Town of Sterling Housing Production Plan

2019 Update

Draft

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established 1968
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TOWN OF STERLING · WORCESTER COUNTY, MASSACHUSETTS ·

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Executive Summary

Introduction

Sterling is primarily a rural, residential community located in the foothills of Mount Wachusett in Central Massachusetts. It is approximately 41 miles west of Boston and 12 miles north of Worcester, centrally located between Worcester and Fitchburg along the I-190 corridor. The town is bordered by Leominster on the north, Lancaster and Clinton on the east, West Boylston on the south, and Holden and Princeton on the west. Sterling has maintained its small village character and residents pride themselves on the town's history. The town was incorporated in 1781, named for William Alexander, Lord Stirling who was a general in George Washington's army and a hero of the American Revolution. While primarily a farming community until well into the twentieth century, Sterling had an early tradition of small manufacturing that included clocks, hats, pottery, and cider. Sterling is the home of Mary Sawyer, noted in the famous children's rhyme of "Mary Had a Little Lamb", and is also the home of Butterick patterns, patented by Ebenezer Butterick in 1896.

Population growth has put significant pressures on the town, local services and the housing market, especially between the years of 1960 and 1990 when the population nearly doubled in size. In fact, Sterling has experienced a relatively higher rate of growth in comparison to neighboring municipalities, as well as Worcester County and the state as a whole.

The rate of growth has slowed down since that time, but the town is still steadily gaining new residents. Much of this growth has resulted from the outward movement of people from population centers, such as Boston, in search of more affordable living conditions. This increased pressure on the existing housing market leads to increased costs of housing making it more difficult for existing residents or those who were raised in town to secure affordable living options locally.

Increasing housing prices are also attracting greater attention from private developers interested in Chapter 40B development and prompting Town leaders and residents to recognize that different strategies are required to better plan for housing development and ensure that it is more directed to serving local needs and objectives. According to Chapter 40B regulations, if a municipality has less than 10% of its year-round housing set-aside for low- and moderate-income residents, it is not meeting the regional and local need for affordable housing. This makes the town susceptible to a state override of local zoning if a developer chooses to create affordable housing through the Chapter 40B comprehensive permit process.

Based on the Massachusetts Department of Housing and Community Development's most recent data on the Chapter 40B Subsidized Housing Inventory, Sterling has 2,918 year-round housing units, of which the state currently counts 68 units as affordable, representing 2.33% of the year-round housing stock. Sterling is vulnerable to losing control over housing development through Chapter 40B comprehensive permit applications and would need at least 224 more affordable units to meet the 10% standard based on the existing housing stock. Assuming future housing growth, this 10% figure is a moving target and ultimately the required minimum number of year-round units will increase over time.

Undertaking a more proactive housing agenda to promote affordable housing will be a significant challenge in Sterling. First, the town's resources for absorbing growth are extremely limited as it has significant physical constraints regarding existing infrastructure, which make denser development more costly and difficult. For example, Sterling has no sewer services and some areas of town still rely on wells. This raises

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concerns among residents about water supply and quality impacts of any new development. Additionally, reductions in State aid are exacerbating problems, resulting in the need for the Town to seek additional funds above the minimum local requirements to maintain a status quo budget for schools.

Second, local zoning provides substantial obstacles to affordable housing development, and current regulations would have to be reformed or in many cases overridden through "friendly" comprehensive permits to overcome these obstacles. Zoning for accelerated growth raises local questions concerning capacity and changing the very nature of the community with its small-town distinctions. Third, the town needs to establish the means of building its capacity to promote new affordable units by aggressively reaching out for necessary technical and financial resources and building the political support needed to get the job done. It must also strive to effectively manage the Town's limited assets as a whole and direct growth most effectively for the overall environmental and social health of the community.

This Housing Production Plan suggests a range of options to meet pressing local housing needs and to bring Sterling closer to the state 10% threshold, presenting a proactive housing agenda of Town-sponsored initiatives. Due to the rising costs of homeownership, including escalating energy costs and taxes, some residents are finding it increasingly difficult to afford to remain in Sterling. Children who grew up in the town are now facing the possibility that they may not be able to return to raise their own families locally. Long-term residents, especially the elderly, are finding themselves less able to maintain their homes and keep up with increased real estate taxes but unable to find alternative housing that better meets their current life styles. Families are finding it more difficult to "buy up," purchasing larger homes as their families grow. Town employees and employees of local businesses, although relatively small in number, are increasingly hard pressed to find housing that is affordable in Sterling. More housing options are required to meet these local needs and produce Sterling's fair share of regional needs.

Based on interest from developers in proposing Chapter 40B developments, town residents no longer have the luxury of maintaining the status quo. New housing will be built, and residents must consider what steps should be taken and what compromises can be accepted to have some control over Sterling's future development. This Housing Production Plan represents a critical step forward and an opportunity for the town to chart its own course on affordable housing development.

Housing Goals

The Town of Sterling, through its Affordable Housing Committee, has identified the following goals that serve as the basis for the strategies that are proposed in this Housing Production Plan:

- Meet local needs across the full range of incomes, sustaining social and economic diversity and promoting the stability of individuals and families in Sterling.
- Maintain Sterling's small-town, rural character and ensure that new housing creation is harmonious with the existing community.
- Provide a wider range of housing alternatives and types to reflect community needs.
- Leverage other public and private resources to the greatest extent possible.
- Strive to meet the 10% state standard for affordable housing.
- Preserve the existing affordable stock to the greatest extent possible.
- Promote outreach and education to the community to provide information on affordable housing and to engage residents in local initiatives.
- Promote smart growth development.

Summary of Housing Needs Assessment

This Housing Needs Assessment presents an overview of the current housing situation in the town of Sterling, providing the context within which a responsive set of strategies can be developed to address housing needs and meet production goals. Key findings in regard to household characteristics, housing characteristics, and housing affordability in Sterling are as follows:

- Historically, Sterling has grown at a quicker rate than the county and state. Population growth has slowed in recent years to a rate similar to both.
- The number of residents aged 65 years and over expected to more than double (110% increase) between 2010 and 2030.
- Household size has decreased across all categories, including families, owner-occupied, and renter-occupied households
- Sterling is steadily becoming more racially diverse, although still modest in terms of total population (~3% of total population according to 2010 Census)
- Sterling has higher levels of educational attainment (i.e. proportion of those with a college degree or higher) than the county or state
- Sterling has a high level of median household income ($102,500) when compared to its ten nearest communities. Among its ten nearest neighbors, only Princeton ($128,006) and Lancaster ($104,331) have higher average incomes.
- Non-family household income ($59,596) is less than half that of family households ($125,286)
- Nearly 90% of Sterling's housing units are in single-family homes. The rate of single-family detached homes (85%) is significantly higher than Worcester County (56%) and Massachusetts (52%)
- Homes in Sterling are newer on average than Worcester County and Massachusetts. 51% of homes were built between 1970 and 1999 and 15% were built since 2000 (compared to around 1/3rd and 1/10th of homes for both the county and the state)
- Sterling has a very high rate of owner-occupied residences (86.8%) within the region. Currently the largest group of renters are residents aged 45 to 54 (38% of all rental units)
- The town's vacancy rate of 5.2% is considered very low, and therefore the market is very tight. For context, at the time of the 2010 Census, Worcester County's vacancy rate stood at 7.3% and Massachusetts at 9.3%.
- According to the online real estate database Zillow, the median home value in Sterling is $354,600. Sterling home values have increased 4.8% over the past year and Zillow predicts they will rise 3.3% within the next year.
- Median gross rent in Sterling ($1,270) ranks high when compared to neighboring communities as well as Worcester County and Massachusetts. Among Sterling's ten nearest communities, just Lunenburg has a higher median gross rent ($1,617).
- From 2000 to 2017, Sterling issued building permits for 460 single family units (averaging close to 26 units per year).
- The development of Northgate Meadows is anticipated to begin in the near future, a project which would involve construction of 158 new units near Leominster boundary.
    - This development proposes a total of 86 ownership units and 72 rental units and would provide 22 affordable ownership units and 18 affordable rental units. In the case of the rental units, even though only 18 units will be considered affordable, all 72 of the units count towards Sterling's SHI. If and when the Northgate Development is completed, the

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town will have an additional 94 units to add to the SHI bringing Sterling's affordable housing percentage to 5.55%, up from the current 2.33%.

- 22.8% (640) of all Sterling households are categorized as low-income (earning less than 80% AMI), and 3.7% who are extremely-low-income (earning less than 30% AMI)
- Areas where more than 30% of households are cost burdened face an affordable housing shortage. In Sterling, 34% and 11% of households are cost burdened and severely cost burdened, respectively, compared to 29% and 14% of households statewide.
- In Sterling, cost burden among elderly family households is 22% and elderly, non-family households is 38%
- Affordability Gap is the difference between the number of households at a given income level and the number of units affordable to households at that income level. A positive gap indicates a shortage of units at a given income level, even if households and units were perfectly matched by incomes and costs.
    - Households earning less than 50% of the Area's Median Income (AMI) – current shortage of 75 units
    - Households earning 50 to 80% AMI – current shortage of 60 units
    - Households earning 80% AMI – current surplus of 130 units
- Under General Law Chapter 40B, in any municipality where less than 10% of units are included on the SHI, a developer can build more densely than the municipal zoning bylaws would permit, if at least 25% (or 20% in certain cases) of the new units are affordable.
    - Statewide, 5% of housing units are on the SHI, and 12% of municipalities meet their 10% requirement under Chapter 40B.
    - Sterling currently has 68 affordable units of its total 2,918 year-round housing units from the 2010 Census, or 2.33%.

Summary of Housing Production Planned Production Goals

The Massachusetts Department of Housing and Community Development (DHCD) administers the Planned Production Program that enables cities and towns to adopt an Housing Production Plan that demonstrates production of 0.5% over one year or 1% over two-years of its year-round housing stock eligible for inclusion in the Subsidized Housing Inventory. Sterling will have to produce approximately 15 affordable units annually to meet these production goals through 2024. When the 2020 census figures become available in 2021, this number will be higher. If the State certifies that the locality has complied with its annual production goals, the Town may, through its Zoning Board of Appeals, deny comprehensive permit applications without opportunity for appeal by developers.

Using the strategies summarized under the Housing Action Plan, the Town of Sterling has developed a Planned Production Program to chart affordable housing production activity over the next decade. The projected goals are best guesses at this time, and there is likely to be a great deal of fluidity in these estimates from year to year. The goals are based largely on the following criteria:

- To the greatest extent possible, at least 50% of the units that are developed on Town-owned parcels should be affordable to households earning at or below 80% of area median income and at least another 10% affordable to those earning up to 150% of area median income, depending on project feasibility. The rental projects will also target some households earning at or below 60% of area median income depending upon subsidy program requirements.

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- Projections are based on a minimum of four units per acre. However, given specific site conditions and financial feasibility it may be appropriate to increase or decrease density as long as projects are in compliance with state Title V and wetlands regulations.
- Because housing strategies include some development on privately owned parcels, production will involve projects sponsored by private developers through the standard regulatory process or "friendly" comprehensive permit process. The Town plans to promote increased affordability in these projects, working with developers to incorporate at least 30% of the units as affordable.
- The projections involve a mix of rental and ownership opportunities. The Town will work with private developers to promote a diversity of housing types directed to different populations with housing needs including families, seniors and other individuals with special needs to offer a wider range of housing options for residents.

Summary of Housing Action Plan

To assist the town in achieving its stated goals for affordable housing production, the following actions are proposed and detailed in this plan:

1. Explore the creation of an Affordable Housing Trust or responsible housing entity to implement the actions in this plan;
2. Make suitable Town-owned land available for affordable housing;
3. Seek out and apply for funding and assistance for the implementation of this Action Plan;
4. Promote local approval for Community Preservation Act (CPA);
5. Amend accessory apartment bylaw and incorporate accessory apartments in the SHI;
6. Adopt affordable housing on noncomplying lots;
7. Support cluster development where feasible; and
8. Explore offering property tax relief in exchange for deed restrictions on affordable units.

Summary Description of Use Restrictions

Sterling is committed to maintaining its Subsidized Housing Inventory for as long a period as possible. Affordable units must serve households with incomes no greater than 80% of the area median income for which the unit is located. Units must be subject to use restrictions or re-sale controls to preserve their affordability as follows:

- For minimum of thirty years or longer from the date of subsidy approval or construction for new construction.
- For a minimum of fifteen years or longer from the date of subsidy approval or completion for rehabilitation.
- Alternatively, a term of perpetuity is encouraged for both new construction and completion of rehabilitation.

Units are or will be subject to an executed Regulatory Agreement[1] between the developer and the subsidizing agency unless the subsidy program does not require such an agreement. The units have been, or will be marketed in a fair and open process consistent with state and federal fair housing laws.

[1] The purpose of the Regulatory Agreement is to memorialize the rights and responsibilities of the parties, including the provisions that qualify a Developer as a limited dividend entity under c.40B, if applicable. The Regulatory Agreement also provides for monitoring of the project throughout the term of affordability

Comprehensive Housing Needs Assessment

An analysis of local demographic data and housing stock reveals key characteristics and trends in Sterling that help explain housing need and demand. In order to understand how the town compares to its neighbors and the region, Sterling data is compared to neighboring and nearby communities, to Worcester County, and to Massachusetts. Ultimately, this section provides the framework for the housing production goals and strategies to address local housing concerns included later in this document.

Demographics

This Housing Production Plan is grounded in a thorough examination of Sterling's demographic makeup. An analysis of the current population, household composition, race and ethnicity, and educational attainment provides insight into existing housing need and demand. Projections of the Town's future residential composition help inform housing planning efforts.

Population

As of 2010, Sterling is home to 7,808 residents, an increase of 7.6% from 2000. As seen in Table 1, Sterling has historically grown at a quicker rate when compared to the county and state as a whole. Using even more recent (2013-2017) estimates from the American Community Survey, Sterling appears to be continuing to grow at the same rate as Worcester County (2.5%) and slightly slower than Massachusetts as a whole (3.7%).

Table 1. Population Change, 1960 to 2017

	Sterling		Worcester County		Massachusetts	
Year	Total	% Change	Total	% Change	Total	% Change
1960	3,193	-	538,228	-	5,148,578	-
1970	4,247	+33.0%	637,037	+18.4%	5,689,170	+10.5%
1980	5,440	+28.0%	646,352	+1.5%	5,737,037	+0.1%
1990	6,481	+19.1%	709,705	+9.8%	6,016,425	+4.9%
2000	7,257	+12.0%	750,963	+5.8%	6,349,097	+5.5%
2010	7,808	+7.6%	798,552	+6.3%	6,547,629	+3.1%
2017	8,000	+2.5%	818,249	+2.5%	6,789,319	+3.7%

Source: US Census and American Community Survey (2013-2017) 5-Year Estimates

Looking at population growth within age cohorts, Sterling as well as Massachusetts are growing older. The senior population is expected to increase in the Commonwealth by 110% over the next two decades, an increase mirrored in almost every city and town. In Sterling, the aging of the Baby Boomers will cause the senior population to increase by about 1,200 people, or 110%, through 2030, as seen in Figure 1. The total population is projected to decrease by 400, or 5.1%, over the same period.

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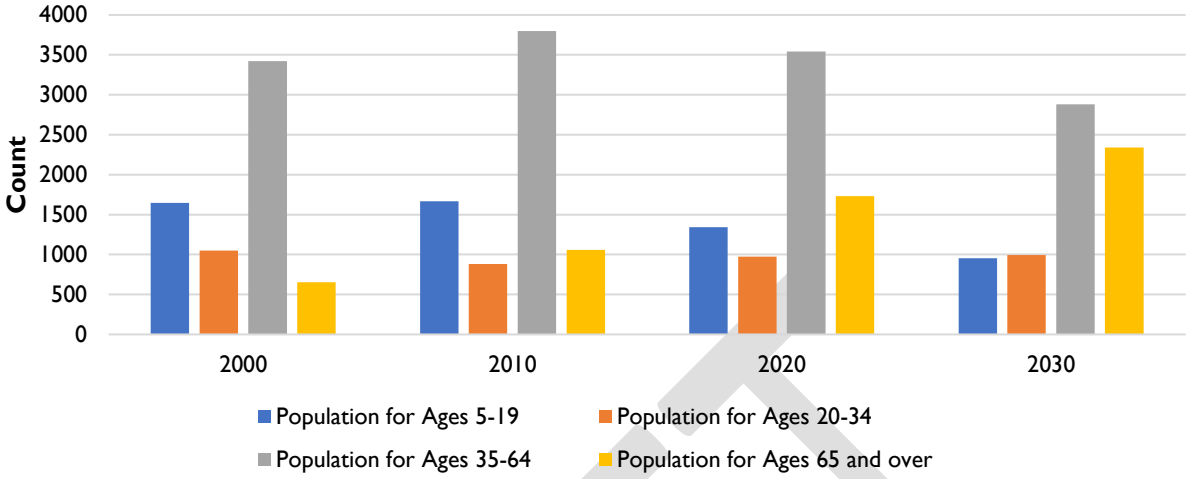
Figure 1. Population by Age Group, 2000 to 2030



Source: Housing MA 2019

Household Composition

More so than population, the number and type of households and their spending power within a community correlate to unit demand. Each household resides in one dwelling unit, regardless of the number of household members. As of the 2010 Census, Sterling is home to 2,810 occupied households. This constitutes an increase of 9.2% from 2,573 in 2000.

Family & Non-Family Households

Different household types often have different housing needs or preferences. For example, a married couple with children requires a larger dwelling unit than a single person. A municipality's composition of household types can indicate how well suited the existing housing inventory is to residents.

The Town of Sterling's 2,810 occupied households can be divided between families and non-families. The former includes any household with two or more related persons living together, and the latter includes households with one person or more than one non-related persons living together.

More than three-quarters (77%) of Sterling's occupied households, or 2,170, are families, and 34.7% of all occupied households have children under the age of 18 (Table 2). Of Sterling's family households, the majority are married (86%) and the average family size is 3.12, slightly larger than both Worcester County and the state as a whole at 3.09 and 3.08 respectively.

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Table 2. Household composition (2010 US Census)

	Number	Percent of Total Households
Family Households	2,170	77.2%
With own children under 18 years	976	34.7%
Married Couples	1,866	66.4%
With own children under 18 years	840	29.9%
Male Householder, No Spouse Present	81	2.9%
With own children under 18 years	38	1.4%
Female Householder, No Spouse Present	203	7.2%
With own children under 18 years	98	3.5%
Non-family Households	640	22.8%
Householder living alone	510	18.1%
65 years and over	204	7.3%
Total Occupied Households	2,810	100%

Source: 2010 US Census

Household Size

Sterling household size has shrunk since 2000. This is true overall, as well as for family households across tenures. As of 2010, the average household size for owner-occupied units is larger than that of renter-occupied units (2.82 versus 2.12).

Table 3. Average Household Size, 2000 to 2010

	2000	2010
Household Size	2.82	2.73
Family Household Size	3.16	3.12
Owner-Occupied Household Size	2.94	2.82
Renter-Occupied Household Size	2.14	2.12

Source: US Census

This is consistent with the broader trend of shrinking household size across the state as a whole (Table 3). As of 2010, the average Sterling household size was larger than that of Worcester County (2.73 versus 2.55), and Massachusetts (2.48).

Race & Ethnicity

In terms of race, Massachusetts continues to grow more and more diverse. Between 2000 and 2010, the state's non-white population increased by 110%, far outpacing the increase in white, non-Hispanic

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residents (4.2%). Sterling's population has remained predominantly white but minority residents are steadily increasing in number, from 88 in 1990 (1.4%) to 141 in 2000 (1.9%) and 237 in 2010 (3.0%) (Table 4).

Table 4. Race and Hispanic or Latino Origin (2010 US Census)

	White alone	Black or African American alone	American Indian and Alaska Native alone	Asian alone	Hispanic or Latino (of any race)	Another race alone	Two or more races
Sterling							
Number	7,571	55	14	68	158	23	72
%	97.0%	0.7%	0.2%	0.9%	2.0%	0.3%	0.9%
Worcester County	85.6%	4.2%	0.2%	4.0%	9.4%	3.6%	2.3%
Massachusetts	80.4%	6.6%	0.3%	5.3%	9.6%	4.7%	2.6%
United States	72.4%	12.6%	0.9%	4.8%	16.3%	6.2%	2.9%

Source: 2010 US Census

Education

Educational Attainment

Sterling has a high level of educational attainment. In Sterling, almost half (49.1%) of residents aged 25 years and over have earned a Bachelor's degree or higher, a higher proportion than both Worcester County (35.3%) and Massachusetts (42.1%) (Table 5).

Table 5. Highest level of educational attainment (Population 25 years and over)

	Less than high school	High school graduate (includes equivalency)	Some college no degree	Associate's degree	Bachelor's degree	Graduate or professional degree
Sterling	4.6%	21.0%	18.7%	6.7%	28.8%	20.3%
Worcester County	10.6%	30.3%	16.8%	7.4%	21.6%	13.4%
Massachusetts	9.7%	24.7%	15.8%	7.7%	23.4%	18.7%

Source: American Community Survey (2013-2017) 5-Year Estimates

Household Income

Household income is an important determinant of how much a household can afford to pay for their dwelling unit, either to rent or own, and also whether that household is eligible for housing assistance.

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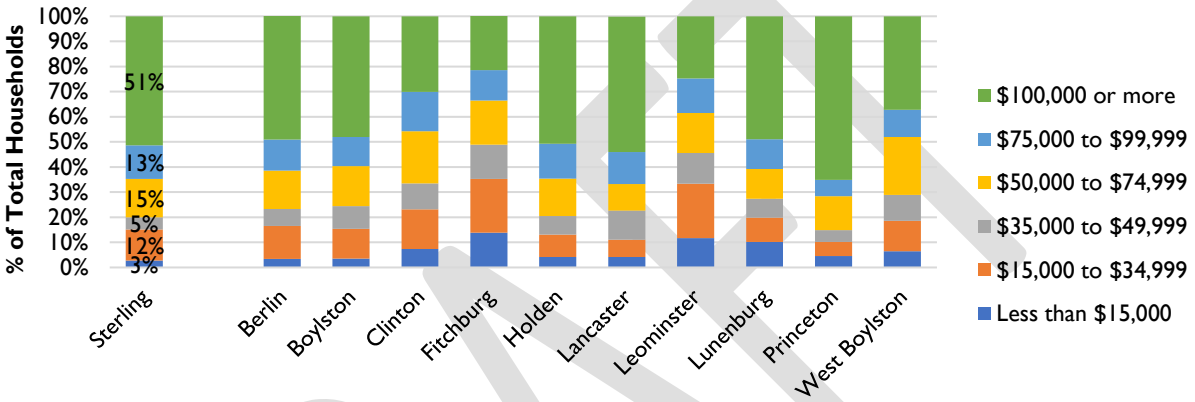
Median household income in Sterling is $102,500 as of 2017, with a median family income of $125,286 and a significantly lower median non-family household income of $59,596. While the first two figures help pinpoint the community's overall income status within the dominant $100,000-or-more income distribution bracket, the latter figure indicates a significant population of lower-earning non-family households.

The town's median household income has increased 3.6% from 2000 ($98,954 in 2017-adjusted dollars[2]). Today, Sterling's median household income is among the highest when compared to its ten nearest neighbors, with only Princeton ($128,006) and Lancaster ($104,331) being higher.

Figure 2. Household Income Distribution, Sterling and Ten Nearest Communities



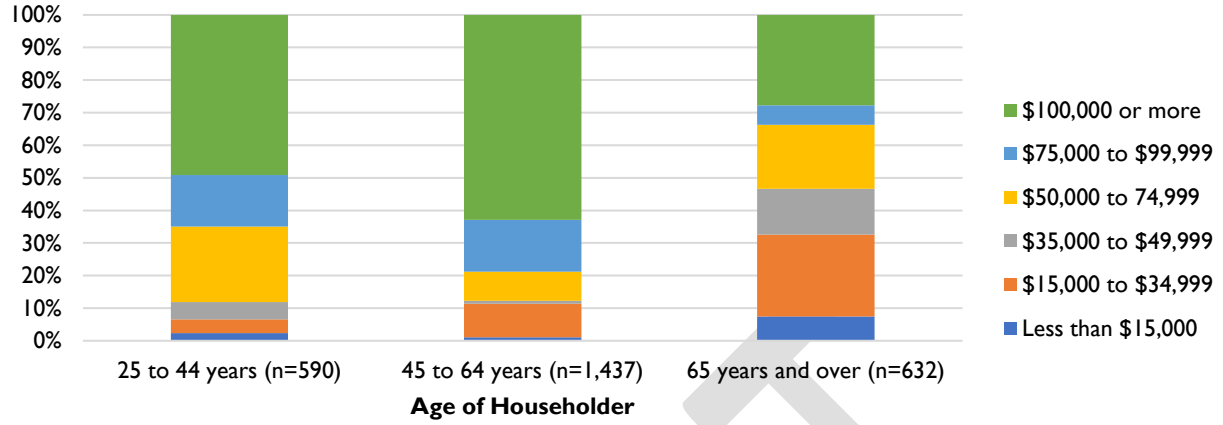
Source: American Community Survey (2013-2017) 5-Year Estimates

A slight majority of Sterling's households earns $100,000 or more per year (51% of total households) (Figure 2)

Sterling's income spread varies by age of householder. Median household income for those householders aged 25 to 44 years, 45 to 64 years, and 65 years and over is estimated to be around $87K, $139K and $51K respectively. The most variation of household income is among householders age 65 years and older, with 7.4% earning less than $15,000 and almost one-third (32.6%) earning less than $35,000 (Figure 3).

[2] 2000 US Census (SF 3) reports Sterling's median household income at $67,256 in 1999 dollars.

Figure 3. Age of householder by household income



Source: American Community Survey (2013-2017) 5-Year Estimates

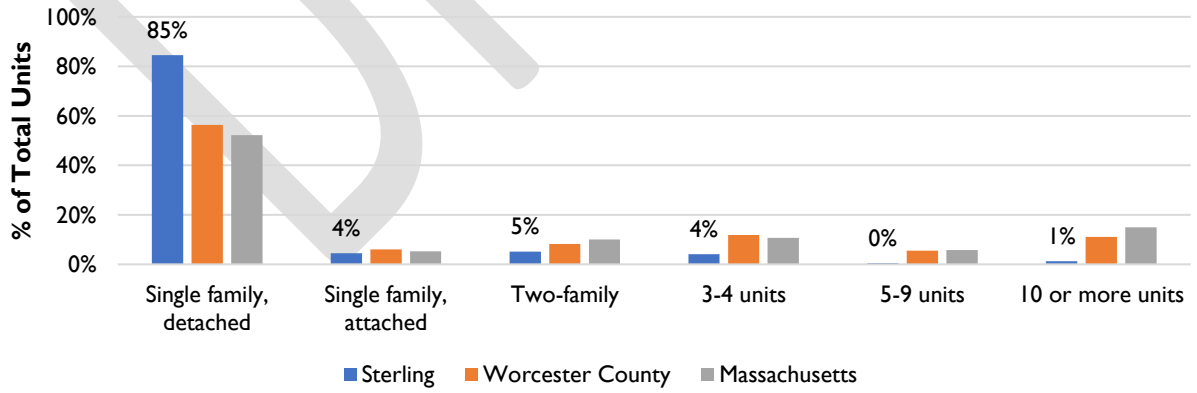
Housing Stock

The following section examines Sterling's current housing supply and how it has changed over time. Understanding housing type, age, tenure, vacancy, and recent development will contribute to an understanding of current need and demand in Sterling and thereby help inform future housing production planning.

Housing Units by Type

Nearly 90% of Sterling's dwelling units are in single-family homes. Multi-family housing is distributed among residential structures of two or more units, and together make up only about 1/10th of total housing units in Sterling (Figure 4).

Figure 4. Housing units by type



Source: American Community Survey (2013-2017) 5-Year Estimates

The rate of single family detached homes in Sterling (85%) is significantly higher than that of Worcester County (56%), and even higher than the state as a whole (52%).

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Housing Units by Age

The distribution of housing units by age is important for at least three reasons. First, a housing stock with few units built since 2000 indicates that housing supply is growing slowly. If demand is expected to remain stable or increase in the future, this may result in upward pressure on housing prices. Second, older housing units can be more expensive to occupy, due to higher heating and maintenance costs. Third, certain federal housing programs, such as Community Development Block Grants, track the percent of housing units by age, and in particular the percent built before 1939.

In Sterling, 12% of housing units are in buildings built before 1939, compared to 33% statewide. Another 22% and 51% of Sterling units are in buildings that date from 1940-1969 and 1970-1999, respectively. Construction since 2000 accounts for 15% of units, compared to 9% statewide (Figure 5).

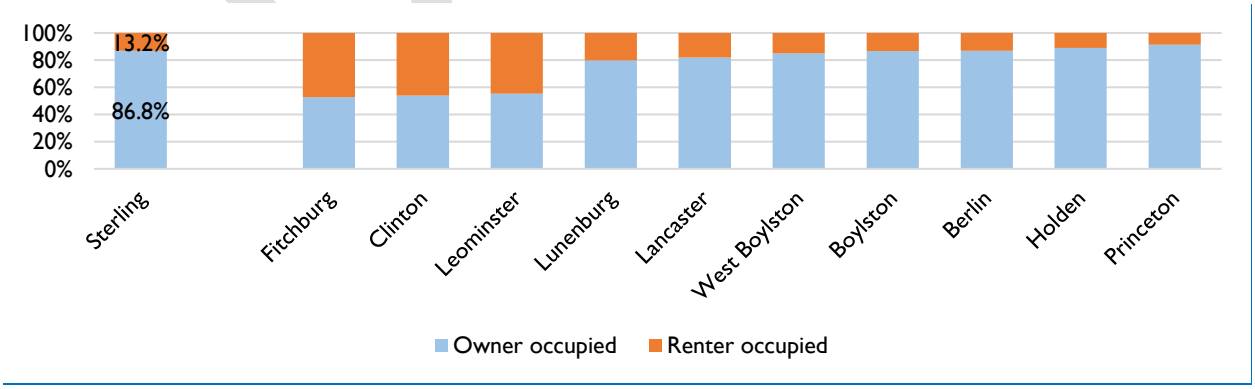
Figure 5. Housing units by year structure built

Source: American Community Survey (2013-2017) 5-Year Estimates

Tenure

The vast majority of Sterling's housing stock is owner-occupied. Of the town's total occupied housing units, 86.8% are ownership units. Compared to the ten nearest communities, the rate of owner-occupied housing units is greater only in Princeton (91.2%), Holden (89.1%), and Berlin (87.0%) (Figure 6).

Figure 6. Occupied housing units by tenure



Source: American Community Survey (2013-2017) 5-Year Estimates

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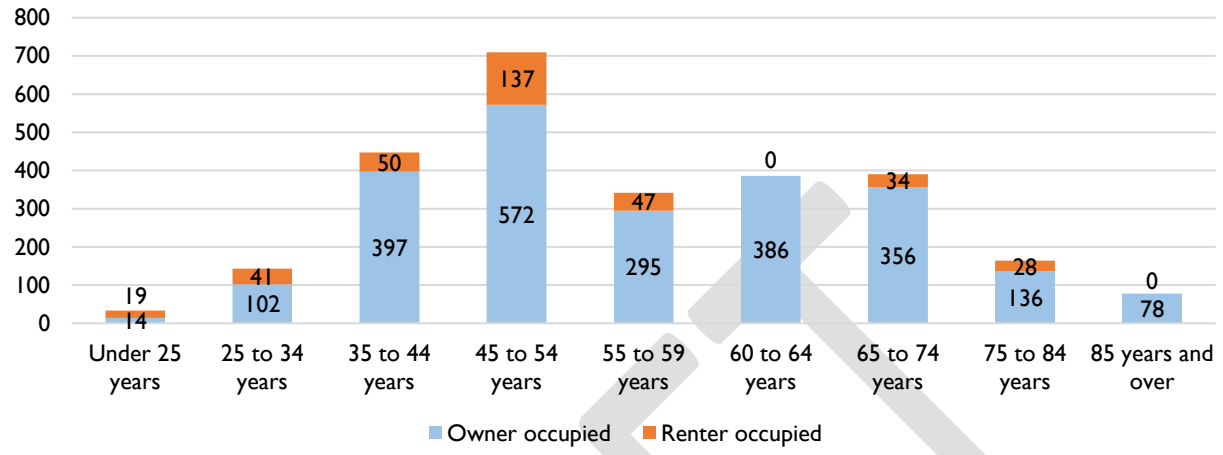
Considering housing tenure by age of householder, the largest group of renters is aged 45 to 54 (38% of all rental units) and the second largest is aged 35-44 (14%) (Figure 7).

Figure 7. Housing tenure by age of householder



Source: American Community Survey (2013-2017) 5-Year Estimates

Vacancy

According to Census 2010 data, 94.8% of housing units in Sterling are occupied. The town's vacancy rate of 5.2% is considered very low, and therefore the market is very tight. For context, at the time of the 2010 Census, Worcester County's vacancy rate stood at 7.3% and Massachusetts at 9.3%.

Housing Market

Housing costs within a community reflect numerous factors, including demand and supply. If the former exceeds the latter, then prices and rents tend to rise. Depending on the income levels of the population, these factors can significantly reduce affordability for both existing residents and those seeking to move in.

Home Prices & Values

According to the online real estate database Zillow, the median home value in Sterling is $354,600. Sterling home values have increased 4.8% over the past year and Zillow predicts they will rise 3.3% within the next year.

Rent

Median gross rent in Sterling ranks high when compared to neighboring communities as well as Worcester County and Massachusetts. Among Sterling's ten nearest communities, just Lunenburg has a higher median gross rent ($1,617) (Figure 8).

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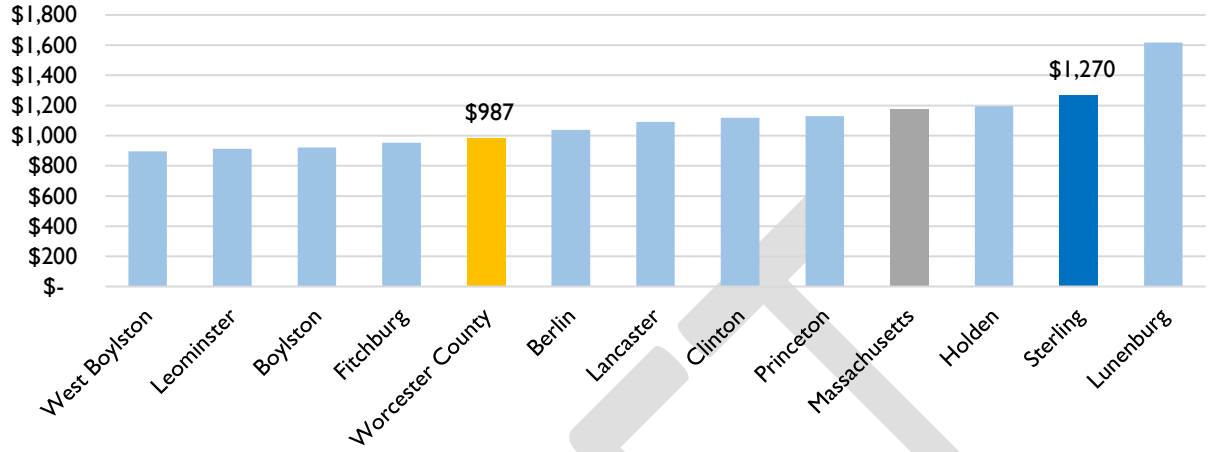
Figure 8. Median gross rent

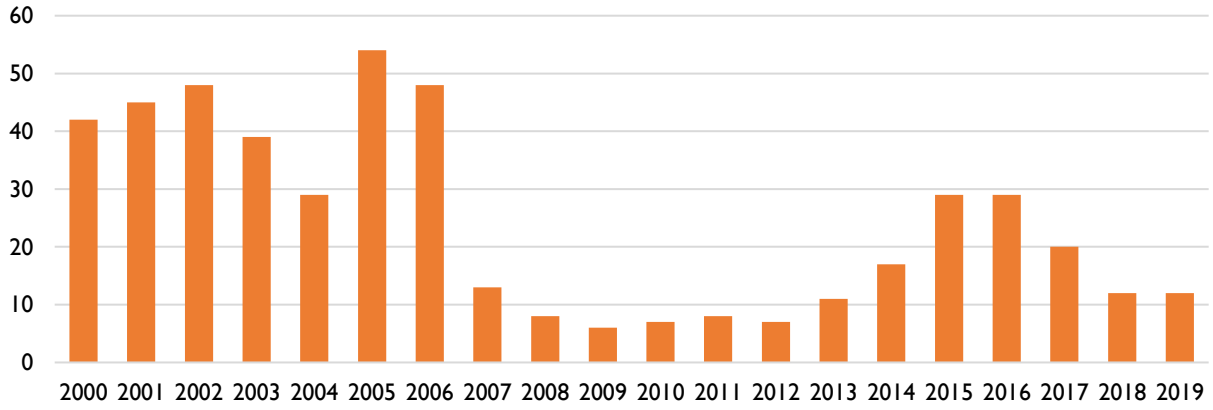


Source: American Community Survey (2013-2017) 5-Year Estimates

Housing Units Permitted

One way to measure whether or not a municipality is on track to meet future demand is to compare recent permitting activity to future projected demand. If annual permitting for single or multi-family housing units is historically lower than projected annual demand, this indicates a need to increase the rate of single or multi-family permitting in the future.[3] From 2000 to 2017, Sterling permitted 460 single family units (averaging close to 26 units per year) (Figure 9).

Figure 9. Annual housing units permitted



Source: US Census Bureau – Annual Building Permit Survey; Sterling Building Department

[3] Reported building permits are an imperfect measure of housing growth. In some cases, they overestimate the net increase in housing units if not all permitted projects are ultimately constructed or if demolition of preexisting units is required. In other cases, they may underestimate new growth due to lack of reporting or because adaptive reuse is not captured in the data.

Recent & Future Development

Development Pipeline

The Town of Sterling anticipates construction of two 40B development projects: Northgate Meadows and South Meadow Village.

1) Northgate Meadows

   Northgate Meadows consists of a proposed residential condominium to be located on the west side of Leominster Road (Route 12), situated on 18.04 acres of land. The development proposes a total of 86 ownership units and 72 rental units near Sterling's municipal boundary with the City of Leominster. The project would provide 22 affordable ownership units and 18 affordable rental units. In the case of the rental units, even though only 18 units will be considered affordable, all 72 of the units count towards Sterling's Subsidized Housing Inventory (SHI). If and when the Northgate Development is completed, the town will have an additional 94 units to add to the SHI.

   The original Zoning Board of Appeals decision for the Northgate Meadows Development project was dated February 21, 2006 and filed with the Town Clerk on March 9, 2006. Granting a 40B Comprehensive Permit was not recorded at the Registry of Deeds. Subsequently, the applicant requested an amendment to the original decision, which was granted by decision of the Zoning Board of Appeals on January 11, 2010 and subsequently recorded at the Registry of Deeds Book 45958, Page 159.

2) South Meadow Village

   South Meadow Village, a proposed 40B development, is anticipated on an 18.46 acre-site located at 81 Chase Hill Road. The developer, Almik Construction, Inc., is proposing 8 duplex buildings for a total of 16 homeownership units all consisting of 3-bedroom units. Of the 16 homes, four (25%) will be affordable at no more than 80% of area median income. The South Meadow Village Comprehensive Permit Application was posted to the town's website for public review on August 21, 2019 with the first public hearing scheduled to take place on October 8, 2019.

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Housing Affordability

Housing prices are determined by the demand for and supply of housing units. If supply does not keep up with demand, higher prices result. Affordability is determined by the distribution of housing prices and household incomes. If prices rise but incomes remain flat – a familiar dynamic in many communities in recent years – affordability declines.

Affordability is measured in several ways. In this section, we will measure affordability according to:

- the percent of households that pay more than 30% and 50% of income on housing costs ("cost burdened" and "severely cost burdened," respectively), by household tenure, income, and type;
- the percent of housing units listed on the Massachusetts Subsidized Housing Inventory (SHI);
- the percent of recent home sales affordable to low- and median-income households; and
- the gap between the number of households by income level, and the number of housing units affordable by income level.

Poverty Rate

As of the most recent American Community Survey (ACS) estimates, 3.8% of Sterling families are living below the poverty level. This rate is significantly lower than that of the Commonwealth (7.8%) and that of Worcester County (7.5%) (Table 6).

Table 6. Percentage of families with income below poverty level

Family Type	% Living below Poverty Level
All families	3.8%
With related children under 18 years	5.1%
Married couples	1.9%
With related children under 18 years	4.4%
Female householder, no husband present	17.3%
With related children under 18 years	9.1%

Source: American Community Survey (2013-2017) 5-Year Estimates

Households Eligible for Housing Assistance

One measure of affordable housing need is the number of households eligible for housing assistance. Federal and state programs use Area Median Income (AMI), along with household size, to identify these households. Table 7 shows U.S. Department of Housing and Urban Development (HUD) income limits for extremely-low- (below 30% of AMI), very-low- (30-50% of AMI), and low-income (50-80% of AMI) households by household size for the Worcester HUD Metro Fair Market Rent (FMR) Area (HMFA)

which includes Sterling. Typically, households at 80% of AMI and below qualify for housing assistance, though there are some exceptions based on household size

Table 7. FY 2019 Affordable housing income limits, Worcester, MA HMFA

FY 2019 Income Limit Category	Extremely Low (30%) Income	Very Low (50%) Income	Low (80%) Income
1 Person	$19,850	$33,050	$52,850
2 Person	$22,650	$37,750	$60,400
3 Person	$25,500	$42,450	$67,950
4 Person	$28,300	$47,150	$75,450
5 Person	$30,600	$50,950	$81,500
6 Person	$34,590	$54,700	$87,550
7 Person	$39,010	$58,500	$93,600
8 Person	$43,430	$62,250	$99,600

Source: HUD 2019

Because HUD's regulations are in part based on household size, it is important to understand how Sterling's income distribution as a percent of AMI corresponds with this variable. The most relevant information available is Comprehensive Housing Affordability Strategy (CHAS) data, which groups number of persons occupying a unit into household type:

- small related households (2 persons, neither 62 years of age or over, or 3 or 4 persons)
- large related households (5 or more persons)
- elderly households (1 or 2 persons, with either or both age 62 or over)
- all other households (singles, non-related living together)

According to this data, 22.78% (640) of all Sterling households (2,810) are categorized as low-income, and 3.74% who are extremely-low-income. The spread of low-income households across type and size varies, with most extremely-low-income households falling into the "other" category and most very-low- and low-income households falling into the "small and related" category.

Fair Market Rents

Another measure of housing affordability is whether local rent exceeds Fair Market Rents (FMR), or maximum allowable rents (not including utility and other allowances), determined by HUD for subsidized units in the Worcester HMFA.

Table 8. Fair market rents (FMRs) by Unit Bedrooms, Worcester, MA HMFA

Year	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY 2019 FMR	$864	$946	$1,202	$1,506	$1,632
FY 2018 FMR	$850	$942	$1,192	$1,494	$1,654

Source: HUD 2019

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According to the most recent American Community Survey estimates, the median gross rent in Sterling is lower than the FMR for one-bedroom ($464), three-bedroom ($1,196), and four-bedroom ($1,383). The median gross rent for a two-bedroom unit is higher than the FMR ($1,291), and there is no data available for efficiency apartments through the American Community Survey (Table 8).

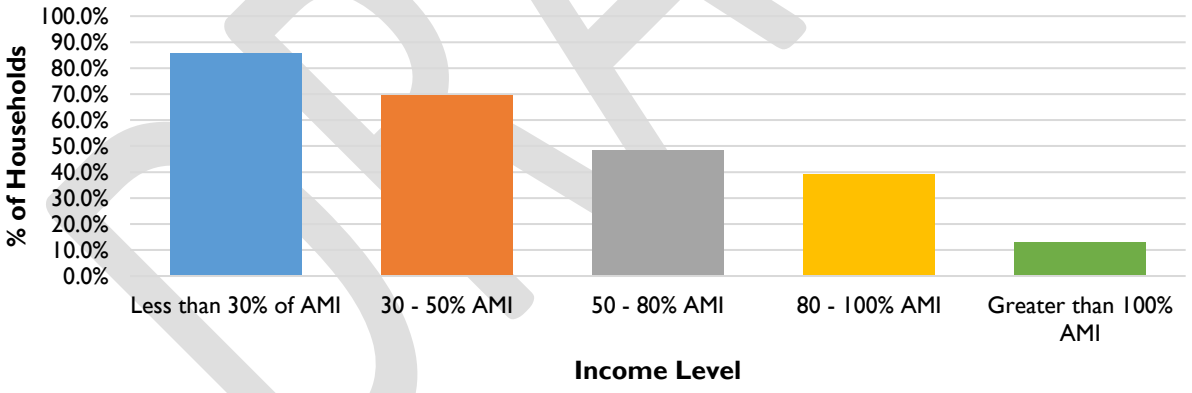
Housing Cost Burden

The most common measure of housing affordability is the percent of income that households spend on housing costs. According to most federal and state agencies, households that spend more than 30% of income on housing costs are "cost burdened." Households that spend more than 50% of income on housing are "severely cost burdened." Areas where more than 30% of households are cost burdened face an affordable housing shortage. In Sterling, 34% and 11% of households are cost burdened and severely cost burdened, respectively, compared to 29% and 14% of households statewide.

Cost Burden by Income

As expected, cost burden is also more common among low income households. Statewide, 81% of all extremely low-income households, 67% of very-low-income households, and 49% of low-income households are cost burdened, versus 14% of households with incomes above 100% AMI. Figure 10 shows the percent of Sterling households that are cost burdened and severely cost burdened by income level.

Figure 10. Percent of Households in Sterling Cost-Burdened, by Income Level



Source: Housing MA 2019

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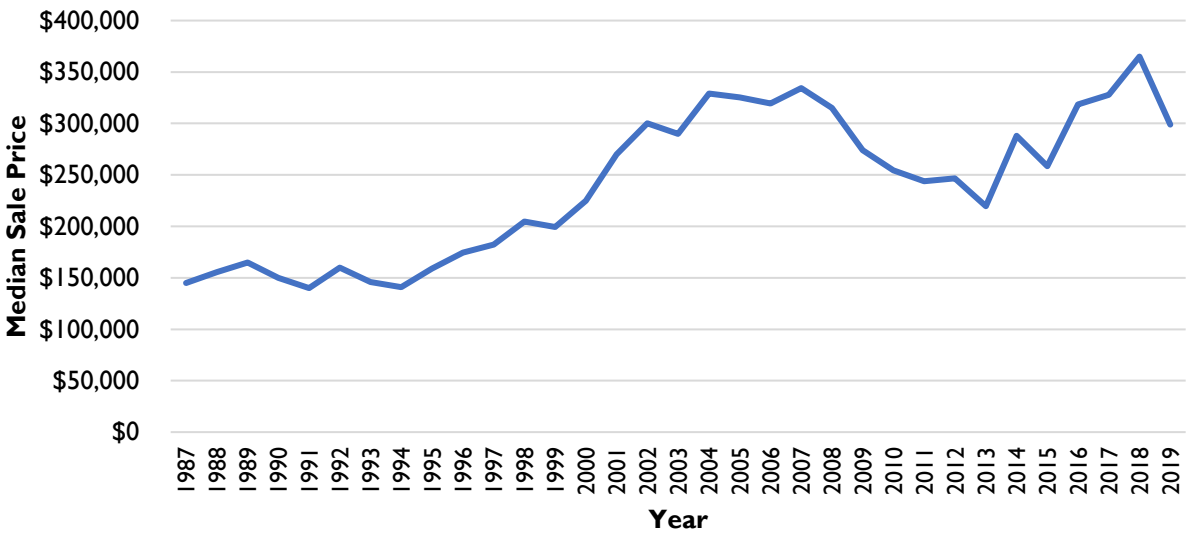
Cost Burden by Household Type

Younger households, non-family households, and elderly households typically have lower incomes, and are more likely to rent. They are also more likely to be cost burdened. Statewide, 25% of elderly family households and 48% of elderly, non-family households are cost burdened, respectively. As the number of elderly households increases, the number of cost-burdened elderly households is likely to increase. In Sterling, cost burden among elderly family households and elderly, non-family households is 22% and 38%, respectively (Housing MA 2019).

Affordability of Recent Home Sales

Owner-occupied cost burden estimates reflect the housing costs of current owner households, not the prices that aspiring homeowners face in the current housing market. If prices have risen recently, new entrants my find themselves with fewer options of higher risk of cost burden than their counterparts who have been in the area for some time. To help estimate changes in home affordability, we examined median sales data available through The Warren Group for the period between January 1987 to June 2019. The most recent figure (January to June 2019) shows the average home selling in Sterling for $299,980. While the median is down $66,100 when compared to the past year, 2018 saw the highest median sale price on record in town (Figure 11).

Figure 11. Median sale price for all homes (1987-2019)



Source: The Warren Group 2019

Affordability Gap

Units that are affordable to low income households are not necessarily occupied by low income households. This mismatch between households' incomes and the units they occupy can exacerbate affordability problems. To measure the extent to which affordability is a supply problem versus a distribution problem, we calculate the affordability gap. The gap is the difference between the number of households at a given income level and the number of units affordable to households at that income level. A positive gap indicates a shortage of units at a given income level, even if households and units were perfectly matched by incomes and costs. Sterling households at less than 50% AMI, 50 to 80% AMI, and above 80% AMI, face affordability gaps of 75, 60, and -130 housing units, respectively.

Subsidized Housing Inventory

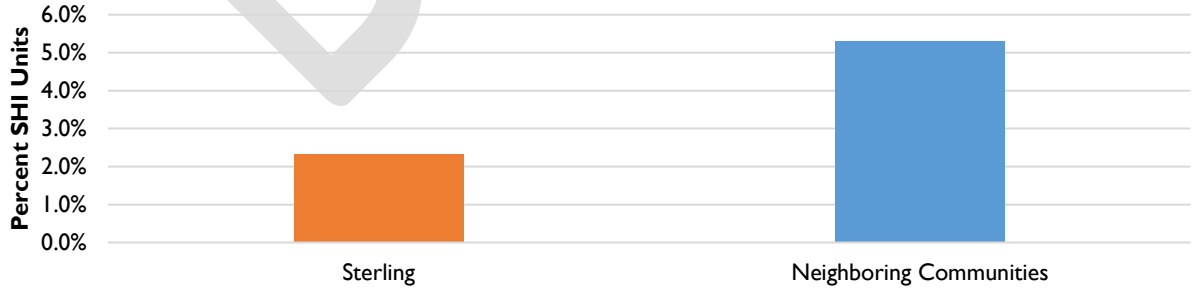
Under M.G.L. Chapter 40B, affordable housing units are defined as housing that is developed or operated by a public or private entity and reserved for income-eligible households earning at or below 80% of the AMI. In addition, the units are secured by deed restriction to ensure affordability terms and rules. All marketing and placement efforts follow Affirmative Fair Housing Marketing guidelines per the Massachusetts Department of Housing and Community Development (DHCD).

Housing that meets these requirements, if approved by DHCD, is added to the Subsidized Housing Inventory (SHI). Under General Law Chapter 40B, in any municipality where less than 10% of units are included on the SHI, a developer can build more densely than the municipal zoning bylaws would permit, if at least 25% (or 20% in certain cases) of the new units are affordable.

A municipality's SHI is determined by dividing the number of affordable units (68) by the total number of year-round housing units (2,918) from the most recent decennial Census (2010); in Sterling, the SHI is 2.33%. The SHI is based upon the 2010 Census, until the next Census is available. The number of affordable units can change based upon the expiration of deed-restrictions on affordable units. As the number of SHI-eligible units increases, the 10% threshold may be maintained or exceeded.

Statewide, 5% of housing units are on the SHI, and 12% of municipalities meet their 10% requirement under Chapter 40B. Figure 12 shows the percent of SHI unit within Sterling and its nearest neighbors.

Figure 12. Percent SHI Units for Sterling and Nearest Neighboring Municipalities*



* Mean percent SHI units of ten nearest municipalities (Berlin, Boylston, Clinton, Fitchburg, Holden, Lancaster, Leominster, Lunenburg, Princeton, and West Boylston)

Source: Housing MA 2019

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Affordable Housing Goals

The Massachusetts Department of Housing and Community Development (DHCD) administers the Planned Production Program that enables cities and towns to adopt an Housing Production Plan that demonstrates production of 0.5% over one year or 1% over two-years of its year-round housing stock eligible for inclusion in the Subsidized Housing Inventory. Sterling will have to produce approximately 15 affordable units annually to meet these production goals through 2024. When the 2020 census figures become available in 2021, this number will be higher, due to an increase in the number of recorded year-round housing units. If the State certifies that the locality has complied with its annual production goals, the Town may, through its Zoning Board of Appeals, deny comprehensive permit applications without opportunity for appeal by developers.

The following goals provide the basis for the strategies that are proposed in this Housing Production Plan:

1. **Meet local needs across the full range of incomes, sustaining social and economic diversity and promoting the stability of individuals and families in Sterling.**

   It can be argued that diversity in a community contributes to local health and vitality, and that differences enrich us all. There are clear advantages for maintaining what diversity still exists in Sterling related to economic, age, religious, racial and ethnic differences. Certainly, the preservation and production of affordable housing is a proven method for promoting diversity, allowing those individuals and families with more limited means to afford to live in town, particularly when the housing market is becoming increasingly oriented to the affluent. Solutions need to be found to enable children who grew up in town to return to raise their own families here, to offer Town employees the opportunity to live in the community in which they work, to provide housing alternatives to elderly residents who have spent much of their lives in town but now require alternatives to their large single-family homes, and to offer families the flexibility of moving to larger homes as their families grow.

2. **Maintain Sterling's small-town, rural character and ensure that new housing creation is harmonious with the existing community.**

   New affordable housing development should be harmonious with the existing community, becoming an amenity that blends well within the architectural context of Sterling. Therefore, developments to the greatest extent possible should incorporate a number of characteristics – mixed-income, covering a wide range of income needs; low to medium density, scattered-site, eliminating huge impacts in any one part of the community; and well designed to make maximum use of the natural attributes of development sites and to conform with the small-town, rural character of Sterling.

3. **Provide a wider range of housing alternatives and types to reflect community needs.**

   Historically, market conditions and local zoning bylaws have incentivized developers to produce single-family homes on large lots. Not all households are best served by such development, and the Town has the ability to create opportunities for developers to build other types of housing for local residents. For example, some of the elderly who own their homes are likely finding that these homes are too large for them to maintain on fixed incomes and that they are becoming

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increasingly isolated, compounded by limited transportation options such as trains, buses and taxis. Couples are hard-pressed to find housing they can afford in which to raise their families. Single individuals, whether they be young or old, may wish to live in closer proximity to others of similar age. Opportunities need to be made available to allow current residents to remain in place if they wish and to provide new housing options that are more responsive to current needs and life style choices for others.

4. **Leverage other public and private resources to the greatest extent possible.**

   Because Sterling is a small town that does not receive federal funding for affordable housing on an entitlement basis and because it does not have large pockets of poverty that make it a target for state funding, the Town needs to be creative in how it can leverage both public and private resources to make affordable housing development possible. State agencies recognize the importance of smaller communities doing their fair share in housing lower income households and want to be supportive of affordable housing initiatives, nevertheless, the town needs to be strategic in how it invests its limited resources towards the production of new housing opportunities.

5. **Strive to meet the 10% state standard for affordable housing.**

   Based on the Massachusetts Department of Housing and Community Development's most recent data on the Chapter 40B Subsidized Housing Inventory, Sterling has 2,918 year-round housing units, of which 68 can be counted as affordable, representing 2.33% of the year-round housing stock. Sterling is therefore vulnerable to losing control over housing development through Chapter 40B comprehensive permit applications. To meet the 10% standard, at least 291 of the existing units would have to be "affordable" based on the state's definition. This means that right now Sterling is short of the 10% standard by 224 housing units. Assuming future housing growth, this 10% figure is a moving target and ultimately the required minimum number of year-round units will increase over time. While it is a daunting challenge to move from a 2.33% to a 10% level of housing affordability, careful planning, local leadership and new resources can help the community make a more significant contribution to meeting local and regional needs with respect to providing decent, safe and affordable homes in Sterling.

6. **Preserve the existing affordable stock.**

   Sterling should consider opportunities for maintaining what affordability currently exists within the town's unsubsidized and subsidized housing stock, protecting this affordability through use restrictions for as long a period of time as possible.

7. **Promote outreach and education to the community to provide information on affordable housing and to engage residents in local initiatives.**

   Affordable housing production will not happen in Sterling without the support of the community. To secure this support, it will be important to better inform residents on the need and benefits of affordable housing and to solicit their support in local efforts to guide new residential development to better meet local needs and priorities.

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8. Promote smart growth development.

Smart growth development is a response to the problems associated with unplanned, unlimited suburban development – or sprawl – and calls for more efficient land use, compact development patterns, less dependence on the automobile, a range of diverse housing opportunities and choices, equitable allocation of the costs and benefits of development, and an improved jobs/housing balance. Some principles of smart growth development include:

a. Providing mixed-use development near the town and village centers;
b. Locating housing in close proximity to public transportation, where available;
c. Allowing higher density housing or mixed-use development near transit stops, along commercial corridors or in town and village centers;
d. Redeveloping environmentally impacted or brownfields sites;
e. Restoring vacant and abandoned residential buildings to productive use;
f. Converting vacant or underutilized former manufacturing, commercial or municipal buildings to housing;
g. Encouraging the development of housing and preservation of open space so that the goals of each will be mutually satisfied using techniques such as cluster zoning, transfer of development rights, or other innovative zoning or regulatory devices;
h. Promoting the redevelopment of vacant infill parcels; and
i. Participating in regional responses to addressing affordable housing needs.

Smart growth is particularly challenging in more rural settings where infrastructure and transportation services are lacking. The state is currently giving priority consideration to funding applications that promote smart growth, and it will be essential for the town of Sterling to make every effort to integrate such principles into its affordable housing initiatives where applicable

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Action Plan

The strategies outlined below are based on previous plans, reports, studies, the Housing Needs Assessment, and the experience of other comparable localities in the area and throughout the Commonwealth. Two-Year actions are those that will begin within the next two years, most of which will involve some immediate actions. Those strategies included in the Five-Year Action Plan involve focused attention after the next couple of years, working towards implementation after Year 2 but before Year 5.

Action 1: Explore the creation of an Affordable Housing Trust or responsible housing entity to implement the actions in this plan

Current Status: Discussions with other communities regarding the success of their affordable housing initiatives indicate that it is often critical to have accessible funds to respond immediately and effectively to housing opportunities as they arise. Also, many of the state subsidy sources require local contributions either through local funds, donation of Town-owned property, or private donations. Having a dedicated housing fund is one mechanism that could help Sterling support affordable housing initiatives including the potential development of affordable housing on town-owned lands.

The 2005 Municipal Affordable Housing Trust Fund Act simplifies the process of establishing such funds. Previously, cities could create trusts through their own resolution, but Towns had to get approval from the legislature through a home rule petition. The law provides guidelines on what trusts can do and allows communities to collect funds for housing, segregate them out of the general budget into an affordable housing trust fund, and use these funds without going back to Town Meeting for approval. It also enables trusts to own and manage real estate, not just receive and disburse funds. The law further requires that local housing trusts be governed by a five-member board of trustees, most typically appointed and confirmed by the Board of Selectmen, in the case of towns. While the new trusts must be in compliance with Chapter 30B, the law which governs public procurement as well as public bidding and construction laws, it is likely that most trust will opt to dispose of property through a sale or long-term lease to a developer so as to clearly differentiate any affordable housing development project from a public construction project.

Next Steps: Sterling should identify the appropriate actor(s) to implement the actions proposed in this plan, including the possible creation of a Housing Trust. If a Housing Trust is desired, Board of Selectmen should seek approval at the 2020 Annual Town Meeting for the establishment of a Municipal Affordable Housing Trust Fund and appoint members of the Board of Trustees. This Housing Trust would serve as the Town's Committee overseeing housing issues and the implementation of the Housing Production Plan and be responsible for managing the Affordable Housing Trust Fund, for defining policy issues that are in the public interest and work with the Planning Board on establishing housing guidelines for housing efforts.

It will also be important to explore a wide range of possible fundraising options to capitalize a Trust Fund. In addition to CPA funding and other public sector resources, the Town could also consider private sector donations. This process of securing private support not only provides financial benefits to support local housing efforts, but it is also a vehicle for raising awareness of the affordable housing issue and generating interest and political support for affordable housing initiatives.

Many communities are reaching out to residents for private donations of land or funds to promote housing affordability. Such contributions and the "bargain sale" of real estate could become a part of the Sterling land ethic, but donations need to be promoted, nurtured, and facilitated.

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Timeframe: Two-Year Plan

This process could be accomplished within the next year, ready for vote by Town Meeting in 2020.

Resources Required: The process of creating the Affordable Housing Trust Fund is relatively straightforward and can be coordinated by the Affordable Housing Committee in concert with the Board of Selectmen. Once established, it will be incumbent upon the Town to support efforts to capitalize the Fund from contributions of potential CPA funding in support of affordable housing initiatives. Other resources include the donated time of volunteers to coordinate fundraising activities with staff support at some point in the future.

This action would lead to the production of units indirectly as it would attract new resources and increased local capacity to support housing creation activities.

Action 2: Make suitable Town-owned land available for affordable housing

Current Status: The contribution or "bargain sale" of land owned by the Town but not essential for municipal purposes is a component of Planned Production goals and the Affordable Housing Committee have discussed a list of potential Town-owned parcels that might potentially be developed as affordable for the list of properties under preliminary consideration). Final determination of the use of these parcels for affordable housing is subject to a more thorough feasibility analysis of site conditions and Town Meeting approval.

In addition to currently owned Town parcels, Sterling may decide that it will acquire privately owned sites over the next decade for the purposes of protecting open space and developing some amount of housing, including affordable housing, through cluster development on a portion of the sites. In particular, the town should monitor those privately-owned parcels enrolled in one of the Chapter 61 tax abatement programs (Chapter 61, Chapter 61A, or Chapter 61B) which have temporary protection from development. Under these programs, if a landowner intends to sell the classified land or convert it to another use, he or she must notify Town officials by certified mail. The Town has the right of first refusal and assesses a penalty in the form of either a conveyance tax or a roll back tax. Sterling has 14 lots totaling 265.5 acres in Chapter 61, 11 lots totaling 422 acres in 61B, and 141 lots totaling 2708.5 acres in Chapter 61A. Appendix C lists parcels of temporarily protected land by type and include their location, and the acreage.

Next Steps: The Town should engage with the Massachusetts Housing Partnership or other experienced housing consultant to conduct a preliminary feasibility analysis on existing Town-owned parcels, or on sites identified at a later time that might potentially include some amount of affordable housing. If this analysis indicates that housing might likely be accommodated, the Affordable Housing Committee (or proposed Housing Trust) should request approval from the Board of Selectmen and Town Meeting to designate these identified parcels for affordable housing development.

Following the necessary approvals, the Housing Trust (or the chosen housing implementation actor) in coordination with the Town's Chief Procurement Officer and a housing professional (a consultant from Massachusetts Housing Partnership, for example), should prepare a Request for Proposals (RFP) to solicit interest from developers based on the Town's specific project requirements and select a developer based also on identified criteria included in the RFP. It is likely that the projects will require densities or other regulatory relief beyond what is allowed under the existing Zoning Bylaw, and the town's housing actor may be able to obtain this relief through normal channels, if community support is assured, or use the

"friendly" comprehensive permit process through DHCD's Local Initiative Program (LIP) or MassHousing's Housing Starts Program, for example. Additionally, the responsible housing entity will need to be involved in attracting the necessary financial, technical and political support. Evidence of municipal support is often critical when seeking financial or technical assistance from state or federal agencies.

Sterling should consider the following process when planning for the development of Town-owned land:

a. *Conduct preliminary feasibility analysis on potential development sites.*
   The first responsibility for this action, besides identifying the appropriate housing entity to lead this initiative, will be Town staff or representatives from other boards and committees who are capable of providing technical input as to whether a particular site is feasible for housing development and what constraints must be considered in preparing development plans. Additionally, the Town might explore technical assistance funding from the Massachusetts Housing Partnership (MHP) or other entity to hire a consultant(s) to conduct the necessary preliminary feasibility analysis.

b. *Secure approval from Town Meeting to convey parcel for development to incorporate affordable housing.*
   The identified housing entity should make this request and provide supportive documentation regarding the proposed project.

c. *Prepare and issue a Request for Proposals (RFP) for developers that includes project guidelines (e.g., approximate size, density, ownership vs. rental, target market/income mix, level of affordability, design issues, community preference criteria, siting, financing available, ownership and management, other stipulations) and selection criteria.*
   The identified housing entity should work with Sterling's Chief Procurement Officer on this task.

d. *Select developer.*
   Once again, the identified housing entity should work with the Town's Chief Procurement Officer on the selection process. It will be important for the Town to conduct a fair and rigorous process for reviewing proposals to ensure that it designates the most capable developer. The Town might consider a selection process with two phases. First, all applicants must meet specific threshold requirements for their proposals to be considered competitive. All respondents to the RFP who pass the threshold requirements would then be evaluated and ranked according to competitive selection criteria such as:
   - Level of construction experience and capacity.
   - Level of financial ability and capacity.
   - Cost and price projections (applicants are evaluated according to how the proposal strikes a balance between project quality and cost).
   - Quality of the proposed design and product.
   - Cost control ability and current capacity.
   - Experience working with government-assistance programs.

   Based on the proposals and references, the proposals are evaluated and ranked with the most highly qualified respondent earning designation. All of this information should be formally documented.

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e. *Prepare and finalize plans and budget.*
The designated developer is responsible for this task with guidance from the identified housing entity (e.g. Housing Trust).

f. *Secure regulatory approvals.*
The designated developer is responsible for obtaining regulatory approvals with guidance from the responsible housing entity. As the likely designated Town Committee responsible for housing, the proposed Housing Trust can also be helpful in intervening, as appropriate, to expedite approvals and lend local support. If the project involves a comprehensive permit, the affordable housing units can be counted as part of the Town's Subsidized Housing Inventory when the 40B permit is approved and appropriate documentation is sent to DHCD.

g. *Secure financing.*
The designated developer will ultimately be responsible for obtaining project financing, including both public and private sources. Support from the responsible housing entity will be helpful, and letters of support from the Town, including the Board of Selectmen, will be critical in applying for subsidies where needed.

h. *Conduct closing including conveyance of property to the developer.*
The Town will prepare and enter into an agreement that will contain all of the terms of the development and the respective responsibilities of the Town and developer including the disposition of the property for a nominal value representing the Town's commitment to the affordability of the new housing.

i. *Secure building permits.*
The designated developer will take the lead.

j. *Start construction.*
The designated developer will be responsible.

k. *Market and select tenants/owners for affordable units.*
The Town needs to identify an entity to coordinate these functions which could be assumed eventually by the identified responsible housing entity or performed by a capable non-profit housing organization located in a nearby community, or potentially the developer. The developer or local realtors could be involved in marketing the market rate units.

l. *Complete construction.*
The developer will be responsible.

m. *Occupy property.*
The designated developer will be ultimately responsible. If the project did not involve a comprehensive permit, documentation must be submitted to DHCD to ensure that the affordable units are counted as part of the Town's Subsidized Housing Inventory including:
- The occupants, tenants or purchasers, have incomes at or below 80% of area median income as documented by tax returns, pay stubs, bank statements, etc.
- The tenants or purchasers will pay no more than 30% of their income on housing expenses as evidenced through a lease or mortgage documentation,

- The units have been marketed affirmatively as evidenced through a marketing plan and back-up documentation,
- A regulatory agreement has been executed between the Town and the owner, project sponsor or individual purchasers, that will restrict use and affordability for the long-term,
- An agreement is in place with an entity that will be responsible for insuring that the units remain affordable based on the regulatory agreement; and
- The project has been subsidized by state or federal sources or the Town has committed CPA funding based on allowable, approved and completed activities.

n. Manage property.
The professional management of new rental housing is critical to the future viability of the development, and the management entity must have a proven track record and be approved by the identified housing entity. If the proposed project sponsor does not have the expertise to undertake project management functions, it should work with the town housing entity to identify a private company or capable non-profit organization to assume these important management functions.

o. Monitoring of affordability including annual income recertification of tenants in affordable units in the case of rentals and resales in affordable homeownership projects.
The chosen housing entity could consider assuming these responsibilities.

As indicated above, in addition to existing Town-owned parcels, the Town might consider acquiring other privately-owned properties over the next decade, through a debt exclusion of Town tax revenues or by leveraging other financial resources. As sites are identified, the proposed Housing Trust should work cooperatively with the Board of Selectmen, Conservation Commission, and other entities to commit the needed resources to make planned projects feasible. If any of the preliminarily identified existing Town-owned properties are finally determined infeasible or do not obtain approval from Town Meeting, it is anticipated that the projected numbers of affordable units would be met primarily through this acquisition process or private development.

Timetable: Five-Year Plan

Resources Required: It would be useful to have professional support to coordinate this effort, working with the Town's Chief Procurement Officer to prepare a Request for Proposals, coordinate the developer selection process and oversee development and construction, marketing and tenant/owner selection and occupancy. In addition to costs of coordinating development, resources will be required to help subsidize the development. Comprehensive permits typically do not involve external public subsidies but use internal subsidies by which the market units in fact subsidize the affordable ones. Many communities have used the "friendly" comprehensive permit process to take advantage of these internal subsidies, to create the necessary densities to make development feasible, and to make it easier to navigate the existing regulatory system. Other communities are finding that they require public subsidies to cover the costs of affordable or mixed-income residential development and need to access a range of programs through the state and federal government and other financial institutions to accomplish these objectives. Because the costs of development are typically significantly higher than the rents or purchase prices that low- and moderate-income households can afford, multiple layers of subsidies are often required to fill the gaps. Sometimes even Chapter 40B developments are finding it useful to apply for external subsidies to increase the numbers of affordable units, to target units to lower income or special needs populations, or to fill gaps that market rates cannot fully cover.

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Action 3: Seek out and apply for funding and assistance for the implementation of this Action Plan

To carry out the strategies included in the Housing Production Plan, it will be important for the Town of Sterling to build its capacity to promote affordable housing activities. This capacity includes gaining access to greater resources – financial and technical – as well as building local political support, developing partnerships with public and private developers and lenders, and creating and augmenting local organizations and systems that will support new housing production.

The Town should seek funding and technical support to assist with the implementation of the goals in its final Housing Production Plan, including:

a. **The Massachusetts Housing Partnership (MHP)** offers small grants and other services to help communities meet their housing needs and aims. MHP assists communities, housing authorities and non-profit housing organizations in their aims to create affordable housing for low- and moderate-income families. MHP offers a variety of resources related to Housing Production Planning and development, including but not limited to:

   - Drafting Request for Proposals and assisting with developer selection;
   - Helping communities zone for increased density;
   - Assessing site feasibility and providing other pre-development activities;
   - Providing asset management education and assistance; and
   - Planning and assessing housing needs

   MHP can also help communities navigate proposed 40B developments through its 40B Technical Assistance Program. Through this program, MHP has engaged a qualified consultant to assist Sterling's Zoning Board of Appeals (ZBA) in navigating and understanding underlying development issues and impacts as they relate to the process and regulations associated with evaluating a Comprehensive/40B permit. Consultants also help facilitate productive discussions with developers and in most cases, communities receiving Technical Assistance from MHP have successfully negotiated comprehensive permits on terms mutually agreeable to both the municipality and developer (Source: http://mhp.net/community/technical-support).

   Since 1999, MHP's 40B technical assistance program has awarded over $2 million and helped 138 communities with more than 270 40B projects.

b. **District Local Technical Assistance (DLTA) Program** funded annually by the Legislature and the Governor through a state appropriation. For Fiscal Year 2020, DLTA is funded at a record high of $3 million. The program is administered by each of the state's 13 Regional Planning Agencies (RPAs), which together cover the Commonwealth's 351 cities and towns. In 2019, for the 12th year in a row, the Montachusett Regional Planning Commission received funds from the Commonwealth of Massachusetts to continue MRPC's DLTA Program. It should be noted that DLTA is not a cash award to communities; the DLTA program enables MRPC staff to deliver eligible services to its communities.

   Eligible activities for DLTA are divided into three categories:

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- ***Planning Ahead for Housing***: Planning and implementation activities that encourage and support affordable and market-rate housing production opportunities or support municipalities complying with new HUD fair housing regulations. Under the Planning Ahead for Housing category, MRPC has generally assisted Town's with Housing Chapters of their Master Plan or putting together a Housing Production Plan for a community. This Spring, the Town of Sterling submitted an application to MRPC for assistance in updating its Housing Production Plan.
- ***Planning Ahead for Growth***: Planning and implementation activities that encourage and support economic development opportunities. This category for Planning Ahead for Growth has generally been the most popular over the years. Past projects include Master Plan Chapter development, permitting guidebooks, environmental planning (including identifying and prioritizing existing and potential lands for preservation), and assistance in zoning changes.
- ***Supporting the Community Compact, including regionalization***: Supporting municipalities who are seeking to adopt state best practices under the Community Compact Cabinet program, including those who want to pursue projects of a regional nature.

This year, MRPC issued a Request for Service Delivery (RSD) to all member communities in January 2019 with a due date of March 4, 2019 and April 2, 2019. MRPC has designed the application process to be relatively easy. All that is asked for is a few paragraphs concerning: 1. What type of project is being proposed? And 2. How does the project qualify according to the state's Eligible Projects/Activities. MRPC also asks for a signed letter from the chief elected officials(s) stating that the CEO(s) agree to the MRPC DLTA planning services request and that the subject was discussed and decided upon in a public meeting.

c. **Planning Assistance Grants** are available annually through the Executive Office of Energy & Environmental Affairs (EEA) to plan, regulate (zone), and act to conserve and develop land consistent with the Massachusetts' Sustainable Development Principles. Funds help communities retain appropriate technical expertise and undertake the public process associated with creating plans and adopting land use regulations. Priorities for the program include:

- Zoning for sustainable housing production consistent with the Baker-Polito Administration's Housing Choice Initiative (e.g. Accessory Dwelling Units, 40R Smart Growth Zoning, Transit Oriented Development, or Mixed-Use zoning);
- Mitigation of climate change through zoning and other regulations that reduce energy use and greenhouse gas emissions via a better mix of land uses, more compact growth, enhanced design, etc.; and
- Zoning that results in permanent land conservation (e.g. Natural Resource Protection Zoning or Transfer of Development Rights).

In past years, grant awards have been up to $50,000 per proposal. This year, final applications were due in May 2019.

Additional programs and resources offered and/or administered by the Commonwealth of Massachusetts include:

a) **Affordable Housing Trust Fund (AHTF):** a bond-funded program supporting private housing development, both in terms of eligible uses and the range of incomes that may be served. This program is administered by the Department of Housing & Community Development.

b) **Federal Low-Income Housing Tax Credit (LIHTC):** The Department of Housing & Community Development allocates approximately $16-$18 million in annual per capita tax credit authority through annual rental funding competitions. The annual tax credit authority translates into over $150 million in equity for affordable rental projects and is the most powerful resource in Massachusetts, as elsewhere, for privately-owned affordable rental housing. This program is overseen by the U.S. Treasury through the IRS, and administered by the Department of Housing & Community Development.
c) **HOME Program:** A federal resource administered by the Department of Housing & Community Development that supports new rental housing as well as an existing portfolio of ownership housing.
d) **Housing Choice Initiative:** Provides incentives, rewards, technical assistance and targeted legislative reform to Designation provides: 1) Exclusive admission to new Housing Choice Capital Grants & eligibility for a major new capital grant program, 2) Bonus points or other considerations for certain Commonwealth funding programs.
e) **National Housing Trust Fund (HTF):** Enacted by Congress to support affordable housing opportunities for individuals or households who are either very low-income or extremely low-income. The fund will be funded annually with certain proceeds available from two government-sponsored entities – the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). The U.S. Department of Housing and Urban Development will administer the fund at the federal level and will distribute trust funds to participating states in accordance with an established formula. Massachusetts uses the fund for its supportive housing projects.
f) **State Low-Income Tax Credits:** Currently has an annual authority at $20 million. That allocation amount can generate up to $75 million annually in equity for tax credit projects. The state credit is a flexible that Department of Housing and Community Development makes available during its regularly scheduled rental funding competitions.

Action 4: Promote local approval for Community Preservation Act (CPA)

Current Status: The Community Preservation Act establishes the authority for municipalities in the Commonwealth to create a Community Preservation Fund derived from a surcharge of 1% to 3% of the property tax, to be matched with state monies. Once adopted, the Act requires at least 10% of the monies raised to be distributed to each of three categories – open space, historic preservation and affordable housing – allowing flexibility in distributing the majority of the money to any of the three uses as determined by the community. 175 of the 351 municipalities in the Commonwealth (49.9%) are benefiting from this important new resource that could be pivotal to Sterling preserving its history, open space and housing affordability.

While matching funds to CPA communities had been waning in recent years, the final approved FY20 state budget includes a permanent increase to the CPA Trust Fund. Beginning in 2020, the signed legislation raises the recording fees at the Registries of Deeds, creating access to an additional $36 million for CPA communities each year. The additional funds will come from a $30 increase to most recording fees at registries of deeds – from $20 to $50 – beginning in 2020. Municipal lien certificates will cost $25, instead of $10. The increase more than doubles the base percentage match for CPA communities beginning November 2020.

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If Sterling was to pass a referendum to establish a Community Preservation Fund it could expect to raise from about $318,726 to $579,331 locally in new funding annually, depending upon the number of exemptions (e.g., first $100,000, low- and moderate-income households, commercial and industrial property) at the 3% rate. Assuming that the first $100,000 worth of assessed value is exempted from the surcharge, the average single family household with a home worth $342,580 will pay about $125.68 more in taxes annually at the 3% rate, or $62.48 that at the 1.5% level.

In 9 nearby communities (Ayer, Groton, Harvard, Hubbardston, Hudson, Northborough, Phillipston, Stow, and West Boylston), CPA funding has been used to support 71 different affordable housing projects, including:

1. In 2003, the town of Ayer used CPA funds to install an elevator in an elderly housing building
2. In 2013, West Boylston hired a community housing specialist to develop a feasibility study to look at Town-owned properties as a location to develop additional affordable senior housing opportunities

Next Steps: The Town's Board of Selectmen should establish a Committee to explore this strategy comprised of members from a variety of Town boards and committees and local organizations, chaired by a member of the Board of Selectmen. The Community Preservation Act Coalition is available to support community efforts related to the CPA (see www.communitypreservation.org).

If a Committee is designated to revisit this issue in 2020, it could report back to the Board of Selectmen in time for the matter to be voted on through a referendum in 2021.

Timeframe: Two-Year Plan

Resources Required: Donated time of volunteers to seek support and approval of CPA in Sterling.

Action 5: Amend accessory apartment bylaw and incorporate accessory apartments in the SHI

***Current Status*:** Currently, Sterling's Protective Bylaw allows accessory apartments through a special permit. Town records make it difficult to count the number of current permitted accessory units, but it is likely that there are numbers of unpermitted accessory apartments that remain "under the radar." At this time, none of these accessory units, legal and illegal, can be counted in the Town's Subsidized Housing Inventory because they do not meet the state's Chapter 40B definition of affordable housing.

Sterling's housing stock is fairly conducive to the development of accessory apartments because many of the houses are substantial in size. The Housing Needs Assessment has identified that there are low-income households in Sterling who are burdened by their housing expenses, including taxes. The Town should consider incentives to encourage owners to enter into at least a short-term agreement to maintain their accessory unit as affordable, such as property tax relief. The exemption of property taxes might be especially attractive to elderly owners living on fixed incomes. Having more options available in the housing market, such as small rental units, will help serve unmet local needs.

Accessory units are helpful in meeting a number of public policy objectives:

a) They enable homeowners to capture additional income, which is particularly important for elderly homeowners or single parents where such income may be critical to remaining in their homes.

Also, some young families or moderate-income households might be able to afford homeownership if they could count on income from an accessory apartment.

b) They provide appropriately sized units for growing numbers of smaller households.
c) Accessory units are inexpensive ways of increasing the rental housing stock at lower cost than new construction and without loss of open space, without significant impact on the surrounding neighborhood, and without additional Town services such as streets or utilities. There are, however, issues regarding the adequacy of the existing septic system when a new bedroom is added.
d) Tenants in accessory apartments can also provide companionship, security and services for the homeowner, from shoveling the sidewalk for an elderly owner to babysitting for a single parent.
e) As recognized by the current bylaw and often referred to as "in-law" apartments, they have offered good opportunities for keeping extended families in closer contact.
f) New accessory units typically generate tax revenue in a locality because accessory units add value to existing homes.

***Next Steps*:** The town housing entity identified, in tandem with other appropriate Town boards and committees, should determine how best to adapt an Accessory Apartment Program to the Town of Sterling, develop an implementation plan, and initiate the program. This is likely to require professional support through a consultant or Town staff position for housing.

In addition to exploring incentives for homeowners to add existing accessory dwelling units to the Town's SHI, the Town should also consider its Zoning Bylaw to promote the construction new accessory units with the following in mind:

a) Allow accessory units as-of-right (not requiring any special regulatory approval) based on specified conditions of the bylaw;
b) Extend use to detached structures or separate additions; and
c) Extend availability to investor-owned properties.

There are many variations of accessory apartment bylaws that have been adopted in other communities. The Sterling Planning Board can explore other bylaws and work on an amendment that will best meet the needs of the community. A model accessory dwelling unit bylaw is available in Appendix A.

***Timetable*:** Two-Year Plan

This process could be accomplished within the next year, ready for vote by Town Meeting in 2020.

***Resources Required*:** Time of the Planning Board to prepare the zoning amendment, potentially with the support of a consultant, and coordinate the necessary approvals. Additional time will be needed from a professional housing consultant or staff person to prepare an implementation plan and oversee a program to ensure long-term affordability of at least some of the new accessory apartments.

Action 6: Explore the adoption of affordable housing on noncomplying lots

Current Status: There are parcels of vacant land that at this time cannot be developed because they do not meet the dimensional requirements of the Zoning Bylaw such as minimum lot size, frontage, as well as rear and side yard requirements. It is likely that many of these parcels could in fact be suitably developed as housing. Smaller lots will encourage the construction of smaller homes under appropriate guidelines to

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provide some housing options that are not currently being created by the private market as starter housing or homes for empty nesters interested in reducing their living space and home maintenance.

***Next Steps*:** The responsible housing entity might explore what other communities are doing with respect to these undersized lots and work with the Planning Board to prepare a zoning amendment to enable these lots to be developed based on specific criteria. One potential model is to allow such lots to be developed by Special Permit or through the state's Local Initiative Program (see https://www.mass.gov/service-details/local-initiative-program) restricting the development to affordable units that qualify for inclusion in the Town's state-defined Subsidized Housing Inventory.

***Timetable*:** Five-Year Plan

***Resources Required*:** The responsible housing entity (e.g. Affordable Housing Committee or the proposed Housing Trust) should coordinate this effort with the Planning Board and other appropriate local officials in determining the feasibility of implementing this strategy in Sterling, drafting the zoning amendment and coordinating the necessary approvals towards implementation. This strategy is also likely to require some technical support from a housing professional to provide information on what other communities have implemented in this regard and to help shape a strategy for Sterling.

Action 7: Support cluster development where feasible

Cluster development of housing encourages the grouping of residential properties on a development site in order to preserve the surrounding land in the form of open space, recreation or agriculture. In addition to promoting ecological connectivity and reducing the impact of more "sprawling" housing development, cluster development also allows a developer to spend less on land and obtain (close to if not) the same price per unit.

The purposes of cluster development include, but are not limited to:

a) Allowing for greater flexibility and creativity in the design of residential subdivisions, provided that the overall density of the development is no greater than what is normally allowed in the district;
b) Encouraging the permanent preservation of open space, agricultural lands, forest lands and other natural resources and encourage a less sprawling form of development that consumes less open land;
c) Maintaining the traditional New England rural character and land use pattern in which small villages contrast with open space and farmlands;
d) Facilitating the construction of streets, utilities and public services in a more economical and efficient manner;
e) Ensuring that residential developments respect the natural features of the land, including wetlands, watercourses, forests, prime agricultural land, steep slopes, plants, wildlife, historic sites, scenic areas, and rural character;
f) Encouraging development out of view from the road, and promote alternatives to strip residential developments lining roadsides in the town; and
g) Provide wildlife corridors connecting open spaces, needed by wildlife to ensure their survival. (Source: Pioneer Valley Planning Commission, http://www.pvpc.org/sites/default/files/cluster_bylaw.pdf).

Next Steps: The responsible housing entity could explore what other communities are doing with respect to these more flexible zoning provisions and work with the Planning Board to prepare a zoning amendment

to promote cluster development and open space protection with density bonuses for the inclusion of affordable units. Pioneer Valley Planning Commission (PVPC) has prepared a model by-right cluster zoning bylaw for Massachusetts municipalities interested in promoting cluster development. Additionally, a model bylaw was produced by the Metropolitan Area Planning Council supporting cluster development through special permit, as opposed to by-right. Both model bylaws can be found in Appendix A.

Timetable: Two-Year Plan

This process could be accomplished within the next year, ready for vote by Town Meeting in 2020.

Action 8: Explore offering property tax relief in exchange for deed restrictions on affordable units

Another option for producing affordability through the existing housing stock is to consider offering property tax relief for qualifying households in exchange for deed restrictions. Under this consideration, the town could reach out to homeowners who are living on very limited incomes, the elderly in particular, to enable them to live in their homes for as long as they would like by offering sufficient financial incentives in exchange for a long-term affordability restriction. Sterling may find that the exemption of property taxes is not an adequate enough incentive for residents to assume restrictions on the resale price and an additional subsidy might also be required to make this strategy viable.

The resale restriction has the effect of ensuring that when the house is sold it will be affordable and sold to a buyer who has an income at or below 80% of area median income and includes the appropriate income and resale conditions to be maintained on the state's Subsidized Housing Inventory under Chapter 40B. In addition to property tax relief, the financial incentives might include funds for both building improvements, which would ensure the physical viability of the property over time, plus an upfront grant or an annuity, which would provide the owner with a steady long-term income stream. The subsidy might come from potential future CPA funds.

Timetable: Two-Year Plan

Resources Required: Some professional staff time to work with the responsible housing entity (e.g. Affordable Housing Committee or proposed Housing Trust) to develop projects including support for securing subsidy funds.

Numerical Targets and Schedule

As discussed, the Town of Sterling's numerical goal for SHI annual housing production is 15 units per year for 0.5% units per year, and 30 units per year to meet the goal of 1.0% two-year housing production threshold (Table 9).

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Table 9. Implementation Plan for Proposed Action Items

Actions	Timeframe for Commencing Implementation	
	Two-Year	Five-Year
1. Explore the creation of an Affordable Housing Trust or responsible housing entity to implement the actions in this plan	X	
2. Make Suitable Town-owned land available for affordable housing		X
3. Seek out and apply for funding and assistance for the implementation of this Action Plan	X	
4. Promote local approval for Community Preservation Act (CPA)	X	
5. Amend accessory apartment bylaw and incorporate accessory apartments in the SHI	X	
6. Adopt affordable housing on noncomplying lots		X
7. Support cluster development where feasible	X	
8. Explore offering property tax relief in exchange for deed restrictions on affordable units	X	

Together with the ongoing development of Northgate Meadows, a 40B project aiming to create 94 new SHI eligible units over the next couple years (including 72 rental units to be completed as part of Phase 1, and 22 affordable ownership units in Phase 2), the actions outlined in this plan will help ensure Sterling meets its affordable housing goals. Table 10 presents the Town of Sterling housing production numerical targets and schedule for the next five years:

Table 10. Sterling Housing Production Schedule

Year	Number of Units
2020	72
2021	26
2022	15
2023	15
2024	15

The Town of Sterling has established these production goals to realistically reflect current development plans and expectations of SHI housing production. If this target is achieved, Sterling SHI units would reach 6.79% by 2024. As discussed previously, the target will be readjusted on the basis of the 2020 US Census and changes in the overall Sterling housing stock.

Preferred Development Characteristics

The preferred sites for new housing would be those with existing infrastructure capable of handling new development. Also, these expansion areas should encourage compact development, including cluster development, actively preserving and protecting Sterling's open space and the town's abundant natural resources. Preferred development would include at least some of the following characteristics, in accordance with Smart Growth principles:

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a. Mixed-use development with available housing near the town and village centers;
b. Housing in close proximity to public transportation, where available;
c. Higher density housing or mixed-use development near transit stops, along commercial corridors or in town and village centers;
d. Redevelopment of environmentally impacted or brownfields sites;
e. Restored vacant and abandoned residential buildings to productive use;
f. Converted vacant or underutilized former manufacturing, commercial or municipal buildings to housing;
g. Housing which preserves open space so that the goals of each will be mutually satisfied using techniques such as cluster zoning, transfer of development rights, or other innovative zoning or regulatory devices;
h. Redevelopment of vacant infill parcels; and
i. Other housing development which effectively addresses the Town's affordable housing needs.

Expansion Areas for Affordable Housing

Preferred locations for new housing are generally those with existing infrastructure (including transportation, town water and sewer services) capable of handling new development. Also, such expansion areas should be encouraging compact development rather than sprawl, which suggests new housing should be located near existing centers or villages. At this time, Sterling does not currently have designated expansion areas for affordable housing.

Endorsed Sites for 40B

Sterling does not currently have formally endorsed sites for 40B development where the Town is encouraging the filing of Comprehensive Permit applications. If Sterling chooses to endorse a site for 40B development, identification of specific sites will be consistent, to the greatest extent possible, with Sustainable Development Principles.

Municipal Land for Affordable Housing

At this time, Sterling has not committed to issuing requests for proposals to develop SHI Eligible Housing on town-owned properties. However, under the proposed actions in this plan, the Town will review municipally owned properties for their suitability for affordable housing creation. Table 11 lists some properties that are owned by the Town that may be suitable for some amount of clustered affordable housing development. Both Butterick and 73 Chace Hill Road were included as viable town-owned lands for affordable housing development in the Town's 2006 Housing Production Plan and remain feasible options due to their sufficient size and a lack of development constraints. Other Town-owned properties may also be suitable for such development and would be subject to more thorough review (see Appendix B for a more complete listing of town-owned properties with potential for affordable housing).

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Table 11. Town-owned properties with potential for affordable housing development

Parcels	Map #/ Parcel #	Total Parcel Acres/Buildable Housing Acres*	Estimated # Housing Units/Affordable Units	Comments
Butterick	92/ 74	13.6/6.8	27/14	Located behind Town Hall in Town Center
73 Chace Hill Road	150/ 2	14.11/8	32/16	

*The number of acres set-aside for housing is estimated to be approximately half of available acreage. It is therefore a best guess at this time of the buildable area and also recognizes Town concerns for maintaining some amount of open space in most developments, including infrastructure requirements such as possible water and sewer treatment facilities, and in some cases accommodating other uses on site as well.

In addition to currently owned Town parcels, Sterling may decide to acquire privately owned sites over the next decade for the purposes of protecting open space and developing some amount of housing, including affordable housing, through cluster development on a portion of the sites.

Use Restrictions

As has been indicated in various sections of this Housing Plan, the Town of Sterling is committed to maintaining its Subsidized Housing Inventory for as long a period as possible. Affordable units must serve households with incomes no greater than 80% of the area median income for which the unit is located. Units must be subject to use restrictions or re-sale controls to preserve their affordability as follows:

- For minimum of thirty years or longer from the date of subsidy approval or construction for new construction.
- For a minimum of fifteen years or longer from the date of subsidy approval or completion for rehabilitation.
- Alternatively, a term of perpetuity is encouraged for both new construction and completion of rehabilitation.

Units are or will be subject to an executed Regulatory Agreement between the eveloper and the subsidizing agency unless the subsidy program does not require such an agreement. The units have been, or will be marketed in a fair and open process consistent with state and federal fair housing laws. The resale prices included in homeownership projects should be indexed to HUD's area median income as opposed to market value to better assure this affordability over the long-term. The annual recertification in the case of rental agreements should be the responsibility of the project sponsor who must report annually to a housing entity approved by the Town, perhaps the Housing Trust, if created, or Housing Authority. The responsibility for monitoring resales of affordable homeownership units could be assumed by Citizens Housing and Planning Association (CHAPA), which is performing this function for affordable developments throughout the state.

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Maps

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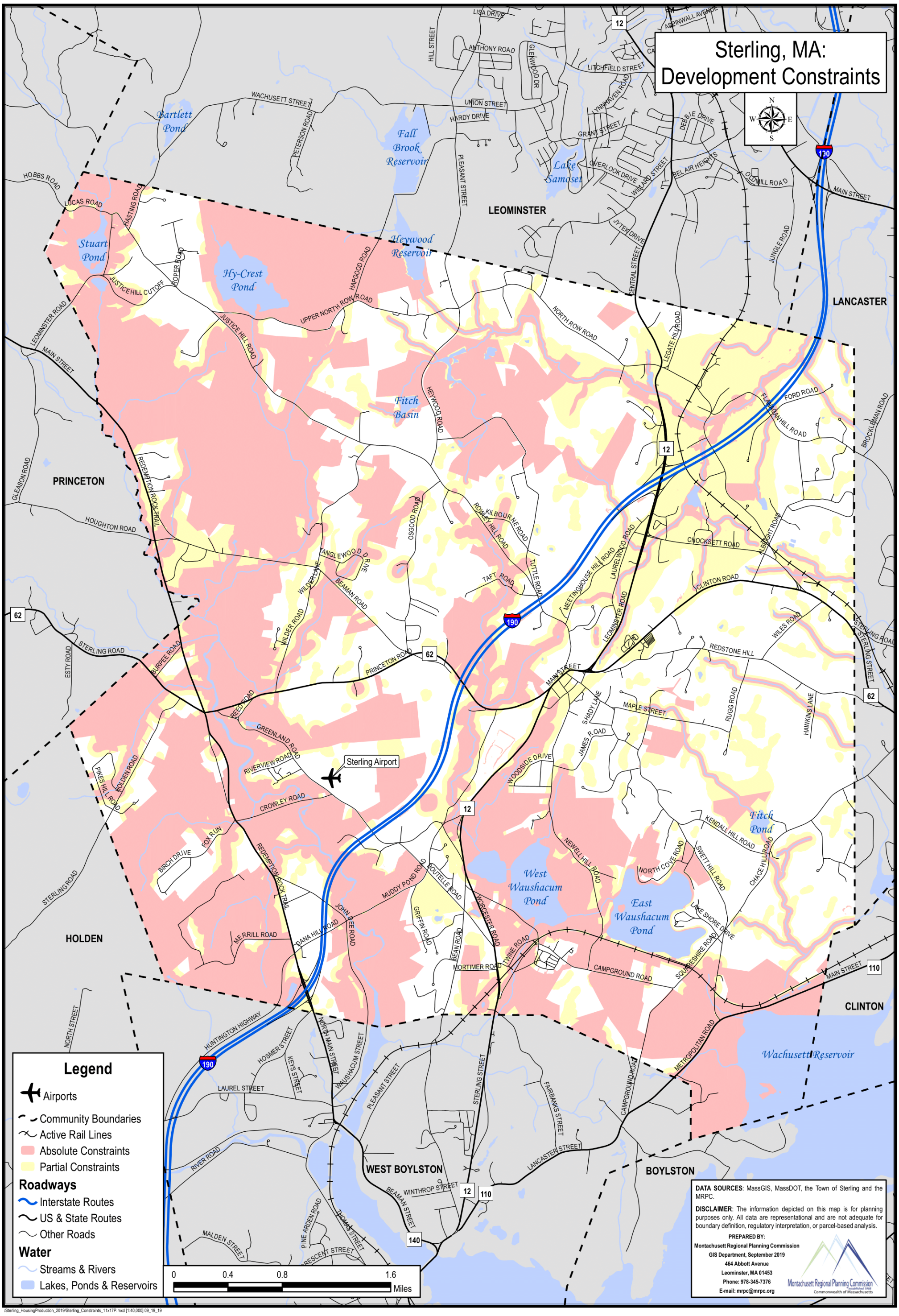
Sterling, MA:
Development Constraints
LEOMINSTER
LANCASTER
PRINCETON
HOLDEN
CLINTON
WEST BOYLSTON
BOYLSTON
Bartlett Pond
Fall Brook Reservoir
Lake Samoset
Stuart Pond
Hy-Crest Pond
Heywood Reservoir
Fitch Basin
West Waushacum Pond
East Waushacum Pond
Fitch Pond
Wachusett Reservoir
Sterling Airport
Legend
Airports
Community Boundaries
Active Rail Lines
Absolute Constraints
Partial Constraints
Roadways
Interstate Routes
US & State Routes
Other Roads
Water
Streams & Rivers
Lakes, Ponds & Reservoirs
0 0.4 0.8 1.6 Miles
DATA SOURCES: MassGIS, MassDOT, the Town of Sterling and the MRPC.
DISCLAIMER: The information depicted on this map is for planning purposes only. All data are representational and are not adequate for boundary definition, regulatory interpretation, or parcel-based analysis.
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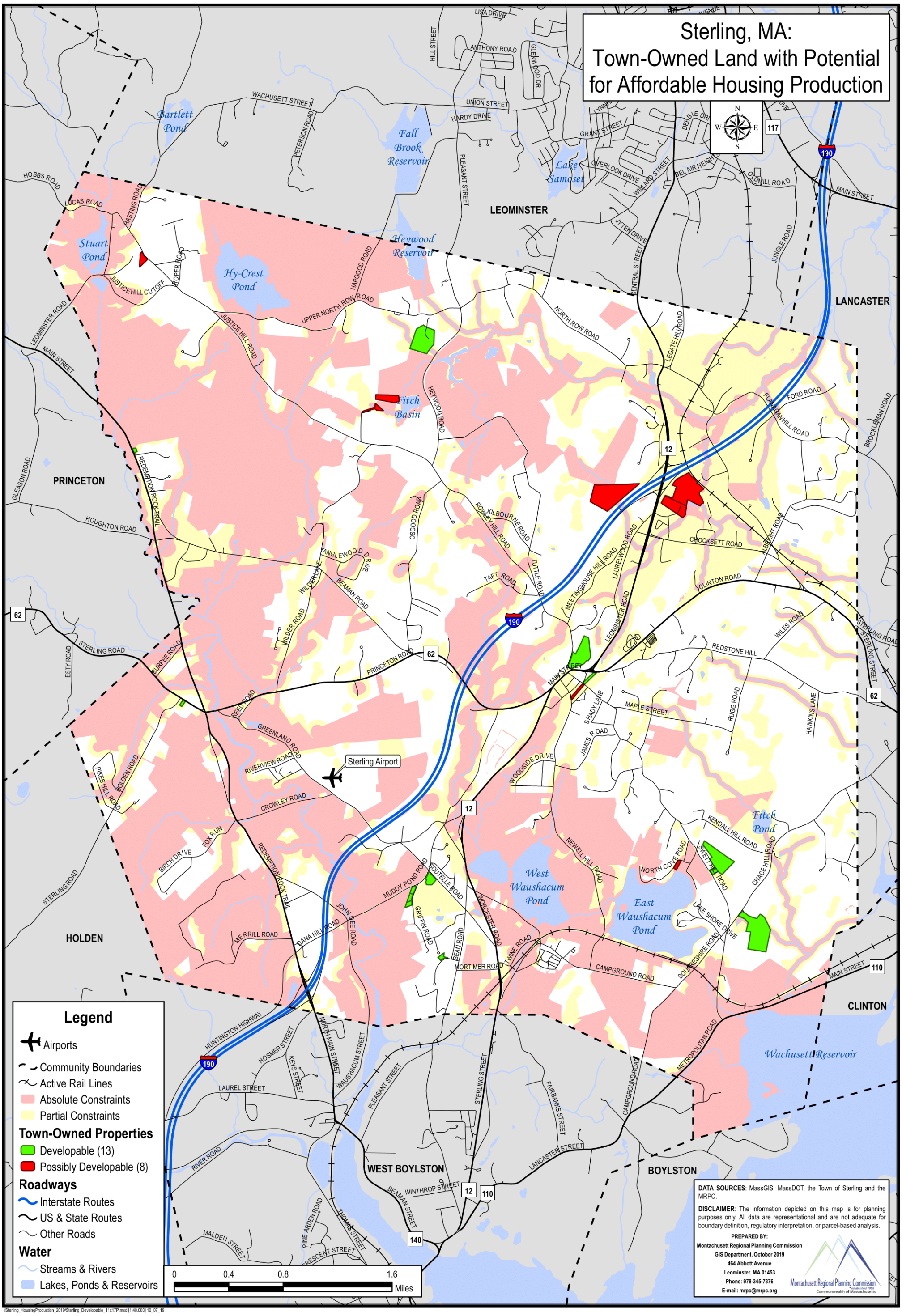
Sterling, MA:
Town-Owned Land with Potential for Affordable Housing Production
LEOMINSTER
LANCASTER
PRINCETON
HOLDEN
CLINTON
WEST BOYLSTON
BOYLSTON
Bartlett Pond
Fall Brook Reservoir
Lake Samoset
Stuart Pond
Hy-Crest Pond
Heywood Reservoir
Fitch Basin
Fitch Pond
West Waushacum Pond
East Waushacum Pond
Wachusett Reservoir
Sterling Airport
Legend
Airports
Community Boundaries
Active Rail Lines
Absolute Constraints
Partial Constraints
Town-Owned Properties
Developable (13)
Possibly Developable (8)
Roadways
Interstate Routes
US & State Routes
Other Roads
Water
Streams & Rivers
Lakes, Ponds & Reservoirs
0 0.4 0.8 1.6 Miles
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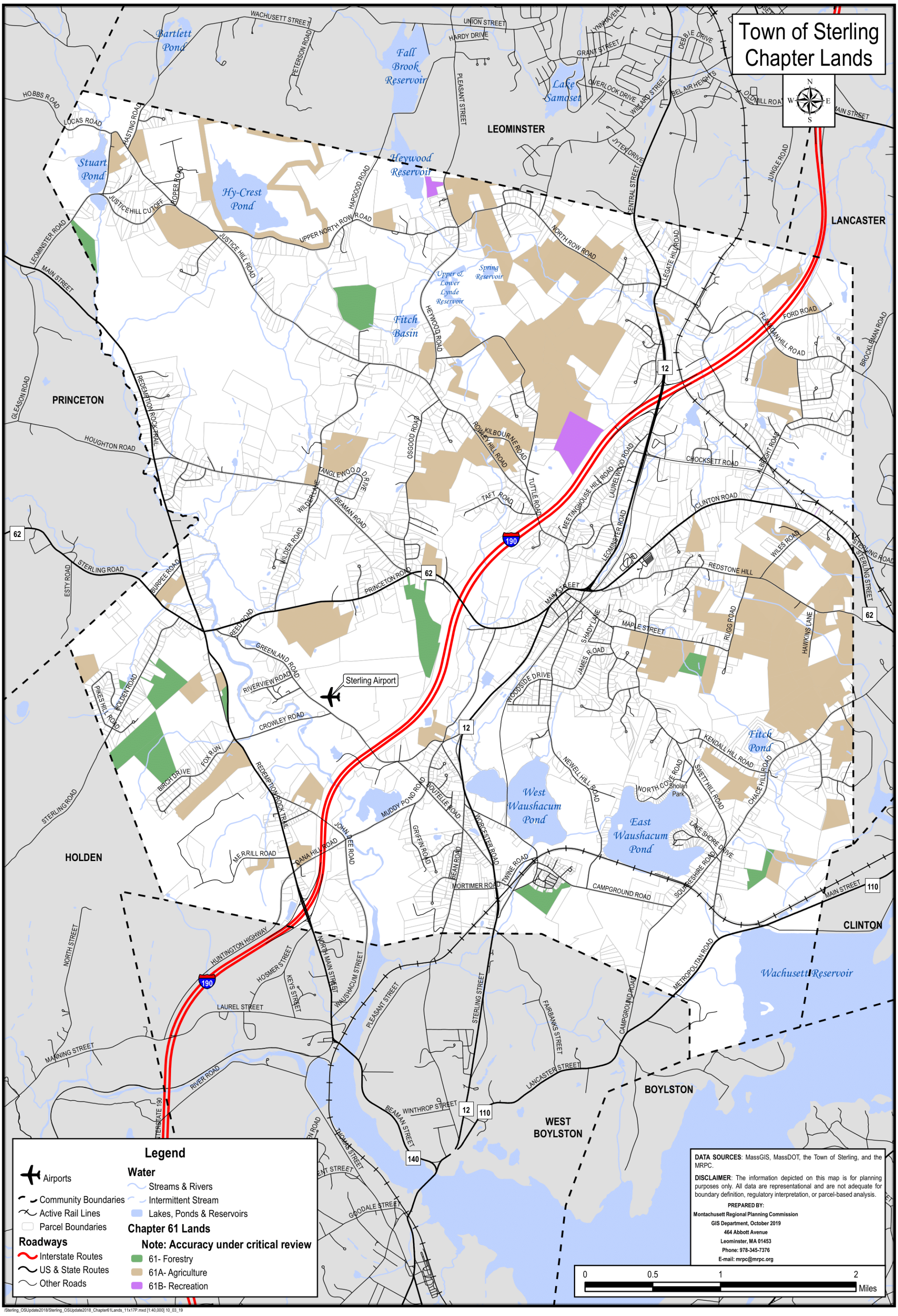

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Appendices

Appendix A: Sample Model Bylaws for Consideration and Possible Adaptation to Sterling

DRAFT

MODEL BYLAW FOR ACCESSORY DWELLING UNITS

Introduction

Accessory dwelling units (also known as 'accessory apartments', 'guest apartments', 'in-law apartments', 'family apartments' or 'secondary units') provide units that can be integrated into existing single family neighborhoods to provide low priced housing alternatives that have little or no negative impact on the character of the neighborhood.

The regulatory approach used by most municipalities for accessory dwelling units is a zoning bylaw that permits an accessory unit, thereby allowing certain improvements to be made to the existing dwelling. Provisions can address certain restrictions based on whether the dwelling existed as of a certain date, the maximum allowed building and site modifications, the options for choosing inhabitants, whether the main unit needs to be owner occupied, and minimum lot sizes. However, the greater the number of restrictions, the fewer options there are available to homeowners for adding the units.

The following is a model bylaw for accessory dwelling units. It is recognized that there is no single "model" that can be added to community regulations without some tailoring, therefore revisions to the text within this model is encouraged. There may also be a need to examine local development review process to find ways that the process can be streamlined to encourage homeowners to use the accessory dwelling unit ordinance.

The annotation included in this model bylaw will not be part of the adopted bylaw, but will serve as a "legislative history" of the intent of the drafters and the interpretation to be given to certain terms and provisions. The annotation includes some recommended positions that reduce burdens on both homeowners and municipalities when implementing the bylaw.

MODEL BYLAW

01.0 Purpose and Intent: The intent of permitting accessory dwelling units is to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;

2. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing;

3. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle;

4. Provide housing units for persons with disabilities;

5. Protect stability, property values, and the residential character of a neighborhood.

COMMENT: *Accessory dwelling units are a relatively rare circumstance in most communities, but can be very important to the homeowner that needs this option. There are various provisions in this model bylaw that will ensure that the appearance of neighborhoods are not substantially affected, including limitations on floor area, number of bedrooms, setbacks, ingress/egress location, and ensuring that accessory dwelling units are installed only in owner-occupied houses.*

02.0 Definitions:

1. Accessory Dwelling Unit: An Accessory Dwelling Unit is a self-contained housing unit incorporated within a single-family dwelling (not within accessory structures, except with a Special Permit) that is clearly a subordinate part of the single-family dwelling and complies with each of the criteria stated below.

COMMENT: *The definition of an accessory dwelling unit can restrict tenants to family members, low- or moderate-income tenants, or be unrestricted. However, unrestricted or family-member-only units will not count towards the 10% goal of the Subsidized Housing Inventory (SHI). This bylaw is not intended to provide housing which would count towards the Commonwealth's Local Initiative Program ("LIP"). Please see the Department of Housing and Community Development's regulations for addition information and requirements regarding the LIP.*

RECOMMENDED POSITION: *Do not restrict tenants. Allowing only family members is easiest politically and may limit the overall impact of the units, but it will also limit the use (and re-use) of these units and may result in additional administration costs associated with enforcement. Having no restrictions on accessory dwelling unit tenants gives greater control over the unit to the homeowner while offering more diverse housing opportunities.*

COMMENT: *Restricting accessory dwelling units to low-income tenants may help add units to the town's SHI list; however, the units must be permitted under a DHCD-approved bylaw. This model does not contemplate the SHI compliance.*

COMMENT: *The following definitions (or similar) are typically used in an accessory dwelling unit bylaw to support the accessory dwelling unit definition.*

2. Building, Attached: A building having any portion of one or more walls in common or within five feet of an adjacent building.

3. Building, Detached: A building having a five feet or more of open space on all sides.

4. Dwelling, Single-Family: A building designed or used exclusively as a residence and including only one dwelling unit.

COMMENT: *The limitations on accessory dwelling units that are identified in the bylaw will strengthen the distinction between two-family dwellings, and single-family dwellings with accessory dwelling units. However, it is recommended that a community review its other definitions and residential bylaws to ensure the distinction.*

6. Dwelling Unit: One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This definition does not include a trailer, however mounted.

7. Primary Residence: A building in which is conducted the principal use of the lot on which it is located. For residentially zoned lots, such a building would be a dwelling.

03.0 Procedural Requirements:

1. Review procedure: [Refer to the existing Special Permit or Site Plan Review procedures for your municipality.]

COMMENT: *Permitting can be through Special Permit; Site Plan Review; or As-of-Right. The Special Permit procedure is a legislative procedure that provides the highest level of control to the municipality. A Special Permit approval is attached to the land, meaning that it is not affected by change of ownership unless specified. Site Plan Review provides an opportunity for a local entity within the municipality (other than the Building Commissioner) to review the design (possibly including both site plans and elevations) of a proposed development to determine the impacts on surrounding properties. The As-of-Right procedure allows property owners to submit construction plans to the Building Commissioner for assessment against relevant zoning bylaws (including accessory dwelling unit bylaws) prior to issuing a construction permit.*

RECOMMENDED POSITION: *For accessory dwelling units within a home, use as-of-right; for attached or detached accessory dwelling units use Special Permit. As-of-Right permitting will facilitate the development of units that have limited or no impact from the street; for attached and detached units, towns may wish to have a heightened level of control especially on issues of design compatibility and privacy.*

04.0 Use and Dimensional Regulations:

1. The Building Commissioner may issue a Building Permit authorizing the installation and use of an accessory dwelling unit within an existing or new owner-occupied, single-family dwelling and the Special Permit Granting Authority (SPGA) may issue a Special Permit authorizing the installation and use of an accessory dwelling unit in a detached structure on a single-family home lot only when the following conditions are met:

COMMENT: *The SPGA is usually designated as either the Zoning Board of Appeals or Planning Board.*

COMMENT: *Some towns allow all single-family homes to contain accessory dwelling units, while others restrict it to homes existing prior to a certain date, or to a maximum percentage of the community.*
RECOMMENDED POSITION: *Allow accessory dwelling units in all single-family homes that can meet the requirements of the bylaw. This will enable more accessory dwelling units and reduce administration burdens on the municipality associated with assessment of each unit.*

(a) The unit will be a complete, separate housekeeping unit containing both kitchen and bath.

COMMENT: *This provision is to ensure that the unit is separately habitable.*

(b) Only one accessory dwelling unit may be created within a single-family house or house lot.

COMMENT: *This provision is to ensure that accessory dwelling units remain ancillary to the principal single-family dwellings.*

(c) The owner(s) of the residence in which the accessory dwelling unit is created must continue to occupy at least one of the dwelling units as their primary residence, except for bona fide temporary absences.

COMMENT: *This helps to protect the stability and character of the neighborhood. Provided that similar circumstances prevail, a change of ownership should not automatically result in a Special Permit lapse (refer to 04.5 below).*

(d) Any new separate outside entrance serving an accessory dwelling unit shall be located on the side or in the rear of the building.

COMMENT: *This is to ensure that the principal dwelling has the appearance of a single family dwelling. However, entrances could be combined in a single location.*

(e) The gross floor area of an accessory dwelling unit (including any additions) shall not be greater than nine hundred (900) square feet.

COMMENT: *The sizes of accessory dwelling units allowed in the various bylaws studied ranged from 500 to 900 square feet. The purpose of stating a maximum floor area is to ensure that the unit remains subordinate to the single-family dwelling. An additional limitation that can be placed on accessory dwelling units is the number of bedrooms (see 04.1(g) below). This limitation may be more important in areas that are not served by a sewer and/or water supply. Another alternative is to use the Special Permit to allow larger ADU's when located in larger homes with additional size criteria added to the bylaw/ordinance.*

COMMENT: *An option for the size of the unit could be a percentage of the existing main dwelling, with a minimum to ensure appropriate living space is available in the accessory dwelling unit.*

(f) Once an accessory dwelling unit has been added to a single-family residence or lot, the accessory dwelling unit shall never be enlarged beyond the nine hundred (900) square feet allowed by this bylaw/ordinance.

COMMENT: *This enables homeowners to make modifications and additions to the accessory dwelling unit while remaining subordinate to the single-family dwelling.*

(g) An accessory dwelling unit may not be occupied by more than three (3) people nor have more than two bedrooms.

COMMENT: *The intent of this provision is to limit impacts on sewer and water supply systems. This is an important issue for accessory dwelling units in areas that are not served by a sewer or water supply (see 04.1.(h)). Local conditions may suggest a different number of bedrooms and a different number of people allowed.*

(h) The construction of any accessory dwelling unit must be in conformity with the State Building Code, Title V of the State Sanitary Code and other local bylaws/ordinances and regulations.

COMMENT: *Provisions can be added in the bylaw stating that the accessory dwelling unit must conform to all applicable health, building, and other codes. In areas without sewer and water infrastructure, a minimum lot size may needed to ensure that the accessory dwelling unit has adequate and safe water supply and sewage disposal. It should be noted that the provisions of the accessory dwelling unit bylaw may not conflict with the State Building Code, Title V of the State Sanitary Code or other local bylaws relating to health and safety without appropriate variance.*

(i) Off-street parking spaces should be available for use by the owner-occupant(s) and tenants.

COMMENT: *The accessory dwelling unit may result in demand for extra vehicle parking; however, the number of additional vehicles associated with the property may be minimal due to the limited size of the unit. The typical requirement is for one additional on-site parking space for the accessory dwelling unit.*

RECOMMENDED POSITION: *Require one additional parking space and consider allowing a waiver when transit is a reasonable option.*

2. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the SPGA may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

3. Approval for an ADU requires that the owner must occupy one of the dwelling units. The zoning approval and the notarized letters required in 04.4 and 04.5 below must be recorded in the County Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Building Commissioner, prior to the occupancy of the accessory dwelling unit.

4. When a structure, which has received a permit for an accessory dwelling unit, is sold, the new owner(s), if they wish to continue to exercise the Permit, must, within thirty (30) days of the sale, submit a notarized letter to the Building Commissioner stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences.

COMMENT: *Some municipalities include a provision in the bylaw/ordinance stating that the zoning approval or Special Permit for the accessory dwelling unit will lapse if the owner no longer occupies one of the dwelling units. This adds unnecessary administrative burden on the municipality. Provided that similar circumstances prevail, a change of ownership should not automatically result in a permit lapse.*

5. Prior to issuance of a permit, the owner(s) must send a notarized letter stating that the owner will occupy one of the dwelling units on the premises as the owner's primary residence, except for bona fide temporary absences.

COMMENT: *Some bylaws/ordinances specify time periods for which the owner must occupy the dwelling in any given year, however, enforcement of this adds unnecessary administrative burden on local officials.*

6. Prior to issuance of a permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.

COMMENT: *This is to demonstrate that the accessory dwelling unit will not significantly affect the appearance of the single-family dwelling.*

05.0 Administration and Enforcement

COMMENT: *Cities and towns need to examine their development review processes to find ways that the review process can be streamlined so homeowners are encouraged to use the accessory dwelling unit ordinance. It is recognized that most towns have existing illegal accessory dwelling units, and if a town is to encourage homeowners to legalize the existing units or create new accessory dwelling units under this bylaw, the process should be made as straight forward as possible. Making the process simple for the homeowners while still imposing all reasonable requirements for accessory dwelling units helps reduce the administrative burden on municipalities.*

COMMENT: *Some towns require annual notarized letters attesting to the conditions of the accessory dwelling unit (owner-occupancy and any restriction on tenancy). Some bylaws require annual renewal of the permit.*

RECOMMENDED POSITION: *No requirements for annual compliance or renewal are recommended. This places unnecessary burden on local officials. Using change in ownership as the trigger for renewal of the accessory dwelling unit is preferable.*

1. It shall be the duty of the Building Commissioner to administer and enforce the provisions of this Bylaw.

2. No building shall be constructed or changed in use or configuration, until the Building Commissioner has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the town's laws and bylaws. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Inspector where required.

3. The Building Commissioner shall refuse to issue any permit, which would result in a violation of any provision of this chapter or in a violation of the conditions or terms of any special permit or variance granted by the Board of Appeals or its agent.

4. The Building Commissioner shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.

5. Construction or use according to a building permit or special permit shall conform to any subsequent amendment of this chapter unless the construction or use is begun within a period of not more than six months after the issuance of a permit granted before the effective date of the amendment. To qualify for this exemption, construction must be completed in a continuous and expeditious manner.

6. The SPGA specified in this section may, after making findings of fact that support the decision, approve modifications to the dimensional standards of this bylaw, section 04.0, that will not exceed those standards by more than [10] percent.

COMMENT: *These provisions may be standard within the community's regulations, and can be simply referenced in this section. Additional references may be made to the Site Plan Review and Special Permit processes if included in this bylaw.*

PVPC MODEL BYLAW
BY-RIGHT CLUSTER ZONING BYLAW

Prepared by Pioneer Valley Planning Commission
Revised: October 2001

1.00 Cluster Development

1.01 Cluster Development Allowed By Right

Cluster Development in accordance with this bylaw shall be allowed by right in Residence Zones ___, except not in the Floodplain District. Cluster development shall mean a residential development in which single family residences are clustered together, adjacent to permanently preserved open space.

1.02 Purposes

The purposes of cluster development are to:

1. allow for greater flexibility and creativity in the design of residential subdivisions, provided that the overall density of the development is no greater than what is normally allowed in the district;

2. encourage the permanent preservation of open space, agricultural lands, forest lands and other natural resources and encourage a less sprawling form of development that consumes less open land;

3. maintain the traditional New England rural character and land use pattern in which small villages contrast with open space and farmlands;

4. facilitate the construction of streets, utilities and public services in a more economical and efficient manner;

5. ensure that residential developments respect the natural features of the land, including wetlands, watercourses, forests, prime agricultural land, steep slopes, plants, wildlife, historic sites, scenic areas, and rural character;

6. encourage development out of view from the road, and promote alternatives to strip residential development lining roadsides in the town.

7. provide wildlife corridors connecting open spaces, needed by wildlife to ensure their survival.

1.03 Net Developable Area

1. The net developable area of a parcel for cluster development shall be the total area of all lots shown to be developable under Town of _____ Subdivision Regulations and zoning, and shall be calculated by the following procedure:

   a. The area of those lots which is determined to be not suitable for on-site sewage disposal shall be subtracted from the developable area of the total parcel.

   b. Under the supervision of the Conservation Commission, the total acreage of all wetlands, in accordance with the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, shall be identified and their area subtracted from the developable area of the total parcel.

1.04 Flexible Area in Cluster Developments

1. Individual lot areas may be as small as the minimum lot sizes shown in Table 1, provided that the average size for all lots created, including any land reserved as open space, shall be no smaller than the required average lot size, shown in Table 1.

2. The total number of building lots which can be created from any parcel shall be determined by dividing the net developable area (see Section 1.04) by the required average lot size shown in Table 1.

3. All land not used for building lots shall be placed in permanent open space in accordance with Section 1.09 of this bylaw, but not less than 40% of the total parcel area.

1.05 Flexible Frontage in Cluster Developments

1. The frontage of the parcel from which the lots of a cluster development are created (whether or not by subdivision) shall equal or exceed 60 feet for each lot created in the cluster development, as shown in the Table of Cluster Development Dimensional Requirements (Table 1). *[For example, to create a six-lot cluster in a typical R-6 District, the original parcel must have a minimum of 360 foot contiguous frontage along a public way.]*

2. Provided that all other requirements of this bylaw are met, there shall be no frontage required for individual lots within a cluster development, with the exception described in Section 1.05-3 below. Each lot shall have adequate access on a public way (optional: or a common driveway) which meets the standards in this Section.

3. To the extent feasible, all buildings shall be located out of view from any road, and protected open space shall be located adjacent to public ways. Any building lot

which fronts on an existing public road shall have the frontage normally required in the zoning district.

1.06 Dimensional Requirements and Landscaped Buffer

1. All lots within a cluster development shall meet the front, rear and side yard requirements specified in Table 1.

2. All residential structures and accessory uses shall be set back from the boundaries of the development by a buffer strip of at least fifty (50) feet in width which shall include trees and shall be kept in a natural or landscaped condition.

1.07 Site Design Standards

1. Each structure shall be integrated into the existing landscape on the property so as to minimize its visual impact through use of vegetative and structural screening, landscaping, grading, and placement on or into the surface of the lot.

2. Lots shall be laid out and designed, to the greatest extent feasible, to preserve and protect historic and archaeologic sites, farmland, wooded stream corridors, forested areas and large trees, scenic views particularly as seen from public roads, ridgelines and hilltops.

3. All buildings, roads and driveways shall be located away from soils which are most suitable for agriculture (based on U.S. Soil Conservation Service classifications for prime farmland soils and soils of state and local importance) to the maximum practical extent. This provision does not apply to the location of on-site septic disposal facilities which must be placed in soils meeting the Massachusetts Environmental Code.

1.08 Utility Requirements

1. On-site Sewage Disposal

The following standards shall apply to developments requiring on-site sewage disposal:

a. The applicant shall submit a septic system design prepared by a certified engineer and approved by the Board of Health and a plan illustrating the location of water supply wells with the special permit application.

b. All cluster developments must meet the minimum state Environmental Code (Title V) requirements for minimum setbacks between private water supply wells and septic tanks or soil absorption systems (310 CMR 15.211).

c. All cluster developments must meet the minimum state Environmental Code (Title V) requirements for nitrogen loading limitations (310 CMR 15.214-15.217). For cluster developments with individual lot sizes less than 40,000 square feet, applicants must meet the following standards:

(1) Applicants must designate, on a plan, specific areas of common open space as "nitrogen credit land", based on the following equation:

(40,000 square feet x number of lots) – (total square feet in proposed cluster lots) = square feet of required nitrogen credit land in common open space

(2) Nitrogen credit land must meet DEP qualifications contained in "Guidelines for Title 5 Aggregation of Flows and Nitrogen Loading 310CMR15.216" including, but not limited, to the following qualifications:

- Must be restricted to prohibit man-made sources of nitrogen, including sewage discharge, nitrogen-based fertilizer or raising and grazing of livestock;
- Must be restricted to prohibit artificially rendered imperviousness (i.e. paved streets, paved parking lots, buildings, structures, etc.);
- Not within a Velocity Zone or Regulatory Floodway identified by FEMA;
- Not under surface water;
- Not already being used as nitrogen credit land.

(3) All designated nitrogen credit land must be permanently restricted from further development under a "Grant of Title 5 Nitrogen Loading Restriction and Easement on Nitrogen Credit Land".

After approval of the cluster Final Subdivision Plan, applicants must apply to the Board of Health and the Mass. Department of Environmental Protection (DEP) for an aggregate determination of nitrogen loading under 310 CMR 15.216.

d. It is required that septic systems be installed on individually-owned lots.

2. Water Supply

a. In order to meet state Title V requirements for separation distances between drinking water wells and septic systems, private drinking water supply wells may be located in the common open space for a cluster development,

provided that the provisions of Section 1.10 for a homeowner's association are met.

1.09 Common Open Space

1. Common Open Space Requirements

a. A minimum of 40% of the total development parcel must be permanently protected as common open space. At least 70% of the common open space shall be retained in contiguous areas, unless approved by the Planning Board.

b. Watercourses, lakes, ponds, wetlands and steep slopes over 25% may not be included in common open space calculations.

c. The Planning Board may permit up to three (3) percent of the open space area to be paved or built upon for structures accessory to the dedicated use of open space (i.e. pedestrian walks, bicycle paths, playgrounds, farm-related structures).

2. Land Protection Methods for Common Open Space

a. All land not devoted to buildings, lots, roads and other development shall be permanently protected as common open space for recreation, conservation, forestry or agricultural uses which preserve the land in essentially its natural condition, by the following method:

(1) The land shall be owned by a homeowner's association, and a permanent conservation easement or deed restriction must be conveyed to the Town, with Town approval, or to a non-profit trust or conservation organization whose principal purpose is to conserve farmland or open space.

b. Further subdivision of common open land or its use other than recreation, conservation, forest or agriculture, except for easements for underground utilities or drinking water supply wells, shall be prohibited.

1.10 Homeowner's Association

1. A non-profit, homeowner's association shall be established, requiring membership of each lot owner in the cluster development. The association shall be responsible for the permanent maintenance of all common lands, common open space, recreational and thoroughfare facilities, except drinking water wells. If any drinking water well is located on common open space, the homeowners shall own the well and be responsible for any maintenance or related costs associated with their well. A homeowner's association agreement or covenant shall be submitted with the final

subdivision application guaranteeing continuing maintenance of such common utilities, land and facilities, and assessing each lot a share of maintenance expenses. Such agreement shall be subject to the review and approval of Town Counsel and the Planning Board, and shall be recorded in the _____ County Registry of Deeds. Such agreements or covenants shall provide that in the event that the association fails to maintain the common open land in reasonable order and condition in accordance with the agreement, the town may, after notice to the association and public hearing, enter upon such land and maintain it in order to preserve taxable values of the properties within the development and to prevent the common land from becoming a public nuisance. The covenants shall also provide that the cost of such maintenance by the town shall be assessed equally against each of the properties within the development.

1.11 Stormwater Management

The Planning Board shall encourage the use of non-structural stormwater management techniques and other drainage systems that reduce impervious surfaces and enable infiltration where appropriate.

1. Stormwater management systems serving the cluster subdivision may be located within the required common open space. Surface systems, such as retention and detention ponds, shall not qualify towards the minimum open space requirement.

1.12 Subdivision Approval Procedures

1. Applicants for cluster development projects shall follow all procedures specified in the the Town of _____ Subdivision regulations.

2. Reviewing agencies

The Planning Board shall submit copies of the preliminary and final subdivision plans to the Board of Health, Conservation Commission, Highway or Public Works Superintendent, Chief of Police, Fire Chief and the Town Engineer for review and comment.

Table 1: Dimensional and Density Requirements for Cluster Development

Zone	Min. Lot Area for Standard Sub-division (sq.ft)	Cluster Min. Lot Area (sq. ft.)	Cluster Average Lot Area (sq. ft.)[2]	Cluster Min. Common Open Space (percent)	Min. Frontage for Standard Sub-division (ft.)	Cluster Min. Frontage for Individual Lots (ft.)	Cluster Min. Front Setback (ft.)	Cluster Min. Rear Setback (ft.)	Cluster Min. Side Setback (ft.)	Cluster Min. Distance Between Buildings (ft.)	Cluster Maximum Impervious Surface Coverage of Buildable Land (percent)
R-4	40,000	20,000[1]	40,000	40	170	40	40	40	10	20	25
R-6	60,000	30,000[1]	60,000	40	200	40	40	50	10	20	25

[1] All cluster developments must meet minimum state Environmental Code (Title V) requirements, as described in Section 1.08.
[2] Calculations for average lot areas shall be computed by adding the lot sizes for all lots in the cluster development subdivision, plus common open space, as described in Section 1.09, and dividing by the total number of lots.
[3] The frontage of the parcel from which the lot of a cluster development is created shall equal or exceed at least 60 feet per developable lot created in the R-4 district and the R-6 district.

OPEN SPACE RESIDENTIAL DEVELOPMENT
OR CONSERVATION SUBDIVISION DESIGN (OSRD)
MODEL BYLAW – SPECIAL PERMIT

1) PURPOSE AND INTENT

a) The Primary Purposes for OSRD are the following:

(1) To allow for greater flexibility and creativity in the design of residential developments;

(2) To encourage the permanent preservation of [choose] open space, agricultural land, forestry land, wildlife habitat, other natural resources including aquifers, waterbodies and wetlands, and historical and archeological resources in a manner that is consistent with a municipality's comprehensive and open space plan, if any;

(3) To encourage a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional or grid subdivision;

(4) To minimize the total amount of disturbance on the site;

(5) To further the goals and policies of the [choose] comprehensive, master, and/or open space plans;

(6) To facilitate the construction and maintenance of housing, streets, utilities, and public service in a more economic and efficient manner.

b) The Secondary Purposes for OSRD are the following:

(1) To preserve and enhance the community character;

(2) To preserve and protect agriculturally significant land;

(3) To protect the value of real property;

(4) To protect community water supplies;

(5) To provide for a diversified housing stock;

(6) To provide affordable housing to persons of low and moderate income.

2) ELIGIBILITY

[Select an a)]

a) Minimum Size of Tract. To be eligible for consideration as an OSRD, the tract shall contain a minimum of ____ acre(s). Where the tract is located in the [specify name of special district] the minimum tract area shall be ____ acre(s).

a) Minimum Number of Lots. To be eligible for consideration as an OSRD, the tract shall contain not less than ___ lots.

a) Any development that [will create more than ___ lots] *and/or* [is on a parcel of ____ acres or more] shall submit an application for OSRD to the Planning Board.

b) Zoning Classification. Only those tracts located in the ___ Districts shall be eligible for consideration as an OSRD.

c) Contiguous Parcels. To be eligible for consideration as an OSRD, the tract shall consist of a parcel or set of contiguous parcels.

d) Land Division. To be eligible for consideration as an OSRD, the tract may be a subdivision or a division of land pursuant to G.L. c. 41, s. 81P. *If condominium ownership is to be allowed (with a zero lot line approach), add the following:* provided, however, that OSRD may also be permitted where intended as a condominium on land not so divided or subdivided.

3) SPECIAL PERMIT REQUIRED

a) The Planning Board may authorize an OSRD pursuant to the grant of a special permit. Such special permits shall be acted upon in accordance with the following provisions:

4) PRE-APPLICATION

a) Conference. The applicant is very strongly encouraged to request a pre-application review at a regular business meeting of the Planning Board. If one is requested, the Planning Board shall invite the Conservation Commission, Board of Health, and [list other appropriate committees/Boards]. The purpose of a pre-application review is to minimize the applicant's costs of engineering and other technical experts, and to commence negotiations with the Planning Board at the earliest possible stage in the development. At the pre-application review, the applicant may outline the proposed OSRD, seek preliminary feedback from the Planning Board and/or its technical experts, and set a timetable for submittal of a formal application. At the request of the applicant, and at the expense of the applicant, the Planning Board may engage technical experts to review the informal plans of the applicant and to facilitate submittal of a formal application for an OSRD special permit.

b) The planning board shall adopt rules and regulations relative to the size, form, number and contents of the plans to be submitted for a pre-application review.

5) DESIGN PROCESS

a) At the time of the application for a special permit for OSRD in conformance with Section VI.1, applicants are required to demonstrate to the Planning Board that the following Design Process was performed by a certified Landscape Architect and considered in determining the layout of proposed streets, house lots, and open space.

i) Step One: Identifying Conservation Areas. Identify preservation land by two steps. First, Primary Conservation Areas (such as wetlands, riverfront areas, and floodplains regulated by

state or federal law) and Secondary Conservation Areas (including unprotected elements of the natural landscape such as steep slopes, mature woodlands, prime farmland, meadows, wildlife habitats and cultural features such as historic and archeological sites and scenic views) shall be identified and delineated. Second, the Potentially Developable Area will be identified and delineated. To the maximum extent feasible, the Potentially Developable Area shall consist of land outside identified Primary and Secondary Conservation Areas.

ii) Step Two: Locating House Sites. Locate the approximate sites of individual houses within the Potentially Developable Area and include the delineation of private yards and shared amenities, so as to reflect an integrated community, with emphasis on consistency with the Town's historical development patterns. The number of homes enjoying the amenities of the development should be maximized.

iii) Step Three: Aligning the Streets and Trails. Align streets in order to access the house lots. Additionally, new trails should be laid out to create internal and external connections to existing and/or potential future streets, sidewalks, and trails.

iv) Step Four: Lot Lines. Draw in the lot lines.

6) PROCEDURES

a) Application.

i) An application for a special permit for an OSRD shall include a concept plan. The Concept Plan consists of a Sketch Plan and a Yield Plan (see Section VII). The planning board shall adopt rules and regulations relative to the size, form, number and contents of the sketch plan and yield plan.

b) Sketch Plan.

i) The Sketch Plan shall be prepared by a certified Landscape Architect, or by a multi-disciplinary team of which one member must be a certified Landscape Architect, and shall address the general features of the land, give approximate configurations of the lots, open space, and roadways, and include the information listed under Section 1.B of the Subdivision Rules and Regulations. The Sketch Plan shall incorporate the Four-Step Design Process, according to Section V above, and the Design Standards according to Section X below, when determining a proposed design for the development.

c) Relationship Between the Concept Plan and OSRD Subdivision Plan

i) The issuance of a Concept Plan special permit allows the applicant to submit an Open Space Definitive Subdivision Plan to the Planning Board for approval under the Subdivision Control Law. Any Concept Plan special permit issued by the Planning Board shall specifically state that the Open Space Definitive Subdivision Plan shall substantially comply with the Concept Plan.

ii) An Open Space Definitive Subdivision Plan will be considered not to substantially comply with the Concept Plan if the Planning Board determines that any of the following conditions exist:

(1) An increase in the number of building lots;

(2) a significant decrease in the open space acreage;

(3) a significant change in the lot layout;

(4) a significant change in the general development pattern which adversely affects natural landscape features and open space preservation;

(5) significant changes to the storm water management facilities; and/or,

(6) significant changes in the wastewater management systems.

iii) If the Planning Board determines that the Open Space Definitive Subdivision Plan does not substantially comply with the Concept Plan, the Board may disapprove the definitive subdivision plan for failure to comply with the condition of the special permit requiring that the Open Space Definitive Plan substantially comply with the Concept Plan.

iv) The Planning Board may conditionally approve an Open Space Definitive Subdivision Plan that does not substantially comply with the Concept Plan special permit. However, such conditional approval must identify where the plan does not substantially comply with the Concept Plan special permit and shall require that the Concept Plan special permit be amended to be in compliance with the significant changes identified by the Planning Board. The Planning Board shall also require that the applicant file an application to amend the Concept Plan special permit within a specified time period.

v) The public hearing on the application to amend the Concept Plan special permit shall be limited to the significant changes identified by the Planning Board in their conditional approval of the Open Space Definitive Subdivision Plan. These are the only considerations that the Planning Board may take into account in deciding whether to amend the Concept Plan special permit.

d) General Procedures.

i) Whenever an application for a OSRD special permit is filed with the Planning Board, the applicant shall also file, within five (5) working days of the filing of the completed application, copies of the application, accompanying development plan, and other documentation, to the Board of Health, Conservation Commission, Building Inspector, Department of Public Works, Police Chief, Fire Chief, Town Engineer and _____ for their consideration, review, and report. The applicant shall furnish the copies necessary to fulfill this requirement. Reports from other boards and officials shall be submitted to the Planning Board within thirty-five (35) days of receipt of the reviewing party of all of the required materials; failure of these reviewing parties to make recommendations after having received copies of all such required materials shall be deemed a lack of opposition thereto. In the event that the public hearing by the Planning Board is held prior to the expiration of the 35-day period, the Planning Board shall continue the public hearing to permit the formal submission of reports and recommendations within that 35-day period. The Decision/Findings of the Planning Board shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

e) Site Visit.

i) Whether or not conducted during the pre-application stage, the Planning Board may conduct a site visit during the public hearing. At the site visit, the Planning Board and/or its agents shall be accompanied by the applicant and/or its agents.

f) Other Information.

i) The submittals and permits of this section shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning Bylaw. To the extent permitted by law, the Planning Board shall coordinate the public hearing required for any application for a special permit for a OSRD with the public hearing required for approval of a definitive subdivision plan.

7) BASIC MAXIMUM NUMBER (OF LOTS/UNITS/BEDROOMS)
[Choose either Option One or Two]

a) OPTION ONE: Determination of Yield, Formula

i) The Basic Maximum Number shall be derived after the preparation of a Yield Plan. The Yield Plan shall be the following calculation to determine the total number of lots (or dwelling units):

$$\text{Total Number of Lots} = \frac{TA - (0.5 \times WA) - (0.1 \times TA)}{\text{district minimum lot area}}$$

TA = Total Area of Parcel
WA = Wetlands and Riverfront Areas of Parcel

----- OR -----

a) OPTION TWO: Determination of Yield, Sketch Plan

i) The Basic Maximum Number shall be derived from a Yield Plan. The Yield Plan shall show the maximum number of lots (or dwelling units) that could be placed upon the site under a conventional subdivision. The Yield Plan shall contain the information required for a *[choose either* Sketch Plan *or* Preliminary Plan *accordingly]*, as set forth above in Section VI. The proponent shall have the burden of proof with regard to the Basic Maximum Number of lots (or dwelling units) resulting from the design and engineering specifications shown on the Yield Plan.

8) REDUCTION OF DIMENSIONAL REQUIREMENTS
[Choose either Option One or Two]

a) OPTION ONE: Flexible (Zero-Lot Line)

i) The Planning Board encourages applicants to modify lot size, shape, and other dimensional requirements for lots within an OSRD, subject to the following limitations:

(1) Lots having reduced area or frontage shall not have frontage on a street other than a street created by the OSRD; provided, however, that the Planning Board may waive this requirement where it is determined that such reduced lot(s) will further the goals of this bylaw.

(2) At least 50% of the required setbacks for the district shall be maintained in the OSRD unless a reduction is otherwise authorized by the Planning Board.

---- OR ----

a) OPTION TWO: Sliding Scale

i) The Planning Board may authorize modification of lot size, shape, and other bulk requirements for lots within an OSRD, subject to the following limitations:

(1) Lots having reduced area or frontage shall not have frontage on a street other than a street created by a subdivision involved, provided, however, that the Planning Board may waive this requirement where it is determined that such reduced lot(s) are consistent with existing development patterns in the neighborhood.

(2) Lot frontage shall not be less than 50 feet. The Planning Board may waive this requirement where it is determined that such reduced frontage will further the goals of this bylaw.

(3) Each lot shall have at least 50% of the required setbacks for the district unless a reduction is otherwise authorized by the Planning Board.

(4) Lots may be reduced in area according to the following schedule[1]

Minimum Open Space (%)	**9) District Minimum Lot Area (sq. ft.)**	**10) OSRD Minimum Lot Area (sq. ft.)**
50	*80,000*	*20,000*
50	*60,000*	*15,000*
50	*40,000*	*10,000*
50	*30,000*	*7,500*
50	*20,000*	*5,000*
50	*10,000*	*5,000*
70	*80,000*	*10,000*
70	*60,000*	*7,500*

[1] *It should be noted that this table is for conceptual purposes only. Lot areas subject to 50% open space requirements were reduced by three-quarters; areas subject to 70% open space requirements were reduced by seven-eighths.*

Minimum Open Space (%)	9) District Minimum Lot Area (sq. ft.)	10) OSRD Minimum Lot Area (sq. ft.)
70	*40,000*	*5,000*
70	*30,000*	*5,000*
70	*20,000*	*5,000*
70	*10,000*	*5,000*

9) OPEN SPACE REQUIREMENTS

a) Open Space. A minimum of fifty percent (50%) of the tract shown on the development plan shall be open space. Any proposed open space, unless conveyed to the Town or its Conservation Commission, shall be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.

i) The percentage of the open space that is wetlands shall not normally exceed the percentage of the tract that is wetlands; provided, however, that the applicant may include a greater percentage of wetlands in such open space upon a demonstration that such inclusion promotes the purposes of this bylaw.

ii) The open space shall be contiguous. Contiguous shall be defined as being connected. Open Space will still be considered connected if it is separated by a roadway or an accessory amenity. The Planning Board may waive this requirement for all or part of the required open space where it is determined that allowing non-contiguous open space will promote the goals of this bylaw and/or protect identified primary and secondary conservation areas.

[Select one version of (iii)]

iii) The open space shall be used for wildlife habitat and conservation.

Or

iii) The open space shall be used for wildlife habitat and conservation and the following additional purposes [choose]: historic preservation, education, outdoor education, recreation, park purposes, agriculture, horticulture, forestry, a combination of these uses, and shall be served by suitable access for such purposes. The Planning Board may permit up to ____ % of the open space to be paved or built upon for structures accessory to the dedicated use or uses of such open space (i.e., pedestrian walks and bike paths).

iv) Wastewater and stormwater management systems serving the OSRD may be located within the open space. Surface systems, such as retention and detention ponds, shall not qualify towards the minimum open space required.

v) Ownership of the Open Space. The open space shall, at the Planning Board's election, be conveyed to:

(1) The Town or its Conservation Commission;

(2) a nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;

(3) a corporation or trust owned jointly or in common by the owners of lots within the OSRD. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Maintenance of such open space and facilities shall be permanently guaranteed by such corporation or trust that shall provide for mandatory assessments for maintenance expenses to each lot. Each such trust or corporation shall be deemed to have assented to allow the Town to perform maintenance of such open space and facilities, if the trust or corporation fails to provide adequate maintenance, and shall grant the town an easement for this purpose. In such event, the town shall first provide fourteen (14) days written notice to the trust or corporation as to the inadequate maintenance, and, if the trust or corporation fails to complete such maintenance, the town may perform it. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded.

10) DESIGN STANDARDS

a) The following Generic and Site Specific Design Standards shall apply to all OSRDs and shall govern the development and design process:

iii) Generic Design Standards

(1) The landscape shall be preserved in it natural state, insofar as practicable, by minimizing tree and soil removal. Any grade changes shall be in keeping with the general appearance of the neighboring developed areas. The orientation of individual building sites shall be such as to maintain maximum natural topography and cover. Topography, tree cover, and natural drainage ways shall be treated as fixed determinants of road and lot configuration rather than as malleable elements that can be changed to follow a preferred development scheme.

(2) Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject parcel.

(3) Mixed-use development shall be related harmoniously to the terrain and the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. Proposed buildings shall be related to their surroundings.

(4) All open space (landscaped and usable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

(5) The removal or disruption of historic, traditional or significant uses, structures, or

architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

iv) Site Specific Design Standards

[Select one (1)]

(1) Mix of Housing Types. The OSRD may consist of any combination of single-family, two-family and multifamily residential structures. A multifamily structure shall not contain more than _____ dwelling units. Residential structures shall be oriented toward the street serving the premises and not the required parking area.

Or

(1) Maximum Percentage of Housing Type. The OSRD shall consist of ___ % single family, ___ % two family and ___% multifamily structures.

(2) Parking. Each dwelling unit shall be served by two (2) off-street parking spaces. Parking spaces in front of garages may count in this computation. All parking areas with greater than ____ spaces shall be screened from view.

(3) Buffer Areas. A buffer area of ____ feet may be provided at the following locations: *[choose from:]* (a) perimeter of the property where it abuts residentially zoned and occupied properties; (b) certain resource areas on or adjacent to the tract like ponds, wetlands, streams and riverfront areas, rock outcrops, ledge, agricultural or recreational fields, and land held for conservation purposes; and (c) existing public ways. Driveways necessary for access and egress to and from the tract may cross such buffer areas. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project. The Planning Board may waive the buffer requirement in these locations when it determines that a smaller buffer (or no buffer) will suffice to accomplish the objectives set forth herein.

(4) Drainage. The Planning Board shall encourage the use of "soft" (non-structural) stormwater management techniques (such as swales) and other drainage techniques that reduce impervious surface and enable infiltration where appropriate.

(5) Common/Shared Driveways. A common or shared driveway may serve a maximum number of ____ single-family units.

(6) Screening and Landscaping. All structural surface stormwater management facilities shall be accompanied by a conceptual landscape plan.

(7) On-site Pedestrian and Bicycle Circulation. Walkways and bicycle paths shall be provided to link residences with parking areas, recreation facilities (including parkland and open space) and adjacent land uses where appropriate.

(8) Disturbed Areas. Not more than ___% of the total tract shall be disturbed areas. A disturbed area is any land not left in its natural vegetated state.

11) DECISION OF THE PLANNING BOARD

a) The Planning Board may grant a special permit for a OSRD if it determines that the proposed OSRD has less detrimental impact on the tract than a conventional development proposed for the tract, after considering the following factors:

i) Whether the OSRD achieves greater flexibility and creativity in the design of residential developments than a conventional plan;

ii) whether the OSRD promotes permanent preservation of open space, agricultural land forestry land, other natural resources including waterbodies and wetlands, and historical and archeological resources;

iii) whether the OSRD promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional subdivision;

iv) whether the OSRD reduces the total amount of disturbance on the site;

v) whether the OSRD furthers the goals and policies of the [choose] open space/ master/ comprehensive plan(s);

vi) whether the OSRD facilitates the construction and maintenance of streets, utilities, and public service in a more economical and efficient manner.

vii) whether the Concept Plan and its supporting narrative documentation complies with all sections of this zoning bylaw.

12) INCREASES IN PERMISSIBLE DENSITY

a) The Planning Board may award a density bonus to increase the number of dwelling units beyond the Basic Maximum Number. The density bonus for the OSRD shall not, in the aggregate, exceed fifty percent (50%) of the Basic Maximum Number. Computations shall be rounded to the lowest number. A density bonus may be awarded in the following circumstances:

i) For each additional ten percent (10%) of the site (over and above the required 50%) set aside as open space, a bonus of five percent (5%) of the Basic Maximum Number may be awarded; provided, however, that this density bonus shall not exceed 25% of the Basic Maximum Number.

ii) For every two (2) dwelling units restricted to occupancy by persons over the age of fifty-five, one (1) dwelling unit may be added as a density bonus; provided, however, that this density bonus shall not exceed 10% of the Basic Maximum Number.

iii) Where the Planning Board determines that the development is in substantial conformance with the document entitled "Town of _____, Residential Design Guidelines," a bonus of up to fifteen (15%) percent of the Basic Maximum Number may be awarded.

iv) For every two (2) dwelling units restricted to occupancy for a period of not less than fifteen (15) years by persons or families who qualify as low or moderate income, as those terms are defined for the area by the Commonwealth's Department of Housing and Community

Development, one (1) dwelling unit may be added as a density bonus; provided, however, that this density bonus shall not exceed 10% of the Basic Maximum Number.

The bylaw was originally produced by the Metropolitan Area Planning Council Boston, Massachusetts; August 2000; Assistance in its' development was provided by the *Green Neighborhoods Alliance,* a partnership involving the Massachusetts Office of Coastal Zone Management; Camelot Realty Trust; Massachusetts Audubon Society: North Shore Advocacy Office; Massachusetts Executive Office of Environmental Affairs; Merrimack Valley Planning Commission; MAPC; North East Builders Association; Spearfields, Ltd.; Symes Associates, Inc.; as well as planners, planning board members, and open space committee members across the North Shore; Generous technical review was provided by Donald Schmidt, Principal Land Use Planner, Department of Housing And Community Development. The original version has been updated and amended by the Green Neighborhoods Alliance August 2001.

Appendix B: Town-Owned Properties with Potential for Affordable Housing

Parcel ID	Lot Size	Site Address	Zoning	Style	Buildings	Developable	Constraint Type
101_22	0.5	298 Princeton Road	RRF	Vacant Land	None	Yes	Partial
134_5	14.0	38 Swett Hill Road	RRF	Vacant Land	None	Yes	Some Partial
134_6	1.0	40 Swett Hill Road	RRF	Vacant Land	None	Yes	Some Partial
138_1	1.0	3 Griffin Road	RRF	Vacant Land	None	Yes	None
138_2	1.0	1 Griffin Road	RRF	Vacant Land	None	Yes	None
145_4	1.0	5 Griffin Road	RRF	Vacant Land	None	Yes	None
157_51	1.0	7 Sunset Drive	RRF	Vacant Land	None	Yes	None
21_15	17.0	Upper North Row Road	RRF	Vacant Land	None	Yes	Some Absolute and Some Partial
58_7	0.4	Redemption Rock Trail	RRF	Vacant Land	None	Yes	Some Absolute and Some Partial
92_7	1.2	Maple & Clinton Road	RRF	Vacant Land	None	Yes	Some Partial
92_74	13.6	1 Park Street	TCD	Other Municip	Yes	Yes	Some Partial
137_77	3.0	0 Boutelle Road	NR	Vacant Land	None	Yes	Partial
150_2	24.9	73 Chace Hill Road	RRF	Vacant Land	None	Yes	Some Absolute and Some Partial
134_35	0.9	2 North Cove Road	RRF	Vacant Land	None	Maybe	Some Absolute and Some Partial
14_27	2.1	210 Justice Hill Road	RRF	Vacant Land	Yes	Maybe	None
33_1	5.0	Off Hardscrabble Road	RRF	Vacant Land	None	Maybe	Some Absolute and Some Partial
51_7	24.0	Leominster Road	RRF	Vacant Land	None	Maybe	Some Absolute and Some Partial
52_9	28.3	Off Leominster Road	RRF	Vacant Land	None	Maybe	Some Absolute and Some Partial
66_8	10.0	137-145 Leominster Road	LI	Outbuildings	None	Maybe	Some Absolute and Some Partial
92_62	1.5	Btwn Maple & Waushacum	RRF	Vacant Land	None	Maybe	Partial
42_27	1.7	Off Hardscrabble Road	RRF	Vacant Land	None	Maybe	Some Absolute and Some Partial

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Appendix C: Inventory of Chapter 61 Lands

Chapter Program	Parcel #	Location	Grantee	Use Code	Acres
61 Forestry	118-7	32-43 Johnson Road	Strang Joan S Trustee	601V	4.4
	119-3	36 Holden Road	French Arthur W	601V	35.0
	119-40	Off Holden Road	Harper James S Iii & Robin M, Trustees	601V	2.1
	122-14	Off Holden Road	Strang Joan S Trustee	601V	40.0
	122-15	Off Redemption Rock Trail	Strang Trustee Joan S	601V	40.0
	150-8	Off Chace Hill Road	Macleod Neil	6010	14.1
	16-2	98 Justice Hill Road Cutoff	Baker, Janeen T., Trustee	6010	16.0
	175-209	Campground Road	Waushacum Village Homeowners' Assoc Inc	6010	24.0
	42-12	Off Hardscrabble Road	Bates Thea B T, Trustee	6010	51.3
	94-9	122 Old Princeton Road	Ciborowski Henry, Mark/Beaulieu Carolyn	610V	64.1
				Total	**291.0**
61B Recreation	10-15	132 Heywood Road	Bird William W Sr	8030	7.4
	64-10	Off Tuttle Road	Roseberry Armand	8030	52.9
	69-4	Clinton Road	Sterling National Llc	8050	0.2
				Total	**60.4**

Chapter 61A Parcels – Agriculture

Parcel #	Location	Grantee	Use Code	Acres
10-1	146 North Row Road	Padula Michael L Trustee	713V	57.0
10-20	155 North Row Road	Padula Michael L. Trustee	713V	40.7
10-21	159 Upper North Row Road	Padula Michael L Trustee	7160	8.3
106-24	44 Kendall Hill Road	Chase Valerie V	717V	6.4
107-21	Maple Street	Melone Diane A	7200	19.4
107-25	Maple Street	Melone Anthony Richard	714V	17.0
107-27	9 Chamberlain Road	Philbin Stephanie	714V	35.8
107-28	Maple Street	Melone Anthony Richard	714V	9.3
108-5	42 Rugg Road	Hagberg Nancy M	717V	6.1
108-6	40 Rugg Road	Hagberg Nancy M	717V	6.9
108-7	0 Rugg Road	Melone Diane A	7130	27.6
109-2	Hawkins Lane	Broderick William E	716V	1.0
109-3	23-31 Hawkins Lane	Broderick William E	7140	22.0
109-5	17 Hawkins Lane	Broderick William E	7140	7.1
110-1	204r Chace Hill Road	Chandler David	7140	39.3

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110-10	Hawkins Lane	Broderick William E	7140	16.0
110-11	Hawkins Lane	Broderick William E	7140	5.0
110-5	1-9 Chace Hill Road	Chandler David	7140	12.5
110-9	Hawkins Lane	Broderick William E	716V	37.5
111-1	Hawkins Lane	Broderick William E	7200	22.1
115-1	Jewett Road	Mcnamara William F Iii	716V	1.1
118-14	Off Johnson Road	French Dorothy A	7200	12.0
118-4	0 Redemption Rock Trail	French Dorothy A	7180	3.6
118-5	24-26 Johnson Road	French Arthur W	7140	1.0
120-22	Holden Road	Thompson Ronald S	7200	16.0
123-4	142-150 Redemption Rock Trail	Janowicz Walter M	713V	55.0
126-42	27 Greenland Road	Mcnamara William F Iii	713V	8.0
126-43	19 Greenland Road	Mcnamara William F Iii	713V	1.0
126-45	34-38 Jewett Road	Mcnamara Willlim F Iii	713V	5.0
126-49	35 Jewett Road	Mcnamara, William F Iii	713V	0.7
130-19	206 Chace Hill Road	Chandler David	7140	4.1
131-1	178-186 Chace Hill Road	Chandler David	7140	21.0
131-2	Chace Hill Road	Chandler David	714V	1.0
131-6	Off Chace Hill Road	Chandler David	7140	11.7
131-6.1	Off Chace Hill Road	Chandler David	7200	1.7
131-8	Off Chace Hill Road	Chandler David	7140	20.0
132-1	Chace Hill Road	Harvey Flora M	7160	20.0
133-23	129 Kendall Hill Road	Gauld William J & Julia F, Trustees	717V	39.0
139-41	18 John Dee Road	Cutler Brothers, Llc	713V	9.2
139-44	28 John Dee Road	Hendrickson Elisabeth M Trustee	713V	9.6
14-2	188-194 Justice Hill Road Cutoff	Blanchard John V	7170	6.2
14-21	193-195 Justice Hill Road Cutoff	Blanchard John V	7170	0.9
14-31	Roper Road	Campobasso Colleen Trustee	713V	1.0
144-17	0 Redemption Rock Trail	Kristoff George Jr/Kristoff Nancy J Tr	7130	1.4
144-18	Redemption Rock Trail	Kristoff George W Jr/ Kristoff Nancy J	7130	3.2
144-2	8 Merrill Road	Kristoff George W Jr	713V	8.1
144-20	55 Redemption Rock Trail	Kristoff George W Jr/Kristoff Nancy J Tr	7130	5.3
144-21	58 Dana Hill Road	Kristoff George W Jr/Kristoff Nancy J Tr	7130	3.8
151-1	Metropolitan Road	Brodmerkle Paul	7170	22.8
18-16	142 Justice Hill Road	Justice Hill Inc	717V	48.5
18-18	Off Roper Road	Campobasso Colleen Trustee	722V	95.0
20-11	231 Upper North Row Road	Murray Verne S Et Al	713V	12.9
22-18	91 North Row Road	Orr Harrington Brian	7170	4.1
23-1	52-64 North Row Road	Lynn Marian, Trustee	713V	15.0
23-2	70 North Row Road	Orr Brian Harrington &Deborah	713V	64.0
23-5	57 North Row Road	Lynn Marian, Trustee	716V	15.0

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23-6	43 North Row Road	Lynn Marian Trustee	713V	13.7
27-2	28 Ford Road	La Stella, John M, Trustee	713V	5.8
28-7	Off Flanagan Hill Road	Davis Farms Trust	7200	17.8
29-33	221-241 Leominster Road	Pratt, Vivian L.	7200	6.5
30-9	42 North Row Road	Lynn Marian Trustee	713V	50.0
31-2	Off Heywood Road	Allen John & Sara Miller Nancy	717V	4.0
4-19	47-67 Roper Road	Campobasso Colleen Trustee	713V	18.0
4-5	15-37 Lucas Road	Nelson Herbert A	713V	15.0
43-1	Heywood Road	Hart Judith L	713V	14.2
43-14	173-199 Tuttle Road	Starbard Eric D	7180	30.0
44-2	116-172 Tuttle Road	Allen John & Sara Miller Nancy	7180	26.0
44-4	109-155 Tuttle Road	Allen John & Sara Miller Nancy	7180	61.9
44-5	Off Tuttle Road	Davis Farms Trust	7200	17.0
44-6	Off North Row Road	Lynn Marian Trustee	7200	91.0
47-1	58-96 Flanagan Hill Road	Heinrich Mary E & Heinrich James T Trst	713V	55.6
49-2	74 Albright Road	Decker Robert	714V	16.0
53-29	Off Tuttle Road	Allen John & Sara Miller Nancy	717V	27.0
53-30	31-69 Tuttle Road	Applefarm Properties, Llc	7120	75.0
54-31	Off Rowley Hill Road	Starbard Eric D	7180	23.9
61-10	76-80 South Nelson Road	Janowicz Walter M	713V	50.0
63-1	74 Rowley Hill Road	Murray Bruce & Ann	7160	28.5
63-28	69 Osgood Road	Vaghini Family Ltd Partnership	7170	28.0
63-37	2 Kilburn Road	Murray Ann E	7180	5.9
64-11	45 Tuttle Road	Applefarm Properties, Llc	7200	3.5
64-12	43 Tuttle Road	Applefarm Properties, Llc	7120	3.7
64-17	75-99 Rowley Hill Road	Murray Bruce	713V	13.5
64-2	14-18 Kilburn Road	Murray Bruce & Ann	713V	18.5
64-20	0 Rowley Hill Road	Murray Bruce & Ann	7180	10.1
64-4	Kilburn Road	Alty Joyce	7150	14.5
64-6	44-70 Tuttle Road	Applefarm Properties, Llc	7200	5.9
71-19	Off Redstone Hill Road	Davis Dairy, Inc.	7200	11.6
75-41	67 Osgood Road	Vaghini Family Ltd Partnership	7170	44.0
76-20	87-117 South Nelson Road	Hulick Henry F	713V	8.3
88-10	Off Clinton Road	Davis Dairy, Inc.	713V	20.9
88-20	12-18 Wiles Road	Davis Dairy, Inc.	716V	12.5
88-21	0 Wiles Road	Konola Jukka T	713V	2.0
88-22	21 Wiles Road	Konola Jukka T	717V	16.9
89-10	169-179 Redstone Hill Road	Davis Dairy, Inc.	713V	32.0
89-12	161-163 Redstone Hill Road	Davis Dairy, Inc.	713V	9.0
89-13	159 Redstone Hill Road	Davis Dairy, Inc.	713V	2.7
89-17	Redstone Hill Road	Davis Dairy Inc	713V	42.8

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89-18	145 Redstone Hill Road	Davis Dairy, Inc.	713C	12.9
89-2	160 Redstone Hill Road	Davis Dairy, Inc.	713V	16.1
89-3	168 Redstone Hill Road	Perry Wayne	7130	11.0
89-5	170 Redstone Hill Road	Perry Wayne	7200	6.7
89-9	Off Clinton Road	Davis Dairy, Inc.	7200	1.1
90-11	Rugg Road	Nourse Ralph B	716V	48.9
90-13	44 Rugg Road	Nourse Ralph B & Mary	7200	7.8
90-2	92-98 Redstone Hill Road	Davis Farms Trust	713V	13.6
90-3	100 Redstone Hill Road	Davis Farms Trust	7200	0.3
90-4	100-106 Redstone Hill Road	Davis Farms Trust	713V	11.3
90-5	Redstone Hill Road	Davis Farms Trust	7130	15.1
90-6	112 Redstone Hill Road	Davis Dairy Inc	7130	1.0
90-8	Redstone Hill Road	Davis Dairy, Inc	7160	16.0
90-9	121-123 Redstone Hill Road	Davis Farms Trust	713V	7.5
91-13	0 Redstone Hill Road	Nourse Ralph B & Mary E	713V	18.0
94-13	107-111 Princeton Road	Burzenski William J	7180	15.3
96-1	186 Princeton Road	Bigelow Nurseries Inc	7191	89.8
98-15	8 Burpee Road	Thompson Ronald S	7120	1.1
98-16	319 Princeton Road	Thompson Ronald S	7120	5.5
98-18	272 Princeton Road	Thompson Ronald S	7120	6.5
			Total	**2203.4**

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Appendix D: Approval Letters of Board of Selectmen and Planning Board

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