

40B Affordable Housing process: summary

Initial Project Eligibility Application to State Subsidizing Agency (MassHousing) submitted by Developer.

Mass Housing sends letter to Town: preliminary project eligibility letter (PEL)

The Subsidizing Agency notifies the Town and schedules a site visit. The notification letter starts the clock for a 30-day comment period for the city or town.

Site Visit (MassHousing and Community officials)

Local Comment period (for Farm Rd Homes, extended to July 20, 2022)

Select Board (SB) acts as clearinghouse for comments from Boards, Committees, and public.

SB submits Comment Letter to MassHousing

MassHousing reviews Comments using these criteria

- proposed project appears generally eligible for the housing subsidy program; [SEP]
- site of the proposed project is generally appropriate for residential development, taking into consideration municipal actions previously taken to meet affordable housing needs (with supporting data set forth in reasonable detail);
- conceptual project design is generally appropriate for the site taking into account topography, environmental resources, and integration into existing development patterns;
- proposed project appears financially feasible within the housing market in which it will be situated (based on comparable rentals or sales figures);
- project appears financially feasible and consistent with DHCD's guidelines for Cost Examination and Limitations on Profits and Distributions;
- applicant controls the site
- project advances the goals of the community's housing plan and town master plan.

MassHousing PE Decision Letter

The time needed to make a decision varies. The final Project Eligibility (PE) decision letter outlines issues and information the developer should address in the Comprehensive Permit Application to the ZBA.

The Developer, the SB, and the ZBA receive a copy of the PE determination.

Comprehensive Permit Application submitted to ZBA

ZBA process includes multiple public hearings with boards, committees and others.

ZBA decision: approval or denial of Comprehensive Permit

For a detailed timeline for the ZBA review process and final decision to approve or deny a Comprehensive Permit, as well as other 40B process details, copy and paste this URL into your browser.

<https://www.mass.gov/doc/chapter-40b-handbook-for-zoning-boards-of-appeal-march-2017/download?ga=2.200447591.813765597.1657211462-225199940.1630679570>