

# ARTICLE 15, ACCEPTANCE OF MGL Ch. 43D

## Chapter 43D Fact Sheet

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### 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?

- Priority consideration for grants for 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?**

- Visit [www.mass.gov/mpro](http://www.mass.gov/mpro) or contact your Regional Planning Agency