

Solving The Permit Puzzle:

Ten Ways Massachusetts Municipalities Can Make the Approval Process for New Housing Faster, Fairer, and More Predictable

By Andrew Mikula

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Introduction

Despite statewide reform efforts in recent years, residential permitting in Massachusetts remains characterized by uncertainty and delays. Local governments can act on their own to speed housing approvals, including adopting clearer, more objective review criteria and improving coordination between local boards and agencies.

This paper draws on 17 interviews with developers; consultants; local, regional, and state government staff; local appointed officials; and land use attorneys from across Massachusetts. It identifies 10 best practices for cities and towns to streamline residential permitting. It also notes opportunities for other levels of government to expedite housing approvals, where interviewees raised them.

The Status Quo

With a few exceptions, permitting for new residential development in Massachusetts is ultimately controlled at the local level. All projects need a building permit to begin construction, which is typically issued solely at the discretion of a certified building official. The vast majority of projects that add housing also require at least one of several approval bodies consisting of resident volunteers to exercise discretion to impose conditions on the project, refer the project to a third party for further review, or deny the project entirely.

The type of approval typically determines which body handles permitting. Conservation commissions issue an “order of conditions” to authorize building near wetlands. The zoning board of appeals (“ZBA”) processes waivers to individual zoning rules—for example, to authorize a proposed development with less parking on a site than is typically allowed. Changing the underlying zoning entirely is the jurisdiction of a legislative body—a city council or town meeting.

Some communities also have a separate committee that conducts site plan review, in which technical matters like traffic circulation and stormwater management are scrutinized. Otherwise, site plan review is typically conducted by planning boards. In many communities, site plan review is required for every new multifamily housing development. In addition, multifamily or otherwise large developments typically require a special permit, a more explicitly discretionary document that could be either denied outright or approved with exacting conditions, usually by a planning board or ZBA.

In some cases, developments may be subject to additional layers of review for specific technical concerns, such as wastewater disposal and design considerations. Several interviewees made it clear that, across many categories of approval, the scope of review is often muddled or expanded inappropriately during the process due to political concerns.

Town meeting, city council, and planning board votes are often the most publicly visible and contentious elements of the permitting process. But this paper will focus on elements of the approval process that the public does not always see: interactions between applicants, staff, and local board members. Long before any public hearings or board meetings, the application process starts with how developers access information on town websites and from town staff. Crucial considerations include how applicants access the permit forms themselves, whether permit tracking is available online, and how and when the municipality provides technical feedback.

By the time a project proposal reaches a local board or committee, it is public information. Often less visible are policies governing who may serve on those boards in the first place and how board members are trained. The backgrounds and training of board

The vast majority of projects that add housing require at least one of several local approval bodies consisting of resident volunteers to exercise discretion.

members and staff alike help determine whether they will rely on expeditious in-house reviews or require the developer to hire third-party reviewers, which can cost six figures for some larger projects.

One unifying theme of the stakeholder interviews was that every municipality conducts the review process for new development differently. Developers emphasized the importance of hiring local attorneys and local architects who are familiar with common desires and pain points among municipal officials. Another interviewee said that few towns look to other towns for best practices, describing the ability of municipal officials to invent rules on the fly as “the wild west.”

Both developers and local officials frequently adopt practices that unnecessarily slow the process down and leave room for error in evaluating proposals. One interviewee personally uses the 15-year-old print edition of the local zoning bylaw for reference, even though parts of it are outdated. Another used an expletive to describe the lack of care and thoroughness that developers often put into application materials.

Regardless of blame, the stakes are clear, not just regarding housing production and affordability, but also who are allowed to invest in their own communities. As one particularly experienced stakeholder put it: “it just takes so much in terms of soft costs to secure approvals for a project. That’s why so many smaller, locally based developers are looking at New Hampshire or Rhode Island and why the national firms are entering the Greater Boston market in droves.”

Below are ten ways to streamline the permitting process for building new housing in Massachusetts from the inside, improving coordination within city and town halls and between local officials and applicants. These best practices are tailored to relatively large and complex projects that involve building multiple new homes at a time, and most focus on discretionary review processes rather than building permit approval.

10 Steps for Streamlining Permitting from Inside City and Town Halls

1. Make online permitting information clear, easily accessible, and consistent with zoning.

Why it’s important:

The first experience most applicants have with a municipality’s permitting process is online information. That information can be opaque and confusing, with little indication of where to go to ask questions. As a result, filling out the initial application is not only more laborious than necessary, but also unfairly gives well-connected insiders an advantage over smaller, newer applicants.

Current challenges:

Permitting information is often difficult to find on municipal websites and is rarely displayed together in one place. Application forms may only be available on webpages associated with the approval body for that application. Sometimes, it’s difficult to identify all the materials that need to be submitted.

Municipal websites frequently contain outdated or conflicting information. One interviewee named a municipality that hasn’t updated the zoning code on its website in more than 15 years. Some municipalities “don’t have new versions of the bylaw codified anywhere. Not even the planning director has it,” he said. “The only way you know you have the current set of bylaws is to go to the [state] Attorney General’s municipal bylaw [decision] lookup.”¹ The interviewee has also had to painstakingly review city council meeting minutes to confirm whether municipal ordinances were updated.

Across many categories of approval, the scope of review is often muddled or expanded inappropriately during the process due to political concerns.

There can also be inconsistencies between—and within—online materials. One interviewee cited an example of a ZBA's internal guidelines that, in different parts of the same document, alternately require twelve and fourteen copies of plans to be submitted with an application. In the same town, the ZBA application form itself requires seven copies of plans to be submitted.

Sometimes, building commissioners can interpret the code differently than applicants expect. Even the permit fee structure can be “more nuanced” than what is included in the zoning code. “The fees you had to pay were completely unpredictable, and the fee structure wasn’t even on the website,” one developer-adjacent stakeholder reported. Developers cited similar anecdotes as reasons why they frequently hire attorneys to navigate the application process.

The best-case scenario:

Capacity to maintain online permitting materials often depends on a municipality's size and budget. But at the very least, municipalities should provide online checklists of needed application materials (see Figure 1) and online communication portals that connect applicants directly to application reviewers. A single webpage should describe each stage of the approval process for different project types, list fee schedules, and provide estimates of permitting timelines.²

Some cities, such as Worcester, also have permitting landing pages with frequently asked questions, intake forms for pre-application meetings, and links to resources published by state or regional agencies.³ In general, any permitting information displayed online should be accurate, consistent with zoning, and up to date.

One interviewee named a municipality that hasn't updated the zoning code on its website in more than 15 years.

Figure 1: Excerpt From the Town of Sandisfield's Special Permit Applications Checklist⁴



**Town of Sandisfield
Select Board
(413)-258-4711 Ext. 3
sandisfieldma.gov**

Special Permit- Checklist for Applications

Petitioners applying for a Special Permit must submit the following:

1. Application Form: Special Permit Application form can be provided digitally
2. Written Statement: Provide digital copies of a narrative detailing the proposed use, effects on adjacent properties and public ways, open space, and other criteria set forth in the Sandisfield Zoning Bylaws.
3. Plans: submit a digital copy of the plans. Each reviewing party has the right to request a physical copy of the plans at the expense of the applicant.
4. Fees: There is a filing fee of \$550.00 to cover the costs associated with publishing public hearing notices, plus a postage fee of \$6.00 per abutter to send out notices. This is payable by cash or check.
5. Deed: Please include a copy of the deed outlining the property owner
6. Relevant permits, decisions, or minutes from other Town Boards, (ie. Conservation, Planning, and/ or Board of Health, etc.) that have had current hearings about the property.
7. Building Plans (as appropriate) showing dimensions of the project and all measurements of attached structures.
8. Plot Plan completed by a registered engineer or land surveyor.

Clarity around application acceptance is particularly valuable to developers who, due to state law's advance notification requirements, have an incentive to submit applications well in advance of public hearings. Some cities have an "application review policy" describing specific completion standards that remove ambiguity about when an application review can start.⁵ One interviewee said that getting on the schedule for a planning board meeting in her community requires applicants to submit all the application materials six weeks in advance—a length of time that should also appear in application review policies.

Potential for state involvement/partnership:

The state could help standardize permitting information available on municipal websites. Cities should be required to post updated zoning bylaws on their website within 30 days of passage, and towns should be required to do so within 30 days of the Attorney General's approval of the changes.

Some cities have an "application review policy" describing specific completion standards that remove ambiguity about when an application review can start.

2. Use a standardized online portal for permit application submittals.

Why it's important:

Many cities and towns require some sort of in-person application submittal. Not only can paper documents be cumbersome to handle and time consuming to deliver to the right administrator, but the in-person submittal process makes it harder to maintain objective completion criteria and consistent review workflows.

Current challenges:

Application submittal requirements vary widely. Some towns require more than 20 physical copies of plans for certain project types.⁶ Interviewees said that some towns' application submittal forms aren't even available online—an applicant needs to pick one up in person from the building commissioner. More commonly, the municipality requires both online and physical submissions, or that the submissions are mostly online but need to be submitted independently through different departments.

Several municipal officials reported an intention to move permitting systems fully online. For many, doing so was not an urgent task, either because of a low overall volume of permitting or because related regulations (like zoning) needed to be updated or standardized first. In other cases, IT and budget capacity can be binding constraints.

Multiple stakeholders described online permitting as a big adjustment for some local agencies that, in the words of one interviewee, have "staff that struggle with an Excel spreadsheet." In tandem, one interviewee alleged that online permitting adoption is deterred by applicants with "60-year-old plumbers who don't have emails."

There are other reasons why the permit application process is inherently difficult to standardize. In practice, navigating timelines for multiple approval bodies takes close coordination between municipal staff and applicants. And because each approval body has rules and standards tied to separate bylaws (wetlands bylaw for conservation commissions, zoning bylaw for planning board, etc.), necessary application information can differ greatly depending on the venue.

"You can't just change one thing when you move to online permitting," one public official said. "You have to change so many other things simultaneously, including how the board practices application review."

The best-case scenario:

While having one master permit application is impractical in most contexts, there are tangible benefits to moving permitting online. First and foremost, the clear demarcation of "required fields" can reduce the incidence of incomplete applications. Some information can be filled automatically, including site-specific details like ownership and zoning.

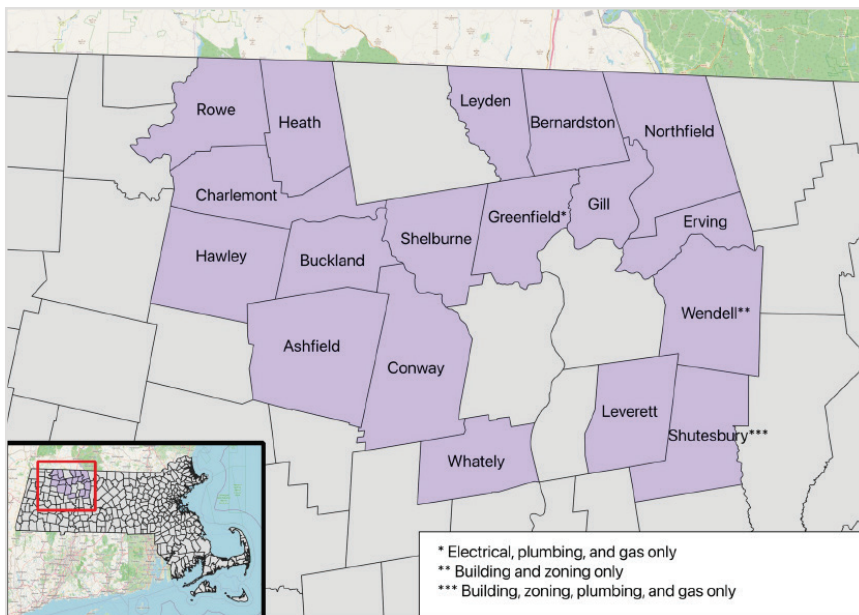
From a management perspective, online permitting is also easier. One municipal official described “being able to see what the status of every permit is, whereas before I would have to call a department head and ask to see something.” Another cited an avoidance of the “risks and storage issues” that are inherent to a reliance on paper. Local officials can also set up notifications for individual staff members when they need to get involved in the process.

Lastly, some interviewees mentioned the potential for AI to further automate processes that are currently conducted by hand, including checking for missing documentation. As an interim step, municipalities should adopt a citywide AI policy that maps out use cases and places appropriate guardrails around the technology’s adoption.

Adopting an online permitting system still requires a concerted upfront effort. In larger communities with well-staffed IT departments, adopting online permitting systems should be a higher priority. Smaller municipalities can make the upfront costs more manageable by sharing permitting software systems with others, especially for building permits. In fact, the Franklin Regional Council of Governments, a regional planning agency in western Massachusetts, has long handled inspectional and permitting services for more than a dozen towns under one software license (see Figure 2).⁷ To be “online permitting ready,” small towns towns can start by standardizing board review practices.

“You can’t just change one thing when you move to online permitting. You have to change so many other things simultaneously.”
– Anonymous public official

Figure 2: Map of Member Towns in the Franklin County Cooperative Inspection Program as of September 2026⁸



3. Offer developers a pre-application meeting with municipal department heads and local board members.

Why it’s important:

One direct way to expedite new development is to anticipate major technical or political issues up front, especially before site plans are finalized. Municipal officials—not developers or their consultants—are often in the best position to identify these challenges. Some towns hold “pre-application meetings” with project applicants where local officials offer feedback before a formal project proposal has been filed. A few larger communities

with high permitting volumes even have weekly “issue spotting” sessions with staff department heads, which applicants are welcome to attend.

Current challenges:

Many communities don't utilize pre-application meetings to their full potential. Stakeholders described towns where several department heads rarely showed up to the meetings. And planning departments, often the conveners of the meetings, sometimes don't view it as their role to help developers navigate political concerns, such as what to expect from a public hearing. One planner opined that communities who don't offer pre-application meetings “don't want to give the impression that they're helping the developer in an inappropriate way.”

In practice, pre-application meetings are often more about narrow, administrative matters—such as ensuring application completeness. They can also manifest as informal conversations with planning staff, who may choose not to involve other staff members—such as fire chiefs, public works officials, building inspectors, etc.—who will eventually weigh in. In one stakeholder's perspective, “it usually comes down to the planning director's personality” whether pre-application meetings are offered.

The best-case scenario:

Giving applicants both technical feedback and advice on how to navigate the approval process in advance ultimately saves time for staff and helps ensure that projects will be well-designed and well-integrated into the surrounding neighborhood.

Pre-application meetings should facilitate direct communication between developers and any municipal decision makers up front. That includes volunteer board chairs and any municipal staff with the knowledge and discretion to move the project forward—or hold it back. An intake form could help determine which officials are required to attend. The applicant should be invited to attend the meeting as well.

Planning departments, often the conveners of pre-application meetings, sometimes don't view it as their role to tell developers what to expect from a public hearing.

Figure 3: City of Worcester “Pre-Development Consultation” Webpage, Including Frequently Asked Questions, a Meeting Request Form, and Related Contact Information⁹

PRE-DEVELOPMENT CONSULTATION



WHAT IS A PRE-DEVELOPMENT CONSULTATION?

Interdepartmental Review Team (IRT) meetings are regularly scheduled development consultations, held virtually, that are offered free of charge. IRT meetings are designed to assist developers and stakeholders in the pre-development stages of potential and proposed projects with questions relating to permitting processes, zoning compliance, engineering standards and land use policy considerations. Meetings are available by appointment to anyone with a proposed development, large or small, residential, commercial, institutional or industrial at any stage of the development.

To schedule an IRT meeting you need to have a specific address and proposed, along with at least preliminary site plans.

Note: These informational but informal meetings are not a substitute for any required administrative reviews or necessary Board/Commission approval.

Meeting Request Form
[Summary & FAQs](#)

Representative Departments

- Building & Zoning
- Community Development
- Economic Development
- Engineering
- Fire Department
- Historical Commission
- Housing & Neighborhood Development
- Land Use Commission
- Planning Board
- Transportation & Mobility
- Watershed Board of Appeals

HAVE A QUESTION?

- + What are the most common reasons for scheduling an IRT meeting?
- + What are commonly discussed topics at the IRT meeting?
- + What City representatives are present at the meeting?
- + How should I prepare for the meeting?
- + How do I schedule a meeting?
- + What is the meeting format?

CONTACT INFORMATION

Address Planning & Regulatory Services City Hall Room 404 400 Main Street Worcester, MA 01608	Contact Phone: 508-799-1400 Fax: 508-799-1400 permits@cityofworcester.org	Hours Monday - Friday 8:30 am - 1:00 pm
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In larger communities, the meetings should be held at regular intervals, and developers notified of when the locality is discussing their project. One interviewee said pre-application meetings occur every other Thursday in his community, and staff liaisons for the permit granting authorities are all there.

The meeting itself would provide a roadmap and timeline for applicants of what is needed to conduct the approval process—both in terms of permits from municipal authorities and application materials from the developer. Applicants should bring initial schematics of the site plan, and municipal staff should provide technical feedback and identify any pain points that are likely to surface later on.

Potential for state involvement/partnership:

One interviewee pointed out that, under state law, building commissioners are explicitly allowed—but not required—to issue preliminary opinions on zoning matters without the applicant filing a building permit.¹⁰ “It would be helpful if the statute were amended to provide a formal process and requirement for towns to engage with preliminary opinions,” he said. “Otherwise, you’re at the mercy of how the town official feels about the project.”

Under state law, building commissioners are explicitly allowed—but not required—to issue preliminary opinions on zoning matters without the applicant filing a building permit.

4. Have a single point of contact with the applicant throughout the process.

Why it’s important:

In many states, municipal staff commonly include a “permit coordinator” to be the conduit between project applicants and government agencies, identifying who needs to weigh in on a proposal and facilitating timely feedback. In Massachusetts, especially western Massachusetts, permit coordinators are rare, often due to staff capacity limits. Multiple interviewees said a single point of contact for applicants would make discretionary processes more predictable by clarifying timelines and reducing the number of officials applicants must track down.

Current challenges:

One stakeholder put it bluntly: “there are turf silos in most communities. A lot of boards have separate administrative contacts” and prefer to keep it that way. In some towns, ZBA staff are housed in the building department, separate from planners who oversee planning boards and conservation commissions. In others, the conservation commission is viewed as more of a specialty venue, with planners administering the activities of the planning board and ZBA. Very rarely do planning directors also oversee the building department.

The best-case scenario:

In some communities, a proposed project is assigned primarily to one planner for administrative purposes, and the planning department serves as the staff liaison to the planning board, ZBA, conservation commission, and historical commission alike. This way, administrators are well prepared to arrange meeting agendas to save everyone time. For example, it’s usually advisable for the conservation commission to vote on an order of conditions before the planning board conducts a site plan review, in case the site plan needs to be amended based on the order of conditions.

This arrangement can also make it easier for applicants to find the right person to talk to when resolving problems. “If there’s a specific issue with one department, [the administrator assigned to the project] will tell the applicant to go work with that department,” one interviewee explained.

In small towns with low permitting volumes, a “permit coordinator” may exist in practice, but is rarely an official role. At the very least, it may make more sense for a single staff person to serve as the administrator for multiple boards in such places.

In small towns with low permitting volumes, a “permit coordinator” may exist in practice, but is rarely an official role.

One stakeholder suggested that a permit coordinator should go even further than steering developers through the approval process. For particularly desirable projects, especially those with a below-market rate component, an administrator could also help connect applicants to funding sources, such as state grants. “Big developers have staff people whose job is to understand funding sources from government agencies,” said the stakeholder. “But most smaller developers don’t know how to access those funds.”

5. Coordinate peer reviews early in the process.

Why it’s important:

Smaller communities lacking staff with expertise in technical matters—stormwater management, traffic engineering, etc.—often require “peer reviews” of a development proposal, establishing neutral expert opinions on the project’s impact and related mitigations. Sizable communities often require peer reviews as well, especially for large and complex projects, and applicants are almost always required to pay for them. The municipality typically chooses who the peer reviewer is and thus has significant power over whether the peer reviewer will work collaboratively to move the project forward or, in the words of one developer, “nitpick your proposal to death.”

Current challenges:

Local boards will often ask for peer reviews due to political concerns rather than technical ones. For example, many zoning codes require developers to conduct traffic studies for larger projects, and municipal staff often scrutinize the assumptions behind such studies. But in the public perception, peer reviewers may still be necessary to ameliorate concerns of pro-development bias. It’s usually politically easier for local officials to order a peer review—sometimes months into the permitting process—than to publicly defend a developer-funded study on its merits.

Some bureaucratic arrangements can also make peer reviews redundant. For example, while stormwater management is well within the jurisdiction of the conservation commission, planning boards may order a peer review for stormwater management as well.

Peer reviews typically cost tens of thousands of dollars, and communities that are particularly hostile to development can find ways to push that number higher. One developer described an experience in which “the town insisted on having the peer review consultant oversee the project as it was built. The scope of the consultant’s work just kept increasing.”

It’s usually politically easier for local officials to order a peer review—sometimes months into the permitting process—than to publicly defend a developer-funded study on its merits.

Figure 4: Rendering of Alta Thoreau, an Apartment Building in Concord Subjected to an Architectural Peer Review Process¹¹



Other interviewees said there are good reasons why peer reviews are common and expensive. “Increasingly, the land available for development is marginal and has significant environmental concerns,” said one local official. One developer-adjacent stakeholder described environmental peer reviews in municipalities lacking in-house knowledge as a “necessary evil.”

The best-case scenario:

Larger communities often have engineers on staff with expertise in traffic, stormwater management, and other common peer review topics, obviating the need for third party involvement most of the time. Smaller communities will frequently have capacity issues that warrant peer reviews, but they should at least know what they don’t know.

A planner or other permit coordinator should anticipate the peer reviews that are needed in advance and engage the reviewer before any public hearing occurs. Municipal staff should also be sensitive to the sequential order of peer reviews. If an architectural peer review is necessary, it should occur as soon as possible, since architecture must be finalized before other common peer review topics, including stormwater management.

Local board members should also understand when and which peer reviews are needed in advance and structure meetings accordingly. One stakeholder described “the most effective process I’ve seen out there” as involving “the board saying, ‘come back when you’ve resolved all the issues with peer reviewers and staff’ at the first hearing, and then you work directly with the peer review consultants for the next two or three months.” This approach saves time for the applicant and municipal planning staff and improves the predictability of board and staff decisions.

6. Standardize and synchronize internal technical reviews.

Why it’s important:

Even with a pre-application meeting, interdepartmental coordination challenges can cause significant delays and confusion. This is especially the case in communities that require formal and sequential reviews from many different departments—the fire department, police department, department of public works, board of health, etc.—before a project appears before an approval body. Once the applicant files a formal project application and site plan, many municipal agencies will undertake these technical reviews.

Current challenges:

Conducting independent technical evaluations for every major project can be immensely time-consuming and unpredictable. Municipal departments may not have consistent review criteria or processes, and one stakeholder said that some municipal department heads also “lack the technical expertise needed to fully interpret certain aspects of architectural or site plans.”

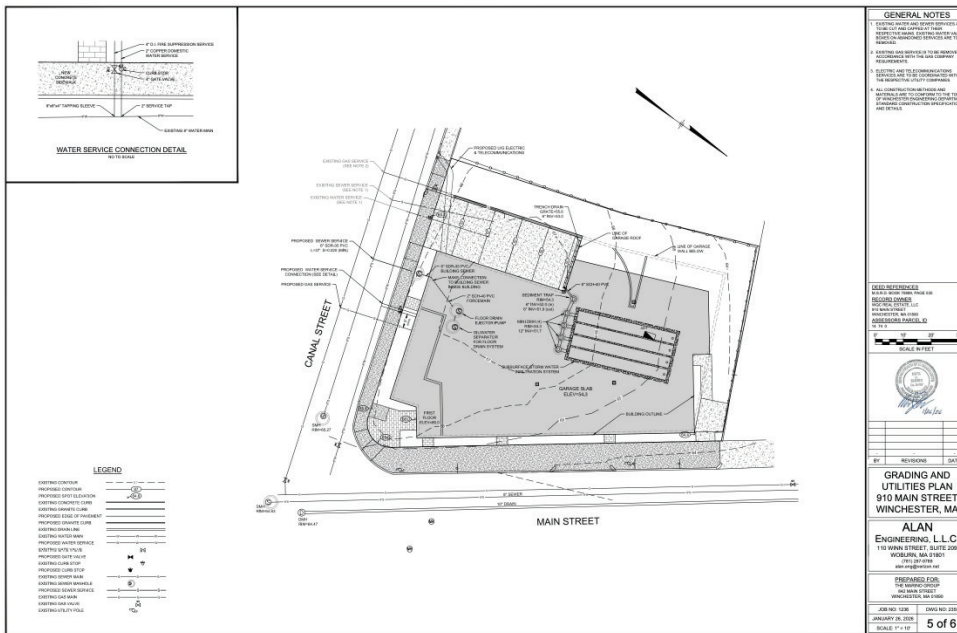
One developer described his disdain for the review process “requiring stops along the way” at various departments. “If you had a checklist of everything the fire department wanted to see, you could codify that,” he said. “If you need a fire sprinkler in every closet, why can’t you get one plan reviewer to specify that in advance, as opposed to having a checkpoint for every department that wants to weigh in?”

And that’s assuming that technical reviewers respond in the first place. Another interviewee said that sometimes, town officials realize the fire chief hasn’t commented on a project by the day of the public hearing, so they delay the public hearing to the following month.

Lastly, efforts to simply impose internal deadlines on technical reviews are often ineffective. In practice, projects that move forward before municipal officials feel they’ve resolved technical issues are incredibly vulnerable to lawsuits. And as long as the municipality has leverage to deny the project entirely, applicants usually have a strong incentive to make sure technical officials are fully satisfied.

One stakeholder said that some municipal department heads “lack the technical expertise needed to fully interpret certain aspects of architectural or site plans.”

Figure 5: Grading and Utilities Site Plan for a Proposed Mixed-Use Building in Winchester¹²



The best-case scenario:

Technical review criteria from the fire chief and others should be codified and transparent to applicants in advance. Wherever possible, it should also be evaluated primarily by planning staff, not the technical professionals themselves, thus reducing the number of touch points in the process.

Some communities have policies—whether formal or informal—that they won’t delay board meeting agendas because of a non-response from technical reviewers. And technical reviewers should only get one chance to comment on a project proposal, rather than instigate an eleventh-hour redesign that still needs board approval.

It saves time and money when technical comments are delivered in parallel. Municipalities should empower staff to facilitate these simultaneous reviews even for permit processes that are otherwise conducted by elected or appointed boards.

Potential for state involvement/partnership:

Technical reviews of a building permit application should still be conducted by certified building officials, separately from site plan review or special permit processes. But some municipalities require an applicant to file a building permit application and be formally rejected by a building commissioner or a ZBA before filing a special permit application for the same project. One non-developer interviewee referred to this practice as “bureaucratic nonsense.”

Massachusetts state law already specifies that special permit applications should be filed with the city or town clerk.¹³ The Legislature should amend the law to explicitly prohibit prerequisite filings with other entities before a special permit application is accepted as complete.

Technical reviewers should only get one chance to comment on a project proposal, rather than instigate an eleventh-hour redesign that still needs board approval.

7. Codify objective review criteria and efficiencies in local ordinances and bylaws.

Why it's important:

Often, aspects of discretionary reviews that either streamline the process or slow it down are not matters of official policy. Instead, they are recommended by local officials on an ad hoc basis. Instead, municipalities have opportunities to adopt objective rules that simplify and clarify aspects of the process—or at least establish existing streamlining practices as allowable.

Current challenges:

Zoning codes often give planning boards and ZBAs the explicit discretion to make permitting processes more onerous for the applicant—everything from imposing additional landscaping requirements to ordering a traffic study. And the criteria for what to include in these additional requirements and review procedures are usually left to the board's discretion as well.

While state law helps establish criteria for when certain types of permits may be issued, those criteria are subject to interpretation. State law currently does not require municipalities to adopt objective review standards to make the permitting process more predictable for applicants. The result is often that there are both a low floor and a low ceiling in the reliability of the permitting process, unless municipalities standardize the applicability, scope, and metrics used in a review procedure in advance.

Existing streamlining efforts could also benefit from standardization. One local official “lets [applicants] get a site plan approval conditional on them getting a variance, so that it doesn't slow them down when there are upcoming board meetings in ‘reverse order.’” But this allowance isn't codified anywhere. Thus, when the political environment around housing development changes—or an official with substantial institutional knowledge retires—a municipality may choose not to offer such courtesies, and board members may not be aware of the precedent for them.

The best-case scenario:

Municipalities should proactively identify common, predictable efficiencies in the permitting process, amend local bylaws or ordinances to include them, and then enforce them consistently. Frequently, this takes the form of turning a discretionary decision into an administrative matter. One interviewee called for a “clear threshold for when you need [a traffic study]. You need to say ‘when the presumed number of trips generated is higher than X, we'll do a traffic study. Otherwise, we won't.’”

Some aspects of procedural rules should remain discretionary, as attempts to codify leniency could, in practice, make the process inflexible for applicants. But the possibility of that leniency should still be codified, explicitly allowing policies that could improve the process's predictability.

For example, Somerville allows special permit review procedures to occur simultaneously with those of other permits required for the same project, but only “at the discretion of the designated review board.”¹⁴

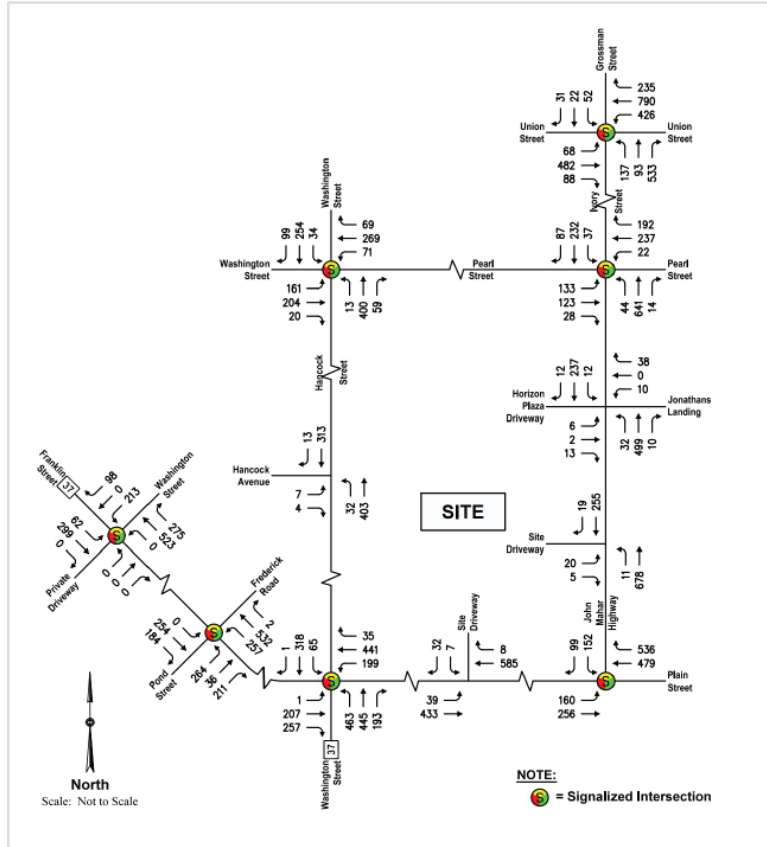
Potential for state involvement/partnership:

State law already plays a role in establishing criteria for discretionary processes for issuing special permits and variances. As of this writing, a pending economic development bill, dubbed the “Mass Wins Act,” would also codify site plan review in state law.¹⁵ The Act's passage, full implementation, and enforcement would be the most direct way to ensure that non-discretionary approval processes for new housing development are truly non-discretionary. But even during technical review processes, boards don't

In case the political environment around housing development changes—or an official with substantial institutional knowledge retires—existing streamlining efforts should be codified in local bylaws or ordinances.

want to be forced to say yes. Thus, the state should go further and require localities to conduct site plan review administratively, solely with municipal staff.

Figure 6: Schematic Map of Projected Changes in Morning Commute Traffic Volumes from a Study Evaluating a Proposed Residential Development in Braintree¹⁶



8. Require training for local board members.

Why it's important:

Currently, ethics training is the only formal training requirement for ZBA and planning board members in most Massachusetts communities.¹⁷ Optional trainings regarding relevant state laws are available through organizations like the Citizen Planner Training Collaborative (CPTC), but their effectiveness is unclear. Several interviewees cited board member knowledge as crucial to managing the permitting process without unnecessary delays or excessive scopes of review.

Current challenges:

The onboarding process for new board members varies widely by municipality, but training is mostly on-the-job. It also usually depends on rules the board itself adopts, which typically focus on administrative matters, not the particulars of site plan review, variance, and special permit criteria.

Theoretically, professional planning staff help ensure the process is grounded in objective criteria, as state law requires. But political incentives complicate that role, especially when board members are elected officials.

Several interviewees cited board member knowledge as crucial to managing the permitting process without unnecessary delays or excessive scopes of review.

“The planning board tells the town staff what to do, not the other way around,” said one municipal official. “If [a board is] going to make a determination that’s arbitrary, there’s no best practices for staff to handle that unless they put their jobs on the line.”

In smaller communities, staff assisting elected boards might not have the technical expertise to advise them. One stakeholder even said that mandatory training would be hard to enforce because some towns “just don’t have the administrative capacity to certify that [training] happens.”

The best-case scenario:

Many communities have appointed board members that are specifically screened for their expertise. Some localities require a planning board to have a certain number of attorneys, certified planners, and other professionals in specific quantities. Over time, many communities have gradually “professionalized” their planning boards.

The benefits of this approach are clear. For example, planning staff are rarely trained architects, but sometimes planning boards require at least one member to be an architect. The architect board member can vet projects for design issues well before a peer review is conducted, helping finalize designs early and expediting the process.

Similarly, an attorney is likely familiar with the limits state law places on planning boards’ authority, avoiding bloated scopes of review.

Still, many smaller communities lack an extensive base of professionals for volunteer positions. In these communities and larger ones with elected boards, mandatory training is still desirable and compatible with a volunteer board structure. One interviewee pointed out that the state Department of Revenue requires technical training for members of local boards of assessors.¹⁸ ZBA and planning board members should also need to complete a formal training program within one year of their election or appointment.

CPTC trainings are available online, making it easier for municipalities to ensure completion. There are also state incentives for local boards to complete trainings, including points off liability insurance for land use decisions that break the law.¹⁹

Potential for state involvement/partnership:

Training requirements for local board members could be instituted at either the state or local level. As of this writing, pending “Mass Wins Act” legislation would require a state agency to create a mandatory training program for planning boards, special permit granting authorities, and ZBAs.²⁰ Standardized statewide training criteria would make it easier for organizations like CPTC to train board members from different communities. In places with limited staff capacity, it would also facilitate enforcement help from regional planning agencies. Finally, a state mandate could be a good impetus for collecting better data about who participates in the trainings and how participation affects board decisions and related legal activity.

9. Minimize the number of local officials who hold sway over subjective criteria.

Why it’s important:

As implied above, the politicization of permitting is a major cause of uncertainty and delays. This is especially true in topic areas like design and historic preservation, which can easily devolve into subjective debate rather than technical fact-finding. Many large projects involve site-specific concerns that require local debate about mitigation. But municipalities can take steps to ensure that debate is productive.

Current challenges:

One developer described the “worst-case scenario” as one in which “the planning board and design review board disagree about things and keep sending the project back and

“If [a board is] going to make a determination that’s arbitrary, there’s no best practices for staff to handle that unless they put their jobs on the line.”

– Anonymous municipal official

forth between each other,” causing immense delays and costly redesigns.

In theory, codifying design criteria could help avoid prolonged project-by-project debates among local board members. Several interviewees mentioned “form-based codes,” which regulate land use mostly with design criteria (materials, window placement, etc.), as opposed to density and dimensional metrics like setbacks and numbers of homes per acre.

But interviewees were divided over the merits and applicability of form-based codes. One mentioned that pre-approved designs can help justify by-right approvals even in historic areas. Another cautioned that form-based codes don’t automatically save any time or money, citing an example of a historic district commission approval that abutters appealed in court.

Moreover, rewriting an entire zoning code to take a design-centered approach is a herculean task for smaller towns. Instead, some have adopted form-based overlay districts in their downtowns (see Figure 7).²¹

One developer described the “worst-case scenario” as one in which “the planning board and design review board disagree about things and keep sending the project back and forth between each other.”

Figure 7: An Affordable Housing Development Under Construction in Orleans, One of the First Built in the Town’s Form-Based Downtown Housing Overlay District²²



Lastly, some local officials described cases where a planning board will appoint a “project advisory team” to conduct additional reviews on certain aspects of one project, for which interested citizens can apply. Generally, members of project-specific boards are not used to working with each other and often don’t have clear guardrails around the scope of their review, creating a lengthy and uncertain “shadow approval process.”

The best-case scenario:

Some communities handle subjective and objective elements of one topic area separately. In Cambridge, when an applicant proposes replacing an old building, a staff member determines whether the building is “significant” (based on objective criteria) before the historic commission decides whether delaying demolition is “in the public interest” (subjective). Ideally, in any technical topic area, a single official would determine whether a project needs further review.

At the very least, municipalities should avoid situations where multiple approval bodies have a given topic area under their purview. According to one local official, “the planning board is qualified to consider design issues most of the time. You don’t need a separate body for design.”

To the degree feasible, municipalities should consolidate the number of boards that review both a given project and a given category of permit. For example, in many communities a special permit may be required from the ZBA or the planning board, depending on the project type, while a site plan review is always conducted by the planning board. If the planning board always approved both site plans and special permits, the applicant wouldn’t be exposed to conflicting guidance between the ZBA and planning board and the planning board could develop townwide institutional knowledge about issuing special permits.

Potential for state involvement/partnership:

A couple of interviewees described Devens as taking this unified permitting approach to its logical end, integrating the planning board, ZBA, conservation commission, and design review board into one body. “Every town should have the Devens Enterprise Commission,” said one non-developer stakeholder. “They handle everything and they develop expertise over time.” Allowing municipalities to integrate multiple review bodies into one would almost certainly require state approval.

“Every town should have the Devens Enterprise Commission,” said one non-developer stakeholder. “They handle everything and they develop expertise over time.”

10. Fully implement permitting reforms from comprehensive plans.***Why it’s important:***

In planning theory, long-range strategic documents called comprehensive plans are considered an ideal guide for aligning local policies with broader goals. By identifying community priorities upstream of a given project proposal, they can save time and provide clarity to inform local board decisions. Hypothetically, comprehensive plans can help build consensus around many of the other permitting reform steps listed above. But in Massachusetts, comprehensive plans are not enforceable policy documents, nor are they fully implemented in most cases.

Current challenges:

Comprehensive plans are often used defensively. For example, the establishment of five-year “housing production plans” legally allows municipalities to exert more control over mixed-income housing built under Chapter 40B of state law.²³ Multiple interviewees described 40B incentives as the main motivation behind completing such plans.

Another interviewee said that one town’s comprehensive plan was initiated by those seeking to stop zoning changes the town was considering. Politically, it seemed reasonable to delay the enactment of major zoning reforms until the comprehensive plan was completed, which has taken three years.

Even if the comprehensive plan was conceived and written in good faith, implementation can be very difficult. Oftentimes, executive bodies like the planning board and select board take ownership of the comprehensive plan’s policy recommendations and approve the plan itself. But in most Massachusetts municipalities, any bylaw changes

needed to implement the plan must be approved by town meeting, which rarely meets more than twice per year and often has a large and unpredictable membership.

Some interviewees were bluntly opposed to comprehensive plans entirely. One municipal official referred to his own community's comprehensive plan as "a giant boondoggle" and opined that comprehensive plans in general are "a mile wide and an inch deep."

Figure 8: Land Use Categorization Framework from New Bedford's 2025 Comprehensive Plan²⁴



The best-case scenario:

Comprehensive plans are more likely to be substantially implemented in places that have a designated implementation body that meets regularly. This often takes the form of a one-time appointed "master plan implementation committee." In Connecticut, planning commissions both oversee the formulation of the plans and have the sole power to enact zoning changes.²⁵ While Connecticut's planning system is controversial for its poor ability to coordinate land use decisions with other aspects of governance, in practice municipal staff could help bridge this gap if Massachusetts vested more plan implementation power in executive bodies.

Importantly, the plans themselves need to have actionable steps that are realistic. Often, comprehensive plans are written by consultants who are not directly accountable to municipal leaders' capacity or political challenges. Close coordination between consultants and municipal officials can help solve this, and RFPs published for the consulting work should make potential implementation challenges clear from the get-go.

Potential for state involvement/partnership:

In many states, comprehensive plans are required to be the basis for local zoning and to align with statewide goals.²⁶ Such requirements would help ensure that plans are not used to put a de facto moratorium on zoning changes or as loopholes to comply with state mandates. The state should also amend grant programs like the One Stop application to reward communities for meeting measurable goals listed in their comprehensive plans, not just for writing the plans.

Comprehensive plans are more likely to be substantially implemented in places that have a designated implementation body that meets regularly.

Conclusion

Long before any public hearing takes place for a particularly contentious apartment project, Massachusetts municipalities have an opportunity to set up the residential permitting process for success. With the above steps, project proposals can be evaluated both rigorously and expeditiously, under criteria that both respect the site's surrounding context and ensure some predictability for applicants trying to address the state's yawning housing shortage.

Many of the recommended steps are unglamorous and hidden from public view. They rely on providing clear and timely information to applicants and proactively managing internal review processes. They encourage municipalities to foster knowledge among local officials and embed that knowledge in the law. Finally, they provide a framework for tying local approval process reforms to broader municipal and state housing goals.

Streamlined permitting for new housing is a major pillar of a broader solution set that will better enable more Massachusetts families to find and afford a home. While these steps alone will not produce an overnight change in housing costs, they will produce a prompt improvement in government transparency and accountability to those families' housing needs.

Streamlined permitting for new housing is a major pillar of a broader solution set that will better enable more Massachusetts families to find and afford a home.

Appendix: Interviewees

Judi Barrett, Barrett Planning Group

Evan Belansky, Town of Chelmsford

Rob Brennan, Smolak & Vaughn LLP

Kenneth Comia, Pioneer Valley Planning Commission

Stefanie Coxe, Home Builders & Remodelers Association of Cape Cod

Peter Dunn, City of Worcester

Ashley Eaton, Massachusetts Housing Partnership

Jack Englert, Criterion Development

Michael Frawley, Monument Capital

Steve Heikin, Town of Brookline Planning Board

Katharine Lacy, Massachusetts Housing Partnership

Christine Madore, Massachusetts Housing Partnership

Lee Pouliot, City of Chicopee

Jennifer Raitt, Northern Middlesex Council of Governments

Claire Ricker, Town of Arlington

John Smolak, Smolak & Vaughn LLP

One anonymous real estate developer

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