

# HOUSE . . . . . No. 1965

By Mr. Linsky of Natick, petition of David Paul Linsky and others relative to the granting of special permits under the zoning laws in cities and towns. Municipalities and Regional Government.

## The Commonwealth of Massachusetts

PETITION OF:

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

In the Year Two Thousand and Seven.

AN ACT ALLOWING SPECIAL PERMITS GRANTING AUTHORITIES 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 9 of chapter 40A of the General Laws, as appearing in the  
2 1998 Official Edition, is hereby amended by inserting after the  
3 second paragraph the following paragraph:—  
4 Zoning ordinances or by-laws may provide, in connection with  
5 the granting of special permits and the imposing of conditions  
6 thereof, which conditions may require the payment of monies to per-  
7 form such conditions, that notwithstanding the provisions of sec-  
8 tions 53 and 54 of chapter 44, or any other general or special law to  
9 the contrary, that the special permit granting authority may be autho-  
10 rized to receive such monies and deposit same in special accounts or  
11 funds, held by the treasurer separate from the city or town's general  
12 fund and said authority may spend sums out of such special accounts  
13 or funds, to perform or carry out the terms of such condition, in  
14 order to accomplish the specific purposes stated in such condition.  
15 Interest earned on any such accounts shall accrue to, and be included  
16 as part of, the principal.