

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907  
[www.franklinma.gov](http://www.franklinma.gov)

## DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

### **Town of Franklin Affordable Housing 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 so-called "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 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 including: 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 been made aware of several possible Friendly Chapter 40B projects, the Town's Development Staff has put together a preliminary process to determine if the project meets the needs of the Town and follows the LIP process.

On pages 3 and 4 of this document is the new Friendly 40B Project Preliminary Review Checklist. Developers hoping to permit a Friendly 40B in Franklin should take the time to complete and return it, and any related documents (e.g., preliminary site plans; ANRAD; project summary), to the Town's Point of Contact for Chapter 40B Development Issues.

Once the Town's Point of Contact receives the completed form the Town will begin a 30 day review of the proposed development. The 30 day review includes a review of the proposal by Town Staff, a presentation by the applicant to the Technical Staff Review Committee, and non-binding reviews by the Planning Board and Conservation Commission.

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)

## Friendly 40B Project Preliminary Review Checklist

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 Name: \_\_\_\_\_  
Phone number \_\_\_\_\_ Email \_\_\_\_\_
- c. Project Team - Names, Titles, Contact information.
- d. Project Location: \_\_\_\_\_
- e. Number of Units: \_\_\_\_\_
- f. Bedroom Count: 1 Bedroom \_\_\_\_ 2 Bedrooms \_\_\_\_ 3 Bedrooms \_\_\_\_
- g. Rental or Ownership
- h. List of all waivers, if any, that the applicant will request from the ZBA
- i. Preliminary Plans.

### 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. Roadway Improvements
  - ii. Other Infrastructure Improvements
  - iii. Public Access/Trails/Open Space
  - iv. Other Public Amenities
  - v. Positive and or Negative Impacts on the Town
  - vi. Impacts on the abutting property owners
  - vii. Safety/Fire Impacts to Town.

### 3. 30-Day Preliminary Project Review Process

- a. Once the Applicant has submitted required information to the Municipal Point of Contact, the Applicant's information will be distributed to the Town's Administration and Technical staff, Franklin Planning Board, and Franklin Conservation Commission.
- b. Technical Staff Review and Comment
  - i. Town staff will be asked for written comments on the proposed housing project.
- c. Technical Staff Review Committee Meeting
  - i. The Applicant will be asked to attend a Technical Staff Review Committee meeting, held on Wednesdays at 3:00 p.m. The Municipal Point of Contact will coordinate with the Applicant.

- d. Planning Board - A non-binding review from the Planning Board
  - i. The Applicant will be asked to attend a Planning Board Meeting to present the proposed housing project. The Municipal Point of Contact will coordinate with the Applicant.
  - ii. Planning Board members will perform a non-binding project review.  
Review to include
    - 1. Compliance with Section 185-31 of Town-Zoning By-Law
    - 2. Special Permit Criteria
    - 3. Stormwater Review
    - 4. Parking review
    - 5. Traffic Review.
- e. Conservation Commission (if required) - non-binding review from the Commission
  - i. If the proposed project is within the 100 feet buffer zone or will impact other jurisdictional resources, the Applicant will be asked to attend a Conservation Commission Meeting to present the proposed housing project. The Municipal Point of Contact will coordinate with the Applicant.
  - ii. Conservation Commission members will perform a non-binding project review under Chapter 181 (Wetlands Protection Bylaw) of the Franklin Code and the Town of Franklin Conservation Commission Regulations..  
Review to include
    - 1. Wetland Resource Impacts
    - 2. Completed ANRAD
    - 3. Wetland Crossings
    - 4. Area Wetland maps and disturbance.

#### **4. Department of Housing and Community Development (DHCD)**

- a. The Applicant is required to obtain a letter from DHCD acknowledging the number of units that will be accepted on the Town's SHI List.

#### **5. Town Council Presentation & LIP Determination**

- a. Applicant should present an overview of the proposed project and outline the benefits for the Public
- b. Gather feedback from Town Council members
- c. Formal Vote from the Town Council.

#### **6. Zoning Board of Appeals Approval**

- a. Applicant shall submit a Comprehensive Permit to the ZBA for review and decision.



Please note, the Applicant is free to submit an application directly to the 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.

Note that any activities subject to Conservation Commission review under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, will need to be reviewed by the Conservation Commission independent from an LIP application.