

SENATE No. 1143

The Commonwealth of Massachusetts

PRESENTED BY:

Barbara A. L'Italien

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to mandate setbacks in home construction near high pressure gas pipelines.

PETITION OF:

NAME:

Barbara A. L'Italien

DISTRICT/ADDRESS:

Second Essex and Middlesex

SENATE No. 1143

By Ms. L'Italien, a petition (accompanied by bill, Senate, No. 1143) of Barbara A. L'Italien for legislation to mandate setbacks in home construction near high pressure gas pipelines. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to mandate setbacks in home construction near high pressure gas pipelines.

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 1. Chapter 41 of the General Laws is hereby amended by inserting in section
2 81M the following language:-

3 Section 81M is hereby amended by inserting after "securing safety in the case of fire,
4 flood, panic and other emergencies;" the text "insuring appropriate setbacks from high-pressure
5 natural gas transmission pipelines."

6 SECTION 2. Chapter 41 of the General Laws is hereby amended by inserting in section
7 81U the following language:-

8 Section 81U is hereby amended by replacing the text "Failure of such board or officer to
9 report shall be deemed approval by such board or officer" the text:

10 In the event that the proposed subdivision includes residential structures located within
11 75 feet of an existing high-pressure gas transmission pipeline easement that contains a pipeline

12 with a MAOP (Maximum operating pressure) of at least 300 psi, or within 100 feet of an existing
13 gas transmission line easement containing a pipeline with MAOP greater than 1000psi, the
14 person submitting the plan must provide to the board of health upon submission of the plan a
15 map showing the actual placement of the pipeline within that easement, and the board of health
16 shall be required to issue a report on the definitive plan, and is required to hold a public hearing
17 on the plan to consider issues related to prevention of natural gas pipeline explosions. The board
18 of health shall provide notice of the public hearing in coordination with the planning board, or on
19 its own using the same notification procedures as required by section 81T of the planning board.
20 The board of health shall verify that the following minimum setbacks between a new residence
21 and a pipeline are met: 50 feet for pipelines with a pressure of 300-599 psi; 75 feet for pipelines
22 of 600-1000psi; 100 feet for pipelines with a pressure greater than 1000psi. The board of health
23 may adopt local regulations with greater setback requirements than those specified in this
24 section.

25 If the event that no report on gas pipeline proximity is triggered by this section, failure of
26 the board of health or its officer to report shall be deemed approval by such board or officer.