

SENATE No. 772

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to affordable housing built in historic districts..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 21 of chapter 40B of the Massachusetts General laws is hereby
2 amended by adding the following paragraph:-

3 Applications to build low or moderate income housing in an historic district as defined in
4 MGL Chapter 40C must obtain a certificate of appropriateness as outlined in Section 6 of
5 Chapter 40C. The local historic commission shall hold its hearing concurrently with the local
6 zoning board and have its conditions included in the permit. None of the conditions may be
7 appealed to the housing appeals committee as an uneconomic condition. An application may not
8 be denied based upon its location within an historic district.