



Commonwealth of Massachusetts
**EXECUTIVE OFFICE OF HOUSING
& LIVABLE COMMUNITIES**

Maura T. Healey, Governor ◆ Kimberley Driscoll, Lt. Governor ◆ Edward M. Augustus, Jr., Secretary

November 18, 2025

Mr. Jamie Hellen
Franklin Town Administrator
355 East Central Street, Route 140
Third Floor
Franklin, MA 02038

RE: Local Initiative Program (LIP) Project – 444 East Central Street, Franklin

Dear Town Administrator Hellen:

I am writing regarding inquiries received by the Executive Office of Housing and Livable Communities (“EOHLC”) within the past several weeks relating to the proposed Local Initiative Program project at 444 East Central Street in Franklin. Specifically, we received questions on the demonstration of local approval that is required for a LIP project application. In response to these questions, represented to EOHLC as “hypothetical”, we provided general information on this topic in an email dated October 31, 2025. *See Attachment 1.*

It has come to our attention that this communication, while not intended to provide specific legal advice or opinion, has resulted in confusion and misconceptions about the LIP process as it applies to 444 East Central Street, which we now seek to clarify.

EOHLC received a completed LIP application for this project on October 31, 2024. The application included a letter from the Town’s Chief Executive Officer confirming town support for the project, together with a copy of Resolution 24-16, dated June 5, 2024, in which the Franklin Town Council voted to support the project. *See Attachment 2.* Following a review of the application and, in reliance on the good faith representations of the Town, EOHLC issued a determination of project eligibility (“PEL”) for the project on February 12, 2025. *See Attachment 3.*

The PEL is a prerequisite for any application for a comprehensive permit, and is conclusive evidence that the project has satisfied all project eligibility requirements.

As noted in our October 31st communication, if there are any material changes to a project after the issuance of a LIP PEL, EOHLC must be notified immediately to secure an amendment in accordance with the LIP Guidelines. Material changes may include changes in a project’s unit mix or development team, or any changes sufficiently substantial such that the project is no longer consistent with what was previously approved by the Chief Executive Officer and EOHLC.

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Based on information available to us, we understand the Franklin Town Council is considering voting on a resolution to withdraw its support for the 444 East Central Street LIP project based on recent changes in Town Council membership.

Please be advised that EOHLC does not consider turnover or change in a municipality's council or board membership to be a material change that would require an amendment to a previously issued PEL. It is also not considered a change substantial enough that the project could no longer be considered consistent with what the Franklin CEO and Franklin Town Council approved on June 5, 2024.

Accordingly, regardless of the outcome of any potential Town Council vote to rescind support based on council membership changes, EOHLC will not amend, withdraw, or rescind the PEL issued for this project on that basis. Therefore, the project sponsor is entitled to continue the public hearing process before the Franklin Zoning Board of Appeals.

EOHLC firmly supports this project moving forward with its current review process before the zoning board. We emphasize a key component of LIP is the fact that the developer and municipality are working together in concert on a proposed project. Local public officials are expected to act in good faith and to not unreasonably withhold local support for proposed projects or project changes. We understand affordable housing development can be a complex and sensitive issue for municipalities. We hope the developer and local officials continue to work together to ensure the comprehensive permit review process proceeds as required.

Sincerely,

Derya Samadi /s/

Derya Samadi,
General Counsel

cc: Mark G. Cerel, Esq., Town Attorney (electronically)
Peter Freeman, Esq., Moriarty Bielan & Malloy LLC (electronically)
Jesse Schomer, Esq., Dain Torpy P.C. (electronically)
Seth Nadeau, EOHLC (electronically)
Rieko Hayashi, EOHLC (electronically)
Alana Murphy, EOHLC (electronically)

Attachments