECEIVE MITIGATION FUNDS.

*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 810 of chapter 41 of the General Laws, as appearing in  
2 the 1998 Official Edition, is hereby amended by inserting after the  
3 seventh paragraph the following paragraph:—

4 A planning board may, in its report approving a definitive plan of  
5 a subdivision, include conditions as permitted under the subdivision  
6 control law, which conditions may require the payment of monies to  
7 perform such conditions.

8 Notwithstanding the provisions of sections 53 and 53A of chapter  
9 44, or any other general law or special law to the contrary, the plan-  
10 ning board may receive any such monies and deposit same in special  
11 accounts or funds, held by the treasurer separate from the city or  
12 town's general fund, and the planning board may spend sums out of  
13 such special accounts or funds, to perform or carry out the terms  
14 of such conditions, in order to accomplish specific purposes stated in  
15 such condition. Interest earned on any such accounts shall accrue to,  
16 and be included as part of, the principal.