

**SENATE . . . . . No. 773**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to tracking affordable housing projects..

*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.