

clientalert

URGENT CHAPTER 40B ALERT – PROPOSED REGULATORY CHANGES

By **Debbie Horwitz**

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You may be aware of various changes to Chapter 40B (the Massachusetts comprehensive permit law) which were passed by the Massachusetts Legislature over the last few days. We want to make sure you know of another challenge to the comprehensive permit program.

Yesterday (July 31), the Department of Housing and Community Development (DHCD) published notice of its intention to change the regulations governing comprehensive permits. The proposed changes would require all Project Eligibility (Site Approval) letters issued under the New England Fund to be issued by the Federal Home Loan Bank rather than its member banks. The proposed changes would be retroactive to all Project Eligibility (Site Approval) letters issued after July 22, 2002. The Federal Home Loan Bank has indicated that it is not willing to assume responsibility for the issuance of Project Eligibility (Site Approval) letters. Further, the Federal Home Loan Bank has indicated that, if it is required by DHCD to issue those letters, it may repeal the New England Fund.

There will be a public hearing on the proposed regulations on August 27, 2002 at 10 a.m. at One Ashburton Place, Boston.

For more information about the proposed regulatory changes or about the recently enacted changes to the 40B statute, please contact one of the following people:

David Abromowitz

617.574.4016

dabromowitz@goulstonstorrs.com

Debbie Horwitz

617.574.4123

dhorwitz@goulstonstorrs.com

Karen Kepler

617.574.3568

kkepler@goulstonstorrs.com

Steven Schwartz

617.574.4147

sschwartz@goulstonstorrs.com

David Weiss

617.574.6400

dweiss@goulstonstorrs.com