

A Summary of the Subdivision Control Procedure in Acton

Per M.G.L. Ch.41 S. 81K-GG (Subdivision Control Law) and the Acton Subdivision Rules and Regulations

PRELIMINARY PLAN

(Recommended)

Required for non-residential subdivisions

Planning Board returns preliminary plan to applicant with tentative approval or recommended changes within **45 days**.

A public meeting is advertised in the newspaper and notice is sent to all parties in interest (parties in interest as defined in the Subdivision Rules and shown on a list prepared by the Assessors' office.)

Applicant submits preliminary plan to the Planning Board & Board of Health, and sends notice to Town Clerk.

Applicant obtains the Zoning Bylaw & Subdivision Rules and Regulations and confers with the Planning Department about the proposed subdivision plan, procedures for approval, costs & fees, and public notice requirements.

START

DEFINITIVE PLAN

ANALYSIS AND HEARING



DECISION



APPEAL



CONCLUSION

Applicant submits definitive plan to Planning Board and Board of Health, and sends notice to Town Clerk.



Applicant receives instructions from Planning Department for public hearing procedure & notice requirements. A public hearing notice must appear twice in a local newspaper, the first time at least 14 days before the hearing, and notices must be given to all parties in interest.



Planning Board holds a public hearing after **45 days** of plan submittal



Planning Board approves, approves with conditions or disapproves the plan.



Within **90 days** of the plan submittal or such further time that the applicant may request or agree to, the Board issues a certificate of the action. This is the decision of approval, approval with conditions or disapproval applicant.



PLANNING BOARD APPROVAL

Planning Board approves Definitive Plan as is, or with a list of required modifications and conditions.

APPROVAL BY FAILURE TO ACT

Failure of the Planning Board to take final action or file with the Town Clerk within **90 days** after definitive plan submission, or such further time as agreed, shall be deemed to be an approval of the definitive plan as presented.

Planning Board disapproves definitive plan with detailed reasons why the plan does not conform to the Subdivision Rules and Regulations. An applicant may cure the deficiencies of the plan to obtain Planning Board approval.

Appeals, if any, must be filed with the Superior Court within 20 days after the Board's decision is filed with the Town Clerk.

After 20 days without appeal, the Planning Board endorses the approved definitive plan as modified to comply with the Planning Board's requirements. At time of endorsement, the applicant must provide the Planning Board with performance guarantee.

Within **6 months** of endorsement the applicant must file definitive plan and its certificate/decision at the Registry of Deeds, or with the Land Court.