

**SENATE . . . . . No. 90**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patrick M. O'Connor*

*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 relative to 40B density.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/25/2017</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/1/2017</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/3/2017</i>

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By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 90) of Patrick M. O'Connor, David F. DeCoste, Ryan C. Fattman and Josh S. Cutler for legislation relative to project density and affordable housing. Community Development and Small Businesses.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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An Act relative to 40B density.

*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 may not contain a proposed project density that exceeds 4 times that  
4 allowed under existing zoning, or 8 units per acre, whichever is greater. This limit may be  
5 waived by the local board if the applicant agrees to a 10% cap on profits, or agrees to donate the  
6 equivalent amount of money to the host community to be used for the construction of additional  
7 low and moderate income housing units in the host community.