



## **Abutter Appeals Reform Legislation (HD.2911 & [SD.2021](#))**

*An Act to streamline housing production through abutter appeals reform  
Sponsored by Rep. Joseph McGonagle & Sen. Julian Cyr*

This legislation will help streamline housing production by helping to prevent frivolous abutter appeals against development.

Land use appeals to developments by abutting neighbors without underlying merit are frequently used as a tactic to delay and obstruct housing development, even if it has received all necessary permitting and community support. In some cases, these appeals have delayed worthwhile affordable housing development projects for a decade or longer.

Frivolous cases have caused developers to withdraw permit applications because they cannot afford the cost and delay of fighting appeals. In other cases, the settlement of groundless abutter appeals has caused developers to needlessly downsize worthy, community-supported projects.

These bills would allow judges, in their discretion, to impose a bond requirement of up to \$15,000 on plaintiffs who file abutter appeal cases if the judge thinks the case lacks merit and is only being used to slow down or delay a housing development.

The bond would be used to secure the payment of costs in appeals of decisions approving special permits, variances, and site plans where the court finds that the harm to the defendants or to the public interest resulting from the delays of appeal outweighs the burden of the bond on the plaintiffs

By allowing judges to impose a bond, frivolous abutter appeals lawsuits would be discouraged while still ensuring the right of abutters to bring legitimate concerns about a development to court.



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