



**PLANNING &  
COMMUNITY DEVELOPMENT**  
TOWN *of* FRANKLIN

November 25, 2024

**Friendly Chapter 40B Projects – Local Initiative Program (LIP)**

According to the Massachusetts Department of Housing & Community Development (DHCD), the Town of Franklin currently has 11.97% of the Town's year-round housing units on the Subsidized Housing Inventory (SHI). Because Franklin is above the 10% affordable housing threshold, it can permit "Friendly 40B" projects to build mixed-income housing. Unlike traditional 40B projects, this allows municipalities to remain in control of most aspects of project design and construction. A "Friendly 40B" project – that is, a project that has local support because of the contribution it can make to the community's need for more diverse housing options, and the contributions the developer agrees to make to local needs (infrastructure, public safety, land protection, etc.).

All 40B developments are required to create housing where at least 25% of housing units are affordable according to DHCD regulations, but not all projects are equal in other ways (e.g., type and size housing units; location; proximity to transit; traffic impacts; public space; recreation or open space resources; aesthetics; building design; community character; wetland protection; safety; walkability; sustainability; low impact development).

The Town is not under pressure to increase its SHI by immediately approving additional 40B developments. Given that the Town has received inquiries regarding Friendly 40B's projects, the Town staff has put together a preliminary process to follow in determining if the project meets the needs of the Town and follows the LIP process.

Until further notice, the Town policy will be to accept Friendly 40B applications that provide for home ownership and not rentals. The Town is requiring "Friendly 40B" projects not include any housing that are large scale rental apartments exceeding 20 units. The Town will only consider Friendly 40B projects that offer home ownership, including, but not limited to, single-family subdivision developments, duplex or triplex housing developments, and condominium style and cottage style developments or small scale family rental projects (20 units or under). The Town recognizes that project proponents may choose to apply through state MassHousing agency for rental projects above the 20 unit threshold.

Franklin's Town Administrator has appointed the Town Planner as a single point of contact to serve as the primary municipal liaison for all issues relating to Chapter 40B affordable housing development matters. The Municipal Point of Contact will assist developers/applicants to sort out the 40B process and related requirements. Casual early pre-permit discussions with the Municipal Point of Contact are highly recommended.

Municipal Point of Contact for Chapter 40B Development Issues:

Amy Love, Town Planner  
Planning and Community Development Town of Franklin  
355 East Central Street Franklin, MA 02038-1352  
Phone: 508-520-4907  
Email: [alove@franklinma.gov](mailto:alove@franklinma.gov)

Below outlines the Town of Franklin recommended Checklist to proceed with a LIP application:

**1. Project Information**

- a. Project Name: \_\_\_\_\_
- b. Applicant Point of Contact: \_\_\_\_\_
- c. Project Team – Name, Title, contact
- d. Project Location: \_\_\_\_\_
- e. Number of Units: \_\_\_\_\_
- f. Bedroom Count: 1 Bedroom \_\_\_\_\_ 2 Bedrooms \_\_\_\_\_ 3 Bedrooms \_\_\_\_\_
- g. Rental or Ownership

**2. Criteria for Review**

- a. Percent of Affordable Units
- b. Number of Affordable Units
- c. Number of units to count on the SHI
- d. Public Benefits
  - i. Public Access/Trails/Open Space
  - ii. Road Improvements
  - iii. Amenities
  - iv. Positive or Negative Impacts on the Town
  - v. Safety/Fire Impacts to Town

**3. Review Process**

**a. Tech Review**

- i. Attend a Technical Staff Review meeting held on Wednesdays at 3:00PM

**b. Planning Board – Provide a non-binding review from the Planning Board**

- i. Review to include
  - 1. Compliance with Section 185–31 of Town Zoning By-Law
  - 2. List of waivers, as minimal as possible
  - 3. Special Permit Criteria
  - 4. Stormwater Review
  - 5. Parking review
  - 6. The applicant is required to notify direct, immediate abutters when the non-binding review is scheduled.

**c. Conservation Commission (if required) – non-binding review from the Commission**

- i. Review to include
  - 1. Wetland Resource Impacts
  - 2. Completed ANRAD
  - 3. Wetland Crossings
  - 4. Area Wetland maps and disturbance

- d. Department of Housing and Community Development (DHCD)**
  - i. A Letter acknowledging the number of units that will be accepted on the Town's SHI List.
  
- e. Town Council Presentation**
  - i. Applicant should present an overview of the proposed project and outline the benefits for the Public
  - ii. Gather feedback from Town Council members
  
- f. Zoning Board of Appeals Approval**
  - i. Applicant shall submit a full application for the ZBA review and decision.

Please note, the Applicant is free to submit an application directly to Zoning Board of Appeals. However, if the Applicant wants the support from the Town, and file under the LIP, it is highly suggested they follow this checklist.