

Town of Lunenburg Massachusetts Zoning Board of Appeals

RULES AND REGULATIONS GOVERNING COMPREHENSIVE PERMIT APPLICATIONS UNDER GENERAL LAWS CHAPTER 40B

Original April 1, 2004
Revised February 9, 2005
Revised February 8, 2006
Revised April 22, 2009
Revised June 29, 2017



The "RULES AND REGULATIONS GOVERNING COMPREHENSIVE PERMIT APPLICATIONS" were formulated to meet the requirements for Comprehensive Permits as defined by Chapter 40B, Sections 20 through 23 of the Massachusetts General Laws [or Chapter 77A of the Acts of 1969]. They also comply, hierarchically, with 760CMR56.00, the DHCD GUIDELINES for COMPREHENSIVE PERMIT (Updated December 2014) and the MHP Guidelines of the Massachusetts Housing Partnership, Edith Netter, (published November 2005).

Price \$20.00

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TOWN OF LUNENBURG

COMPREHENSIVE PERMIT APPLICATION

The following requirements shall apply to an Application for a Comprehensive Permit pursuant to Chapter 40B of the Massachusetts General Laws. This information is necessary for the Zoning Board of Appeals (Board) to determine whether the proposed project should be classified as “Low or Moderate Income Housing”, whether the proposed project will adversely affect the health or safety of the occupants of the project or the residents of the Town and whether any condition which the Board considers imposing on the project would render the project uneconomic.

Notice

Failure to provide the information required by these Rules & Regulations may result in the Application being dismissed on the grounds of incompleteness.¹

1. Application for Comprehensive Permit

An Application for a Comprehensive Permit consists of a completed application addressing each of the requirements of the following:

Twenty (20) copies of all information:

Standing and Status of the Applicant

Need for the Project and Town’s Compliance with 40B Criteria

Description of the Proposed Project

Information provided to Subsidizing Agency

Parties-In-Interest Map (Abutters)

Construction Schedule

Residents of the Project

Management of the Project

Payment of all Fees

- 1.1. The Board, upon receipt of a complete application, will send a copy of the complete application to each Department, Board and Commission in Town within seven days and will open a public hearing on the proposed project within 30 days of a receiving a complete application. ² An application submitted without payment in full of all fees, will not be stamped or processed and will be returned.

¹ 760CMR56.05 (5) (c)

² 760CMR56.05(3)

2 Comprehensive Permit Fees

An Application for a Comprehensive Permit must include payment with a certified check to cover all fees described in this section.

- 2.1 The non-refundable General Administration and Process Fee
The General Administrative and Process Fee portion is determined as follows:
 - 2.1.1 A minimum-filing fee of one thousand dollars (\$1000.00) per project
 - 2.1.2 Plus, an additional two hundred (\$200.00) dollars per unit.
 - 2.1.3 Refer to Section 9 for Additional Information on Fees
- 2.2 The Technical/Planning Review and Process Fee
 - 2.2.1 The Technical/Planning Review and Process Fee is to cover all expenses incurred by the Board with respect to the proposed project. Costs include but are not necessarily limited to professional engineering services, including traffic, wetlands and site design review; legal review and advice including assistance writing the decision for the Board; professional planning services, including retaining peer reviewers and supporting the Board with consultations and reports; and other related technical or planning services and inspections as required by the Board. This fee will be determined by the Board as outlined in paragraph 12.2 and shall be borne solely by the Applicant. The Board shall place the Technical/Planning Review and Consultation Fee portion in a “special account”, in accordance with and as authorized by Massachusetts General Laws (MGL) Chapter 44, Section 53G.
 - 2.2.2 The Technical/Planning Review and Process Fee will be calculated as follows:

Minimum fee	\$20,000.00
0-50 Units	\$20,000.00
51-100 Units	\$25,000.00

Fee for each additional fifty units will be an additional ten thousand dollars (\$10,000.00) not pro-rated.
 - 2.2.3 Technical/Planning Review and Process Fee that are not expended by the Board will be refunded to the applicant.
 - 2.2.4 Refer to Section 12 for additional information on Fees.

3 Standing and Status of the Applicant

The applicant shall submit to the Board the following evidence of its standing and status as a proper legal applicant:

- 3.1 Evidence if its organization as a public agency, non-profit organization, or limited dividend organization.
- 3.2 Evidence of site control or its interest in the proposed site.
- 3.3 Written communication from the subsidizing agency indicating that the site is acceptable to the agency and evidence of a Project Eligibility Letter.

- 3.4 Evidence that the Project Eligibility Letter and Application was provided to the CEO of the Municipality and a copy of all correspondence from the Municipality.
- 3.5 A list of the development team, including the names, addresses, telephone numbers of the principals in the applicant's organization, or agency, and the architect, chief design engineer and attorney.

4 Need for the Project and Town's Compliance with 40B Criteria

The Applicant shall provide the following information to demonstrate the need for the project, and the Town's compliance, or lack of compliance with the statutory minimum: the regional need for low and moderate-income housing.

- 4.1 The number of low and moderate-income units in the Town.
- 4.2 The total number of housing units in the Town.
- 4.3 The total land area in the Town which is zoned for residential or commercial use, reduced by the land areas which are in the Flood Plain District, area of all water bodies, and the land area of all publicly owned land.
- 4.4 The total number of acres and/or sites on which there is low or moderate-income housing.

5 Description of the Proposed Project

The Applicant shall provide the following information to describe the proposed project.

- 5.1 A site plan, signed by a professional engineer, showing, among other things, all existing and proposed buildings, structures, parking spaces, loading area, driveway openings, driveways, service areas and other open uses, all facilities for sewage, refuse and other waste disposal and for surface water drainage, and all landscape features (such as fences, walls, planting area and walks) on the lot.
- 5.2 Preliminary architectural, scaled drawings for all buildings, including typical floor plans, typical elevations and section, and identifying construction types and exterior finish, signed by a registered architect.
- 5.3 A tabulation of the proposed buildings by 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 space.
- 5.4 Preliminary utilities plan showing the proposed location and types of water including hydrants, drainage facilities, and sewage disposal facilities.

- 5.5 A report on existing site conditions and previous uses including existing structures, utilities, drainage, soils and groundwater. This report shall include a certification by a registered professional civil or structural engineer that the soils upon which the proposed project will be constructed have adequate weight-bearing capacity, and that the soils are not corrosive to steel, concrete, or other materials which will be located in the soils.
- 5.6 If determined by the Board to be necessary, a 21E report prepared by and LSP on the status of hazardous waste.
- 5.7 Calculation for each year during the construction phase of the proposed project showing the land area of all sites, including the proposed site, on which there will be construction of low and moderate-income units.
- 5.8 A preliminary subdivision plan (if applicable).
- 5.9 Description of the Health and Environmental Impacts of the Proposed Project
- 5.10 Sewerage Disposal
 - 5.10.1 Calculations showing the amount of water which the project will use on a daily and peak basis, the source of such water, and the adequacy of unused capacity in such source.
 - 5.10.2 Engineering plans showing the proposed method for disposing of the sewage, soil types (based on the U.S. Department of Agriculture's Soil Studies), maximum ground water elevations, location and results of soil percolation tests, and other subsurface tests at the proposed disposal site showing that the subsurface sewage disposal is feasible and will meet all State and Town requirements for such method of disposal.
 - 5.10.3 If determined by the Board to be required, the Applicant shall define the plume of contaminated groundwater from sewage disposal, the zones of contribution to existing or future municipal well sites and the impact on down gradient existing and future well sites, lakes, ponds and wetlands.
 - 5.10.4 Calculations showing the amount of sewage that will be generated on a daily and peak flow basis in gallons per day.
 - 5.10.5 Calculation of the Sewer Fees to be paid to the Sewer Commission of the Town including the privilege fee and connection fee.
- 5.11 A plan, which shows the location of any one-hundred-year floodplain on the site, the location of all areas, which are subject to protection under the Wetlands Protection Act. Further, the Applicant shall provide information and calculations to show the impact of the proposed project on floodplain and wetlands areas, both on-site and off-site and the location and nature of any compensatory or replication areas.

- 5.12 A report prepared by an independent qualified traffic study consultant, or firm, which estimates the traffic flows which will be generated by the project at peak periods, estimate the existing traffic flows on streets in and adjacent to the project, and evaluates the capacity of existing streets to carry the additional traffic from the project without undue delay, or risk of safety to the occupants of the project, or members of the public using public ways. Further, the report shall provide sight distances at all intersections or proposed driveways or streets in the project with other public ways in the Town.
- 5.13 A plan showing the sufficiency of off-street parking spaces for vehicles of residents and visitors to the proposed project.
- 5.14 A plan showing the location of all existing or potential public and private wells within two thousand (2000) feet of the proposed site.
- 5.15 The locations of all parcels of open space or conservation land, which are owned, by any public entity or any non-profit organization.
- 5.16 The applicant shall list all local regulations, requirements, or conditions from which it requests an exemption or waiver; shall describe how the project, as proposed, does not meet each specific requirement; and shall provide an economic analysis to demonstrate that compliance with the local requirement would render the project uneconomic. Requests for “blanket waivers’ will not be accepted.

6 Information Provided to the Subsidizing Agency

The Applicant will provide a copy of all material provided to the Subsidizing Agency to obtain the Project Eligibility Letter. This includes the initial Project Pro forma, property appraisal, marketing studies and any other information.

7 Parties-In-Interest Map (Abutters Map)

The applicant shall supply a map showing all property lines of his/her property and all land and property lines within three hundred (300) feet of the property, including land directly across the street and, as applicable any land in an adjacent town. Each lot on said map shall be noted with the Assessor Map, Lot number, and property owners last name as shown on the most recent Assessors Tax List for each lot or part thereof shown.

- 7.1 Evidence that the Applicant has contacted all abutters within 300 feet of the property and advised them of their intention to submit a request for a comprehensive permit.

8 Selection of Consultants

The Board may by majority vote, require the Applicant pay a reasonable fee for employment of consultants chosen by the Board alone.³

- 8.1 The applicant may appeal the selection of an outside consultant, for technical services as described above, to the Board of Selectmen, in accordance with MGL Chapter 44, Section 53G, on the grounds that the consultant has a conflict of interest or does not possess the minimum required qualifications either of an educational degree in or related to the field at issue or three (3) or more years of practice in the field at issue or a related field.⁴
- 8.2 The time for action by the Board upon the application shall be extended by the duration of the administrative appeal. If the Board of Selectmen makes no decision within one (1) month following filing of an appeal, the selection of the Board shall stand.⁵
- 8.3 A special account shall be established by the Town Treasurer/Town Accountant in the town treasury and kept separate and apart from other monies. The special account, including accrued interest, shall be extended by the Board. Any excessive amount in the account for the application, including, accrued interest, shall be returned to the applicant following approval or disapproval of the Application. A final report of said account shall be made available to the applicant upon written request.

9 Construction Schedule

- 9.1 Specify number of units to be constructed in each year after construction commences)
- 9.2 Specify the number of units to be sold or rented in each year.

10 Residents of the Project

The applicant shall propose a mechanism, which is acceptable to the Board of Appeals, to ensure that 70% of the subsidized units, and 70% of the market rate units, are offered initially in the following categories:⁶

- 10.1 Current Town Residents of Household (A household in which one or more members is living in the town at time of the application);
- 10.2 Current Town Employees;

³ 760CMR56.05(5)(a)

⁴ 760CMR56.05(5)(d)

⁵ 760CMR56.05(5)(d)

⁶ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section III page III-7, paragraph 3.

- 10.3 Employees of Local Businesses;
- 10.4 Households with Children attending local school;
- 10.5 Parents and children of current Town residents.

11 Management of the Project

The Applicant should prepare a detailed management plan or review by the Board specifying the following information:

- 11.1 The type of entity, which will manage the project, legal documents, which create the entity and proposed service, contracts between the management entity and the owners of the project.
- 11.2 A financial analysis which demonstrates that the ownership entity will have financial reserves and cash flow sufficient to properly maintain the property through its useful lifetime.
- 11.3 Documents proposed to create the ownership entity.

12 Additional Information on Fees

The filing fee for an “Application for Approval of a Comprehensive Permit” and/or amendment/revision shall be composed of two parts:

A General Administration and Process Fee portion;

A Technical/Planning Review and Consultation Fee portion,

The total shall be considered as the “filing fee”. The responsibility for payment of the two portions of the “filing fee” shall be borne solely by the applicant. An application will not be accepted as complete until all filing fees have been paid in full.

- 12.1.1 The General Administration and Process Fee portion
- 12.1.2 The General Administration and Process Fee shall be presented to the Board, in the form of a certified check made out to the Town, at the time of submission to the Board with the Application for a Comprehensive Permit. Failure of the applicant to present this fee portion shall be grounds for the Board to reject the Application on the basis that it is an incomplete submission.
- 12.1.3 The purpose of this fee portion is to cover all anticipated municipal/general government costs of all Town boards and departments as a result of the Application. Costs include but are not limited to inter-governmental processing, reviewing, providing comments, site inspecting, revising various town maps and the publishing of legal notices, regarding the submission of the application and associated plan or plans, and all other related documents. This portion of the fee is non-refundable, and shall not be considered as the fee portion for costs of technical and planning reviews, which the Board may require.

12.1.4 The General Administration and Process Fee shall be in accordance with the Board Rules and Regulations governing application fees unless otherwise waived by the Board. If an applicant feels that this amount is not applicable to his/her application, the applicant may submit a written waiver request to the Board prior to or at the time of submission of the Application.

12.2 The Technical/Planning Review and Consultation fee portion

12.2.1 The Technical/Planning Review and Consultation fee portion shall be made in the form of a certified check made payable to the Town. Failure of the applicant to pay this fee portion shall be grounds for the rejection of the Application on the basis that it is in non-compliance with the Board Rules and Regulations as described herein.

12.2.2 The purpose of this fee portion is to cover all technical, engineering, and plan review costs, as required by the Board for the Board's adequate review and decision on the applicant's plan. Costs include but are not necessarily limited to professional engineering services, including traffic, wetlands and site design review; legal review and advice including assistance in writing the decision for the Board; professional planning services, including retaining peer reviewers and supporting the Board with consultations and reports; and other related technical or planning services and inspections as required by the Board. The basis for the estimated fee is detailed in Appendix B of these Rules and Regulations. The Board shall present or mail to the applicant either cost estimates of the above described services or copies of actual bills (as received by the Board) for the described services. In the event that the applicant has paid an amount based on such cost estimate, then the remaining balance shall be refunded, in accordance with MGL Chapter 44, Section 53G and subject to the Board's determination that the applicant has complied with all other Board Rules and Regulations. In the event the actual cost of technical/planning services, as described above, exceeds the cost estimate paid by the applicant, the applicant shall pay all remaining costs as required by the Board, prior to the Board's action/vote on the application. Failure to pay the remaining amount shall be grounds for the Board to reject the application on the basis of non-compliance with the Board Rules and Regulations. This fee portion, in no manner, shall be considered part of the general administration and process fee portion, which is non-refundable.

12.2.3 The Board shall place the Technical/Planning Review and Consultation Fee portion in a "special account", in accordance with and as authorized by Massachusetts General Laws (MGL) Chapter 44, Section 53G.

13 Validity

13.1 Severance Clause

The provisions of these Rules and Regulations are declared to be severable and if any section, sentence, clause, or phrase of the rules shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clause and phrases of these Rules and Regulations but they shall remain in effect, it being the intent that these Rules and Regulations shall stand notwithstanding the invalidity of any part.

14 Addendum A -- Review of Financial Statements

This addendum reflects the financial conditions and general accepted procedure for evaluating a pro forma for a comprehensive permit as of the date of the addendum (June 2017).

A Board may request to review the pro forma or other financial statements for a Project after the Board's consultant review has been completed and the Applicant has had an opportunity to modify its original proposal to address issues raised. The Board may propose conditions to mitigate the Project's impacts and to consider requested Waivers. If the Applicant determines that it does not agree to the proposed condition(s) or Waiver denial(s) because they would render the Project uneconomic the Board may ask the Applicant to submit its pro forma, in a form satisfactory to the Board and consistent with 760 CMR 56 and Guidelines issued by the Department.

14.1 The Applicant will provide a copy of the initial Project Pro forma and the property appraisal submitted to Subsidizing Agency as part of the Project Eligibility application to the Board at time of submission of the Application.

14.2 Allowable Development Costs shall consist of the following:

14.2.1 Land Cost

14.2.1.1 The allowable land value of a site for purposes of the Act is the fair market value of the site under current zoning (As-Is Market Value) at the time of submission of a request for Project Eligibility. The As-Is Market Value of a site shall be determined by an appraisal.

14.2.1.2 Appraisers shall be a General Real Estate Appraiser licensed by and in good standing with the Massachusetts Board of Registration of Real Estate Appraisers in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). The appraisal must reflect the by-right value of the site, which may, in accordance with USPAP, take into account the availability of zoning relief but it must exclude any value relating to the possible issuance of a Comprehensive Permit.

14.2.1.3 A reasonable rate of return on a Project must be determined from the As-Is Market Value of the site even though the amount paid for the site may be more or less than the As-Is Market Value.

14.2.2 Site Development Costs shall be documented in the Developer’s records and accompanied by an explanation of the necessity of such costs. Hard Costs shall be fully documented and shall be limited to the hard cost line item categories set forth in the Schedule of Total Chapter 40B Project Costs (see IV.D.4 for availability instructions and forms related to Cost Examination). The square footage cost should not exceed the reasonable square footage cost for construction of market rate housing consisting of the same building characteristics and unit type. As a “safe harbor” rule, this standard shall be presumed to have been satisfied if the square footage cost does not exceed 110% of the applicable square footage construction cost listed in the RS Means Residential Construction Cost Data.⁷

14.3 Soft Costs shall also be fully documented in the Developer’s records.

14.3.1 Total Soft Costs, including developer overhead and developer fees, should not exceed 28% of the residential construction line item on the Schedule of Total Chapter 40B.⁸

14.3.2 The Allowable Developer Overhead Costs

14.3.2.1 Allowable Developer overhead costs should not exceed the following limitations:⁹

14.3.2.2 PROJECT SIZE	ALLOWABLE DEVELOPER OVERHEAD
Up to 4 units	\$ 20,000 (fixed amount)
5 - 20 units	\$ 4,000/unit for units 1-20
21 - 100 units	\$ 80,000 plus \$2,000/unit for units 21-100
101 - 150 units	\$ 240,000 plus \$1,000/unit for units 101-150
151+ units	\$ 290,000 plus \$500/unit for units above 150.

14.3.2.3 Tasks Included in Overhead

⁷ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-6, paragraph 3.

⁸ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-8, paragraph 5.c.

⁹ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-7

The Developer ordinarily performs the following development tasks, for which the Developer may not receive compensation beyond the maximum allowable Developer's fee Revised December 2014 Subsidizing Agency Allowable Costs/Profits/Distributions IV - 8 and overhead: investigating the site/property; setting the design criteria or design program; hiring engineers, cost estimators, surveyors; hiring designer; establishing cost limitations; determining the project size, use and ownership; coordinating legal review; awarding contracts; team coordination; construction monitoring; and obtaining project approvals. If third parties (e.g., development consultants or lawyers), perform any of these standard "owner's" tasks, those costs must be included within the maximum Developer's fee and overhead. Commissions.¹⁰

14.3.3 Commissions

14.3.3.1 Market Units – Commissions on the sales of the market units should not exceed 5% of the sales price. In cases in which the development entity is a related party to the brokerage agency, commissions are limited to 5% of the sales price.¹¹

14.3.3.2 Commissions/Marketing/Lottery Costs - Affordable Ownership Units -- The maximum allowable brokerage or similar fee, including lottery costs, should be the greater of \$20,000 or 3% of the sum of actual affordable unit sales prices.¹²

14.3.4 Related Party Transactions

14.3.4.1 General Fees for services by related parties should not exceed amounts that would otherwise be reasonably paid for such services in on arm's length basis in the ordinary course of business.

14.3.4.2 Related Party General Contractor (1) In the case of a related party general contractor, the contractor must disclose relationships with any related party subcontractors and any fees paid to related party subcontractors must be ordinary and reasonable.

14.3.5 Projected Revenues

Projected Revenues shall include the revenue from market rate units and the affordable units identified separately. Other sources of income should be identified separately.

14.3.6 Revenues shall be identified by year during the year they occur and must include a projection of revenue for three years past the date of stabilized occupancy or sale of all units.

¹⁰ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-7 & 8, paragraph 5.a(2).

¹¹ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-8, paragraph 5.b(1).

¹² DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-8, paragraph 5.b(2).

14.4 Date for Measuring Reasonable Return

All costs, revenue and benchmarks should be based on the same specific date. That date should be the date of the hearing with the Board to review the pro forma.

14.5 Reasonable Return

14.5.1 G.L. c. 40B, §20 defines “uneconomic” as conditions that make it impossible for a limited dividend organization of proceed and still realize a “reasonable return” on its investment.

14.5.2 Method to be used to determine “Reasonable Return”

The simplest method of calculating the “reasonable return” is known as Return on Total Cost (ROTC). The ROTC is the projected net operating income (NOI) of the property in the first year of stabilized occupancy divided by its projected Total Development Cost (TDC) calculated in accordance with these standards.¹³ Return on Equity (ROE) may be used to supplement the ROTC calculation, but it will be given less weight.¹⁴

14.5.3 Home Ownership Projects Reasonable Return

14.5.3.1 The ROTC Threshold Increment that determines if a home ownership project is economic is the Profit to Limited Dividend Organizations, including all partners, a minimum of 15% of total allowable development costs¹⁵ and shall be limited to no more than 20% of total allowable development costs¹⁶ (Return on Total Cost = ROTC).

14.5.3.2 The calculation of total allowable development costs shall not include any fee paid to the Developer.¹⁷

14.5.3.3 Profits accrued in excess of 20%, as defined herein, shall be distributed to the municipality for the purpose of developing and/or preserving Affordable Housing.¹⁸

14.5.4 Rental Projects Reasonable Return

¹³ The MHP Guidelines, Massachusetts Housing Partnership, Edith Netter, November 2005, page 19

¹⁴ Housing and Appeals Committee, Cirsan Realty Trust, v Woburn Board of Appeals Case No 01-22.09/20/2013, Lorraine Nessar

¹⁵ Local 40B Review and Decision Guidelines, MHP Edith Netter, November 2005, (MHP Guidelines), page 17

¹⁶ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-9, paragraph 2.

¹⁷ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-9, paragraph 2.

¹⁸ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-9, paragraph 2.

14.5.4.1 The ROTC Threshold Increment that determines if a rental project is economic is 450 basis points above the current yield on a 10-year Treasury note. (Return on Total Cost = ROTC)¹⁹

14.5.4.2 Developer fees, overhead, profits, dividends and any other distributions to Developers, including development consultants, partners or legal or beneficial owners, shall be limited to no more than 10% of total development costs net of (i) such fees and profits; and (ii) any working capital or reserves intended for property operations.²⁰

¹⁹ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section I page I-7.

²⁰ DHCD Guidelines Updated December 2014 G.L. C.40B Comprehensive Permit Projects, Section IV page iv-9, paragraph 3.a.

15 Addendum B -- Comprehensive Permit Application Checklist

The following information and documents must be submitted with the application for a comprehensive permit:

Failure to provide the information required by these Rules & Regulations may result in the Application being dismissed on the grounds of incompleteness.²¹

Item	Date Completed
○ Twenty (20) copies of all material to be distributed to local Boards, Committees and Commissions.	
○ Two Certified checks one for General Administration and Process Fee and one for Technical review fee.	
○ Evidence of the legal standing of the applicant:	
○ Evidence of site control.	
○ Copy of Project Eligibility Letter from the subsidizing agency	
○ Evidence that the Project Eligibility Letter and Application was provided to the Municipality and a copy of all correspondence from the Municipality.	
○ A list of the development team, including the names of the architect, chief design engineer and attorney.	
○ Need for the Project and Town's Compliance with 40B Criteria	
○ Description of the Proposed Project	
○ Information provided to Subsidizing Agency (including pro forma)	
○ Parties-In-Interest Map (Abutters)	
○ Construction Schedule	
○ Residents of the Project	
○ Management of the Project	
○ Certification from the Wetlands Protection Committee stating compliance with the Wetlands Protection Act.	
○ A list of requested exceptions to local codes, by-laws or regulations, including the Zoning Bylaw.	
○ A resume of past development experience including all affordable housing projects completed by the developer.	
○ A letter regarding the financial standing of the applicant from a financial institution.	

²¹ 760CMR56.05 (5) (c)

