Introduction to Chapter 43D
Local Expedited Permitting Program

Wareham’s 2017 District Local Technical Assistance (DLTA) Project

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Wareham Town Hall
54 Marion Rood
Wareham, MA 02571

Don Sullivan,
Director of Community and Economic Development, SRPEDD

Grant King, AICP
Principal Planner, SRPEDD
What is Chapter 43D?

• A tool for targeted economic development that promotes *commercial, industrial or mixed-use development on pre-designated parcels.*

• A voluntary, local option.
  
  • In other words, *towns must “opt-in” through town meeting* and *property-owners must “opt-in” through written approval.*

• Sponsored by the Massachusetts Permit Regulatory Office (MPRO).

• A tool to implement the *2016 Route 28 Economic Development Study* (cover pictured below)

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Town of Wareham Route 28 Economic Development Study
December 2016

Wareham Crossing and Rosebrook Business Park, 2005
Wareham Crossing and Rosebrook Business Park, 2007
Wareham Crossing and Rosebrook Business Park, 2015
What does 43D do?

- Provides for a streamlined permitting process that **promotes transparency and predictability** for the development process.
- Guarantees permitting decisions - "Yes" or "No" - on priority development sites (PDS) within 180 days.
  - In other words, **you’re promising to respond in a timely fashion - not to say “Yes.”**
- Increases the visibility of PDS through **MassEcon** site finder.

Please note that the images here are from a similar MassEcon property database.
What does 43D do (continued)?

• Gives the PDS **priority consideration** for MassWorks, brownfields remediation assistance, and other financing programs.

• Guides municipal planning and permitting with a **permitting guide**.

• Allows for the **collection of special fees** for PDS applications.
What are 43D’s requirements?

• PDS property-owners must **commit - in writing - to opt-in**.
• PDS must be zoned **commercial, industrial, or mixed-use**.
• PDS must be eligible for **50,000 s.f. of (re)development**.
• PDS must be **approved by MPRO’s Interagency Permitting Board** (within 60 days of a 43D PDS application).
• Both the PDS and the provisions of Chapter 43D must be **approved by Town Meeting** (or City Council) vote.
• Within **120 days** of opt-in, the town must¹:
  • appoint a single point of contact for all things 43D,
  • amend local rules, regulations, and bylaws (if needed and only for 43D PDS) to comply with the 180-day permit timeline,
  • determine and provide the requirements for applicable permits,
  • establish procedures for identifying necessary permits, and
  • establish procedures for determining completeness or required submissions.

¹ Please note that all this information must be included a packet given to any applicant. In the past, many towns have chosen to include these items in the permitting guide.
What local permits are affected by 43D?

- **Planning Board**
  - Special Permits and Site Plan Review

- **ZBA**
  - Special Permits

- **Conservation Commission**
  - Order of Conditions and Wetland Decisions

- **Board of Health**
  - Title V

- **Fire Chief**
  - Flammable Materials License

- **Historic Districts**
What PDS are you considering? (Let’s open to page 10 and discuss.)

**1: Wareham IP 2**
- Industrial development of vacant parcels.
- Chapter 43D Priority Development Site (PDS) designation.
- Low Impact Development (LID) within PPA.

**2: Tobey Road**
- Industrial development or Research and Development (similar to Smithers Laboratories) on vacant parcels.
- Chapter 43D Priority Development Site (PDS) designation.

**3: Corridor Revitalization**
- Assemble smaller parcels into larger sites.
- Rezoning to allow/incentivize retail and service uses in the emerging commercial corridor.

**4: Kendrick Road**
- Industrial development of vacant parcels.
- Site, streetscaping, and branding improvements to the park’s entrance.
- Chapter 43D Priority Development Site (PDS) designation.

**5: Cranberry IP**
- Industrial development of vacant parcels.
- Chapter 43D Priority Development Site (PDS) designation.