



Massachusetts Municipal Lawyers Association

"Dedicated to Effective Local Government Through the Advancement of Municipal Law"

October 24, 2023

PRESIDENT
Karis L. North

TO: The Honorable, Senator Jake Oliveira, Chair, Joint Committee on Municipalities and Regional Government

VICE PRESIDENT
Ivria Glass Fried

The Honorable Representative Carole Fiola, Chair, Joint Committee on Municipalities and Regional Government

EXECUTIVE DIRECTOR
James B. Lampke

RE: HB3555, An Act relative to local option for associate members of planning boards

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Dear Senator Oliveira and Representative Fiola:

I am writing to you in my capacity as the President of the Massachusetts Municipal Lawyers Association (the "MMLA"), the Commonwealth's municipal bar association, to communicate our support of HB 3555, An Act relative to local option for associate members of planning boards.

As we understand it, the purpose of HB 3555 is to provide a local option for municipalities to remove restrictions on planning board associate members, and thereby allow them to participate in all matters of the planning board. Currently, planning board associate members may only participate on special permit issues before the planning board.

HB 3555 will make it easier for planning boards to conduct business, at a time when cities and towns are finding it exceedingly difficult to recruit volunteers for boards, committee, and commissions. For example, if there is a five-member planning board, and one member is absent and one member has a conflict, then approval of a matter that requires a majority vote would require a unanimous vote of the other three members. In some instances, when a supermajority is required, there may not be enough members to even take a vote. If adopted, HB3555 would permit the planning board to have available the associate members, who have participated in the matter, to vote on the pending matter. This provides cities and towns with more flexibility on which members can sit on a particular matter (thus accommodating conflicts, vacations, illnesses, and the like), and provides more active planning board members to provide input into decisions, and participate in decision drafting.

Finally, this bill also allows applicants a full planning board for voting purposes, helping to avoid delay and expense.

We hope these comments are helpful. If you have any questions or would like additional information, please do not hesitate to contact us by way of our Executive Director, James Lampke's email at jlampke@massmunilaw.org.

Sincerely,

/s/ Karis L. North

Karis L. North
President, MMLA

cc: The Honorable, Senator Edward Kennedy, Vice Chair, Joint Committee on Municipalities and Regional Government
The Honorable, Representative Lindsay Sabadosa, Vice Chair, Joint Committee on Municipalities and Regional Government
David Koffman, Senior Executive and Legislative Director, Massachusetts Municipal Association