

LEXINGTON – LOCAL INITIATIVE PROGRAM, ‘*FRIENDLY 40B*’

July 22, 2019



*RHSO: Regional Agreement between Acton, Bedford, Concord,
Lexington, Sudbury, Wayland and Weston*

Definition

G.L. c. 40B, §§ 20-23 — known as Chapter 40B or the Comprehensive Permit Law — is a state law that was enacted in 1969 to facilitate construction of low- or moderate-income housing. It establishes a consolidated local review and approval process (known as a “comprehensive permit”) that empowers the zoning board of appeals (ZBA) in each city and town to hold hearings and make binding decisions that encompass all local ordinances or bylaws and regulations.

Affordable Unit Programs, Lexington examples

MassHousing 40B

- Lexington Courtyard
- Avalon Lexington Ridge

LIP 40B (Friendly 40B)

- Avalon (Met State)
- Fairview
- Other LexHAB

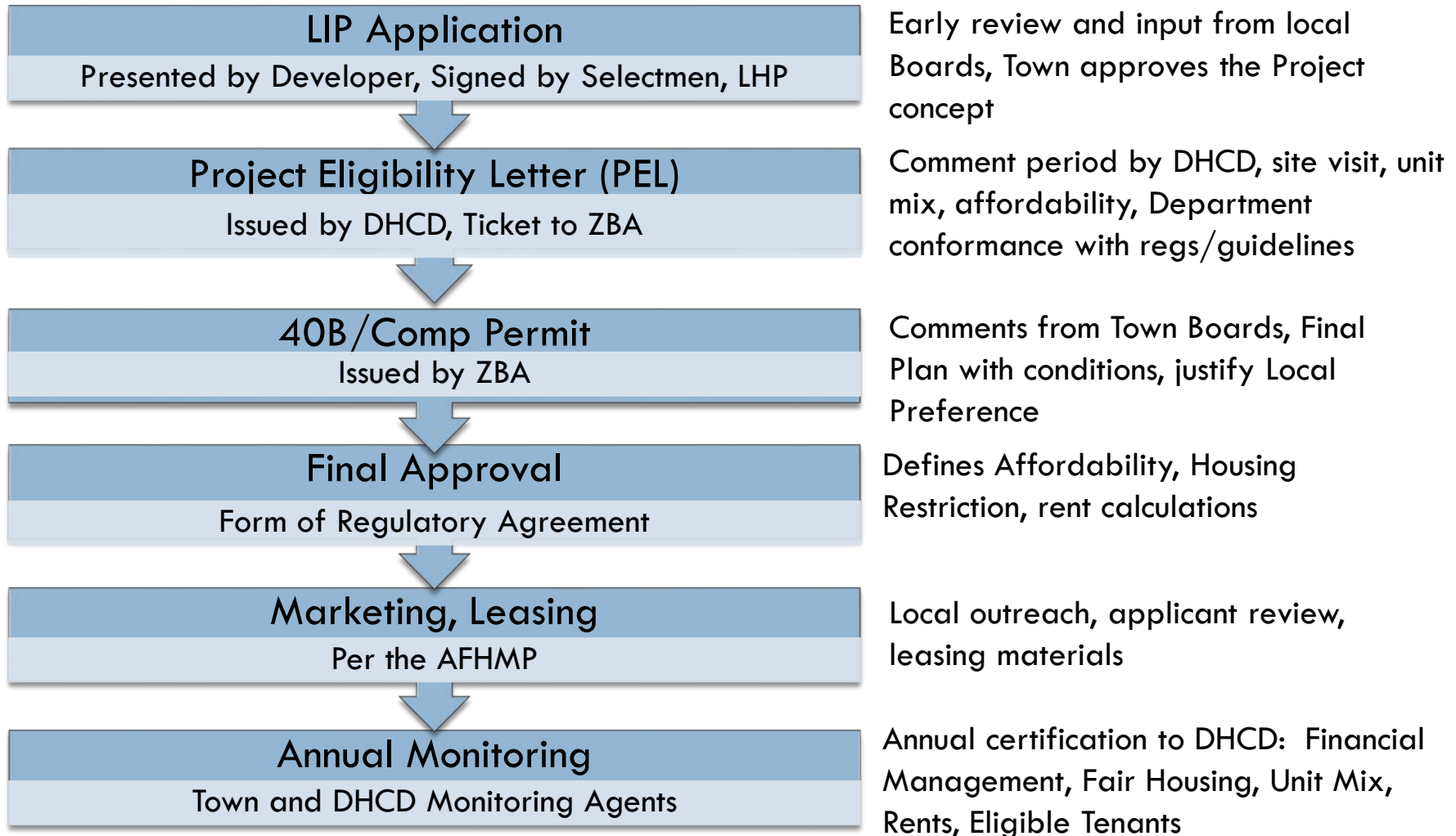
LIP Local Action Units (Special Permits)

- Manor House
- Jefferson Drive

Other

- Lexington Housing Authority
- Developments with public subsidy

LIP 40B Process and Milestones



Spotlight on Local Input

LIP Application

- Early presentation by development team to town entities, formal signature by Selectmen signifying Town support

Project Eligibility

- DHCD led, formal comment period, input by Boards and Committees, Site Visit

Comprehensive Permit Hearings

- Public hearing process, input by Boards and Committees, and residents

Summary

- Lexington has affordable units created through many programs
 - ▣ 40B and local zoning bylaws
- 40B is a legislated process with significant local input
- LIP 40B used when in 'safe harbor'
 - ▣ Ensures local support early

Resources

- Mass.Gov:

- MGL Chapter 40B, Section 20-23
- 760 CMR 56 – Comp permit regulations
- DHCD 40B Guidelines

- MHP.net:

- Chapter 40B Handbook for ZBA