

**SENATE . . . . . No. 113**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Robert L. Hedlund***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relating to 40B projects built near historical housing.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Robert L. Hedlund*

*Plymouth and Norfolk*

*David F. DeCoste*

*5th Plymouth*

**SENATE . . . . . No. 113**

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By Mr. Hedlund, a petition (accompanied by bill, Senate, No. 113) of Robert L. Hedlund and David F. DeCoste for legislation relative to 40B projects built near historical housing. Community Development and Small Businesses.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relating to 40B projects built near historical housing.

*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, as appearing  
2 in the 2014 Official Edition, is hereby 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.