A preliminary plan submitted to the planning board and board of health, and a notice of plan submittal to the City/Town Clerk, either by delivery in person or by certified mail.

Residential Subdivision - Massachusetts General Laws, Ch. 41

Preliminary Plan Submitted before a Definitive Plan

The planning board The board of health The planning board endorses the plan (if reports their approval approves, approves approved). The signed or disapproval of the with modification, or A definitive plan is submitted to the Planning plan is delivered to the plan. Failure to report disapproves the plan. Board, and a notice of plan submittal to the applicant by the planning shall be deemed City/Town Clerk, either by delivery in person board. approval. or by certified mail. A copy of the plan must Within also be filed with the board of health. 90 days of the plan submittal (Unless extended by Within Within After written agreement Within 45 days between the planning 20 days 20 days Within 6 months of the plan submittal board and the applicant of the of the 45 days of (Unless extended by written agreement between the of plan that has been filed with certificate decision the plan endorsement planning board and the applicant that has been filed filing have the City/Town Clerk). of filing submittal with the City/Town Clerk). passed. At least The next successive If a decision certificate is not 14 days week following the filed by the planning board before first notice with the City/Town Clerk hearing within 90 days The planning board holds a public hearing. The plan and its Appeals must be filed with the * The hearing may be certificates are City/Town Clerk. The hearing is advertised in the continued over the span filed at the of multiple meetings. newspaper and posted in the town hall. Registry of Deeds. Notice is mailed to the applicant and abutting landowners. * A certificate of City/Town Clerk issues certificate Each board notifies the applicant and The hearing is again the board's action stating that the planning board did not the City/Town Clerk by certified mail advertised in the is filed with the act and that constructive approval is whether the planning board approves, newspaper. * City/Town Clerk granted. The plan and certificate of approves with modifications, or constructive approval are delivered to and mailed to the disapproves the plan. the applicant by the City/Town Clerk. applicant.

Disclaimer: Developed as an informal guide for permit granting agencies with information current as of January 2008. It has been transmitted for informational purposes only, and its content should not be construed as legal advice. Please consult legal counsel before taking any action on this information. Please consult MGL. C41 for more detailed information.

* = at the expense of the applicant