

Comprehensive Permit Guidelines

Prepared for:

The Town of Plympton

TECHNICAL SUPPORT PROVIDED BY:

Old Colony Planning Council

July 2018

TABLE OF CONTENTS

NOTICES AND ACKNOWLEDGEMENTS	3
I. INTRODUCTION TO CHAPTER 40B	4
II. HOUSING CONDITIONS IN PLYMPTON.....	5
III. POLICY STATEMENT.....	6
IV. REVIEW CONSIDERATIONS.....	7
V. PROCEDURES	10
A. PRE-APPLICATION PHASE.....	10
B. ELIGIBILITY TO APPLY FOR A COMPREHENSIVE PERMIT	12
C. COMPREHENSIVE PERMIT APPLICATION REQUIREMENTS	13
a) Project eligibility letter	13
b) Evidence of site control.....	13
c) Property Location Map	13
d) Preliminary Subdivision Plan	13
e) Preliminary Site Development Plans	13
___Plan Standards	14
f) Preliminary, Scaled, Architectural Drawings:.....	14
g) Tabulation of Proposed Buildings:.....	14
h) Preliminary Utilities Plan:	14
i) Stormwater Management:.....	15
j) List Of Required Exemptions:.....	15
k) A copy of all materials and applications submitted by the applicant to any subsidizing agency or source	15
l) Developer’s Profile:	15
m) List of all Prior Development Projects	15
n) Conservation Filing:	15
o) Required Fees	15
D. APPLICATION FEES:.....	16
E. NUMBER OF COPIES.....	16
F. ACCEPTANCE OF COMPLETE APPLICATION	17

G. PEER REVIEW AND TECHNICAL ASSISTANCE FEES.....	17
H. NON COMPLIANCE WITH ESCROW REQUIREMENTS	18
I. NOTICE TO ABUTTERS.....	18
J. PUBLIC HEARING AND PUBLIC NOTICE	19
K. CRITICAL DEADLINES FOR CHAPTER 40B COMPREHENSIVE PERMITS.....	19
L. MANAGING THE PROCESS.....	21
M. THE ZBA'S DECISION.....	22
N. PERFORMANCE GUARANTEES.....	23
O. APPEALS.....	23
P. RECORDING THE DECISION	24
Q. EXPIRATION.....	24
R. CHANGES IN THE APPLICATION.....	24
S. TERMS AND CONDITIONS OF THE COMPREHENSIVE PERMIT	25
T. REQUESTS FOR COMPREHENSIVE PERMIT MODIFICATIONS.....	25
U. POST COMPREHENSIVE PERMIT PROCEDURES.....	25
V. CONSTRUCTION AND OCCUPANCY.....	25
W. POST-OCCUPANCY REQUIREMENTS.....	26
 Appendix A: Application	 27

NOTICES AND ACKNOWLEDGEMENTS

Notices

The preparation of this Plan has been financed through the Massachusetts District Local Technical Assistance (DLTA) program. The views and opinions of the Old Colony Planning Council expressed herein do not necessarily state or reflect those of the Massachusetts Executive Office of Housing and Economic Development.

This District Local Technical Assistance Plan was prepared by the following members of the Old Colony Planning Council staff under the direction of Pat Ciaramella, Executive Director.

Project Manager: Lisa Sullivan, Senior Planner
lsullivan@ocpcrpa.org
Laurie Muncy, Principal Comprehensive Planner
lmuncy@ocpcrpa.org

Supporting Staff: Andrew Vidal, GIS Manager
avidal@ocpcrpa.org

Acknowledgements

Town of Plympton

Town Administrator

Elizabeth Dennehy

Board of Selectmen

John Traynor, Jr. Chairman
Christine Joy, Member
Mark Russo, Clerk

Zoning Board of Appeals

Kenneth Thompson, Chairman
Arthur Morin, Jr. Member
David Alberti, Member
Mark Gabriel, Alternate

These Comprehensive Permit Guidelines have been prepared in accordance with the Massachusetts Housing Partnership's Chapter 40B Handbook for Zoning Boards of Appeals last updated in March 2017, consolidating the local review and approval process that empowers the Zoning Board of Appeals to hold hearings and make binding decisions that encompass all local ordinances, bylaws and regulations. These guidelines are intended to serve as a resource for ZBA members, local officials and developers to achieve the best possible results when new affordable housing is proposed in the community. Additional resources are available online at <https://www.mass.gov/chapter-40-b-planning-and-information>

Sources for this document include: The Town of Plympton's 2017 Housing Production Plan with technical assistance provided by OCPC, The Town of Plympton's ZBA Forms and Fees dated May 23, 2018, The Town of Needham's 40B guidelines with technical assistance provided by Judy Barrett served as a source for this project. The data included in this Plan is from the U.S. Census Bureau's 2000 and 2010 Census, the 2012-2016 American Community Survey (ACS), the U.S. Department of Housing and Urban Development (HUD), the Massachusetts Department of Transportation (MassDOT), Metro Boston Population and Housing Projections 2014; The Warren Group, MassGIS, and the Massachusetts Department of Elementary and Secondary Education as well as other noted sources.

I. INTRODUCTION TO CHAPTER 40B

These guidelines provide information about the Town of Plympton's policies, procedures, and requirements for comprehensive permits under G.L. c. 40B, §§ 20-23 ("**Chapter 40B**"). In addition, the Guidelines are intended to advise the Zoning Board of Appeals (**ZBA**) and other Town boards and departments with a role in the development review process. Applicants planning to apply for a Chapter 40B comprehensive permit in Plympton should review these Guidelines and meet with the Town Administrator as early as possible *before* submitting a Project Eligibility (Site Approval) application to a housing subsidy program.

Note: the Town's guidelines are not a substitute for the statute, the Department of Housing and Community Development's (**DHCD**) Chapter 40B regulations (760 CMR 56.00), or the requirements and policies of affordable housing subsidy programs. It is the applicant's responsibility to comply with these and other applicable state requirements.

Enacted in 1969, Chapter 40B encourages the construction of low- and moderate-income housing (affordable housing). Under Chapter 40B, a Zoning Board of Appeals (ZBA) may grant a comprehensive permit for a housing development that meets the requirements of the statute and qualifies for funding from a state or federal housing subsidy program. A mixed-income development is considered eligible for a comprehensive permit if at least twenty-five percent of the units in it are affordable.¹

When less than ten percent of a community's housing is affordable as defined by Chapter 40B, the statute effectively supersedes many local regulations that would make it difficult for developers to build affordable housing. In a community that is subject to Chapter 40B, affordable housing developers may file a single (comprehensive permit) application with the ZBA in lieu of separate applications to other local boards. The ZBA may grant, grant with conditions, or deny the comprehensive permit. If the ZBA denies an application or grants a comprehensive permit with conditions that make the development uneconomic, the applicant may appeal to the State's Housing Appeals Committee (**HAC**), which has authority to overrule the ZBA. HAC decisions may be appealed to Superior Court.

1. Rental developments may be eligible for a comprehensive permit if at least 20 percent of the apartments are affordable to very-low-income renters.

II. HOUSING CONDITIONS IN PLYMPTON

- Plympton is home to 2,820 residents. The population is expected to increase an additional 6.5% by 2040. ¹
- The number of households in Plympton increased by 31.3% from 766 in 1990 to 1,006 in 2010. It is expected to increase an additional 40.7% to 1,415 by 2040. ¹
- In 2015, Plympton had 1,074 housing units. 4.9% of Plympton's housing units (51 units) are on the state's Subsidized Housing Inventory (SHI). ²
- The number of housing units in Plympton increased 23.2% from 872 in 2000 to 1,074 in 2015. ¹
- According to the MAPC 2014 Population and Housing Demand Projections for Metro Boston, Plympton had a projected housing demand of 210-222 new units by 2020.
- Between 2000-2015, Plympton issued 119 building permits, of these 95% were for single family homes, while just 5% were for multi-family units. ¹
- In Plympton, 92.3% of units are single family detached homes, compared to 76% statewide. 88.7% of all housing units are owner-occupied. ¹
- Plympton's housing stock is relatively young, with approximately 68.6% of the housing units constructed after 1969. ¹
- Plympton has relatively little rental housing, and the existing rental inventory offers a limited supply of affordable, suitable housing choices for families. ¹
- In 2016, the median sales price of a single family home in Plympton was \$335,300.
- 26% of owner occupied households and 69% of renter-occupied households in Plympton are considered to be cost burdened (paying more than 30% of their gross income on housing.) ¹ According to a Housing Affordability Gap Analysis, 31.3% of single-family homes in Plympton are affordable to households making less than the HUD area Median Family Income of \$87,100. Approximately 20.8% of the households in Plympton had an annual income of less than \$50,000 in 2015.

1 U.S. Bureau of the Census, American Community Survey (ACS) 2012-2016 Five-Year Estimates

"Gross Rent as a Percentage of Household Income." www.census.gov

2. www.mass.gov/files/documents/2017/10/10/shiinventory_0.pdf

- According to the most recent Comprehensive Housing Affordability Strategy (CHAS) data available (2009-2013 estimates), 239 households or 24.9% of all households in Plympton are low-income households. Of that population, 8.6% are extremely low-income (less than 30% AMI) and 6.6% are very low income (30-50% AMI). Further, 130 (44.1%) of elderly households are either low, very low or extremely low income compared to 109 (16.4%) of non-elderly households.
- Approximately 10.5% of the residents in Plympton reported having some type of disability in 2015. The most common types of disabilities were ambulatory difficulties, hearing difficulties and cognitive difficulties. ¹
- The Town continues to age as the population of Plympton over the age of 45 increased 47% from 2000 to 2010, whereas the population under the age of 45 decreased 15% during the same period. ¹
- Plympton has many development constraints including wetlands, floodplain, reliance on on-site water systems and on-site wastewater disposal/septic systems. The Residential zoning bylaw allows as of right zoning for single family dwelling units, two family dwelling units and boarding/lodging house in its agricultural residential AR, Business and light manufacturing zoning districts. All other housing types are either prohibited or require the granting of a special permit. The bylaw does allow multi-family dwelling units for the elderly and disabled via special permit.
- Plympton adopted the Community Preservation Act (CPA) and local bylaw at the May 2008 Annual Town meeting. The Town approved a property tax surcharge rate of 1.5%. A minimum of 10% of CPA funds must be spent on affordable housing in accordance with the law.

III. POLICY STATEMENT

Plympton created a Housing Production Plan Committee and a subsequent plan to identify the need for affordable housing and to create goals and strategies.

The Housing Production Plan (November 2017) outlines four important goals which are furthered by these Guidelines. They include:

1. Meet the 10% state standard for affordable housing so that Plympton is no longer vulnerable to Chapter 40B housing developments. Create and maintain a level of total affordable housing units that equals 10% of total housing units.
2. Ensure that new affordable housing is harmonious with the community vision of maintaining the Town's rural character and zoning bylaws.

3. Create affordable housing units through adaptive reuse of existing buildings and town owned properties.
4. Promote a diversity of housing options in Plympton to meet the needs of a changing and aging population and promote a socio-economically diverse population.

The Board of Selectmen, in keeping with the goals and strategies of the Housing Production Plan and consistent with the best interests of the Town, has set a goal of having ten percent of Plympton's housing units eligible for and counted on the Chapter 40B Subsidized Housing Inventory. The benefits of this policy include advancing economic diversity for the community and protecting the Town's control of its own zoning.

While all 40B applications will be addressed individually according to applicable laws and regulations, the facts and circumstances of the individual case, input from public participation, and the sound exercise of discretion by the Town and other public agencies, developers and other affected parties are all encouraged to consider the factors set forth below in planning, review, development, and management of 40B properties.

IV. REVIEW CONSIDERATIONS

PERMANENT AFFORDABILITY

Affordable housing in Plympton should be permanently affordable, i.e., the affordability restriction should not lapse with the passage of time. Except in unique circumstances, all parties should expect this principle to apply to all Chapter 40B development in Plympton.

PREFERENCE FOR RENTAL DEVELOPMENTS

The Town prefers rental developments over homeownership developments for two reasons: first, under current state policies, market units in mixed-income rental developments count towards the Town's Subsidized Housing Inventory, and second, the Town believes that rental housing provides greater affordability and flexibility than ownership units even when not specifically regulated as means-tested housing.

1 U.S. Bureau of the Census, American Community Survey (ACS) 2012-2016 Five-Year Estimates "Gross Rent as a Percentage of Household Income." www.census.gov

PROPERTY MANAGEMENT AND COMPLIANCE WITH AFFORDABILITY RESTRICTION

Rental housing developers must provide qualified, experienced, property management personnel, on-site in the case of large projects. In addition, they must demonstrate adequate capacity to comply with the project's affordable housing restriction, e.g., the income eligibility of tenants and monthly rent and utility charges consistent with limits imposed by the applicable housing subsidy program.

PERCENTAGE OF AFFORDABILITY

At least 25 percent and not more than 50 percent of the units in a comprehensive permit should be affordable. However, the Town is open to making 20 percent of the units affordable in a comprehensive permit rental development if the units are affordable to low-income (at or below 50 percent of area median income) tenants.

INCOME TARGETS

Rental developments should provide a continuum of affordability, such as units at 30 percent, 50 percent, 80 percent, and 110 percent of Area Median Income (AMI).

LOCATION, GENERAL

In general, the Town prefers that affordable housing be spread throughout town. In addition, the Town prefers affordable housing for families to be located near elementary schools, and affordable housing for seniors to be located near the Town services. No section of Plympton is precluded from affordable housing development.

DESIGN

The Town recognizes that many factors determine appropriate design. The following points are general guidance for developers to consider in designing their projects. The Town understands that each project is different and that some of the following points may not apply in particular cases.

- **Make every reasonable effort to comply with local regulations.** Minimize the number and extent of waivers required for height, setback, or other requirements. Under Chapter 40B, waivers of local rules and regulations are not "automatic." Rather, the Town's responsibility is to consider waiving requirements that would make a project uneconomic to build. It is the applicant's burden to demonstrate the need for each requested waiver.
- **Orient buildings toward the street wherever possible.** A portion of the project should continue the neighborhood street front. Orientation for other considerations such as solar access should also consider general site orientation to the street. Developers should choose design solutions that serve the interests of the site, sustainability, and preservation of the character of the neighborhood.

- **Pay attention to design elements found in the neighborhood, and make use of them where possible to help developments fit with the neighborhood.** The design should be as consistent as possible with the existing building frontage in scale and character. Use existing topography where possible to minimize the impacts of the massing of the new construction on adjacent properties.
- **Locate off-street parking to the side and rear of buildings.** This will help to ensure that buildings and landscaping, not parking, define views from the road.

DENSITY

Plympton is a low density rural community. They typically limit single family construction to 1 unit per 60,000 square feet and two family to one unit per 100,000 square feet. Multi family is allowed by special permit for elderly and the disabled. A LIP (Local Initiative Program) or small scale 40b would be more likely to be in keeping with the Town's housing goals and strategies, while fitting in with the existing surroundings and be more acceptable to the community

HISTORIC PRESERVATION

Preserve historically significant buildings and features. Buildings listed in the State Register of Historic Places or the Massachusetts Cultural Resources Inventory System (**MACRIS**) are presumed to be significant, but other buildings not listed may be significant as well. Developers should consult with the Plympton Historical Commission if their site includes an existing older building *before* submitting a Project Eligibility application to MassHousing or another Subsidizing Agency.

MIXED USE/VILLAGE DEVELOPMENT

Developers are encouraged to:

- Reuse and redevelop existing buildings, e.g., older commercial, industrial, or institutional facilities, and
- Provide housing in mixed-use buildings, provided the location is zoned for compatible business uses.

ENVIRONMENTAL CONSIDERATIONS

- Use environmentally responsible design, whether Leadership in Energy and Environmental Design (**LEED**) certification or other generally accepted standards, taking steps to minimize adverse impacts on natural resources, conserve water and energy, use native plants, and use green building construction materials.
- **Incorporate landscaping treatments** that will help to blend the project with surrounding area, including retaining mature trees and existing vegetation where possible.

- **Take active steps to protect nearby wetlands and other open space**, including resource areas covered by the local wetlands bylaw even if not required by the Massachusetts Wetlands Protection Act.
- MINIMIZE IMPERVIOUS SURFACES.

NEIGHBORHOOD SUPPORT

Developers are encouraged to work with residents of affected neighborhoods. It is a favorable consideration for developers to address reasonable neighborhood concerns.

LOCAL PREFERENCE

To the maximum extent allowed by law, the Town wants to establish a local preference observed in tenant and buyer selection, including affordable housing lotteries. Local preference means:

- At least one member of the household currently lives in Plympton;
- At least one member of the household works for the Town of Plympton, or for a business or non-profit organization located in Plympton; or
- The household includes at least one student attending the Plympton Public Schools or Silver Lake School District (School Choice, Etc.).

State policies or other requirements may limit or preclude local preference for a specific development. However, the Town expects developers to advocate and make reasonable efforts to secure applicability of local preference, at the time of the lottery for initial occupancy, for their projects.

OTHER PUBLIC BENEFITS

Provide other public benefits in addition to affordable housing, e.g., 1) pass-through easements to adjacent public properties and open space; 2) streetscape improvements; or 3) pedestrian linkages.

V. PROCEDURES

A. PRE-APPLICATION PHASE

When planning to apply for a comprehensive permit, an applicant should meet with Town staff and some of the Town boards at the earliest possible point in the planning process. These discussions should occur **before filing a Project Eligibility application** with MassHousing or another subsidizing agency. Many problems that occur during the permitting process can be

reduced or avoided altogether if applicants take the time to consult with local officials and accommodate reasonable requests while a project is still at the conceptual stage. Furthermore, early consultation can help make local review of Project Eligibility applications much smoother.

KEY STEPS

- **Meet with the Town Administrator** to discuss plans for the site. Ask about the site's history, the neighborhood, other recent developments and developments in the pipeline nearby, and issues that might cause concern for Town boards. The degree to which proposed buildings fit with surrounding development will weigh heavily in how a comprehensive permit application is received and can aid applicants in exploring possibilities for building design, landscaping treatments, exterior lighting, and so forth, depending on the site and the types of housing you intend to construct.
- **A preliminary meeting with the Town Departments** is an efficient way to obtain feedback about many aspects of the project. Consider introductory meetings with the Building Commissioner, Conservation Agent, Highway Superintendent, Chief of Police, Fire Chief, and Director of Public Health. Be open to input and guidance from Town staff. They have technical information that the applicant will need in order to plan the site and prepare for the meetings with Town boards.
- **Have a preliminary meeting with the Conservation Commission** if the project will require approval under the state Wetlands Protection Act, G.L. c. 131, s. 40 and/or any waivers under the Plympton Wetlands Bylaw. Chapter 40B developments that affect wetland resource areas usually require an Order of Conditions under G.L. c. 131, s. 40, but the local wetlands bylaw, like other local regulations, falls under the purview of the ZBA. It is in your interests to comply with the local wetlands bylaw because doing so may reduce the number of waivers you need in order to construct your project. You should not assume the ZBA will grant local wetlands bylaw waivers simply because you ask for them.
- **Meet with the Plympton Historical Commission** if your project involves substantial alterations to or demolition of a historically significant building.
- Meetings with the Conservation Commission and other Town boards and committees are subject to the Open Meeting Law.

- The Town cannot require applicants to discuss the project with neighbors, but it is to the developers' advantage to do so as soon as possible - certainly before applying for a Project Eligibility letter (see below).

Pre-application consultations will not lead to any binding decisions. The purpose of the meetings is to give the applicant a chance to present the proposal for the property and to obtain information from the Town, and to give the Town a chance to learn about the proposed plans. If the ZBA is represented at any of these meetings, the ZBA member who participates will speak only as an individual, not in an official capacity as a ZBA member.

B. ELIGIBILITY TO APPLY FOR A COMPREHENSIVE PERMIT

The following prerequisites must be met by anyone applying for a Chapter 40B comprehensive permit:

1. The applicant must show evidence of site control, such as a deed, purchase and sale agreement, or option to purchase;
2. The applicant must be a public agency, non-profit organization, or limited dividend organization; and
3. A housing subsidy program must have determined that the proposed project is fundable.

Developers must have obtained a pre-application eligibility letter from an agency that subsidizes low-or moderate-income housing by filing an application to a housing subsidy program. In most cases, MassHousing will be the housing subsidy agency that issues a **Project Eligibility** determination, but DHCD, the Massachusetts Housing Partnership (**MHP**), and MassDevelopment also subsidize low- or moderate-income housing and issue project eligibility letters. Developers wishing to build under a Local Initiative Program (**LIP**) comprehensive permit must obtain a project eligibility determination from DHCD - with the approval of the Plympton Board of Selectmen.

Once an applicant submits a Project Eligibility application to MassHousing, the Board of Selectmen will be notified. MassHousing will request local comments within 30 days. In

Plympton, the Board of Selectmen seeks comments from Town departments and other Town boards, and compiles all comments received into a single submission to MassHousing.

Depending on the project (mainly the project's size, location, and density), the Board of Selectmen may convene a meeting with representatives of other Town departments and committees in order to facilitate a conversation about the proposed development. Applicants will be afforded an opportunity to be heard, and may be invited to make a presentation and respond to questions.

C. COMPREHENSIVE PERMIT APPLICATION REQUIREMENTS

This section of the Guidelines summarizes the key features of Plympton's comprehensive permit process. In accordance with Chapter 40B, the ZBA has adopted **Comprehensive Permit Rules**.

The application for a Comprehensive Permit shall include:

- a) **Project eligibility letter: copy of letter issued by** subsidizing agency.
- b) **Evidence of site control: copy of** deed, purchase and sale agreement, or option to purchase. Documentation should include evidence of standing or proof of legal control of the property in the form of a property deed, purchase of lease agreement, or other legally binding documentation. A non-owner applicant shall present notarized authorization of the subject application by the property owner, if not signatory to the application.
- c) **Property Location Map:** Shows all abutting property to which notice is required and includes a list of names and addresses thereof or recent abutters list. Notification to abutters is the responsibility of the applicant and shall be in accordance with the paragraph entitled "Notice to Abutters" contained herein.
- d) **Preliminary Subdivision Plan:** Where a subdivision of land is involved, provide subdivision plan conforming to all of the applicable requirements of the Plympton Rules and Regulations Governing the Subdivision of Land.
[https://www.town.plympton.ma.us/sites/plymptonma/files/pages/2016 zoning and municipal bylaws rev 072816.pdf](https://www.town.plympton.ma.us/sites/plymptonma/files/pages/2016_zoning_and_municipal_bylaws_rev_072816.pdf)
- e) **Preliminary Site Development Plans:** Includes the locations and outlines of proposed buildings and general dimensions; general dimensions and materials for streets, drives, parking areas, walks and paved areas; and proposed landscaping improvements and open areas within the site; as well as buildings on all abutting property to the proposed development including abutters separated by a public way.

Plan Standards: *All plans shall be drawn to conform to standards established by the Town of Plympton Planning Board. Scale (1"=40', except locus plan). All plans shall be dated and include a North Arrow, name and address of the property owner and designer, and certification of compliance with the Plympton Zoning bylaws with any exception (s) noted. All plot plans and site plans for property line determinations shall be prepared by a Massachusetts Certified Professional Land Surveyor and referenced to USGS Datum and/or MassGrid. Whenever required plans shall be stamped and signed by a Registered Professional Engineer and or Registered Landscape Architect, licensed by the Commonwealth of Massachusetts.*

A report on existing site conditions and a summary of conditions in the surrounding areas, including but not limited to existing topography including identification of soils classification in accordance with NRCS standards and geographic features, such as wetlands, ledge, boulders, flood zones, zoning district lines, zoning overlay districts, easements, rights-of-way, encumbrances, limitations of any other natural or imposed restriction or constraint that may affect the proposed construction of site development; the location and nature of existing buildings; existing street elevations; traffic patterns; and character of open areas, if any, in the neighborhood.

- (f) **Preliminary, Scaled, Architectural Drawings:** Drawings for each building shall be signed by a Massachusetts Registered Architect and shall include typical floor plans, typical elevations, and sections, and shall identify construction type and exterior finish. All architectural drawings shall be coordinated with the Site Development Plans of the proposed project. If there is any discrepancy or inconsistency between the site development plans and the architectural drawings submitted as respects number of units, size of units, number of rooms or other quantitative irregularities that the Board of appeals may consider significant, the application shall be considered incomplete and may not be accepted by the Board of Appeals until any such discrepancy is resolved.
- (g) **Tabulation of Proposed Buildings:** Include list by building type, size (number of bedrooms, floor area) and ground coverage, and a summary showing the percentage of the tract to be occupied by buildings, by parking and other paved vehicular areas, and by open areas.

Note: Any and all rooms that may be used as a bedroom, including but not limited to studies, offices, dens or any other room not intended for use as a kitchen or living room (Limited to one each) or a bathroom (s), shall be counted as a bedroom for the purposed of this tabulation. Any room that is larger than would normally be anticipated in a dwelling unit of the size proposed or that could reasonably be subdivided into separate usable living space shall also be counted as a bedroom for the purposes of such tabulation.

- (h) **Preliminary Utilities Plan:** Shows the proposed location and types of all public utilities, including but not limited to sewage, drainage, electrical, cable, telephone, gas and water facilities, including hydrants. All connections to utilities at the street or property line with proper separation of all such utilities shall be shown.

- (i) **Stormwater Management:** Adequate supporting information shall be provided to demonstrate that the drainage system will meet all Stormwater Management Guidelines promulgated by the Massachusetts Department of Environmental Protection, or best management practices, whichever is more stringent.
- (j) **List Of Required Exemptions:** Concise list of exemptions to local requirements and regulations, including local codes, ordinances, by-laws or regulations, along with an explanation of the reasons for seeking such exceptions; It shall be the applicant's burden to demonstrate that the waiver of any particular local regulation, by-law or ordinance is necessary in order to maintain the project's economic viability. There shall be a presumption that the waiver of any local bylaw, ordinance or regulation will adversely affect local concerns.
- (k) **A copy of all materials and applications submitted by the applicant to any subsidizing agency or source including, but not limited to the project financial pro forma and application for site approval.**
- (l) **Developer's Profile:** A list of each member of the development and marketing team, including all contractors and subcontractors, to the extent known at the time of application.
- (m) **List of all Prior Development Projects** completed by the Applicant, along with a brief description of each such project.
- (n) **Conservation Filing:** If the project requires work that would, in conventional circumstances, require a filing with the Plympton Conservation Commission under any local wetlands bylaw, the applicant shall provide any and all information that would normally be required for such a filing with the Conservation Commission. See Town of Plympton website for details. <https://www.town.plympton.ma.us/conservation-commission>
- (o) **Required Fees** (see section D below).

D. **APPLICATION FEES:** The application shall be accompanied by five (5) checks for the following fees:

Application Fee for ZBA Determination Made payable to: Town of Plympton

- Limited Dividend Organization \$1,000 flat fee plus \$50 per unit
- Non Profit Organization \$1,000 flat fee plus \$25 per unit
- Public Agency or governmental entities \$0

Advertising Fee - \$84.00 Made payable to: Town of Plympton

Certified Abutter's List (available from Assessor's Office)- \$35.00

Made payable to: Town of Plympton

Postage for notices: _____ # Abutters x \$6.59= \$ _____

Made payable to: Town of Plympton

Subject to prices of US Post Office Abutters Certified Letter Postage Cost

Technical Assistance Escrow Deposit - \$30,000

Made payable to: Town of Plympton (See section E.)

The applicant is responsible for any other fees that may apply to this project.

These fees are applicable for both original applications as well as for applications for permit modifications that are deemed to be substantial by the Board.

E. **NUMBER OF COPIES**

Thirty (30) copies of the complete applications should be filed with the Town Clerk. Upon receipt of the complete application packet, the board of appeals shall distribute copies to Town Departments, Boards, Commissions and Technical Consultants for review and comment.

F. ACCEPTANCE OF COMPLETE APPLICATION

No application shall be duly submitted in accordance with the general laws of Massachusetts until such time as all information required has been received and date stamped by the Town Clerk. A complete application shall include the required application filing fees and escrow payment.

G. PEER REVIEW AND TECHNICAL ASSISTANCE FEES

When reviewing an application for, or when conducting inspections in relation to, a Comprehensive Permit application, the Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town lacks the necessary expertise to perform the work related to the Comprehensive Permit application. The escrow for technical review fees is intended to cover the Town's cost of hiring outside consultants, including but not limited to engineers, landscape architects, architects, legal counsel, financial, real estate, and/or other professionals to review the project. The initial escrow deposit amount required for a Comprehensive Permit shall be \$30,000, but may be adjusted by vote of the Board of Appeals. Whenever the account falls below 50% of the requirement set by the Board, the applicant shall deposit an additional amount sufficient to return the account to the required level. Any unexpended monies in the escrow account shall be returned to the applicant only after all obligations are satisfied.

Change in escrow requirements: Any reduction or increase in the escrow amount shall be approved by unanimous vote of the Board of Appeals. The applicant may appeal the escrow requirements in writing to the Board of Appeals at the time the application is submitted, stating the reasons for such appeal. Any requested escrow change shall be the first order of business prior to opening of the Public Hearing. Any reduction in the escrow requirement approved by the unanimous vote of the board of Appeals shall be refunded to the applicant as soon as practicable.

If a comprehensive permit project requires an order of conditions under G.L.C.131 chapter 40 (Wetlands Protection Act) and needs waivers from a local wetlands bylaw of wetlands protection district zoning requirements, the ZBA and Conservation Commission would work cooperatively and hire the same peer reviewer. Having one environmental consultant making recommendations about a project can help to avoid conflicts between boards and ensure that developers provide appropriate mitigation.

Funds received by the Board pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose, consistent with the terms and provisions of M.G.L. c. 44, §53G. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a

specific project or projects for which a project review fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose.

If the ZBA requests project changes and the developer refuses because the changes would make the project uneconomic, the ZBA may hire a peer review consultant at the developer's expense to review the developer's pro forma. Chapter 40B regulations specifically prohibit reviewing a pro forma in order to see whether a project would still be economic if the number of dwelling units were reduced, unless such reduction is justified by a valid health, safety, environmental, design, open space, planning or other local concern that directly results from the size of a project on a particular site. Reducing the density of a comprehensive permit development should be based on valid planning considerations, design deficiencies, or environmental impacts.

At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

The minimum qualifications for consultants shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. Any applicant may make an administrative appeal from the selection of the outside consultant to the Board of Selectmen. Such appeal must be made in writing and may be taken only within 20 days after the Board has mailed or hand-delivered notice to the applicant of the selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not process the minimum, required qualifications. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Board shall stand.

H. NON COMPLIANCE WITH ESCROW REQUIREMENTS

Failure to fulfill escrow requirements shall constitute an incomplete application and be considered sufficient grounds for denial of said application. The public hearing shall be suspended until such time as the escrow requirement is met.

I. NOTICE TO ABUTTERS

Abutters within a three hundred foot (300') radius of the subject property shall receive reasonable notice of a public hearing under M.G.L. Chapters 40A, 40B and 41. The applicant shall obtain a certified abutters list from the Plympton Board of Assessors and complete a mailing to those abutters as soon as practicable. If a project is sited within 300' of the Town

line, all abutters in the neighboring town shall also be notified, based on a certified abutters list obtained from that town' Board of Assessors. The applicant shall provide a full list of abutters and provide proof of the mailings to the Board of Appeals.

J. PUBLIC HEARING AND PUBLIC NOTICE

Public Hearings are held in accordance with M.G.L. c. 40A, Section 11, at the Plympton town House and are public under Massachusetts Open Meeting Law.

The applicant and/or its designated representative may present the petition and answer questions pertinent to the project. If the applicant designates a representative to act on his or her behalf, the applicant shall provide written authorization to the Board of Appeals in advance of any appearance by that representative before the Board.

The public hearing is part of a legal process. The board reserve the right at its discretion to place under oath any and all witnesses or speakers at its public hearings. Any information provided to the Board shall be true and accurate under the full penalties of perjury.

The applicant is responsible for advertising costs for the legal notice of public hearing in a newspaper of general circulation within the town.

A public hearing shall be commenced within (30) days of filing of the complete application packet and the required application filing fees and technical review escrow with the Town Clerk, except:

1. Such thirty-day period shall not commence until such time as a complete application packet with the application filing fee and technical review escrow deposit has been received in accordance with the section contained herein entitled, acceptance of the application.
2. Further, the applicant shall file a time extension agreement with the board of appeals for the earliest available public hearing date, if there is none available within the required thirty-day period.

K. CRITICAL DEADLINES FOR CHAPTER 40B COMPREHENSIVE PERMITS

- Within 7 days of the receipt of the comprehensive permit application, the ZBA must distribute copies of the application to all Town departments, boards, and committees with a role in the review process. In Plympton, this means the Planning Board, Conservation Commission, Board of Health, Public Works Department, Housing Partnership, Department of Public Works, Police Department, Fire Department, Building Inspector, Historic District Commission, Town Administrator and Board of Selectmen. (This is why pre-application meetings may be helpful both to the applicant and the participating Town officials.) In order to allow review by local officials, the Applicant shall provide the Town Clerk with thirty copies of the complete application so that all boards, officials and departments may review

the same; and one unbound copy for copying purposes. Additionally 11" x 17" copies of all plans (with match-lines) shall be made available to the Town Clerk for copying purposes.

- Within **14 days** of receipt of the comprehensive permit application, the public hearing must be advertised, with proper legal notice and proper notice to abutters. (Applicants will be responsible for the cost of publishing the legal notice and mailing the notice to abutters.)
- Within **30 days** of receipt of a complete comprehensive application, the ZBA must open the public hearing unless the applicant grants permission in writing to hold the hearing at a later date.
- Within **15 days** of opening the public hearing, the ZBA must determine whether it wants to deny an application on one or more of the grounds identified in DHCD's Chapter 40B regulations at 760 CMR 56.03(1), following procedures under 760 CMR 56.03(8). The ZBA must provide written notice to the applicant and to DHCD.
- Within **15 days** of receiving the ZBA's notice, the applicant must file a written response with DHCD if she/he wants to challenge the ZBA's assertion that it can deny the application. The applicant must provide a copy of that response to the ZBA.
- Within **30 days** of receiving the applicant's appeal, DHCD must issue a decision. DHCD's failure to issue a timely decision will result in a determination in favor of the ZBA.
- Unless the applicant provides written consent, the ZBA cannot extend the public hearing beyond **180 days** of the initial hearing date. The 180 day limit assumes that the applicant will make timely submissions of materials reasonably requested by the ZBA.
- The ZBA must render a decision - a denial, approval, or approval with conditions - within **40 days** of the closing of the public hearing, unless the applicant agrees in writing to an extension.
- If the ZBA denies the permit or approves the permit with unacceptable conditions or requirements, the applicant has the right to appeal to the Housing Appeals Committee within **20 days** after the written decision has been filed with the Town Clerk. Similarly, any person aggrieved by the ZBA's issuance of a comprehensive permit may appeal in court within **20 days** of the date that the decision is filed with the Town Clerk. No Comprehensive permit shall take effect until a copy of the decision, bearing the certification of the Town Clerk, that twenty (20) days have elapsed after the filing of the decision and no appeals have been filed, is recorded in the Registry of Deeds and is indexed under the name of the owner of record of the land.

L. MANAGING THE PROCESS

- The ZBA requires enough information to understand the physical characteristics of the site, the health, safety, and welfare impacts of the project, and the impact on the neighborhood. The ZBA's minimum application requirements are designed to provide this information at the outset. A **complete comprehensive permit application** will help to minimize delays in the permitting process.
- The ZBA strongly encourages that applicants meet with the neighbors in advance of the first public hearing to explain the proposed project and receive input that will make the project more acceptable to the neighbors.
- In addition to considering the contents of an application, the ZBA may conduct a **site visit** in order to understand the site and neighborhood conditions, the proposed site plan and building design, and the location of abutters who will be most affected by the proposed development.
- Depending on the issues involved with the site or the proposed development plan, the ZBA may hire qualified **peer review consultants including engineers, scientists, financial analysts, planners, lawyers, urban designers, or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, bylaws and regulations** to assist with the review process. The applicant will be responsible for paying the reasonable cost of these services. Plympton has adopted the provisions of G.L. c. 44, s. 53G, so the applicant will be asked to deposit funds in an escrow account that the ZBA can use to pay the peer review consultants.
- The ZBA may ask the applicant to participate in **work sessions** in order to examine specific issues in a setting less formal than that of a public hearing. Work sessions are advisory; they do not constitute an extension of the public hearing. The sessions would be announced at the public hearing and posted as public meetings under the Open Meeting Law so that interested people can attend and observe. No substantive decisions can be made at work sessions, however. At the next public hearing, one of the attendees will provide the full ZBA with a report about matters discussed at the work sessions. The ZBA has the discretion to hire a third party mediator to facilitate these meetings, to be paid for by the Applicant, using a consultant with experience in Chapter 40B at no cost, through the Massachusetts Housing Partnership program.
- In its discretion, the ZBA may defer to the Town Manager to assemble a **mitigation team** or committee to negotiate with the developer for mitigation to address the impacts of your project on traffic, infrastructure, public facilities, or public services. At the conclusion of its work, the mitigation team will make recommendations to the ZBA for conditions to be incorporated in the comprehensive permit decision.

- If the applicant and the ZBA cannot reach agreement about project changes the ZBA has requested, the applicant will be asked to prove that the requested changes will make the project uneconomic. This means the applicant will need to submit a **development pro forma** for the ZBA's review, and the ZBA may decide to hire a peer review consultant to examine the pro forma and its assumptions.

M. THE ZBA'S DECISION

- The ZBA will close the public hearing when all relevant information has been received and all parties have had opportunity to present their issues. After closing the hearing, the ZBA will deliberate and reach a decision.
- The ZBA has three members and two associate members. One or more of the associate members may participate in the public hearing. The affirmative vote of two persons of a three person panel is required to render a decision. The panel to render a decision will normally be the three members of the ZBA. If any regular member has not attended all sessions of the public hearing or is otherwise unavailable, the Chairman will designate an associate member to serve on the panel to render a decision.
- The ZBA will review the waivers the applicant has requested in the application. The ZBA will normally grant waivers that will allow an affordable housing development to go forward, assuming the project's impacts can be mitigated in a manner that protects the Town and surrounding neighborhood. However, applicants should not assume that all of the requested waivers will be granted. The applicant has the burden to demonstrate that the waivers are essential for constructing the project.
- In making its decision, the Board may take into consideration the recommendations of local officials.
- The Board shall render a decision, based on a majority vote of the Board, within forty days after termination of the public hearing, unless such time period is extended by written agreement of the Board and the applicant. The hearing is deemed terminated when all public testimony has been received and all information requested by the Board has been received.

The Board may dispose of the application in the following manner:

- (a) **approve** a Comprehensive Permit on the terms and conditions set forth in the application,
- (b) **deny** a Comprehensive Permit in the event that the proposed project presents adverse impacts to local concerns that outweigh the community's housing needs, or
- (c) **approve with conditions**, including but not limited to the number of permitted housing units, the height, size, shape or general appearance of the proposed buildings, the configuration of the site plan, and any other reasonable condition that is necessary to address local concerns

while not rendering the construction or operation of such housing uneconomic. In order to assist the Board with determining the permissible extent of conditions, the Board may require that the Applicant provide a revised pro-forma at the Board's request, during the latter stages of the public hearing after the parties have had an opportunity to review the proposed project and any revisions thereto. The economic viability of a project may be determined with reference to the average profit earned by other developers of residential housing, as adjusted for the type of housing and the geographical area.

If a subdivision of land is involved, the following shall apply: 1.) No construction is permitted until a Definitive Subdivision Plan has been submitted to and approved by the Board; 2.) The Definitive Subdivision Plan shall be prepared and submitted in accordance with Plympton's Regulations governing the Subdivision of Land. The Zoning Board and not the Planning Board is the permit granting agency.

No Comprehensive Permit shall take effect until a copy of the decision, bearing the certification of the Town Clerk, that twenty (20) days have elapsed after the filing of the decision and no appeals have been filed, is recorded in the Registry of Deeds and is indexed under the name of the owner of record of the land.

The decision letter shall include procedural history, governing law, finding of facts and decision conditions, Signature Page, Exhibits, waivers, pertinent documents. In addition the ZBA's decision should provide for ongoing monitoring of the development once the subsidizing agency's monitoring role has ended. Conditions that address future monitoring and the applicant's responsibility will help to ensure that affordable units remain affordable and eligible for the SHI, subsidized housing inventory.

The Board of appeals shall file the written decision with the Town Clerk. A copy will be sent to the applicant and property owner, if not the applicant, by certified mail or hand delivery. A copy shall be sent to DHCD as required by its regulations. Postcard notification of the Board's decision shall be sent to other parties of interest by regular mail. For the purposes of this section, other parties in interest shall mean abutters within 300' of the subject property, whether or not separated by a public or private way, and those in attendance at the public hearing requesting such notification.

N. PERFORMANCE GUARANTEES

The Board of Appeals may require the developer at its expense to procure and maintain such performance guarantees as it deems necessary to protect the interest of the Town of Plympton. Any such requirement may be included as a condition of the Board's decision

O. APPEALS

Any decision of the Board of Appeals may be appealed to Superior Court or the Housing Appeals Committee (provided in M.G.L. c. 40A, § 17.) within twenty (20) days after filing of the written decision with the Town Clerk.

If the Board denies the Comprehensive Permit or approves the Permit with conditions or requirements considered by the applicant to be unacceptable, the applicant may appeal to the Housing Appeals Committee as provided in M.G.L. c. 40B, § 22.

P. RECORDING THE DECISION

After receiving certification from the Town Clerk that no appeal has been taken within the twenty (20) day appeal period (if appealed then dismissed or denied), a designated agent of the Board of appeals shall file a copy of the Board's decision at the applicant's expense with either the Registrar of the Plymouth County Registry of deeds to be recorded and indexed in the grantor index under the name of the owner of the record in the case of unregistered land, or with the recorder of the land court to be registered and noted on the owner's certificate of title in the case of registered land. Copy of the recording fee receipt shall be attached to the official file of the board of appeals. The board of appeals at its discretion may require the applicant to provide sufficient monies in advance to pay the filing fee as well as reasonable expenses incurred by the Board of Appeals to file its decision. The effective date of the Comprehensive permit and or any extension, modification or renewal thereof, shall be valid only after such time as the decision is recorded.

Q. EXPIRATION

The applicant shall commence construction within two (2) years from the date of approval of the Comprehensive permit by the Board of Appeals, or it shall lapse. Construction shall proceed expeditiously on a timeline mutually agreed upon by the Board of Appeals and the applicant. Any delay or deviation from such agreement by the applicant is subject to review and modification of the Comprehensive Permit by the Board of Appeals.

R. CHANGES IN THE APPLICATION

In the event that, during the public hearing, the Applicant proposes any changes in its Application or project plans that, in the Board's discretion, constitutes a material or substantial change to the project, the Applicant shall provide a new site-eligibility letter from the designated subsidizing agency.

In the event of material or substantial changes, the Board may request, and the Applicant shall provide, any and all information specified hereof that is deemed by the Board to be necessary to evaluate such changes.

In the event of a material or substantial change, any and all plans and supporting information shall be provided to all of the local entities identified in section F.

If the Applicant submits a revised plan for the Board's consideration and said plan is the plan that is the subject of the Board's hearing and deliberation, then the Application shall be deemed to be revised, subject to the foregoing provisions.

S. TERMS AND CONDITIONS OF THE COMPREHENSIVE PERMIT

Any comprehensive permit issued with or without conditions specific to the proposed project, sited in whole or in part within the Town of Plympton, shall be valid only for the applicant to which it has been issued. No comprehensive permit approved by the Plympton Board of Appeals may be assigned or transferred to any other party or entity without its expressed written approval. An approved comprehensive permit, and any extension, modification or renewal thereof, shall take effect only at such time as the Board's decision has been recorded at the Plymouth County registry of deeds and/or the Land Court, as applicable.

T. REQUESTS FOR COMPREHENSIVE PERMIT MODIFICATIONS

Chapter 40B allows for two types of modifications the developer may request after the ZBA has granted a comprehensive permit; an insubstantial change and a substantial change. 760 CMR 56.05 (11) The ZBA has 20 days to determine and notify the developer/applicant whether a requested change is substantial. If it is insubstantial, the change is deemed approved. A substantial change follows the same basic timelines as the original permit; a public hearing must be held within 30 days of the hearing. Under DHCD's chapter 40B regulations, changes such as an increase of 10 percent or more in building height or number of units generally qualify as substantial modifications (760 CMR 56.07 (4)).

U. POST COMPREHENSIVE PERMIT PROCEDURES

FINAL APPROVAL- The subsidizing agency is responsible for issuing a final approval after the ZBA has issued a comprehensive permit. The agency confirms that the project still qualifies under the project eligibility criteria. They review local preference requests confirm conditions of comprehensive permit are applicable with local laws including the requirements of the applicable subsidy program. It also includes review of the affordable housing restriction that will govern the project is enforceable under G.L. c.184 31-32 and keep the unit affordable over time. The subsidizing agency is responsible for making sure that cost certification requirements are met and that a regulatory agreement with the subsidizing agency is executed, recorded and legally enforceable contract that lays out the financial, limited dividend, affordability, monitoring and other requirements the developer will have to meet for the duration of the subsidizing agency's oversight

V. CONSTRUCTION AND OCCUPANCY

Building construction should not commence until the subsidizing agency has granted final approval and the regulatory agreement has been recorded with the Registry of Deeds. For large or complicated projects, it is common to require developers to attend a pre-construction conference with the building inspector and representative for the police, fire departments and other municipal departments that have construction inspection and sign off requirements.

During the construction period, the developer will begin to market the affordable units under an affirmative fair housing marketing and resident selection plan (AFHMP) approved by the subsidizing agency. The AFHMP provides for outreach to protect classes of people under fair

housing laws who might be less likely to apply for the housing and to ensure that they have equal opportunity to apply for the affordable units. If local preference has been approved by the subsidizing agency for any units in the development, it will be carried out in accordance with the AFHMP.

W. POST-OCCUPANCY REQUIREMENTS

When the project is finished and occupied, the subsidizing agency will assume responsibility for monitoring compliance with the housing restriction and regulatory agreement. Monitoring process differs by housing type.

Homeownership developments: There is typically a third party monitoring agent under contract with the subsidizing agency. The monitoring agent's role is to review the AFHMP, monitor the initial sales, and determine substantive compliance with the affordable housing restriction. On an ongoing basis, the monitoring agent oversees unit resales, monitors requests for refinancing and capital improvements by the affordable unit owners, and provides annual reports about the project's overall compliance with the affordable housing restriction.

Rental developments: The monitoring agent reviews the AFHMP, monitors the lottery and tenant selection process for the affordable units, reviews the income eligibility documentation obtained by the lottery agent, and reviews initial rents and leases. On an annual basis, the monitoring agent reviews household income documentation obtained by the property manager and the affordable unit leases in order to certify to the subsidizing agency that the affordable units are occupied by income-eligible tenants who qualify under DHCD's guidelines.

**TOWN OF PLYMPTON
ZONING BOARD OF APPEALS**

5 Palmer Road, Plympton, MA 02061

Tel: 781-585-0571

COMPREHENSIVE PERMIT APPLICATION
Pursuant to MGL Chapter 40B, §§20-23 and 760 CMR 56.00

FOR TOWN USE ONLY (*Official Date Stamp below*):

Received by Town Clerk: _____

Received by Board of Appeals: _____

Application Fees Paid/Date: _____

Escrow Amount Paid/Date: _____

TO THE PLYMPTON BOARD OF APPEALS:

The undersigned hereby submits this application for a Comprehensive Permit pursuant to M.G.L. Chapter 40B, §§ 20-23, 760 CMR 56.00, including any amendments thereto:

APPLICANT (*Name/Mailing Address*): _____

Tel. _____ Fax _____ Email: _____

APPLICANT STATUS: Public Agency Non-Profit Organization Limited Dividend Corp.

SUBSIDIZING AGENCY/PROGRAM: _____

PROPERTY OWNER(S) (*include mailing address, if different from applicant*): _____

Tel. _____ Fax _____ email: _____

APPLICANT'S REPRESENTATIVE (*including mailing address, if different from applicant*)

Tel. _____ Fax _____ Email: _____

PROPERTY LOCATION: _____

PROPOSED PROJECT NAME: _____

List Assessors Map No., Block No., and Lot No. of all parcels _____

ZONING DISTRICT(S) OF PROPERTY: _____

Total Land Area (acres or square footage): _____ Lot Frontage: _____

BRIEF PROJECT DESCRIPTION:

Rental Ownership

Total # of Units: _____ # of Affordable Units: _____ # of Market Rate Units: _____

Number of Bedrooms: ___ 1 bedrooms ___ 2 bedrooms ___ 3 bedrooms ___ 4 bedrooms

Additional Information:

Additional Requirements (refer to Comprehensive Permit Guidelines, June 2018 for details)

Copy of Site Eligibility Letter Attached

Evidence of Site Control: Circle one. Owned Leased Under Purchase Contract

Registry of Deeds Book and Page No. _____
or Land Court Certificate of Title number _____ (Required as evidence of site control and for filing of Board's Decision)

Property Location Map

Preliminary Subdivision Plan

Preliminary Site Development Plan

Preliminary Scaled Architectural Drawings

Tabulation of Proposed Buildings

Preliminary Utilities Plan

Stormwater Management

List of Required Exemptions/Waivers

A copy of all materials and applications submitted by the applicant to the subsidizing agency or source including but not limited to the project financial pro forma and application for site approval.

Developer's Profile

List of all Prior Development Projects

- Copy of Conservation Filing, if applicable.
- Required Fees made payable to the Town of Plympton:
 - \$ _____ ZBA Determination Limited Dividend Org (\$1,000 plus \$50 per unit), Non-profit (\$1,000 plus \$25 per unit), Public agency / governmental entity-No fee
 - \$84.00 Advertising Fee
 - \$35.00 Certified Abutters list
 - \$30,000 Technical Assistance Escrow
 - \$ _____ Abutter Notification = (# of abutters x \$6.59)
- 30 copies of application

PROJECT DEVELOPMENT TEAM:

Project Developer/Mail Address: _____

Tel. _____ Fax _____ email: _____

Project Construction Manager/Mail Address: _____

Project Attorney/Mail Address: _____

Tel. _____ Fax _____ email: _____

Project Engineer/Mail Address: _____

Tel. _____ Fax _____ email: _____

Project Landscape Architect/Mail Address: _____

Tel. _____ Fax _____ email: _____

Project Architect/Mail Address: _____

Tel. _____ Fax _____ email: _____

This application must be signed by the property owner(s) of all parcels in order to be accepted. Non-owner applicants shall provide certification that permission has been granted by the property owner to file this application, if no other documentation acceptable to the Board of Appeals has been provided. If the applicant designates a representative to act on his or her behalf, the applicant must provide written authorization to the Board of Appeals in advance of any appearance by that representative before the Board.

The applicant acknowledges that:

- 1. This application shall not be considered complete without receipt of all documentation, information, and fee requirements as set forth in the applicable Comprehensive Permit Guidelines, June 2018.*
- 2. Thirty (30) complete application packets are required to be submitted.*
- 3. Noncompliance with Technical Review Escrow Requirements, as detailed in the Comprehensive Permit Guidelines – June 2018, shall be grounds for the Board of Appeals to suspend its public hearing until such time as the escrow requirement is met.*

The undersigned under penalties of perjury hereby certifies that they have read and examined the Comprehensive Permit Guidelines, June 2018 and Application with all of its supporting documentation and certifies that the required information is complete and the proposed project is accurately represented therein.

I/We hereby request a public hearing before the Board of Appeals.

Property Owner(s): _____ Date _____
Signature

Property Owner(s): _____ Date _____
Signature

Applicant(s): _____ Date _____
(Signature if not the property owner)
Applicant's interest is: Owner Developer Agent/Attorney) Other (specify)

Applicant(s): _____ Date _____
(Signature if not the property owner)
Applicant's interest is: Owner Developer Agent/Attorney) Other (specify)

Applicant(s): _____ Date _____
(Signature if not the property owner)
Applicant's interest is: Owner Developer Agent/Attorney) Other (specify)

For Office Use Only:

Distribution to Town Departments, Boards and Committees

- Zoning Board of Appeals (5 copies)
- Planning Board
- Conservation Commission
- Board of Health
- Fire Department
- Police Department
- Board of Selectmen
- Town Administrator
- Highway Department
- Board of Assessors
- Historical Commission
- Community Preservation Committee
- Building Inspector/ADA Coordinator
- Commission on Disabilities
- Affordable Housing Committee
- Elderly Housing/Housing Authority
- Council on Aging
- Town Counsel

Distribution to Technical Review Consultants

- 40B Technical Assistance
- Professional Engineer
- Landscape Architect
- Building Architect
- Financial Consultant
- Special Legal Counsel

Distribution to State Agencies

- DHCD/MassHousing
- MEPA