

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

EXPEDITED LOCAL PERMITTING

CHAPTER 43D FACTS

HISTORY

On August 2, 2006, Massachusetts General Law Chapter 43D was signed into law. This program offers communities a tool for targeted economic development.

WHAT DOES CHAPTER 43D DO?

- Provides a transparent and efficient process for municipal permitting
- Guarantees local permitting decisions on priority development sites within 180 days
- Increases visibility of your community and target development site(s)

WHAT ARE THE BENEFITS OF OPTING-IN?

- Grants up to \$150,000 for such things as professional staffing assistance, local government reorganization, and consulting services
- Priority consideration for PWED, CDAG, brownfields remediation assistance, MORE infrastructure funds, and other financing through quasi-public organizations
- Aggressive online marketing of your site and promotion of your pro-business regulatory climate
- Collection of special fees for priority development site permit applications

WHAT ARE THE CRITERIA FOR PRIORITY DEVELOPMENT SITES?

- Must be zoned for commercial or industrial development
- Must be eligible for the development or redevelopment of a building of at least 50,000 square feet of gross floor area (may include existing structures and contiguous buildings)
- Sites must be approved by the local governing authority
- Must be approved by the state Interagency Permitting Board

WHAT ARE THE OBLIGATIONS OF OPTING INTO CHAPTER 43D?

- Community must identify a qualifying parcel as a priority development site, and obtain permission of its owner (if private) for participation in the program
- Within 120 days of adopting Chapter 43D, the community must
 - appoint a single municipal point of contact for streamlined permitting;
 - amend local rules, regulations, bylaws, etc. to comply with 180 day permit timeline;
 - determine and make available the requirements for each permit;
 - establish a procedure for identifying necessary permits for a project;
 - establish a procedure for determining completeness of the required submissions.
- After the 120 phase-in period is complete, the town must render permitting decisions on priority development sites within 180 days

WHAT PROTECTIONS DOES THIS PROGRAM OFFER FOR COMMUNITIES?

- The 180 day guarantee is suspended if the governing body determines:
 - an application is incomplete
 - an application contains false or misleading information
 - that substantial changes to the project affect the information on the permit applications since the original submission

HOW DO I OBTAIN MORE INFORMATION ON THIS PROGRAM?

- To request additional information, please contact April Anderson, Chief of Staff for the Department of Business and Technology at 617-788-3667 or april.a.anderson@state.ma.us.