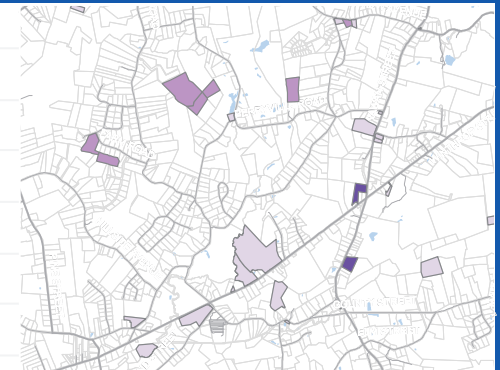
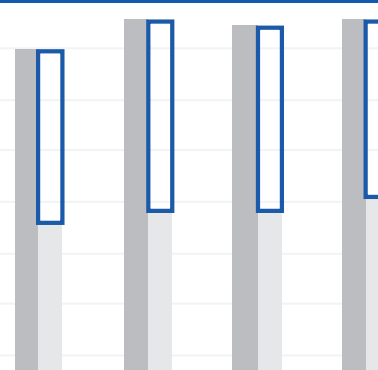
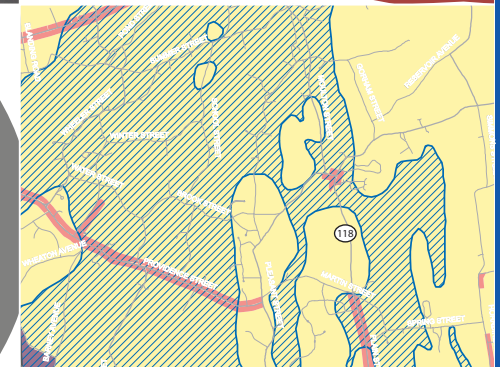
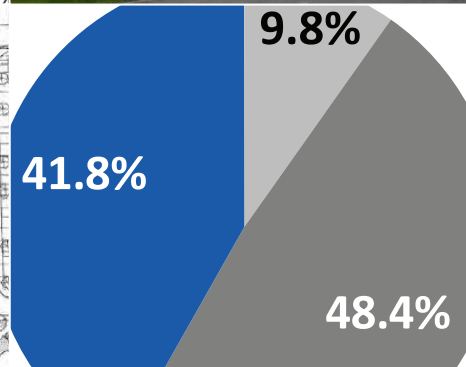
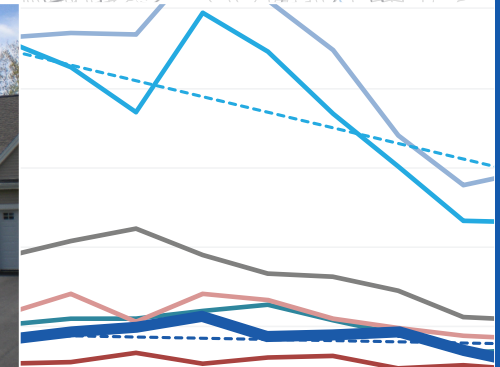


# Town of Rehoboth Housing Production Plan September, 2015



2003	2004	2005	2006	2007
\$312,750	\$327,400	\$318,000	\$300,000	\$312,750
\$303,400	\$333,200	\$335,625	\$327,000	\$303,400
\$339,800	\$346,500	\$357,700	\$327,000	\$339,800
\$349,900	\$380,000	\$372,500	\$380,000	\$349,900
\$290,000	\$308,500	\$340,000	\$310,000	\$290,000
\$280,000	\$280,000	\$285,000	\$270,000	\$280,000
\$289,900	\$305,900	\$300,000	\$270,000	\$289,900
\$319,900	\$340,000	\$335,625	\$320,000	\$319,900
\$327,500	\$355,000	\$345,000	\$320,000	\$327,500



## **FEDERAL DISCLAIMER, TITLE VI AND NONDISCRIMINATION NOTICE OF RIGHTS OF BENEFICIARIES, SPANISH AND PORTUGUESE REQUESTS FOR TRANSLATION**

The preparation of this report has been financed through a grant from the Massachusetts Department of Transportation.

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SRPEDD: Lilia Cabral, Title VI / Nondiscrimination Coordinator, 88 Broadway, Taunton MA, 02780, (508) 824-1367

MCAD: One Ashburton Place, 6th Floor, Boston MA, 02109, (617) 994-6000, TTY: (617) 994-6196

*Para solicitar una traducción de este documento al Español, por favor llame 508-824-1367.*

*Para solicitar uma tradução deste documento para o Português, por favor ligue 508-824-1367.*

## **ACKNOWLEDGEMENTS**

This report was made possible with participation and technical assistance from the following:

Jeffrey Ritter, Rehoboth Town Administrator  
Rehoboth Board of Selectmen  
Rehoboth Planning Board  
Rehoboth Council on Aging  
Rehoboth Economic Development Committee

Sandy Conaty, SRPEDD Deputy Director/Comprehensive Planning Manager  
Grant King, AICP, SRPEDD Principal Comprehensive Planner/Information Specialist  
Katie Goodrum, SRPEDD Senior Comprehensive Planner

Project Funding: This *Town of Rehoboth Housing Production Plan* was completed with funds provided by the Commonwealth of Massachusetts, MassDOT South Coast Rail project.

Massachusetts Department of Transportation (MassDOT):

Stephanie Pollack, Secretary and CEO  
Jean Fox, South Coast Rail Project Manager

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## **1. EXECUTIVE SUMMARY**

### **PROFILE OF REHOBOTH**

The town of Rehoboth was settled in 1636 as part of the Plymouth Colony. It incorporated in 1645, making it the 22nd oldest municipality in the Commonwealth.<sup>1</sup> Rehoboth is located in Bristol County in southeastern Massachusetts. The town is bordered by Seekonk on the west, Attleboro and Norton on the north, Taunton and Dighton on the east, and Swansea on the southeast and south. Rehoboth is about nine (9) miles east of Taunton; thirteen (13) miles north of Fall River; forty-two (42) miles south of Boston; ten (10) miles east of Providence, Rhode Island (RI); and 186 miles from New York City.<sup>2</sup>

The town's 46.5 square miles contain many hills, wetlands, habitats areas, large aquifers, and a mix of rural and suburban neighborhoods. The East and West branches of the Palmer River begin in Rehoboth; they converge to create the river's Main branch that flows through Rehoboth and Swansea before entering Rhode Island and the Narragansett Bay. U.S. Route 44 (a main highway between Providence and Taunton) intersects MA Route 118 near the geographic center of Rehoboth. Route 44 and a small section of Route 6 (in southern Rehoboth) form the town's commercial areas.

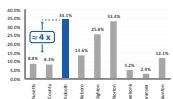
### **WHY DOES REHOBOTH HAVE A HOUSING PRODUCTION PLAN?**

A Housing Production Plan (HPP) is a municipal planning document that (1) identifies a town's housing needs by conducting a thorough data survey and recognizing potential barriers to housing production; (2) creates goals for housing based on those needs; and (3) presents a town's plan to meet those goals in a manner consistent with M.G.L. c 40 B and 760 CMR 56.00 regulations. By taking a proactive approach to housing production, towns are much more likely to achieve both their housing and community planning goals. Moreover, HPPs give communities that are under the 10% affordable housing threshold of Chapter 40B more control over comprehensive permit applications. This increased control and participation is particularly important for rural/suburban communities such as Rehoboth, where the share of affordable housing as a percentage of year-round housing units is well below 10%.<sup>3</sup> Rehoboth should also develop Zoning Board of Appeals Rules and Regulations for Comprehensive Permits. These Rules can state that all 40 B projects should follow state regulations and guidelines for local concerns such appropriate drinking and wastewater facilities.

### **HOUSING NEEDS ASSESSMENT AND BARRIERS TO AFFORDABLE HOUSING PRODUCTION**

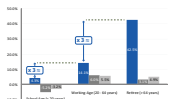
A HPP's data survey answers two (2) main questions: "Who is here?" and "How is the housing market serving that population?" This portion of the plan also makes an inventory of factors that may be preventing the production of affordable market-rate housing (housing that can be rented or owned for less than or equal to 30% of a household's income) and subsidized housing (rental or ownership housing that is available to eligible low-income households through the use public or private funding sources).<sup>4</sup> These needs and any associated barriers will be addressed by the HPP's goals and implementation strategies.

The data survey for the Housing Needs Assessment portion of Rehoboth’s HPP, conducted in 2014 using US Census Bureau, real estate market data, and local information, revealed the following main findings:



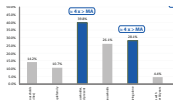
**FINDING 1: Rehoboth is growing rapidly. It will likely experience continued housing development.**

From 1990 to 2010, Rehoboth grew at a rate of 34%, from approximately 8,700 residents to approximately 11,600 residents. This growth rate is approximately four (4) times higher than that of both Bristol County and the Commonwealth during the same period. Rehoboth also grew faster than all neighboring communities during these 20 years. In terms of housing policy, continued population growth will likely indicate continued housing development and the construction of additional units in town.



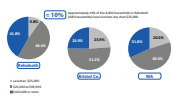
**FINDING 2: Rehoboth’s population is growing older. Town housing policy should therefore emphasize the production of housing units that serve the needs of older residents.**

Between 2000 and 2010, Rehoboth’s median age rose by approximately four years from 39.1 to 43. During this same period, the working-age population (20 - 64 years) grew at a rate of 14.1%, approximately three (3) times faster than the school-age population (less than 20 years old). Similarly, the retirement-age population (greater than 64 years old) grew at a rate of 42.5%, three (3) times faster than the working-age population. In light of these aging trends, there is likely to be demand for development types and housing units that complement the lifestyles and incomes of retirees and “empty-nesters.”



**FINDING 3: Rehoboth’s households are becoming more varied in character. This indicates the need for different housing types.**

Between 2000 and 2010, household types became more diverse in terms of the people living in them. For example, households headed by a female with no husband present grew at a rate of approximately 40%; households containing only one person grew at a rate of approximately 30%; both rates were four times higher than the Commonwealth’s rate during the same period. When viewed together, these and similar trends indicate that the town should consider producing modestly-sized units that serve these different, smaller household types.



**FINDING 4: Rehoboth is relatively affluent, but also has significant low- and moderate-income populations that need quality housing opportunities.**

Compared to Bristol County and Massachusetts as a whole, Rehoboth is a relatively affluent community – the proportion of households

making \$100,000 or more is 41.8%, compared to 24.9% in Bristol County and 31.8% in the Commonwealth. Similarly, the proportion of households making less than \$25,000 is 9.8%, whereas it is much higher in Bristol County and Massachusetts, at 23.9% and 20% respectively. This proportion of approximately 10% equates to about 400 households with very low incomes (less than 50% of the Median Family Income of \$72,200). Moreover, approximately 30%, or about 1,200, of Rehoboth households have incomes less than \$57,760, which is 80% of the Median Family Income and which defines a low-income household according to the US Department of Housing and Urban Development (HUD) and the Massachusetts Department of Housing and Community Development (DHCD).



Approximately 90% of the 4,101 housing units in Rehoboth are ownership units. This compares to approximately 62% in both Bristol County and Massachusetts. Approximately three-quarters of home-owners are 45 years-old or older. However, there is an almost 50%-50% split of renters who are older and younger than 45 years-old. These statistics indicate a need for additional rental units in Rehoboth and the likely presence of a market for rental units across all age groups.

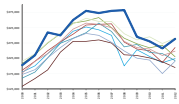
**FINDING 6: Rehoboth's housing stock consists almost entirely of single-family detached units; this, when combined with Housing Cost Burden statistics demonstrates a need for multi-family units.**

Approximately 90% of housing units in Rehoboth are single-family detached homes and less than 2% of units are in structures containing more than two (2) units. Moreover, of the 779 units permitted under existing zoning from 2000 to 2012, only ten (10), or just over 1%, were multi-family units. In light of these statistics and the socioeconomic trends in town, there is an apparent need for modest multi-family units that can serve different household types and do so in a manner that is financially attractive to the development community.



Fifty-seven percent of residential properties are more than 35 years-old (built before 1980). In the absence of consistent maintenance, the relative age of this housing stock can indicate reduced quality and value. If older housing units have reduced values and are thereby more “affordable” to low- and moderate-income households, rehabilitation programs may be appropriate to enable people to stay in stable housing stock. The age of housing also has impacts on energy usage and home financing. Programs to support necessary home improvements may be needed, including energy efficiency, “de-leading,” and septic repairs for units occupied by low- and moderate-

income households, particularly older residents living on fixed incomes.



**FINDING 8: Rehoboth has a very stable, high-value housing market in terms of sales prices and volumes.**

From 2000 to 2012, Rehoboth's median sales price for a single family home in Rehoboth was higher than in all its neighboring communities (except Norton in 2000, 2001, 2003, and 2011). In fact, in 2002 and from 2004 to 2009, Rehoboth's median sales price was higher than the MA average. In terms of overall market activity during this period, home sales have been very steady.



**FINDING 9: Significant proportions of both owners and renters are experiencing housing cost burden, indicating a need for market rate and subsidized housing that is affordable to all household types.**

Several different measures of housing cost burden, including the HUD Comprehensive Housing Affordability Strategy (CHAS) data and a Housing Affordability Gap Analysis, indicate that significant proportions of households are experiencing this hardship. According to an analysis of single family ownership costs, only 2.5% of houses in Rehoboth are affordable to households making less than the Median Family Income (MFI) of \$72,200. Moreover, less than 0.5% of houses are affordable to low-income households making 80% or less of the MFI. These measures all indicate a need for more affordable housing – both in terms of market rates and subsidized rates.

Overarching demographic, socioeconomic, and real estate market trends account for many of the nine (9) findings above. However, it is also possible to point to several barriers to affordable housing that also contribute to characteristics identified in the Housing Needs Assessment:



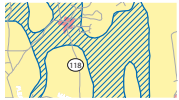
**BARRIER 1: Rehoboth's predominantly large-lot, low-density Residential/Agricultural zoning is leading to the construction of high-price single-family residences.**

The town's Residential/Agricultural zoning district has a minimum lot size per unit of 60,000 square feet (or 1.38 acres). This district covers over 95% of the town's land area and influences the shape and character of the vast majority of development in town. While very large-lot zoning (upwards of 200,000 square feet per acre) can sometimes be used as a land conservation technique, this mid-sized lot zoning often leads to suburban sprawl. It also contributes to the construction of large single-family units that, due in part to their property's embedded land costs, are unaffordable to low- to moderate-income families.



### **BARRIER 2: Rehoboth's limited multi-family housing zoning is preventing affordable market-rate rental and ownership units.**

Multi-family dwellings are only allowed in the Business and Industrial Districts, which make up only 4.3% of the town. Moreover, the minimum lot size for each unit is still 60,000 s.f. (or 1.38 acres) in these zones and the maximum number of units per building is 6. These and other dimensional requirements impose high land costs on each unit and thereby function as an impediment to the construction of affordable market-rate and subsidized housing. This barrier contributes to many of the cost burden and housing stock findings, above.



### **BARRIER 3: The lack of municipal water and sewer limits development intensity and raises the cost of development.**

Rehoboth does not have municipal water or sewer service. Housing properties must therefore rely on Title V-compliant septic systems and on private wells that meet all state regulations as enforced by the town Health Department. New development could integrate alternative wastewater treatment facilities; however this may not be financially feasible in smaller developments (due to the high land costs imposed by large-lot zoning). There are also often concerns about the impact of septic systems on water quality in surface water and groundwater bodies. While close attention to water quality issues is essential, it also contributes to higher development costs and serves as a constraint to development of a diversity of housing types and smaller lot housing.



### **BARRIER 4: Transportation access is limited in town.**

Rehoboth is an auto-dependant suburban and rural community. Public transit is limited to Dial-A-Ride services from GATRA. This lack of viable public transportation limits the ability of low- and moderate-income households to locate in town without also spending a large portion of their incomes on transportation. These increased transportation costs, when coupled with high housing cost burden, make living in Rehoboth unaffordable for households with lower incomes.



### **BARRIER 5: Community perceptions are skeptical of both market-rate multi-family housing and subsidized housing.**

Rehoboth residents recognize the need for affordable market-rate and subsidized housing opportunities. However, misconceptions of increased density, perceived negative effects on property value, and concerns about increased municipal costs often prevent residents from pursuing needed housing development. Compact housing development can be attractive and can be built to complement the

town's rural New England character and natural and financial resources.

## AFFORDABLE HOUSING GOALS AND IMPLEMENTATION STRATEGIES

When taken together, the nine (9) Housing Needs Assessment Finding and the five (5) Barriers to affordable housing, introduced above, point to the need for housing types that meet the needs of smaller households, households with retirement-age residents, and low- to moderate-income households. In Rehoboth's high-value housing market, which is almost uniformly characterized by single-family detached and ownership units, public policy initiatives will likely be necessary in order to overcome barriers and thereby produce housing types that are affordable to low- and moderate income families while still being profitable to the private development community. These policy initiatives will likely include zoning changes (to allow for medium-scale housing types in a wider variety of well chosen locations) and active production of subsidized housing stock.

In summary, Rehoboth's housing production goals are as follows:



### **GOAL 1: Produce units that accommodate the needs of elderly residents.**

Additional housing choices for older Rehoboth residents meet desires expressed by the town and many of the demographic and socioeconomic trends identified above.



### **GOAL 2: Produce moderately-sized units and multi-family units** and

### **GOAL 3: Encourage diversity of housing types in both market rate and subsidized housing.**

The clear scarcity of multi-family units and the predominance of large, single-family homes have caused a significant share of Rehoboth's households to experience housing cost burdens. Moreover, these housing types are unlikely to provide affordable housing options for the types of households that are increasingly present in town. Producing a wider variety of both market-rate and subsidized units will address these needs.



### **GOAL 4: Take care to locate new housing in a way that maximizes access to services and minimizes impacts on the environment and existing neighborhoods.**

Identifying locations where the residents of new housing will have access to amenities and services is important. Similarly, these same

locations should minimize any potential adverse impacts on Rehoboth’s environmental resources and existing neighborhoods.



## GOAL 5: Produce 22 SHI-eligible housing units per calendar year; this figure equals 0.50% of the Town’s year-round housing.

This numerical goal for annual housing production, pursuant to which there is an increase in the municipality’s number of SHI Eligible Housing units by at least 0.50% of its total units, is in accordance with 760 CMR 56.03(3)(a). It should be pursued during every calendar year included in the HPP, until the overall percentage exceeds the Statutory Minimum set forth in these regulations. Should the town meet this 0.5% goal, this HPP document may be certified by the Commonwealth for one year, allowing the town to deny or place conditions on any non-“Friendly 40B” comprehensive permit applications.

To meet these goals, the town will likely need to pursue the following meaningful public policy initiatives. These housing production strategies include:

	REMOVALS			
	2000	2001	Change	%
Under 5 years	4612	5048	-44	-7.3
5 to 9 years	7141	7141	0	0.0%
10 to 14 years	8616	8371	245	1.4%
15 to 19 years	6913	6851	62	2.1
20 to 24 years	5113	5113	0	0.0
25 to 29 years	5113	5048	65	0.6
30 to 34 years	5113	5113	0	0.0
35 to 39 years	5113	5113	0	0.0
40 to 44 years	5113	5113	0	0.0
45 to 49 years	5113	5113	0	0.0
50 to 54 years	5113	5113	0	0.0
55 to 59 years	5113	5113	0	0.0
60 to 64 years	5113	5113	0	0.0
65 to 69 years	5113	5113	0	0.0
70 to 74 years	5113	5113	0	0.0
75 to 79 years	5113	5113	0	0.0
80 to 84 years	5113	5113	0	0.0
85 to 89 years	5113	5113	0	0.0
90 to 94 years	5113	5113	0	0.0
95 to 99 years	5113	5113	0	0.0
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650 to 654 years	5113	5113	0	0.0
655 to 659 years	5113	5113	0	0.0
660 to 664 years	5113	5113	0	0.0
665 to 669 years	5113	5113	0	0.0
670 to 674 years	5113	5113	0	0.0
675 to 679 years	5113	5113	0	0.0
680 to 684 years	5113	5113	0	0.0
685 to 689 years	5113	5113	0	0.0
690 to 694 years	5113	5113	0	0.0
695 to 699 years	5113	5113	0	0.0
700 to 704 years	5113	5113	0	0.0
705 to 709 years	5113	5113	0	0.0
710 to 714 years	5113	5113	0	0.0
715 to 719 years	5113	5113	0	0.0
720 to 724 years	5113	5113	0	0.0
725 to 729 years	5113	5113	0	0.0
730 to 734 years	5113	5113	0	0.0
735 to 739 years	5113	5113	0	0.0
740 to 744 years	5113	5113	0	0.0
745 to 749 years	5113	5113	0	0.0
750 to 754 years	5113	5113	0	0.0
755 to 759 years	5113	5113	0	0.0
760 to 764 years	5113	5113	0	0.0
765 to 769 years	5113	5113	0	0.0
770 to 774 years	5113	5113	0	0.0
775 to 779 years	5113	5113	0	0.0
780 to 784 years	5113	5113	0	0.0
785 to 789 years	5113	5113	0	0.0
790 to 794 years	5113	5113	0	0.0
795 to 799 years	5113	5113	0	0.0
800 to 804 years	5113	5113	0	0.0
805 to 809 years	5113	5113	0	0.0
810 to 814 years	5113	5113	0	0.0
815 to 819 years	5113	5113	0	0.0
820 to 824 years	5113	5113	0	0.0
825 to 829 years	5113	5113	0	0.0
830 to 834 years	5113	5113	0	0.0
835 to 839 years	5113	5113	0	0.0
840 to 844 years	5113	5113	0	0.0
845 to 849 years	5113	5113	0	0.0
850 to 854 years	5113	5113	0	0.0
855 to 859 years	5113	5113	0	0.0
860 to 864 years	5113	5113	0	0.0
865 to 869 years	5113	5113	0	0.0
870 to 874 years	5113	5113	0	0.0
875 to 879 years	5113	5113	0	0.0
880 to 884 years	5113	5113	0	0.0
885 to 889 years	5113	5113	0	0.0
890 to 894 years	5113	5113	0	0.0
895 to 899 years	5113	5113	0	0.0
900 to 904 years	5113	5113	0	0.0
905 to 909 years	5113	5113	0	0.0
910 to 914 years	5113	5113	0	0.0
915 to 919 years	5113	5113	0	0.0
920 to 924 years	5113	5113	0	0.0
925 to 929 years	5113	5113	0	0.0
930 to 934 years	5113	5113	0	0.0
935 to 939 years	5113	5113	0	0.0
940 to 944 years	5113	5113	0	0.0
945 to 949 years	5113	5113	0	0.0
950 to 954 years	5113	5113	0	0.0
955 to 959 years	5113	5113	0	0.0
960 to 964 years	5113	5113	0	0.0
965 to 969 years	5113	5113	0	0.0
970 to 974 years	5113	5113	0	0.0
975 to 979 years	5113	5113	0	0.0
980 to 984 years	5113	5113	0	0.0
985 to 989 years	5113	5113	0	0.0
990 to 994 years	5113	5113	0	0.0
995 to 999 years	5113	5113	0	0.0
1000 to 1004 years	5113	5113	0	0.0
1005 to 1009 years	5113	5113	0	0.0
1010 to 1014 years	5113	5113	0	0.0
1015 to 1019 years	5113	5113	0	0.0
1020 to 1024 years	5113	5113	0	0.0
1025 to 1029 years	5113	5113	0	0.0
1030 to 1034 years	5113	5113	0	0.0
1035 to 1039 years	5113	5113	0	0.0
1040 to 1044 years	5113	5113	0	0.0
1045 to 1049 years	5113	5113	0	0.0
1050 to 1054 years	5113	5113	0	0.0
1055 to 1059 years	5113	5113	0	0.0
1060 to 1064 years	5113	5113	0	0.0
1065 to 1069 years	5113	5113	0	0.0
1070 to 1074 years	5113	5113	0	0.0
1075 to 1079 years	5113	5113	0	0.0
1080 to 1084 years	5113	5113	0	0.0
1085 to 1089 years	5113	5113	0	0.0
1090 to 1094 years	5113	5113	0	0.0
1095 to 1099 years	5113	5113	0	0.0
1100 to 1104 years	5113	5113	0	0.0
1105 to 1109 years	5113	5113	0	0.0
1110 to 1114 years	5113	5113	0	0.0
1115 to 1119 years	5113	5113	0	0.0
1120 to 1124 years	5113	5113	0	0.0
1125 to 1129 years	5113	5113	0	0.0
1130 to 1134 years	5113	5113	0	0.0
1135 to 1139 years	5113	5113	0	0.0
1140 to 1144 years	5113	5113	0	0.0
1145 to 1149 years	5113	5113	0	0.0
1150 to 1154 years	5113	5113	0	0.0
1155 to 1159 years	5113	5113	0	0.0
1160 to 1164 years	5113	5113	0	0.0
1165 to 1169 years	5113	5113	0	0.0
1170 to 1174 years	5113	5113	0	0.0
1175 to 1179 years	5113	5113	0	0.0
1180 to 1184 years	5113	5113	0	0.0
1185 to 1189 years	5113	5113	0	0.0
1190 to 1194 years	5113	5113	0	0.0
1195 to 1199 years	5113	5113	0	0.0
1200 to 1204 years	5113	5113	0	0.0
1205 to 1209 years	5113	5113	0	0.0
1210 to 1214 years	5113	5113	0	0.0
1215 to 1219 years	5113	5113	0	0.0
1220 to 1224 years	5113	5113	0	0.0
1225 to 1229 years	5113</			





## Strategy and Action Plan Summary Table

	Who?	When?	How?	Which Goals?	How many affordable units?
Strategy 1a. Moderate-density zoning that allows medium building scales on smaller land areas.	PB, BOS	2015 - 2016	Outreach, Planning, Town Meeting vote	Goals 1, 2, 3, 4, and 5	25
Strategy 1b. Incentive zoning that seeks to produce subsidized units by providing developers with sufficient financial incentives.	PB, BOS	2015 - 2016	Outreach, Planning, Town Meeting vote	Goals 1, 2, 3, 4, and 5	5
Strategy 1c. Inclusionary zoning that mandates the inclusion of affordable housing (or payments in lieu) for large projects.	PB, BOS	after 2016, if needed	Outreach, Planning, Town Meeting vote	Goals 1, 2, 3, 4, and 5	0 - 5
Strategy 2: "Friendly 40B" developments	ZBA, BOS, PB	2015 - 2019	Outreach to and collaboration with developers, ZBA action	Goals 1, 2, 3, 4, and 5	60 - 90
Strategy 3: Housing initiatives through the town's existing Community Preservation Committee (CPC)	CPC, BOS, PB, Housing Authority or Trust	2015 - 2019	Outreach, BOS and CPC action	Goals 1, 2, 3, 4, and 5	5
Strategy 4: Pursuing tax-title properties for affordable housing development	PB, BOS, Housing Authority or Trust	2015 - 2019	PB research, BOS action	Goal 5	5
Strategy 5: Establish a local homebuyer assistance program	PB, BOS, Housing Authority or Trust	2015 - 2019	PB research, BOS action	Goals 1 and 5	5
STRATEGY 6: Create a Referral Services Program for Elderly Homeowners	PB, BOS, Housing Authority or Trust	2015 - 2019	PB research, BOS action	Goals 1 and 5	5
Total units by 2017					<b>110 - 135</b>

## 2. INTRODUCTION

The town of Rehoboth was settled in 1636 as part of the Plymouth Colony. It incorporated in 1645, making it the 22nd oldest municipality in the Commonwealth.<sup>1</sup> Rehoboth is located in Bristol County in southeastern Massachusetts. The town is bordered by Seekonk on the west, Attleboro and Norton on the north, Taunton and Dighton on the east, and Swansea on the southeast and south. Rehoboth is about nine (9) miles east of Taunton; thirteen (13) miles north of Fall River; forty-two (42) miles south of Boston; ten (10) miles east of Providence, Rhode Island (RI); and 186 miles from New York City.<sup>2</sup>

The town's 46.5 square miles contain many hills, wetlands, habitats areas, large aquifers, and a mix of rural and suburban neighborhoods. The East and West branches of the Palmer River begin in Rehoboth; they converge to create the river's Main branch that flows through Rehoboth and Swansea before entering Rhode Island and the Narragansett Bay. U.S. Route 44 (a main highway between Providence and Taunton) intersects MA Route 118 near the geographic center of Rehoboth. Route 44 and a small section of Route 6 (in southern Rehoboth) form the town's commercial areas.

In 2014, the Town of Rehoboth applied for and received a MassDOT Technical Assistance award to create a Housing Production Plan (HPP). A HPP is a municipal planning document that (1) identifies a town's housing needs by conducting a thorough data survey and recognizing potential barriers to housing production; (2) creates goals for housing based on those needs; and (3) presents a town's plan to meet those goals in a manner consistent with M.G.L. c 40 B and 760 CMR regulations. By taking a proactive approach to housing production, towns are much more likely to achieve both their housing and community planning goals.

Moreover, HPPs give communities that are under the 10% affordable housing threshold of Chapter 40B more control over comprehensive permit applications. This increased control and participation is particularly important for rural/suburban communities such as Rehoboth, where the share of affordable housing as a percentage of year-round housing units is well below 10%.<sup>3</sup>

### **3. PLANNING FOR AFFORDABLE HOUSING IN REHOBOTH**

The town of Rehoboth is undertaking this study to proactively plan for the town's growth and to address its need for affordable housing as defined under M.G.L Chapter 40B. According to the Chapter 40B regulations, 760 CMR 56.00, municipalities should have at least 10% of its year-round housing set aside for low- and moderate-income residents. Any town not meeting this requirement is susceptible to a state override of local zoning when a developer chooses to create affordable housing through a Chapter 40B comprehensive permit. Rehoboth's rate is 0.5%.

#### **A. HOUSING UNIT AFFORDABILITY QUALIFICATIONS**

##### *Subsidized Housing Inventory (SHI)*

The regulations for Chapter 40B, found in 760 CMR 56.00, offer affordability standards to classify *housing units* according to how expensive they are to occupy. They also classify *households* according to their ability to pay for housing.

In assessing a community's progress toward the 10% of affordable housing threshold, the state counts a housing unit as affordable if it meets the following criteria:

- It must be part of a "subsidized" development built by a public agency, non-profit, or limited dividend corporation.
- At least 25% of the units in the development must be income-restricted to households with incomes at or below the 80% of area median income and have rents or sale prices restricted to affordable levels.
  - Restrictions must run at least 15 years for rehabilitation, 30 years for new rental construction, and in perpetuity for new homeownership construction.
- Development must be subjected to a regulatory agreement and monitored by a public agency or non-profit organization.
- Project sponsors must meet affirmative marketing requirements.

According to DHCD's most recent data from the Chapter 40B Subsidized Housing Inventory (see [Table 3-1](#), next page), Rehoboth has 23 units that meet the above criteria and are therefore counted as affordable by the state. This represents 0.5% of the 4,252 year-round housing units. Rehoboth is therefore vulnerable to losing control over housing development through Chapter 40B comprehensive permit applications. The town would need to produce at least 403 more affordable units to meet the 10% standard based on the existing year-round housing stock.

*Table 3-1: DHCD Chapter 40B Subsidized Housing Inventory (SHI), December 2014*

	2010 Census Year Round Housing Units	Total Development Units	SHI Units	Percent
Attleboro	17,978	1,177	1,177	6.5%
Dighton	2,568	417	115	4.5%
Norton	6,707	898	588	8.8%
<b>Rehoboth</b>	<b>4,252</b>	<b>95</b>	<b>23</b>	<b>0.5%</b>
Seekonk	5,272	88	84	1.6%
Swansea	6,290	247	236	3.8%
Taunton	23,844	1,844	1,650	6.9%

### *Certified Housing Production Plans*

DHCD has also created a method for measuring a community's progress toward reaching its 10% Chapter 40B goal. If, during a 12-month period, a community produces SHI-eligible affordable housing equal to 0.5% or 1% of its year-round housing stock, its HPP may be "certified." Certification means that the town's Housing Production Plan has met their regional need for affordable housing for one year (by meeting 0.5% threshold) or two years (by meeting 1%). Please see [Table 3-2](#), below.

If a community has achieved certification within 15 days of the opening of the local hearing for a 40B Comprehensive Permit, the Zoning Board of Appeals (ZBA) shall provide written notice to the Applicant, with a copy to DHCD, that it considers that a denial of the permit or the imposition of conditions or requirements would be "Consistent with Local Needs," the grounds that it believes have been met, and the factual basis for that position, including any necessary supportive documentation. If the Applicant wishes to challenge the ZBA's assertion, it must do so by providing written notice to DHCD, with a copy to the ZBA, within 15 days of its receipt of the ZBA's notice, including any documentation to support its position. DHCD shall review the materials provided by both parties and issue a decision within 30 days of its receipt of all materials. The ZBA shall have the burden of proving satisfaction of the grounds for asserting that a denial or approval with conditions would be consistent with local needs, provided, however, that any failure of DHCD to issue a timely decision shall be deemed a determination in favor of the municipality.

*Table 3-2: DHCD SHI Yearly Goals for Rehoboth*

	2010 Census Year Round Housing Units	0.5% Yearly Goal	1% Yearly Goal
Rehoboth	4,252	21.26	42.52

## Local Preference Units

It should also be noted that up to 70% of units in an affordable housing development may be set-aside as “local or community preference units” in its Affirmative Fair Housing Marketing Plan (AFHMP). Under fair housing laws, an AFHMP is required when marketing and selecting residents for affordable units. The AFHMP must be approved by DHCD (please see DHCD’s Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines) and not have the effect of excluding, denying, or delaying participation of groups of persons protected under the fair housing laws. Allowable preference categories can include Rehoboth residents; employees of the town, such as teachers, janitors, firefighters, police officers, librarians, town hall employees, employees of businesses located in town, or households with children attending Rehoboth schools. Therefore, in lotteries for affordable units, those that meet these local preference criteria may be placed in a separate pool, and the purchasers or tenants of 70% of the affordable units can come from this local preference pool. Those in the local preference pool who are not selected, as well as all other applicants, are placed in an open pool from which the tenants of the remaining units will be drawn. The town should strive to have the proportion of minority applicants in the lottery pool be equal to the proportion of minorities in the regional population (7.2% in Bristol County).

## B. HOUSEHOLD AFFORDABILITY QUALIFICATIONS

The state’s affordable housing program also specifies criteria for families to meet in order to qualify for the rental or ownership of a SHI unit. Most housing subsidy programs are targeted to particular income ranges depending on program goals. The income ranges are percentages of the Area Median Family Income (AMFI). In 2014, Rehoboth’s AMFI was \$72,200 for a family of four. (Rehoboth is within the Providence-Fall River, RI-MA HUD Metro FMR Area; its AMFI determines all income calculations for Rehoboth.)

Extremely low-income housing is directed to those earning at or below 30% of area median income (AMI) as defined by HUD (\$21,560 for a family of four for the Providence-Fall River, RI-MA HUD Metro FMR Area), very low-income generally refers to those earning at or below 50% of AMI (\$36,100 for a family of four) and low-income refers to those earning at or below 80% of AMI (\$57,750 for a family of four). These income levels are summarized in [Table 3-3](#), below.

*Table 3-3: HUD 2014 Income Limits for Providence-Fall River, RI-MA, Metro FMR area*

Persons in Family	Extremely Low (30%) Income Limits	Very Low (50%) Income Limits	Low (80%) Income Limits
1	\$15,200	\$25,300	\$40,450
2	\$17,350	\$28,900	\$46,200
3	\$19,500	\$32,500	\$52,000
4	\$21,560	\$36,100	\$57,750
5	\$23,400	\$39,000	\$62,400
6	\$25,150	\$41,900	\$67,000
7	\$26,850	\$44,800	\$71,650
8	\$28,600	\$47,700	\$76,250

Area Median Family Income **\$72,200**

4. HOUSING NEEDS ASSESSMENT AND BARRIERS TO AFFORDABLE HOUSING PRODUCTION

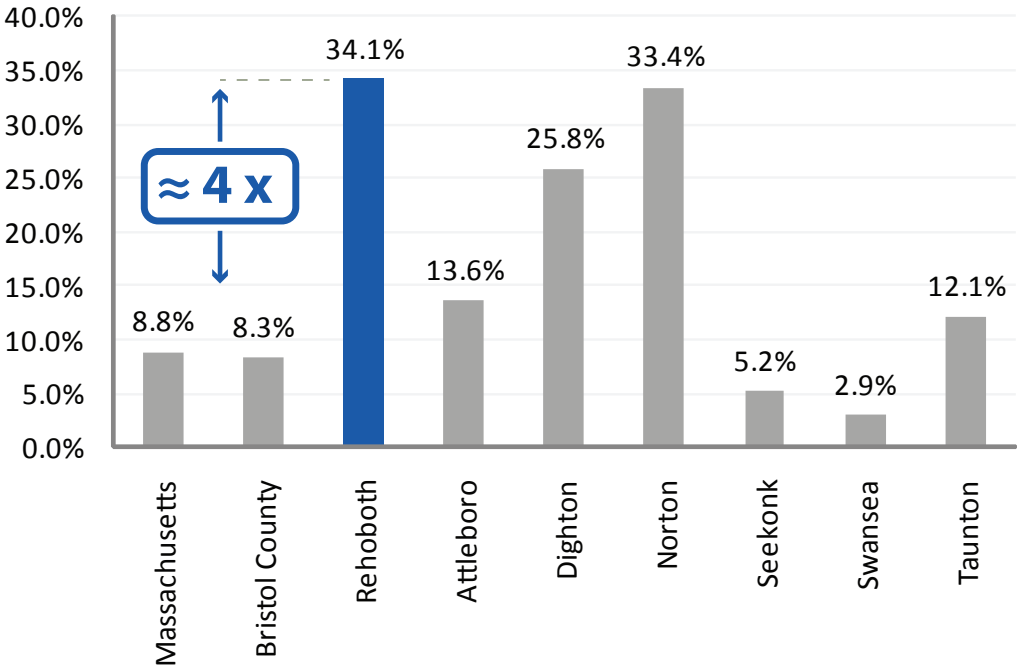
This section, the Housing Needs Assessment, examines Rehoboth’s demographic profile and current housing market. It achieves this by analyzing a wide variety of data sources. This section also analyses any barriers to housing production that may be present. These two sets of findings – the needs assessment and housing barriers – are the context within which a responsive set of strategies can be developed to address housing needs and meet Rehoboth’s housing production goals. The main Housing Needs Assessment findings are presented below along with key supporting tables and figures. Supplementary data are available in Appendix A.

A. POPULATION PROFILE

FINDING 1: Rehoboth is growing rapidly. It will likely experience continued housing development.

From 1990 to 2010, Rehoboth grew at a rate of 34%, from approximately 8,700 residents to approximately 11,600 residents. This growth rate is approximately four (4) times higher than that of Bristol County and the Commonwealth during the same period. (Please see [Figure 4-1](#), below, and [Table A-1](#) in the Appendix.) Rehoboth also grew faster than all neighboring communities during these 20 years, both in terms of individuals and households. (See [Table A-2](#) in the Appendix.) SRPEDD population projections also indicate that Rehoboth will continue to grow at a rate faster than its neighbors. (See [Table A-2a](#) in the Appendix.) In terms of housing policy, continued population growth will likely indicate ongoing housing development and the construction of additional units in town. Attention should be paid to the type and location of future housing development in order to meet the needs identified in this report.

Figure 4-1: Population Growth Rate 1990 - 2010 (US Census Bureau)



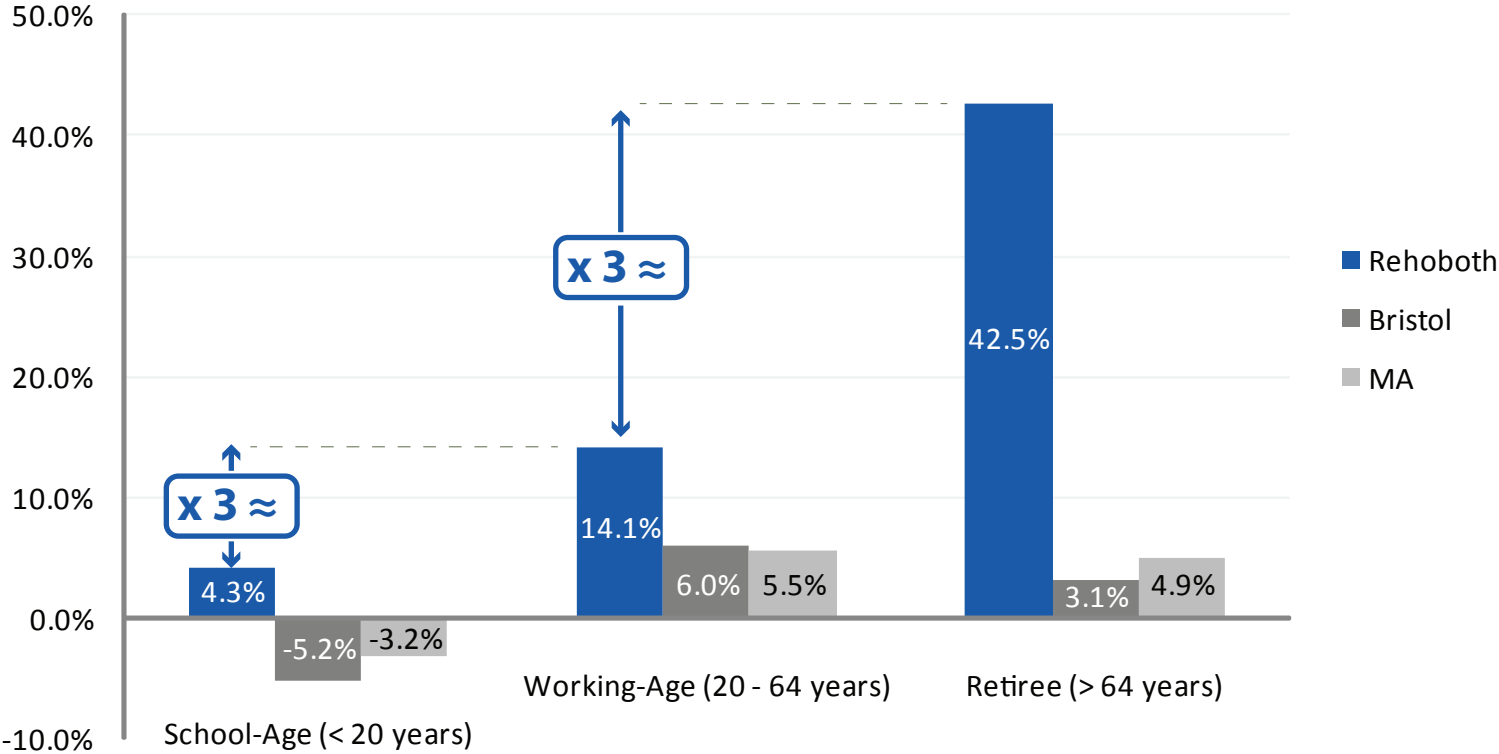


**FINDING 2: Rehoboth’s population is growing older. Town housing policy should therefore emphasize the production of housing units that serve the needs of older residents.**

Between 2000 and 2010, Rehoboth’s median age rose by approximately four years from 39.1 to 43. During this same period, the working-age population (20 - 64 years) grew at a rate of 14.1%, approximately three (3) times faster than the school-age population (less than 20 years old). Similarly, the retirement-age population (greater than 64 years old) grew at a rate of 42.5%, three (3) times faster than the working-age population. (Please see [Figure 4-2](#), below, and [Table A-3](#) in the Appendix.) In light of these aging trends, there is likely to be demand for development types and housing units that complement the lifestyles and incomes of retirees and “empty-nesters.”

Between 2000 and 2010, the town experienced a 7.3% drop in the under 5 population and stagnation in the 5 to 9 year-old population. These trends are similar to those in MA as a whole, where lower birth rates are leading to fewer young children in the population. Additionally, the 20-24 year-old age-group (from among the “working-age” population) grew at a rate of 53.5%. This increase may represent college age children returning home during the Great Recession - a trend taking place throughout the region. Again, all age cohorts greater than 60 years-old are growing at rates faster than those in Bristol County and MA.

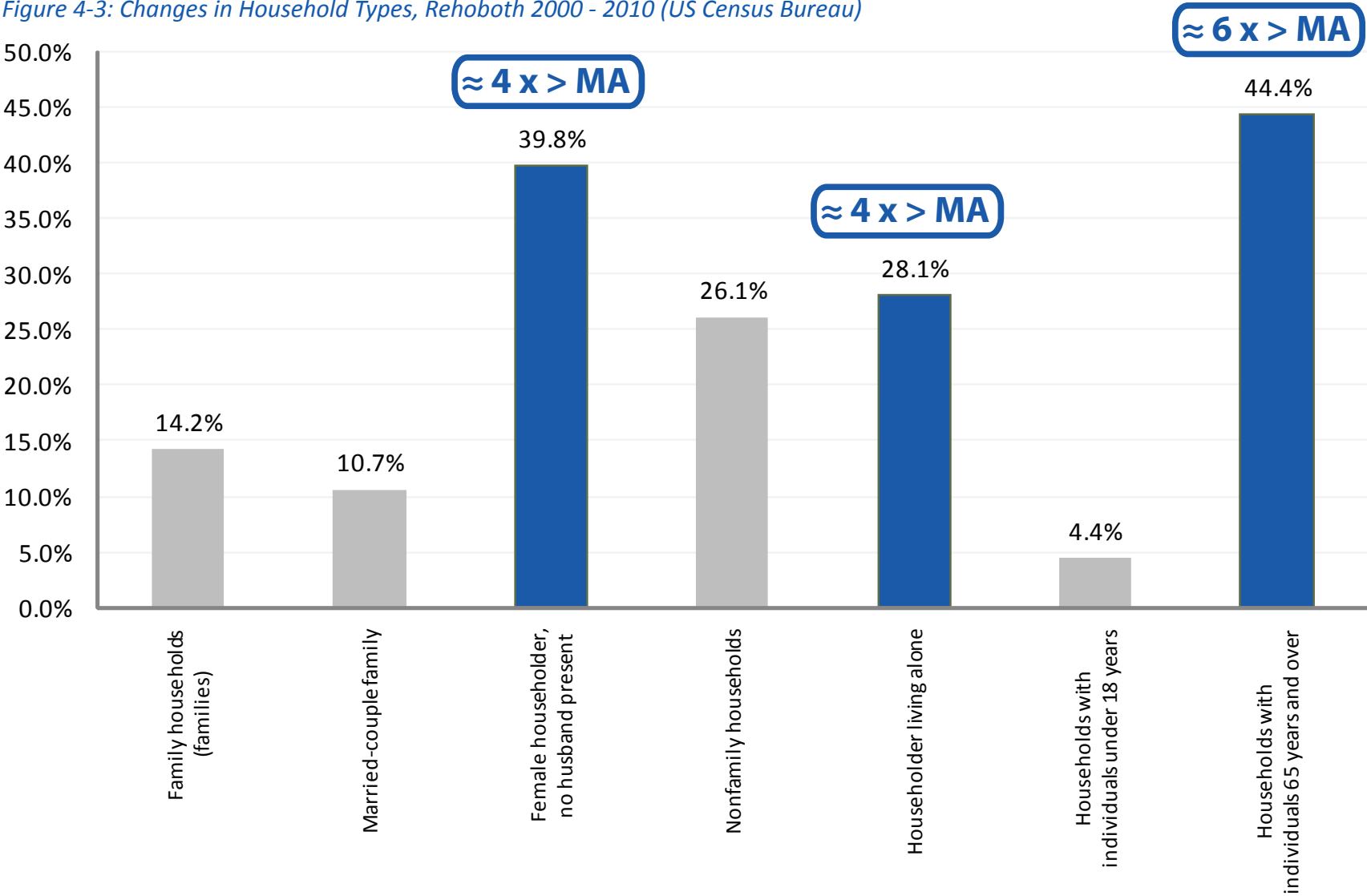
*Figure 4-2: Population Change by Age Group, 2000 - 2010 (US Census Bureau)*



**FINDING 3: Rehoboth’s households are becoming more varied in character. This indicates the need for different housing types.**

Between 2000 and 2010, household types became more diverse in terms of the people living in them. For example, households headed by a female with no husband present grew at a rate of approximately 40%; households containing only one person grew at a rate of approximately 30%; both rates were four times higher than the Commonwealth’s rate during the same period. Additionally, the overall aging trend previously revealed in population figures is mirrored in the significant 44% rise in households with individuals 65 years old and older – a rate six (6) times higher than that of the Commonwealth. (Please see [Figure 4-3](#), below, and [Table A-4](#) in the Appendix.) When viewed together, these and similar trends indicate that the town should consider producing modestly-sized units that serve these different, smaller household types.

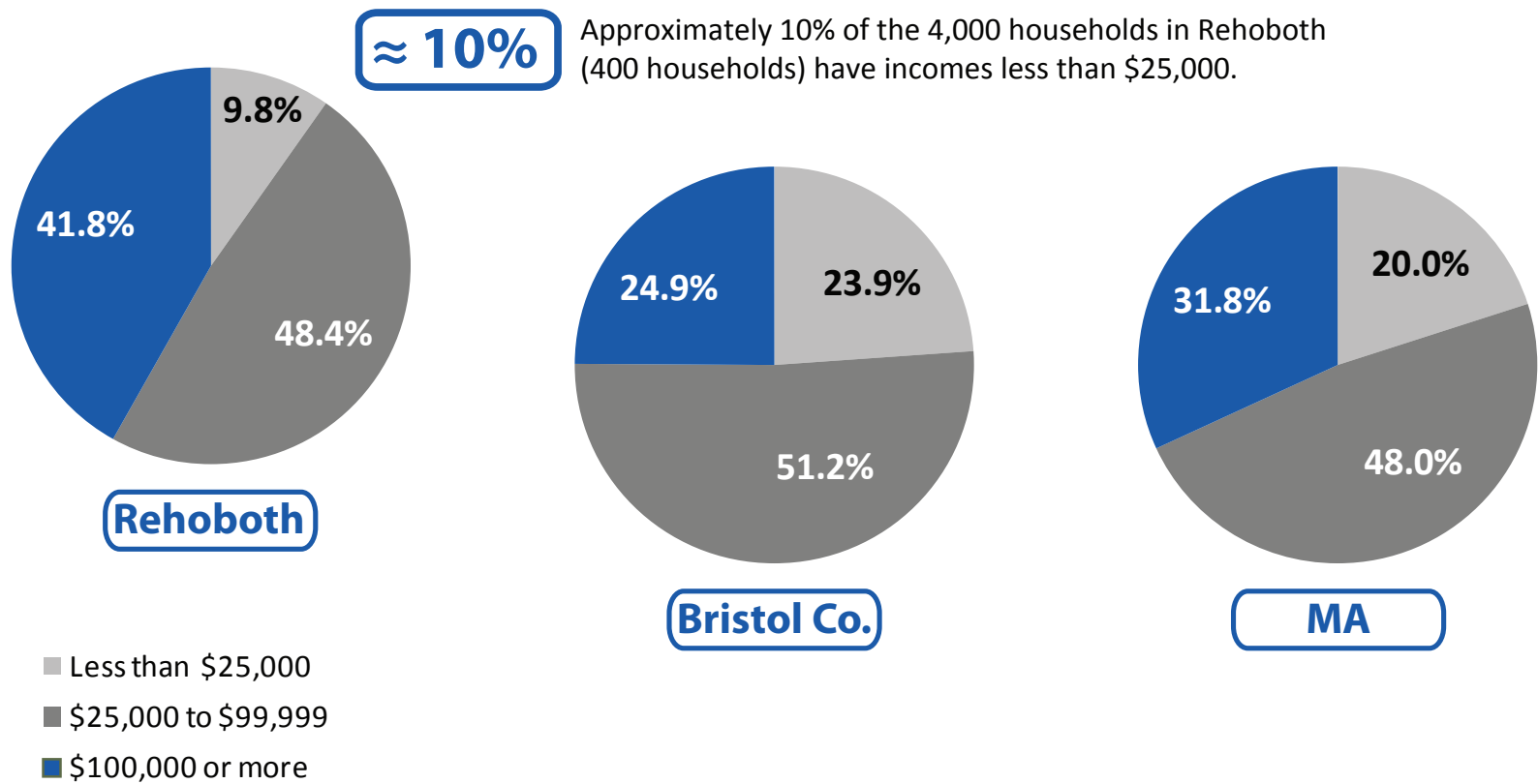
*Figure 4-3: Changes in Household Types, Rehoboth 2000 - 2010 (US Census Bureau)*



**FINDING 4: Rehoboth is relatively affluent, but also has significant low- and moderate-income populations that need quality housing opportunities.**

Compared to Bristol County and Massachusetts as a whole, Rehoboth is a relatively affluent community – the proportion of households making \$100,000 or more is 41.8%, compared to 24.9% in Bristol County and 31.8% in the Commonwealth. Similarly, the proportion of households making less than \$25,000 is 9.8%, whereas it is much higher in Bristol County and Massachusetts, at 23.9% and 20% respectively. (Please see [Figure 4-4](#), below, and [Table A-5](#) in the Appendix.) This proportion of approximately 10% equates to about 400 households with very low incomes (less than 50% of the Median Family Income of \$72,200). Moreover, approximately 30%, or about 1,200, of Rehoboth households have incomes less than \$57,760, which is 80% of the Median Family Income and which defines a low-income household according to the United States Department of Housing and Urban Development (HUD) and the Massachusetts Department of Housing and Community Development (DHCD). The needs of these types of households can often be overlooked in affluent communities; this HPP seeks to focus the town’s attention on the needs of its low- and moderate-income citizens.

*Figure 4-4: Household Income Distribution, 2012 (US Census Bureau)*

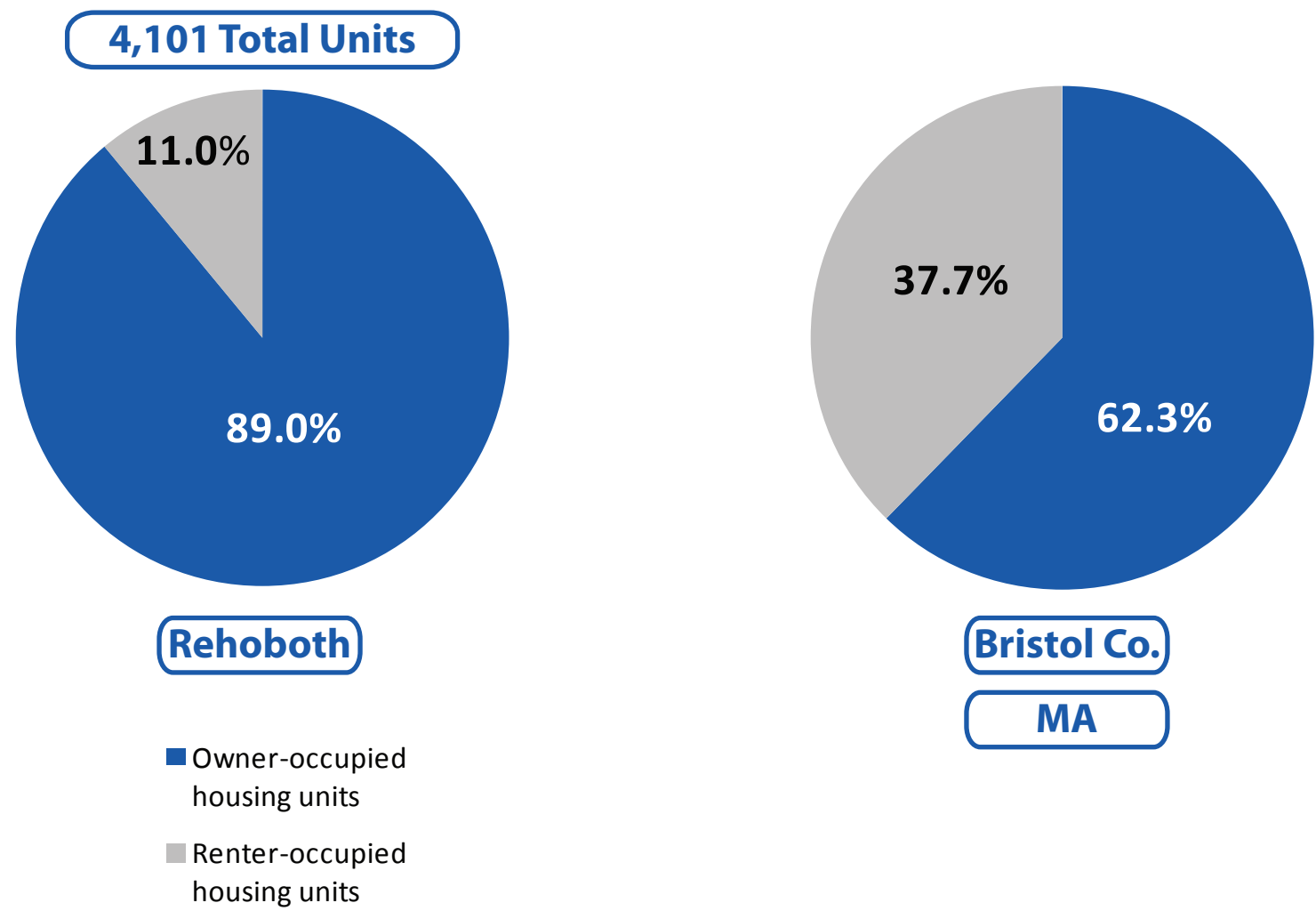


**B. HOUSING MARKET ANALYSIS**

**FINDING 5: Rehoboth’s housing units are overwhelmingly owner-occupied; there is a clear lack of rental units in town.**

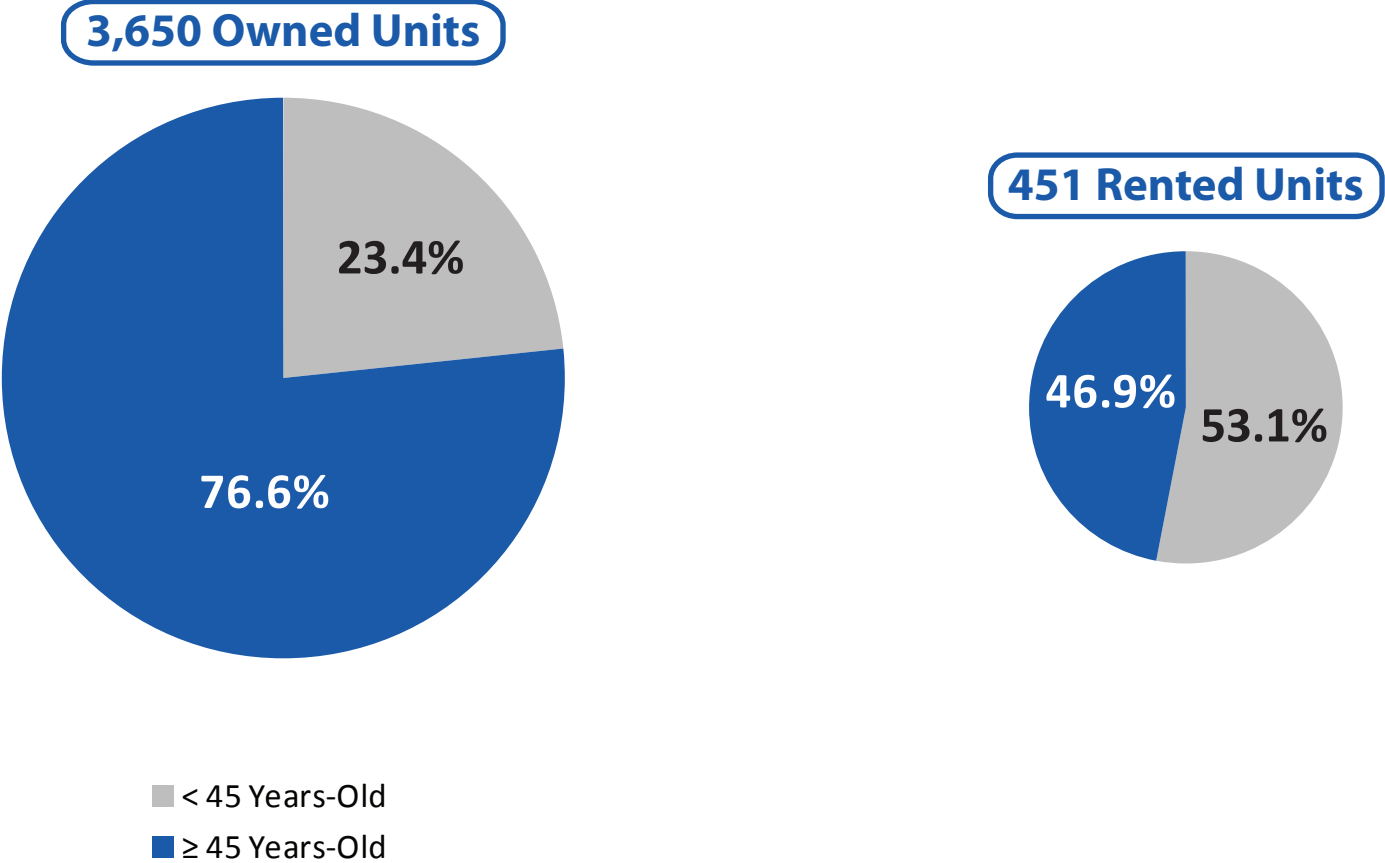
Approximately 90% of the 4,101 housing units in Rehoboth are ownership units. This compares to approximately 62% in both Bristol County and Massachusetts. (Please see *Figure 4-5*, below.)

*Figure 4-5: Housing Occupancy and Tenure (US Census Bureau)*



Additionally, approximately three-quarters of home-owners are 45 years-old or older. However, there is a near 50%-50% split of renters who older and younger than 45 years-old. (Please see [Figure 4-6](#), below, and [Table A-6](#) in the Appendix.) These statistics indicate a need for additional rental units in Rehoboth and the likely presence of a market for rental units across all age groups.

Figure 4-6: Housing Unit Tenure By Age, Rehoboth, 2010 (US Census Bureau)

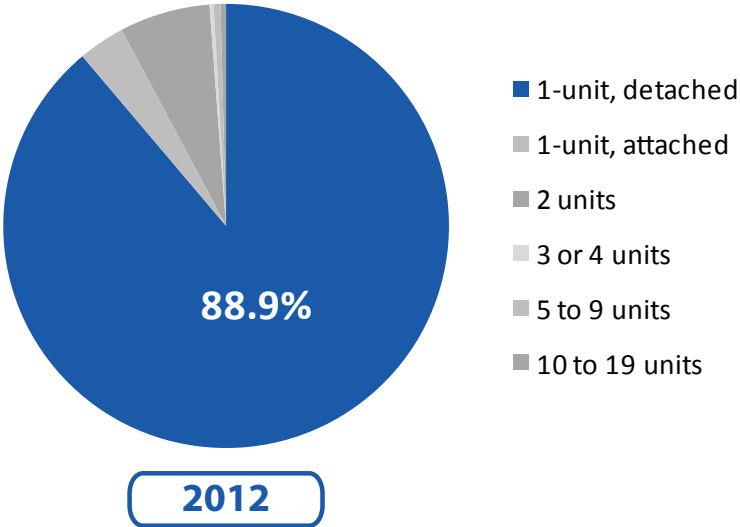


**FINDING 6: Rehoboth’s housing stock consists almost entirely of single-family detached units; there is a clear lack of multi-family housing types in town.**

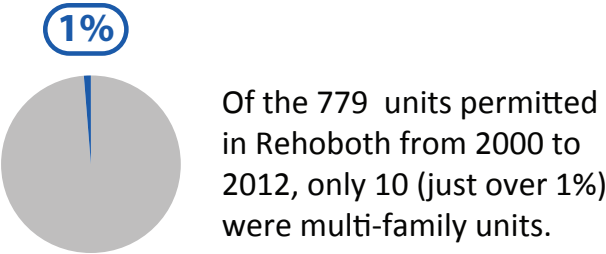
Approximately 90% of housing units in Rehoboth are single-family detached homes and less than 2% of units are in structures containing more than two (2) units. (Please see [Figure 4-7](#), below.) Moreover, of the 779 units permitted from 2000 to 2012, only ten (10), or just over 1%, were multi-family units. (Please see [Figure 4-8](#), below.) In light of these statistics and the socioeconomic trends in town, there is an apparent need for modest multi-family units that can serve different household types and do so in a manner that is financially attractive to the development community.

*Figure 4-7: Rehoboth Housing Types, 2000 - 2012 (US Census Bureau)*

Type	2000		2012		2000-2012 Percent Change
1-unit, detached	3,300	91.7%	3,729	88.9%	13.0%
1-unit, attached	53	1.5%	143	3.4%	169.8%
2 units	176	4.9%	278	6.6%	58.0%
3 or 4 units	51	1.4%	11	0.3%	-78.4%
5 to 9 units	5	0.1%	20	0.5%	300.0%
10 to 19 units	12	0.3%	15	0.4%	25.0%
Total housing units	3,597	100.0%	4,196	100.0%	16.7%



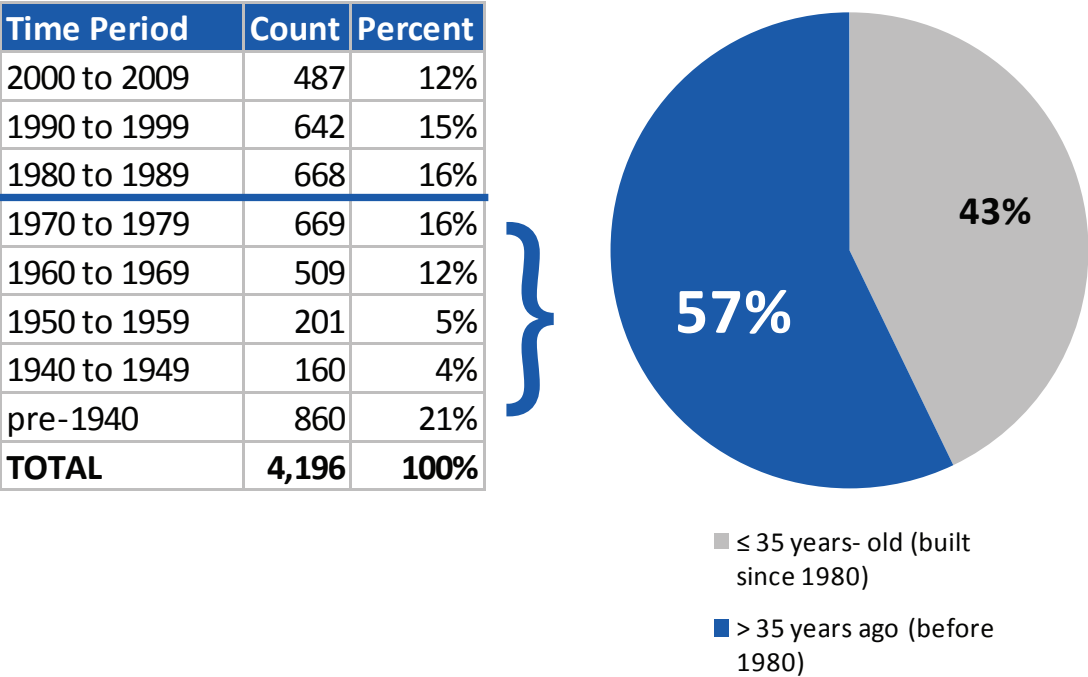
*Figure 4-8: Rehoboth Housing Permits, 2000 - 2012 (SRPEDD)*



**FINDING 7: More than half of the town’s housing stock is over 35 years-old; rehabilitation programs may therefore be needed in order to avoid deterioration of portions of the housing stock.**

Fifty-seven percent (57%) of residential properties are more than 35 years-old (built before 1980). Please see [Figure 4-9](#), below.) In the absence of consistent maintenance, the relative age of this housing stock can indicate reduced quality and value. If older housing units have reduced values and are thereby more “affordable” to low- and moderate-income households, rehabilitation programs may be appropriate to enable people to stay in stable housing stock. The age of housing also has impacts on energy usage and home financing. Programs to support necessary home improvements may be needed, including energy efficiency, “de-leading,” and septic repairs for units occupied by low- and moderate-income households, particularly older residents living on fixed incomes.

*Figure 4-9: Year-Built of Home, 2012 (US Census Bureau)*

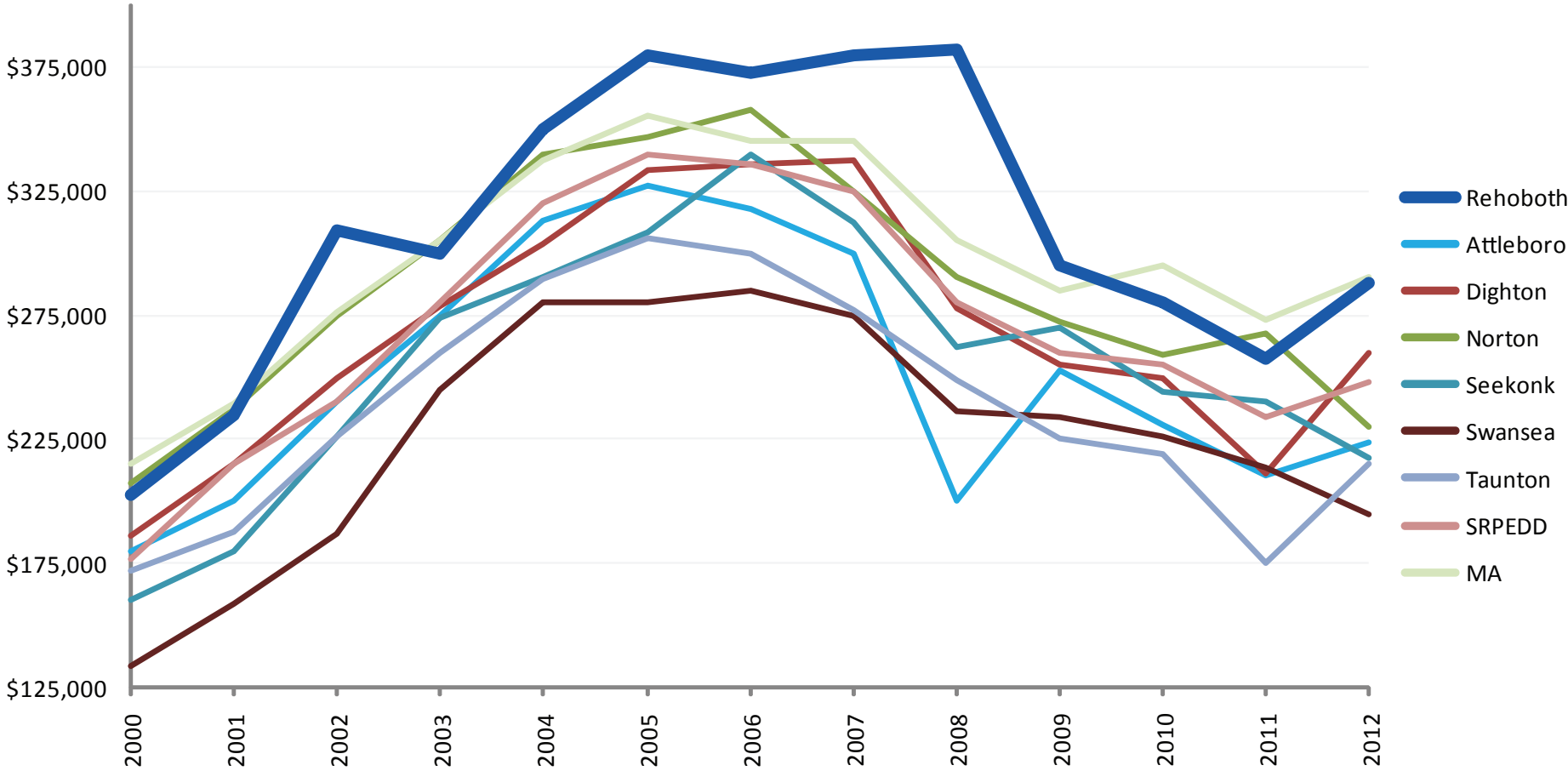




**FINDING 8: Rehoboth has a very stable, high-value housing market in terms of sales prices and volumes.**

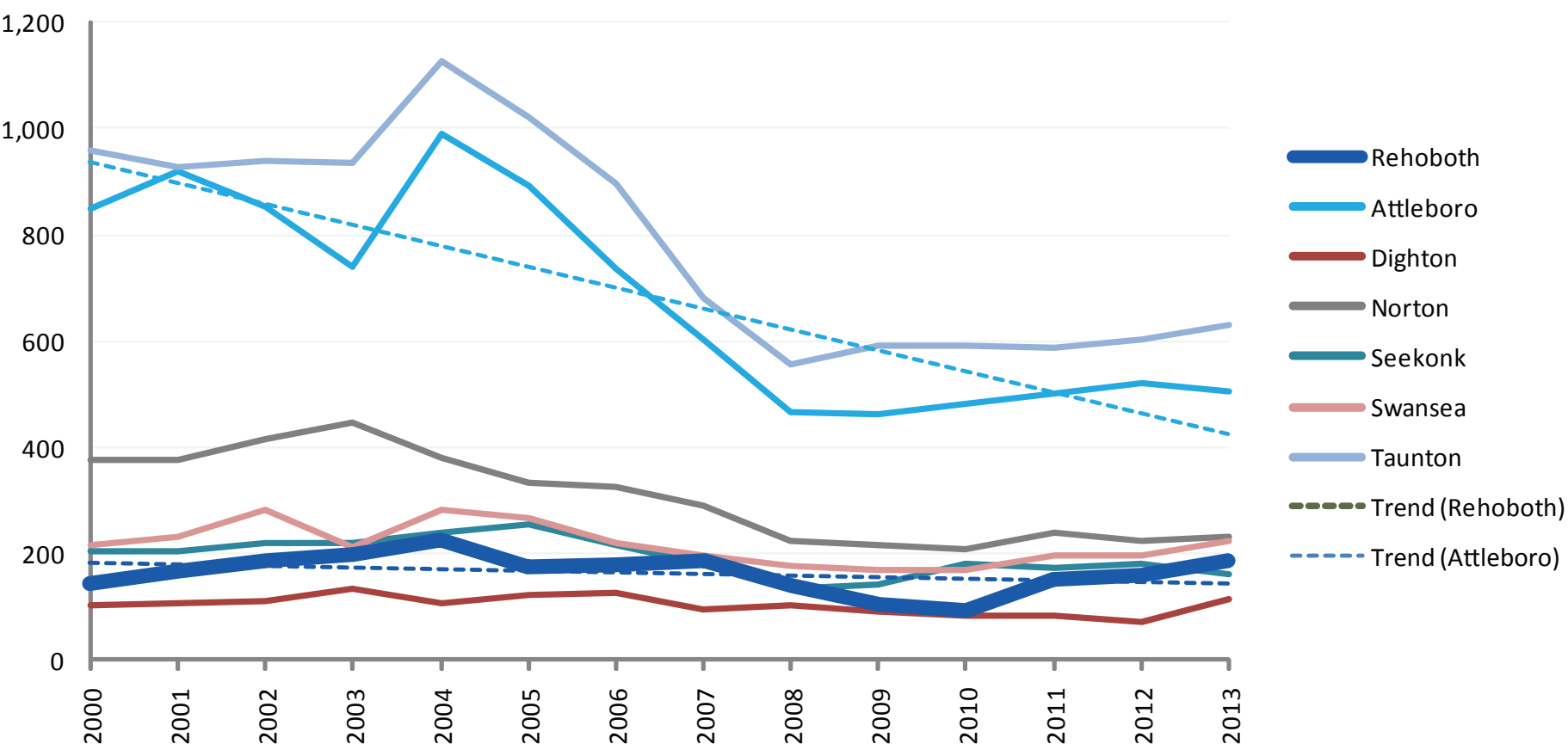
From 2000 to 2012, Rehoboth’s median sales price for a single family home in Rehoboth was higher than in all its neighboring communities (except Norton in 2000, 2001, 2003, and 2011). In fact, in 2002 and from 2004 to 2009, Rehoboth’s median sales price was higher than the MA average. In terms of overall market activity during this period, home sales have been very steady. (Please see [Figure 4-10](#), below, and [Table A-7](#) in the Appendix.)

*Figure 4-10: Median Sales Price of Single Family Homes, 2000-2012 (Warren Group/Banker and Tradesman)*



In terms of overall market activity during the same period, home sales have been very steady. (Please see [Figure 4-11](#), below and [Table A-8](#) below.) Moreover, vacancy rates in 2000 were at 2.1%, according to the US Census, indicating a very tight market. (In general, rates below 5% indicate high competition for housing stock.) Vacancy was at 4.2% in 2010, indicating a continued tight market, even after the housing crash in 2008. In summary, Rehoboth is a stable and high-value market, particularly in relation to the area median family income and measures of affordability.

Figure 4-12: Trends in Home Sales (All Types), 2000-2013 (Warren Group/Banker and Tradesman)



C. HOUSING AFFORDABILITY AND COST BURDEN

**FINDING 9: Significant proportions of both owners and renters are experiencing housing cost burden, indicating a need for additional market rate and subsidized housing that is affordable to all household types.**

Several different measures of housing cost burden, including the HUD Comprehensive Housing Affordability Strategy (CHAS) data (Figure 4-12, below) and a Housing Affordability Gap Analysis (Figure 4-13, opposite), indicate that significant proportions of households are experiencing this hardship. According to an analysis of single family ownership costs, only 2.5% of houses are affordable to households making less than the Median Family Income (MFI) of \$72,200. Moreover, less than 0.5% of houses in Rehoboth are affordable to low-income households making 80% or less of the MFI. (Please see Figure 4-14, page 26.) These measures all indicate a need for more affordable housing – both in terms of market rates and subsidized rates and in terms of rental and ownership units. These data also reinforce the need for lower-cost housing that serves a variety of household types.

Figure 4-12: Households Experiencing Housing Cost Burden by Income (HUD Comprehensive Housing Affordability Strategy [CHAS])

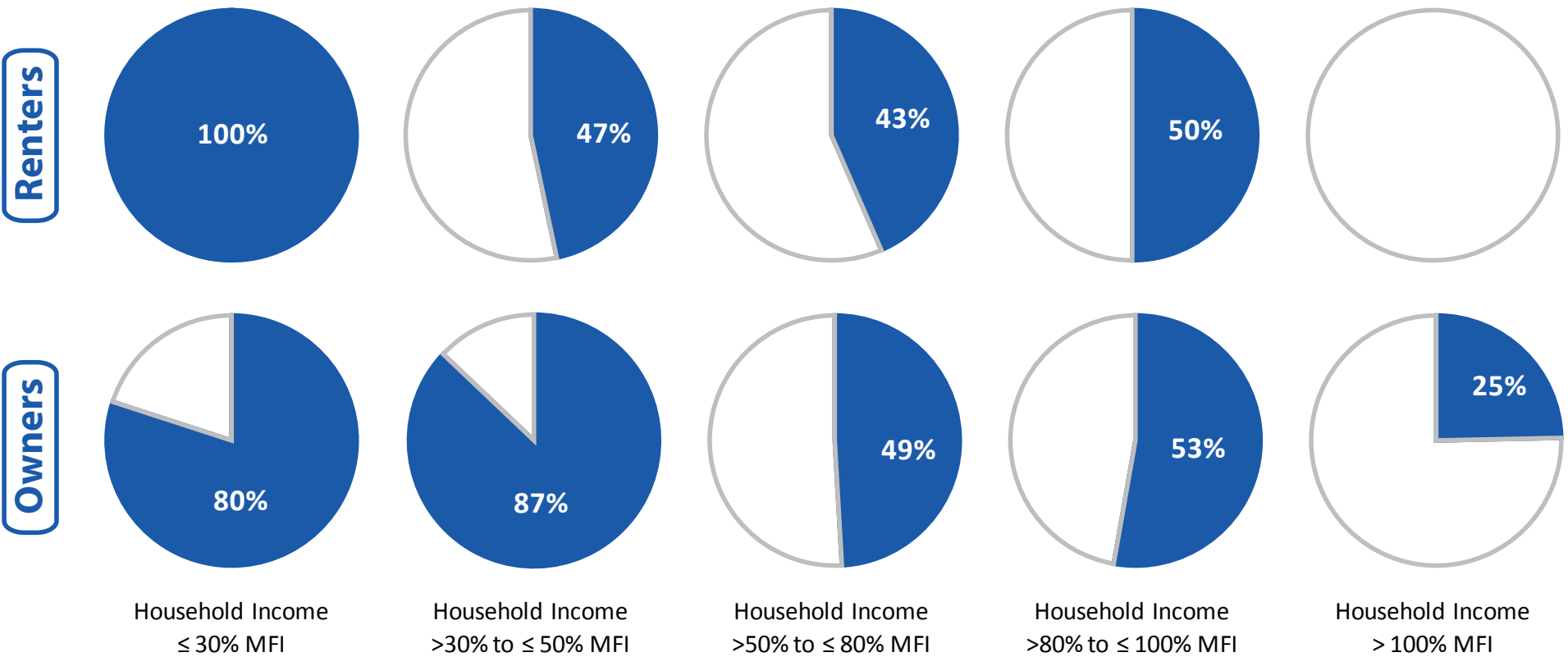


Figure 4-13: Housing Affordability Gap, Rehoboth, 2000-2012 (Warren Group/Banker and Tradesman, HUD)

		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
<b>A</b>	<b>HUD MFI</b>	\$49,800	\$52,800	\$54,100	\$58,400	\$60,000	\$63,850	\$64,000	\$68,300	\$68,300	\$72,500	\$72,100	\$74,500	\$75,600
<b>B</b>	<b>"Affordable Price" (A x 3)</b>	\$149,400	\$158,400	\$162,300	\$175,200	\$180,000	\$191,550	\$192,000	\$204,900	\$204,900	\$217,500	\$216,300	\$223,500	\$226,800
<b>C</b>	<b>Median Sales Price</b>	\$203,000	\$235,000	\$309,500	\$299,900	\$349,900	\$380,000	\$372,500	\$380,000	\$382,000	\$295,000	\$280,000	\$257,500	\$288,325
<b>D</b>	<b>"Affordability Gap" (C - B)</b>	\$53,600	\$76,600	\$147,200	\$124,700	\$169,900	\$188,450	\$180,500	\$175,100	\$177,100	\$77,500	\$63,700	\$34,000	\$61,525

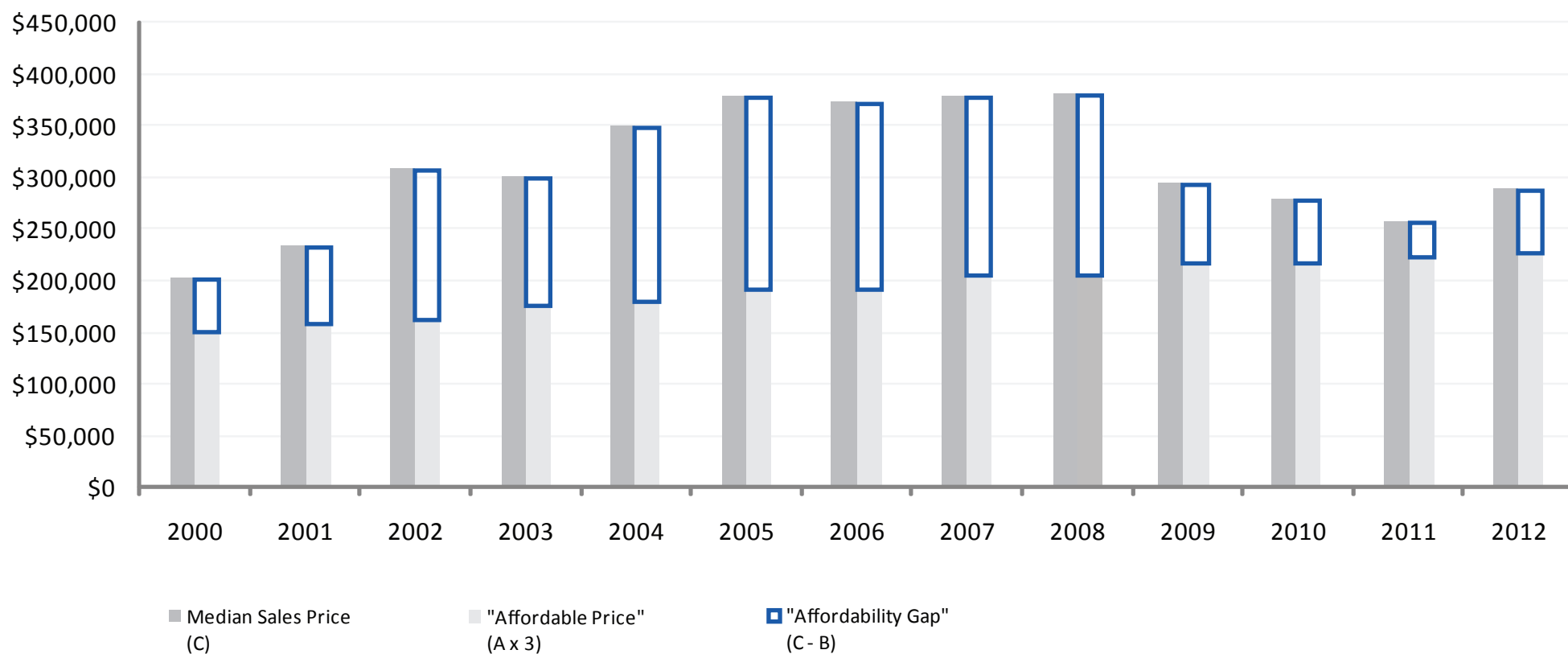
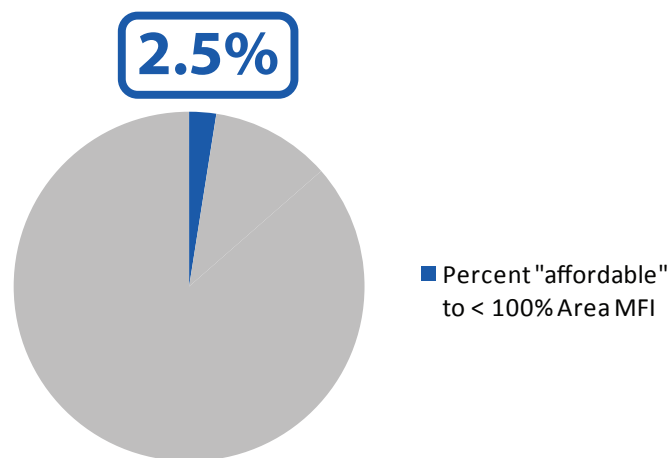


Figure 4-14: Approximate Cost of SF Ownership Units, Rehoboth, 2014

A	B	C	D	E
Income Range Relative to Area MFI	Family Income Range	Family Income Range x 3 (method for determining maximum value of "affordable" housing)	Number of SFH Units "affordable" to families in this income range	Percent of SFH Units "affordable" to families in this income range
	$A \times \$72,200 \text{ (MFI)}$	$B \times 3$	$\text{Number of SFHs valued in range C}$	$D \div 3,802$
Less than 50% MFI	< \$36,100	< \$108,300	2	0.1%
50% - 80% MFI	\$36,100 to \$57,759	\$108,300 to \$173,279	9	0.2%
80% - 100% MFI	\$57,760 to \$72,199	\$173,280 to \$216,599	85	2.2%
100% - 120% MFI	\$72,200 to \$86,639	\$216,600 to \$259,920	421	11.1%
more than 120% MFI	≥ \$86,640	≥ \$259,920	3,285	86.4%
			<b>3,802</b>	<b>100.0%</b>

2.5%



Analysis based on MassGIS Level 3 Parcel data, FY11, and HUD data

Please note that as a standard practice, assessed value is assumed to be approximately 93% of potential sale price. This adjustment was not incorporated into this analysis, indicating that the cost values here are low estimates.

## **D. BARRIERS TO HOUSING DEVELOPMENT**

Overarching demographic, socioeconomic, and real estate market trends account for many of the nine (9) findings previously discussed. However, it is also possible to point to five (5) barriers to affordable housing that also contribute to characteristics identified in the Housing Needs Assessment – particularly with regards to Rehoboth’s housing stock, rental and ownership markets, and housing cost burden statistics.

### **BARRIER 1: Rehoboth’s predominantly large-lot, low-density Residential-Agricultural zoning is leading to the construction of high-price single-family residences.**

The town’s Residential-Agricultural zoning district has a minimum lot size per unit of 60,000 square feet (or 1.38 acres). This district covers over 95% of the town’s land area and influences the shape and character of the vast majority of development in town. (Please see [Figure 4-16](#) on page 29.) While very large-lot zoning (upwards of 200,000 square feet per acre) can sometimes be used as a land conservation technique, this mid-sized lot zoning often leads to suburban sprawl. It also contributes to the construction of large single-family units that, due in part to their property’s embedded land costs, are unaffordable to low- to moderate-income families. Enabling increased housing density (more units on less land) will help create a variety of housing typologies that meet the needs of smaller households, households with retirement-age residents, and low- to moderate-income households.

### **BARRIER 2: Rehoboth’s limited multi-family housing zoning is preventing affordable market-rate rental and ownership units.**

Multi-family dwellings are only allowed in the Business and Industrial Districts, which make up only 4.3% of the town. Moreover, the minimum lot size for each unit is still 60,000 square feet (or 1.38 acres) in these zones. Additionally, the maximum number of units per building is 6. These and other dimensional requirements impose high land costs on each unit and thereby function as an impediment to the construction of affordable market-rate and subsidized housing. Again, enabling increased housing density (more units on less land) will help create a variety of housing typologies that meet the needs of smaller households, households with retirement-age residents, and low- to moderate-income households.

### **BARRIER 3: The lack of municipal water and sewer limits development intensity and raises the cost of development.**

Rehoboth does not have municipal water or sewer service. Housing properties must therefore rely on Title V-compliant septic systems and on private wells. New development could integrate alternative wastewater treatment facilities; however this may not be financially feasible in smaller developments (due to the high land costs imposed by large-lot zoning). There are also often concerns about the impact of septic systems on water quality in surface water and groundwater bodies. While close attention to water quality issues is essential, it also contributes to higher development costs and serves as a constraint to development of a diversity of housing types and smaller lot housing.



#### **BARRIER 4: Transportation access is limited in town.**

Rehoboth is an auto-dependant suburban and rural community. Public transit is limited to Dial-A-Ride services from the Greater Attleboro Taunton Regional Transit Authority (GATRA). This lack of viable public transportation limits the ability of low- and moderate-income households to locate in town without also spending a large portion of their incomes on transportation. These increased transportation costs, when coupled with high housing cost burden, make living in Rehoboth unaffordable for households with lower incomes.

#### **BARRIER 5: Community perceptions are skeptical of both market-rate multi-family housing and subsidized housing.**

Rehoboth residents recognize the need for affordable market-rate and subsidized housing opportunities. However, misconceptions of increased density, perceived negative effects on property value, and concerns about increased municipal costs often prevent residents from pursuing needed housing development. Compact housing development can be attractive and can be built to complement the town's rural New England character and natural resources.

*Figure 4-15: Emerson Village (Etchstone Properties, Inc.), a 56-unit 40B in Pepperell, MA (population 11,497, approximately equal to Rehoboth)*





Figure 4-16: Town of Rehoboth  
Zoning Map

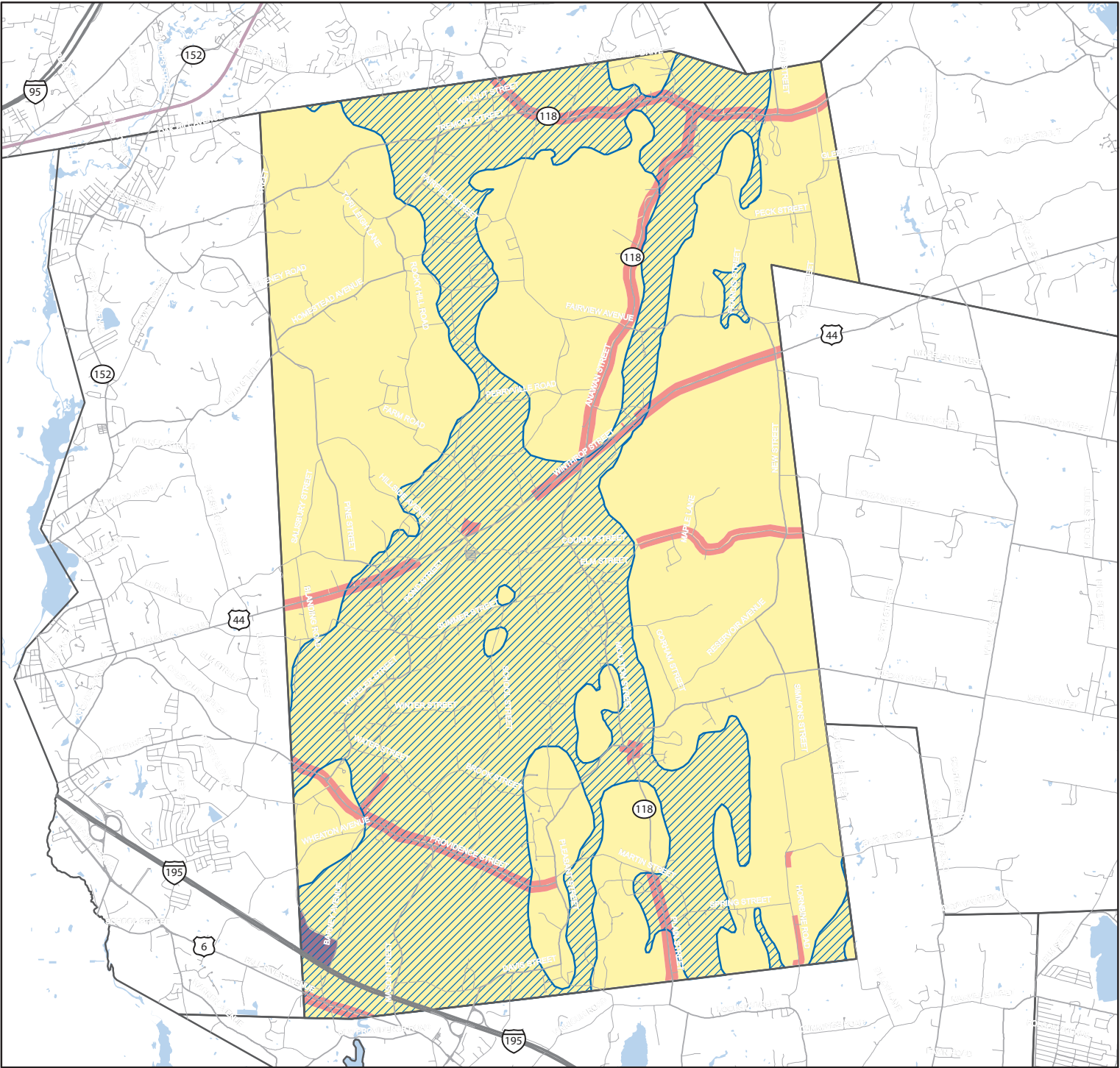
- RE/AG: Residence/Agriculture
- GB: General Business
- I: Industrial
- Water Resource Protection Overlay
- Interstates
- Arterials and Collectors
- Local Roads
- Water
- Town Boundaries

This map is for the sole purpose of aiding regional planning decisions and is not warranted for any other use.

January 2015

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## **5. AFFORDABLE HOUSING PRODUCTION PLAN**

When taken together, the nine (9) Housing Needs Assessment Finding and the five (5) Barriers to affordable housing, described in Section 4, point to the need for new housing types that meet the needs of smaller households, households with retirement-age residents, and low- to moderate-income households. In Rehoboth's high-value housing market, which is almost uniformly characterized by single-family detached and ownership units, public policy initiatives will be necessary in order to overcome barriers and thereby produce housing types that are affordable to low- and moderate income families while still being profitable to the private development community. These policy initiatives will include zoning changes (to allow for medium-scale housing types in a wider variety of well chosen locations) and active production of subsidized housing stock.

### **A. Affordable Housing Goals that Address Needs and Overcome Barriers**

Rehoboth's five (5) housing production goals are as follows. These goals respond directly to the town's housing needs assessment and its identified barriers to affordable housing production.

#### **GOAL 1: Produce units that accommodate the needs of elderly residents.**

Additional housing choices for older Rehoboth residents meet desires expressed by the town and many of the demographic and socioeconomic trends identified above. There is significant political will to meet the needs of older Rehoboth residents and to provide them with affordable and appropriate living arrangements. Placing emphasis on this demographic can create momentum for affordable housing and begin to overcome misconceptions about the character and impact of these developments.

#### **GOAL 2: Produce moderately-sized units and multi-family units; and**

#### **GOAL 3: Encourage diversity of housing types in both market rate and subsidized housing.**

The clear scarcity of multi-family units and the predominance of large, single-family homes have caused a significant share of Rehoboth's households to experience housing cost burdens. Moreover, these housing types are unlikely to provide affordable housing options for the types of households that are increasingly present in town. Producing a wider variety of both market-rate and subsidized units will address these needs.

#### **GOAL 4: Take care to locate new housing in a way that maximizes access to services and minimizes impacts on the environment and existing neighborhoods.**

Identifying locations where the residents of new housing will have access to amenities and services is important. Similarly, these same locations should

minimize any potential adverse impacts on Rehoboth's environmental resources and existing neighborhoods. Rehoboth can identify town-owned and tax-title properties that meet these location criteria.

### **GOAL 5: Produce 22 SHI-eligible housing units per calendar year; this figure equals 0.50% of the Town's year-round housing.**

This numerical goal for annual housing production, pursuant to which there is an increase in the municipality's number of SHI Eligible Housing units by at least 0.50% of its total units, is in accordance with 760 CMR 56.03(3)(a). It should be pursued during every calendar year included in the HPP, until the overall percentage exceeds the Statutory Minimum set forth in these regulations. Should the town meet this 0.5% goal, this HPP document may be certified by DHCD for one year, allowing the town to deny or place conditions on any non-"Friendly 40B" comprehensive permit applications. In accordance with the January 2014 Interagency Agreement Regarding Housing Opportunities for Families with Children, at least 10% of units in each development containing SHI-eligible units will have three or more bedrooms, with certain exceptions such as small projects, assisted living, single room occupancy, lack of demand, infeasibility, and others.

## **B. Affordable Housing Implementation Strategies to Achieve Housing Goals**

To meet the above goals, the town will likely need to pursue the following meaningful public policy initiatives. These housing production strategies include:

### **STRATEGY 1: Zoning bylaw amendments including**

- a. Moderate-density zoning that allows more units on less land.

This is needed to provide affordable market-rate and subsidized units at a financially feasible return. Rehoboth can enable increased housing unit densities in its existing zoning districts - including the Residential/Agriculture district - or can identify new areas in town to rezone with a new "Multi-Family," "Village," or similar housing districts. Model bylaws are available from similar communities throughout the Commonwealth and the region.

- b. Incentive zoning that seeks to produce subsidized units by providing developers with sufficient financial incentives.

Bylaws can be amended to provide financial incentives, such as increased units per acre or reduced requirements, in return for providing affordable housing units on or off-site. Rehoboth's neighbor, the town of Seekonk, has a "Density Bonus" option in its Conservation Subdivision Design ("cluster") bylaw. This option has been used to create several affordable units in town that are considered Local Action Units (LAUs) under the Local Initiative Program (LIP). For more information on LIP, see Appendix D.

- c. Inclusionary zoning that mandates the inclusion of affordable housing (or payments in lieu) for large developments.

This mandatory mechanism requires developers to provide affordable units for projects that meet certain large size criteria. This option is usually most effective in very active and competitive housing markets in urban settings. It may only be appropriate in Rehoboth under future circumstances.

## **STRATEGY 2: “Friendly 40B” developments**

The town can use this HPP and any future documents (such as Zoning Board of Appeals Rules and Regulations for 40B Comprehensive Permits) to proactively seek 40B housing developments in town. By working collaboratively with respected affordable housing developers, Rehoboth can influence the location and character of these developments and thereby produce positive outcomes. The town can provide descriptions or visual design guidelines that direct development to preferred site design and building construction outcomes that complement the town.

Additionally, several Town-owned properties (depicted in *Figure 4-17*, opposite page, and described and depicted again in *Table C-1* in Appendix C) present opportunities for affordable housing development. The Town can explore these locations for the production of SHI-eligible units under both Friendly 40Bs and Community Preservation Committee actions (see Strategy 3, below). The Town can also consider these areas for zoning bylaw changes, provided that they include enough area (or surrounding parcels) to avoid being considered spot zoning.

## **STRATEGY 3: Housing initiatives through the town’s existing Community Preservation Committee (CPC)**

Rehoboth adopted the Community Preservation Act (CPA) in 2009. CPA is a tool that helps communities preserve open space and historic sites, develop outdoor recreational facilities, and create affordable housing by allowing communities to create a local Community Preservation Fund from monies raised locally through the imposition of a surcharge of not more than 3% of the tax levy against real property. In Rehoboth, the surcharge is 1%. Each CPA community creates a local Community Preservation Committee (CPC) upon adoption of the Act; this board then makes recommendations on CPA projects to the community’s legislative body. Affordable housing development should remain a priority for Rehoboth’s CPC, which is working with The Neighborhood Corporation and the Women’s Development Corporation to develop 38 affordable, age-restricted units at the former Anawan School site. At a recent 2015 Town Meeting, the town approved the expenditure of \$50,000 of CPC funds for engineering studies in support of this project. An increase of the CPA surcharge can also be considered. Numerous examples of the CPA-funded affordable housing projects exist throughout the Commonwealth (<http://www.communitypreservation.org/success-stories-type/7/Community%20Housing>), including the Anawan School project.

## **STRATEGY 4: Pursuing tax-title properties for affordable housing development.**

The term “tax-title property” refers to property foreclosed on by the town for failure to pay taxes. Some of these properties may include land that would be suitable for development and may therefore present opportunities to transfer the land to an Affordable Housing Trust, the (currently inactive) Rehoboth Housing Authority, or the CPC to facilitate development of affordable housing or to sell for additional revenue. The Planning Board and housing advocates could work with the Town Treasurer to identify available properties. For more information on Affordable Housing Trusts, see M.G.L c

**Figure 4-17: Town of Rehoboth-owned Properties for Possible Affordable Housing Action (such as Zoning amendments and “Friendly 40B” developments)**

- Primary Action Town Properties
- Possible Action Town Properties
- Ineligible Sites Town Properties
- Non- Town-Owned Parcels
- Interstates
- Arterials and Collectors
- Local Roads
- Water
- Town Boundaries

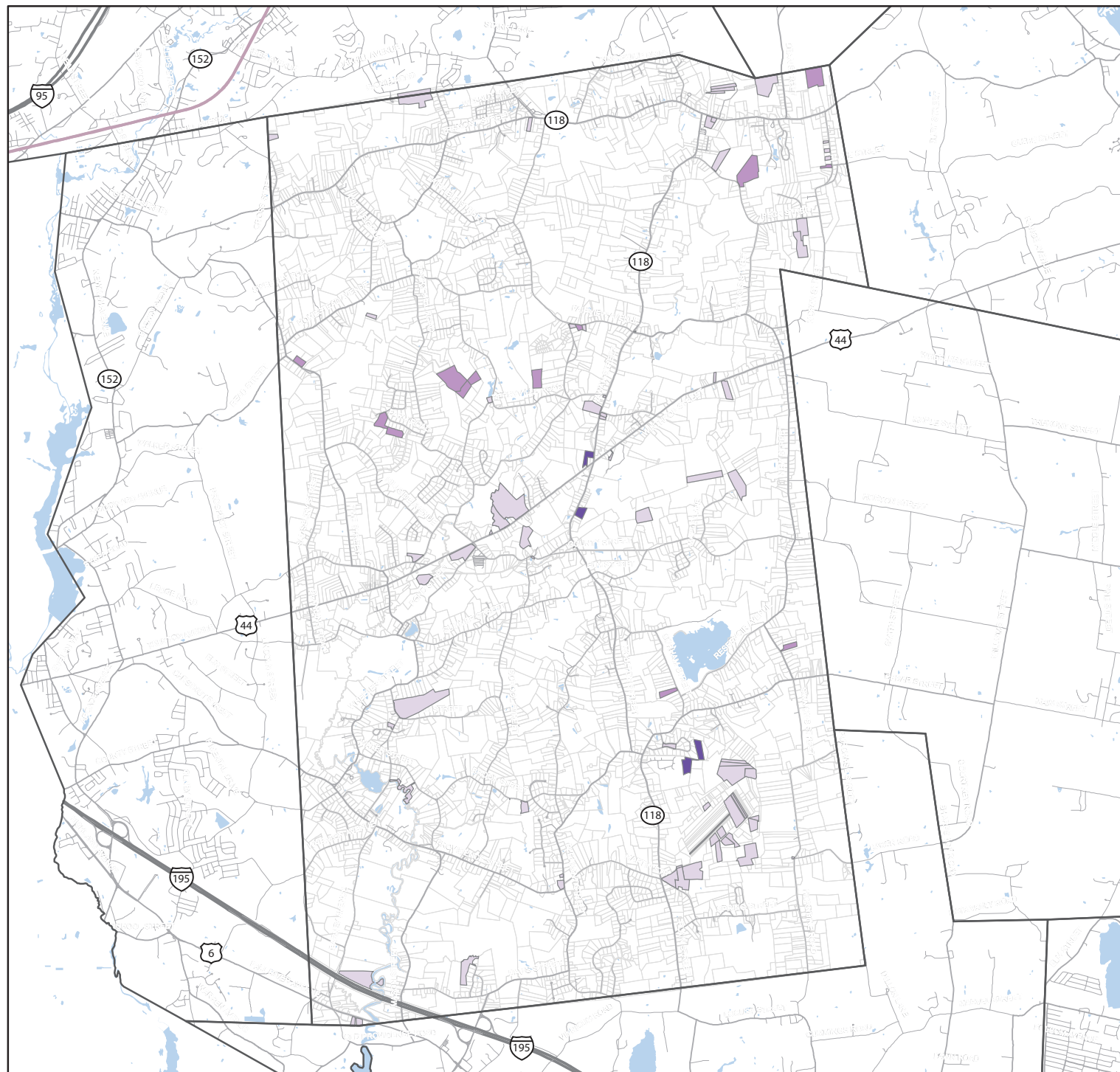
*Please note that “Ineligible Sites” were removed from consideration if they met any of the following four (4) conditions: (1) they had less than the minimum lot size (1.38 acres), (2) they had less than 1.38 acres of upland, (3) they had a permanent conservation easement, or (4) they were over 50% wetland.*

This map is for the sole purpose of aiding regional planning decisions and is not warranted for any other use.

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There are two methods that the Town can use to dispose of tax-title (and other Town-owned property): transfer by Town Meeting, with approval by the Board of Selectmen, or through sale at public auction. In the framework of a public auction, it would be beneficial for the Board of Selectmen to authorize the Town Treasurer to auction specified parcels for “affordable housing purposes” – this strategy would narrow competition for the designated properties.

### **STRATEGY 5: Establish a local homebuyer assistance program that provides mortgage write-down subsidies to convert market-rate housing to affordable, deed-restricted housing.**

A homebuyer assistance program would provide subsidies to low/moderate income homebuyers who would convert existing market rate homes to affordable homes. These homes would have a permanent affordable deed restriction as a result of program participation. Because this type of program is fairly common and is recognized by the state, the affordable units qualify for the Subsidized Housing Inventory (SHI).<sup>9</sup>

The program's subsidy takes the form of direct payments to write-down purchaser's mortgages to an affordable level. To qualify, the purchasers would need to be determined eligible to participate in the program (meet income and asset criteria), complete a homebuyer course, and have located a property to purchase that meets program requirements. In this type of program, the prospective purchaser finds the property in the private housing market and the maximum grant amounts are set by size and type of dwelling unit. Grants would be awarded through a lottery.

For more information on this and other types of Local Action Units (LAUs, developed through local zoning, such as Inclusionary Zoning bylaws, or permit issue process) possible under the Local Initiative Program (LIP), please see Appendix D.

### **STRATEGY 6: Create a Referral Services Program for Elderly Homeowners**

Provide referral services to elderly homeowners with low and moderate incomes to enable them to stay in their homes. This program would identify elderly homeowners who may be eligible for grants or other financial assistance under other currently funded programs. Outreach will be designed to maximize citizen awareness of the availability of this referral service.

## Strategy and Action Plan Summary Table

	Who?	When?	How?	Which Goals?	How many affordable units?
Strategy 1a. Moderate-density zoning that allows medium building scales on smaller land areas.	PB, BOS	2015 - 2016	Outreach, Planning, Town Meeting vote	Goals 1, 2, 3, 4, and 5	25
Strategy 1b. Incentive zoning that seeks to produce subsidized units by providing developers with sufficient financial incentives.	PB, BOS	2015 - 2016	Outreach, Planning, Town Meeting vote	Goals 1, 2, 3, 4, and 5	5
Strategy 1c. Inclusionary zoning that mandates the inclusion of affordable housing (or payments in lieu) for large projects.	PB, BOS	after 2016, if needed	Outreach, Planning, Town Meeting vote	Goals 1, 2, 3, 4, and 5	0 - 5
Strategy 2: "Friendly 40B" developments	ZBA, BOS, PB	2015 - 2019	Outreach to and collaboration with developers, ZBA action	Goals 1, 2, 3, 4, and 5	60 - 90
Strategy 3: Housing initiatives through the town's existing Community Preservation Committee (CPC)	CPC, BOS, PB, Housing Authority or Trust	2015 - 2019	Outreach, BOS and CPC action	Goals 1, 2, 3, 4, and 5	5
Strategy 4: Pursuing tax-title properties for affordable housing development	PB, BOS, Housing Authority or Trust	2015 - 2019	PB research, BOS action	Goal 5	5
Strategy 5: Establish a local homebuyer assistance program	PB, BOS, Housing Authority or Trust	2015 - 2019	PB research, BOS action	Goals 1 and 5	5
STRATEGY 6: Create a Referral Services Program for Elderly Homeowners	PB, BOS, Housing Authority or Trust	2015 - 2019	PB research, BOS action	Goals 1 and 5	5
Total units by 2017					<b>110 - 135</b>

## **C. ACTION PLAN**

### **ACTIONS FOR STRATEGY 1: Zoning bylaw amendments**

The Rehoboth Planning Board can seek technical assistance funding to draft the new bylaws. Public outreach and civic engagement will be key to both the process of creating the bylaws and passing them at Town Meeting. Project research should pay particular attention to the clearly identifying specific types of housing (using examples) that the new bylaw will enable and incentivize. The Planning Board should collaborate with the Board of Selectmen in order to secure its support for Town Meeting vote. Consider also developing Design Guidelines for Planning Board Rules and Regulations that visually present desired development types.

### **ACTIONS FOR STRATEGY 2: “Friendly 40B” developments**

The Planning Board, Zoning Board of Appeals, and Board of Selectmen can reach out to well known and respected affordable housing developers. The Boards can provide the developers with this HPP document as a guide for the type, location, and populations to serve with 40B developments in town. By working collaboratively and proactively with affordable housing developers, Rehoboth can influence the location and character of these developments and thereby produce positive outcomes. This work can be undertaken on an ongoing basis.

### **ACTIONS FOR STRATEGY 3: Housing initiatives through the town’s existing Community Preservation Committee (CPC)**

Rehoboth’s existing Community Preservation Committee can prioritize the use of CPA funds for to support affordable housing initiatives. Planning Board and Board of Selectmen support for this focus will be essential. The Rehoboth Council on Aging can also be involved. Numerous examples of the CPA-funded affordable housing projects exist throughout the Commonwealth.<sup>10</sup>

### **ACTIONS FOR STRATEGY 4: Pursuing tax-title properties for affordable housing development.**

The Rehoboth Town Tax Collector / Treasurer can assist the Planning Board with research needed to identify and map tax-title properties to determine their suitability for rehabilitation or revenue. There are two methods that the Town can use to dispose of tax-title (and other Town-owned property): transfer by Town Meeting, with approval by the Board of Selectmen, or through sale at public auction. In the framework of a public auction, it would be beneficial for the Board of Selectmen to authorize the Town Treasurer to auction specified parcels for “affordable housing purposes” – this strategy would narrow competition for the designated properties, thus minimizing Trust expenditure.

### **ACTIONS FOR STRATEGY 5: Establish a local homebuyer assistance program and ACTIONS FOR STRATEGY 6: Create a Referral Services Program for Elderly Homeowners**

This strategy likely requires the sponsorship of an active Housing Trust or the (currently inactive) Housing Authority. Support from the Board of Selectmen and Planning Board will also be important.



## ENDNOTES AND REFERENCES

- <sup>1</sup> *Rehoboth is tied for 22nd place with Manchester-by-the-Sea, also incorporated in 1645.* Massachusetts City and Town Incorporation and Settlement Dates, Secretary of the Commonwealth of Massachusetts, <http://www.sec.state.ma.us/cis/cisctlist/ctlistalph.htm>, December 2014.
- <sup>2</sup> Massachusetts Department of Housing and Community Development, Community Profiles, <http://www.mass.gov/hed/economic/eohed/dhcd/community-profiles-dhcd/>, August 2014.
- <sup>3</sup> Massachusetts Department of Housing and Community Development, Chapter 40B Subsidized Housing Inventory (SHI), <http://www.mass.gov/hed/docs/dhcd/hd/shi/shiinventory.pdf>, December 2014.
- <sup>4</sup> *Eligible subsidized housing units are at issue in Chapter 40B and are included in the Subsidized Housing Inventory (SHI), not affordable market-rate units.*
- <sup>5</sup> *Duplexes are allowed on a lot with a minimum size of 120,000 square feet.*
- <sup>6</sup> See also *BOOTHROYD vs. ZONING BOARD OF APPEALS OF AMHERST*, <http://masscases.com/cases/sjc/449/449mass333.html>
- <sup>7</sup> *The number of year-round housing units in a community (from which the required number of affordable units is calculated) is based on the number of such units reported in the most recent decennial census. Therefore, as additional year-round housing units are constructed through a decade, the corresponding number of required affordable housing units also increases.*
- <sup>8</sup> Massachusetts Housing Partnership, Municipal Housing Trusts Guidebook, July 2014, [http://www.mhp.net/uploads/resources/municipal\\_affordable\\_housing\\_trust\\_guidebook.pdf](http://www.mhp.net/uploads/resources/municipal_affordable_housing_trust_guidebook.pdf)
- <sup>9</sup> *Several Homeowner and Homebuyer programs are available in Massachusetts.* US Department of Housing and Urban Development, <http://portal.hud.gov/hudportal/HUD?src=/states/massachusetts/homeownership/buyingprgms>, December 2014 and Mass Resources, <http://www.massresources.org/homebuyer-programs.html>, January 2015.
- <sup>10</sup> The Community Preservation Coalition, Community Housing, <http://www.communitypreservation.org/success-stories-type/7/Community%20Housing>

## APPENDIX A: SUPPLEMENTAL DATA

*Table A-1: Total Population, 1990 - 2010 (US Census Bureau)*

	1990	2010	1990-2010 Change	1990-2010 Percent
Massachusetts	6,016,425	6,547,629	531,204	8.8%
Bristol County	506,325	548,285	41,960	8.3%
<b>Rehoboth</b>	<b>8,656</b>	<b>11,608</b>	<b>2,952</b>	<b>34.1%</b>
Attleboro	38,383	43,593	5,210	13.6%
Dighton	5,631	7,086	1,455	25.8%
Norton	14,265	19,031	4,766	33.4%
Seekonk	13,046	13,722	676	5.2%
Swansea	15,411	15,865	454	2.9%
Taunton	49,832	55,874	6,042	12.1%

*Table A-2: Household Change, 2000 - 2010 (US Census Bureau)*

	2000	2010	Change	Percent Change
Massachusetts	2,443,580	2,547,075	103,495	4.2%
Bristol County	205,411	213,010	7,599	3.7%
<b>Rehoboth</b>	<b>3,523</b>	<b>4,101</b>	<b>578</b>	<b>16.4%</b>
Attleboro	16,019	16,884	865	5.4%
Dighton	2,201	2,472	271	12.3%
Norton	5,872	6,416	544	9.3%
Seekonk	4,843	5,071	228	4.7%
Swansea	5,888	6,079	191	3.2%
Taunton	22,045	22,332	287	1.3%

*Table A-2a: Population and Household Projections  
(US Census Bureau, SRPEDD)*

	Population Growth			% Change	
	2010 count	2020 projection	2030 projection	2010- 2020	2020- 2030
Attleboro	43,593	46,333	46,766	6.29%	0.93%
Dighton	7,086	7,440	8,274	5.00%	11.21%
Norton	19,031	20,505	21,101	7.75%	2.91%
<b>Rehoboth</b>	<b>11,608</b>	<b>12,224</b>	<b>14,522</b>	<b>5.31%</b>	<b>18.80%</b>
Seekonk	13,722	15,019	15,303	9.45%	1.89%
Swansea	15,865	17,171	18,008	8.23%	4.87%
Taunton	55,874	59,253	63,169	6.05%	6.61%

	Household Growth			% Change	
	2010 count	2020 projection	2030 projection	2010- 2020	2020- 2030
Attleboro	16,884	18,328	18,659	8.55%	1.81%
Dighton	2,472	2,650	2,970	7.20%	12.08%
Norton	6,416	7,060	7,328	10.04%	3.80%
<b>Rehoboth</b>	<b>4,101</b>	<b>4,290</b>	<b>5,280</b>	<b>4.61%</b>	<b>23.08%</b>
Seekonk	5,071	5,669	5,826	11.79%	2.77%
Swansea	6,079	6,720	7,110	10.54%	5.80%
Taunton	22,332	24,190	26,010	8.32%	7.52%

*Table A-3: Population Change by Age Group, 2000 - 2010 (US Census Bureau)*

	Rehoboth				Bristol				MA			
	2000	2010	Change	Percent	2000	2010	Change	Percent	2000	2010	Change	Percent
School-Age (< 20 years)	2,888	3,011	123	4.3%	145,952	138,396	-7,556	-5.2%	1,675,113	1,621,143	-53,970	-3.2%
Working-Age (20 - 64 years)	6,271	7,153	882	14.1%	313,214	332,010	18,796	6.0%	3,813,822	4,023,762	209,940	5.5%
Retiree (> 64 years)	1,013	1,444	431	42.5%	75,512	77,879	2,367	3.1%	860,162	902,724	42,562	4.9%
<b>TOTAL</b>	<b>10,172</b>	<b>11,608</b>	<b>1,436</b>	<b>14.1%</b>	<b>534,678</b>	<b>548,285</b>	<b>13,607</b>	<b>2.5%</b>	<b>6,349,097</b>	<b>6,547,629</b>	<b>198,532</b>	<b>3.1%</b>

Table A-4: Household Type Trends, 2000 - 2010 (US Census Bureau)

	Rehoboth					Bristol	MA
	2000		2010		2000-2010 Percent Change	2000-2010 Percent Change	2000-2010 Percent Change
Family households	2,872	81.5%	3,280	80.0%	14.2%	0.5%	1.7%
With own children under 18 years	1,332	37.8%	1,382	33.7%	3.8%	-6.8%	-3.8%
Married-couple family	2,496	70.8%	2,762	67.3%	10.7%	-4.5%	-1.6%
With own children under 18 years	1,159	32.9%	1,150	28.0%	-0.8%	-13.4%	-8.4%
Female householder, no husband present	259	7.4%	362	8.8%	39.8%	11.3%	9.8%
With own children under 18 years	121	3.4%	156	3.8%	28.9%	5.8%	6.0%
Nonfamily households	651	18.5%	821	20.0%	26.1%	10.6%	8.8%
Householder living alone	495	14.1%	634	15.5%	28.1%	7.2%	7.0%
Householder 65 years and over	177	5.0%	253	6.2%	42.9%	0.3%	5.8%
Households with individuals under 18 years	1,443	41.0%	1,507	36.7%	4.4%	-4.8%	-2.5%
Households with individuals 65 years and over	721	20.5%	1,041	25.4%	44.4%	5.3%	8.0%
Average household size	2.89	-	2.83	-	-2.1%	-1.6%	-1.2%
Average family size	3.2	-	3.16	-	-1.3%	-0.6%	-1.0%
<b>Total households</b>	<b>3,523</b>	<b>100</b>	<b>4,101</b>	<b>100</b>	<b>16.4%</b>	<b>3.7%</b>	<b>4.2%</b>

Table A-5: Income Distribution, 2012 (US Census Bureau)

	Rehoboth	Bristol	MA
Less than \$25,000	9.8%	23.9%	20.0%
\$25,000 to \$99,999	48.4%	51.2%	48.0%
\$100,000 or more	41.8%	24.9%	31.8%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Total Households	4,008	209,532	2,525,694
Median household income (dollars)	\$82,152	\$72,670	\$89,965

*Table A-5a: Income Distribution, 2012 (US Census Bureau)*

	Rehoboth	Bristol	MA
Less than \$10,000	2.2%	6.70%	6.30%
\$10,000 to \$14,999	1.8%	7.00%	5.20%
\$15,000 to \$24,999	5.8%	10.20%	8.50%
\$25,000 to \$34,999	7.4%	8.80%	7.70%
\$35,000 to \$49,999	10.1%	12.30%	11.00%
\$50,000 to \$74,999	18.4%	17.30%	16.30%
\$75,000 to \$99,999	12.5%	12.80%	13.00%
\$100,000 to \$149,999	24.2%	15.40%	16.70%
\$150,000 to \$199,999	9.6%	5.60%	7.50%
\$200,000 or more	8.0%	3.90%	7.60%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Total Households	4,008	209,532	2,525,694
Median household income (dollars)	\$82,152	\$72,670	\$89,965

*Table A-6: Housing Unit Tenure by Age, Rehoboth, 2010(US Census Bureau)*

	Owner-occupied housing units		Renter-occupied housing units	
15 to 24 years	14	0.4%	25	5.5%
25 to 34 years	177	4.8%	71	15.7%
35 to 44 years	661	18.1%	116	25.7%
45 to 54 years	1,085	29.7%	107	23.7%
55 to 64 years	942	25.8%	65	14.4%
65 years and over	771	21.1%	67	14.9%
<b>Total</b>	<b>3,650</b>	<b>100.0%</b>	<b>451</b>	<b>100.0%</b>

Table A-7: Median Sales Price of Single Family Homes, 2000-2012 (Warren Group/Banker and Tradesman)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
<b>Attleboro</b>	\$179,900	\$200,000	\$240,000	\$275,000	\$312,750	\$327,400	\$318,000	\$300,000	\$200,000	\$252,500	\$231,000	\$210,475	\$224,000
<b>Dighton</b>	\$186,520	\$215,000	\$250,000	\$279,000	\$303,400	\$333,200	\$335,625	\$337,500	\$277,500	\$255,000	\$250,000	\$211,500	\$260,000
<b>Norton</b>	\$207,000	\$237,500	\$274,450	\$305,000	\$339,800	\$346,500	\$357,700	\$325,000	\$290,000	\$272,500	\$259,000	\$268,000	\$230,000
<b>Rehoboth</b>	\$203,000	\$235,000	\$309,500	\$299,900	\$349,900	\$380,000	\$372,500	\$380,000	\$382,000	\$295,000	\$280,000	\$257,500	\$288,325
<b>Seekonk</b>	\$160,000	\$180,000	\$226,000	\$273,700	\$290,000	\$308,500	\$340,000	\$312,500	\$262,450	\$270,000	\$244,500	\$240,500	\$217,500
<b>Swansea</b>	\$133,550	\$158,900	\$187,000	\$245,000	\$280,000	\$280,000	\$285,000	\$275,000	\$236,000	\$234,250	\$226,000	\$213,958	\$195,000
<b>Taunton</b>	\$172,400	\$188,000	\$226,250	\$260,000	\$289,900	\$305,900	\$300,000	\$277,000	\$249,000	\$225,000	\$219,500	\$175,000	\$215,000
<b>SRPEDD</b>	\$177,000	\$215,000	\$240,000	\$279,900	\$319,900	\$340,000	\$335,625	\$325,000	\$280,000	\$260,000	\$255,000	\$233,960	\$248,250
<b>MA</b>	\$215,000	\$239,325	\$276,500	\$305,000	\$337,500	\$355,000	\$345,000	\$345,500	\$305,000	\$285,000	\$295,000	\$273,000	\$290,000

Table A-8: Table 2-11: Trends in Home Sales (All Types), 2000-2013 (Warren Group/Banker and Tradesman)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>Attleboro</b>	849	921	854	739	989	891	737	603	467	461	483	500	521	506
<b>Dighton</b>	103	108	113	136	106	121	125	95	103	93	84	84	73	116
<b>Norton</b>	375	376	416	447	381	332	327	292	223	218	208	239	224	234
<b>Rehoboth</b>	144	168	186	200	226	176	178	186	140	107	92	153	161	186
<b>Seekonk</b>	205	203	221	221	240	257	217	183	133	144	182	173	180	163
<b>Swansea</b>	216	233	283	213	282	269	221	198	177	169	171	196	197	223
<b>Taunton</b>	959	926	940	934	1,128	1,020	897	682	558	593	592	588	604	631

**APPENDIX B: AVAILABLE SUBSIDIZED HOUSING IN REHOBOTH (DHCD)**

*Table B-1: Available Subsidized Housing in Rehoboth (DHCD)*

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	40B Comp. Permit?	
3998	Spring Hill Leisure Living Community	47 Spring Street	Ownership	0	2034	Yes	<i>MassHousing</i>
4038	Bliss Street/ 9 North Walker Dev.	Bliss Street	Ownership	0	2033	Yes	<i>FHLBB</i>
4433	DDS Group Homes	Confidential	Rental	23	N/A	No	<i>DDS</i>

**Total SHI Units                    23**  
**Census 2010 Year Round Housing Units    4,252**  
**Percent Subsidized                    0.54%**

## APPENDIX C: TOWN-OWNED PROPERTIES AND AFFORDABLE HOUSING ACTION SITES

Table B-1: Available Subsidized Housing in Rehoboth (DHCD)

Parcel ID	Site Address	Owner	Wetland Acres	Upland Acres	Total Acres	Wetland Percentage	Notes
46-5	ANAWAN ST	REHOBOTH HOUSING AUTHORITY	0.00	5.72	5.72	0.0%	Excellent site at intersection of 44 and 118; 'Housing Authority'
23-15	OFF PLAIN ST	TOWN OF REHOBOTH	0.00	7.30	7.30	0.0%	Good site; near ball fields and existing 40B; only frontage on paper street
39-97	51/55 BAY STATE RD	TOWN OF REHOBOTH	0.00	5.36	5.36	0.0%	Anawan School and Council on Aging site
22-55	OFF PLAIN ST	TOWN OF REHOBOTH	1.90	6.17	8.07	23.5%	Good site; near ball fields and existing 40B (double check); only frontage is on paper street
28-3	64 GORHAM ST	TOWN OF REHOBOTH	0.00	4.95	4.95	0.0%	Possible small site
44-15	ROCKY HILL RD	TOWN OF REHOBOTH	0.00	6.82	6.82	0.0%	Two large abutting parcels that, in turn, abut an existing subdivision
49-23	PINE ST	TOWN OF REHOBOTH	0.00	4.35	4.35	0.0%	Good site near SMITH ACQUISITION CO tower
65-10	57 PECK ST	TOWN OF REHOBOTH	3.01	22.10	25.11	12.0%	Possible site, but illusory access wetland issues
50-27A	OFF DANFORTH ST	TOWN OF REHOBOTH	0.35	5.30	5.65	6.3%	Cluster of large landlocked properties; possible site if access resolved
51-10A	OFF BLISS ST	TOWN OF REHOBOTH	0.50	9.83	10.33	4.8%	Large landlocked property; possible site if access resolved
30-2E	SIMMONS ST	TOWN OF REHOBOTH	1.71	2.55	4.27	40.1%	Possible small site; limited 30' frontage
50-20	OFF DANFORTH ST	TOWN OF REHOBOTH	0.22	6.83	7.04	3.1%	Cluster of large landlocked properties; possible site if access resolved
50-18	OFF DANFORTH ST	TOWN OF REHOBOTH	5.34	20.13	25.47	21.0%	Cluster of large landlocked properties; possible site if access resolved
44-101	5 HOLLY LN	TOWN OF REHOBOTH	2.15	6.00	8.16	26.4%	Two large abutting parcels that, in turn, abut an existing subdivision
72-32	OFF TREMONT ST	TOWN OF REHOBOTH	0.99	17.66	18.64	5.3%	Large landlocked parcel behind a large undeveloped parcel at 20 TREMONT ST
52-50	252 FAIRVIEW AVE	TOWN OF REHOBOTH	0.21	1.56	1.76	11.7%	Possible site with frontage; between two other wetland town-owned parcels
66-26C	58 REYNOLDS AVE	TOWN OF REHOBOTH	0.00	1.90	1.90	0.0%	Possible small site



**Figure 4-17: Town of Rehoboth-owned Properties for Possible Affordable Housing Action (such as Zoning amendments and “Friendly 40B” developments)**

- Primary Action Town Properties
- Possible Action Town Properties
- Ineligible Sites Town Properties
- Non- Town-Owned Parcels
- Interstates
- Arterials and Collectors
- Local Roads
- Water
- Town Boundaries

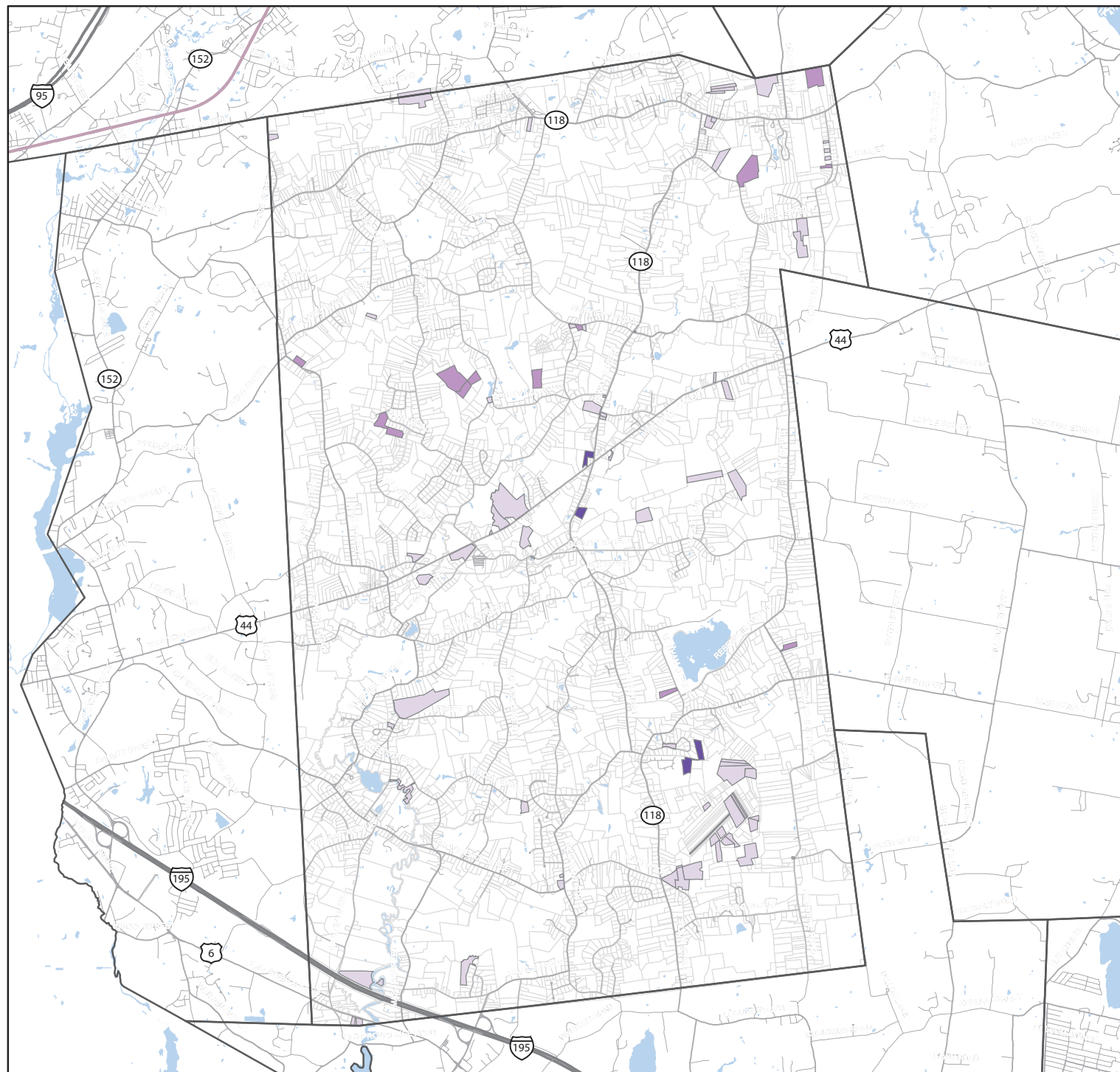
*Please note that “Ineligible Sites” were removed from consideration if they met any of the following four (4) conditions: (1) they had less than the minimum lot size (1.38 acres), (2) they had less than 1.38 acres of upland, (3) they had a permanent conservation easement, or (4) they were over 50% wetland.*

This map is for the sole purpose of aiding regional planning decisions and is not warranted for any other use.

January 2015

1 mile

①



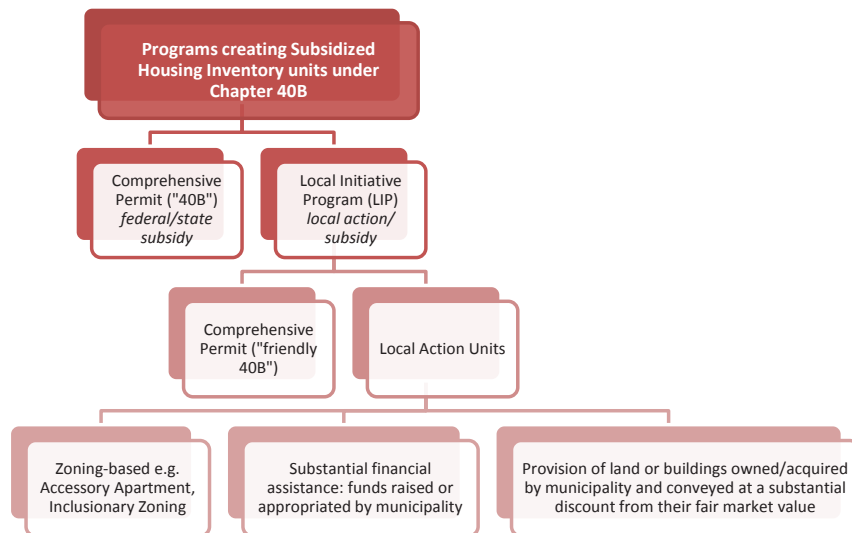
## APPENDIX D: SRPEDD'S CHAPTER 40B AND AFFORDABLE HOUSING GUIDANCE MATERIALS

### Overview of programs through which SHI units can be created

Municipalities have various options for producing housing units that qualify for the Subsidized Housing Inventory. In addition to developer-initiated Comprehensive Permits ("40Bs") which may override local zoning, towns can produce SHI units through the Local Initiative Program (LIP), a state housing program established in 1989 to give cities and towns more flexibility. Under this program, the required subsidy is comprised of local action and/or technical assistance provided for the creation, maintenance, and preservation of Low or Moderate Income Housing. LIP initiatives include "friendly 40Bs" and Local Action Units.

Local Action Units (LAU) reflect a program component that gives communities the opportunity to include housing units on the SHI that are being built without a Comprehensive Permit but that meet LIP criteria and are suitable for inclusion in the SHI. Such units must be built pursuant to a local action such as a zoning provision, a condition of a variance or special permit issued by the planning board or zoning board of appeals, an agreement between the town and a developer to convert and rehabilitate municipal buildings into housing, the donation of municipally-owned land, or the use of local funds to develop or write down housing units.

The following chart shows the framework of programs under which SHI units can be created.



### Subsidized Housing Inventory

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00, especially 760 CMR 56.03

For information about the Subsidized Housing Inventory refer to [GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory](#), section II.A.1-7.

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

### Measuring Progress toward Local Affordable Housing Goals [760 CMR 56.03]

The Department of Housing and Community Development (DHCD) maintains the Subsidized Housing Inventory (SHI) to measure a municipality's stock of SHI Eligible Housing. The SHI includes housing units that are:

1. Developed through the issuance of a Comprehensive Permit
2. Developed under G.L. c. 40A, c. 40R
3. Developed by other statutes, regulations, and programs, so long as the units are subject to:
  - a. A Use Restriction
  - b. An Affirmative Fair Marketing Plan
  - c. They satisfy the requirements of guidelines issued by DHCD.

### Timeframe for Eligibility

1. A unit becomes eligible for the Subsidized Housing Inventory at the earliest of the following:
  - (a) For Comprehensive Permit, zoning approval under G.L. c. 40A, 40R plan
    - i. When the permit or approval is filed with the municipal clerk, or
    - ii. On the date when the last appeal by the Zoning Board of Appeals is fully resolved.
  - (a) When the building permit is issued.
  - (b) When the occupancy permit is issued.
  - (c) When the unit is occupied by an Income Eligible Household
  - (d) Time Lapses - Unit becomes ineligible for the SHI:
    - i. If more than 1 year lapses before the issuance of a building permit. Unit is eligible again when building permit is issued.
    - ii. If more than 18 months elapse between issuance of the building permits and issuance of certificate of occupancy (CO). Unit is eligible again when CO is issued.
  - (e) If a Comprehensive Permit or zoning approval permits the project to be phased, the entire project remains eligible for the SHI so long as the phasing schedule set forth in

the permit approval is adhered to and not more than one year elapses from the date of issuance of the permit, if:

- i. each phase includes 150 units or more
  - ii. each phase contains the same proportion of SHI Eligible Housing units as the overall project, and
  - iii. the projected average time period between the start of successive phases does not exceed 15 months
2. If construction authorized by a Comprehensive Permit has not begun within three years of the date on which the permit becomes final, except for good cause, the permit shall lapse. [760 CMR 56.05(12)(c)]
- (a) This time period is tolled for the time period of any appeals
  - (b) The ZBA may set a later date for lapse of the permit
  - (c) The ZBA may extend the date for the lapse of a permit.

#### Application to Include Units on the SHI

1. The community requests units to be included at any time by submitting a “Requesting New Units Form” with supporting documentation.
2. Rehabilitation units: the party administering the grant locally submits the necessary information using the “housing Rehab Units Only Form.
3. Requests to include new units or corrections are submitted by the municipality, a developer, or a member of the public to:

Department of Housing and Community Development  
Office of General Counsel  
100 Cambridge Street, Suite 300  
Boston, MA 02114-2524  
Attention: Subsidized Housing Inventory

4. Every two years, the municipality must submit a statement certified by the Chief Executive Officer to DHCD as to the number of SHI Eligible Housing units other than those within a Project subject to a Comprehensive Permit.
5. DHCD updates the SHI every 2 years or more frequently if information is provided by the municipality and verified by the Department.

#### Project Eligibility Criteria

1. To be eligible to submit an application, the Applicant and the project, at a minimum:
  - (a) The Applicant is a public agency, a non-profit organization, or a Limited Dividend Organization
  - (b) The project receives a subsidy either receiving funding through one of the many State and Federal Eligible Subsidy Programs that administered through a Subsidizing Agency.
    - i. If the federal or local programs are not administered through a Subsidizing Agency, the project must generally receive a Project Eligibility Letter through DHCD’s Local Initiative Program (LIP) or receive LIP Local Action Unit (“LAU”) approval.
  - (c) The Applicant controls the site.
2. The dwelling unit must be affordable to a household whose income does not exceed 80% of the AMI (Subsidizing Agency may lower this threshold.)
3. Housing Costs are generally established by the housing program. If there are none, then the following apply:
  - (a) Rental: monthly housing costs (including utilities) shall not exceed 30% of monthly income for a household earning 80% of area median income, adjusted for HH size.  
[Note: if trash pick-up is not included then must include a trash allowance; if utilities are metered separately, they may be paid by the tenant and rent amount reduced to so reflect]
  - (b) Assisted Living Facility – same as rental housing
  - (c) Homeownership
    - i. Down payment: minimum 3% (1.5% of buyer’s funds)
    - ii. Mortgage: 30-year for not more than 97% of purchase price with fixed interest rate, not more than 2 points above current MassHousing interest rate
    - iii. Monthly housing costs (principal, interest, property taxes, hazard insurance, condo/homeowner association fees): not to exceed 38% of monthly income for a house hold earning 80% of area median income, adjusted for household size.
  - (d) Continuing Care Retirement Communities – same as homeownership units.
4. Use Restriction
  - (a) Runs with land; recorded at Registry of Deeds or Land Court
  - (b) Identifies Subsidizing Agency, monitoring agent
  - (c) Restricts occupancy of restricted unit to Income Eligible Households.
5. Affirmative Fair Housing Marketing and Resident Selection Plan
6. Project must be in compliance with the Bedroom Mix Policy

## Household Eligibility

A household is deemed an Income Eligible Household if:

1. Household of one or more persons income does not exceed 80% of the AMI (or lower per Subsidizing Agency), adjusted for household size.
2. A Subsidizing Agency may limit household assets limited as follows, or in their absence:
  - a. Age-Restricted Homeownership units: not to exceed \$275,000 (includes dwelling to be sold)
  - b. Non-Age Restricted Homeownership units: not to exceed \$75,000
  - c. Rental Units: the greater of the two
    - i. Income derived from the assets
    - ii. Imputation of value calculated in a manner consistent with HUD requirements in place at time of marketing
  - d. If items are sold for less than market value, full market value shall be used.

## Eligible Units within a Project

1. Rental & Assisted Living Facility (ALF)
  - (a) General: if at least 25% of units are restricted to Income Eligible Households earning 80% or less of AMI or, at least 20% of units are restricted to households earning 50% or less of AMI, then all of the units in the rental development are eligible for the SHI. If fewer, then only the restricted units will be eligible.
  - (b) Accessory Apartments: are eligible if they meet the requirements of the LIP.
  - (c) Tenants who become over-income: If there are no provisions in the affordability restriction, then the change in income shall not affect the treatment of the Project or the unit provided that either (1) the tenant's income does not exceed 140% of the maximum allowable income, or (2) the owner rents the next available unit as an affordable unit to an eligible tenant pursuant to the terms.
2. Homeownership: Only the units that meet the eligibility requirements are eligible.
3. Continuing Care Retirement Communities – Independent living units: only those that meet the requirements are eligible for inclusion in the SHI.
4. Group Homes as reported to DHCD by DMH and DDS shall be eligible to be included.
5. Housing Rehabilitation Units rehabilitated through a program funded through CDBG or HOME are eligible.

## Comprehensive Permit Information Sheet

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00.

For Comprehensive Permit guidance refer to [GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory](#) :

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

## Summary of the Process

[For complete information see 760 CMR 56.04-06]

STEP ONE: [Application for Determination of Project Eligibility](#) [760 CMR 56.04(2)]

The Applicant submits an application for Project Eligibility to the Subsidizing Agency, with a copy to the Chief Executive Officer of the municipality and written notice to the Department of Housing and Community Development (DHCD), which shall include:

- (a) the name and address of the Applicant;
- (b) the address of the site and site description;
- (c) a locus map identifying the site within a plan of the neighborhood, accompanied by photographs of the surrounding buildings and features that provide an understanding of the physical context of the site;
- (d) a tabulation of proposed buildings with the approximate number, size (number of bedrooms, floor area), and type (ownership or rental) of housing units proposed;
- (e) the name of the housing program under which Project Eligibility is sought;
- (f) relevant details of the particular Project if not mandated by the housing program (including percentage of units for low or moderate income households, income eligibility standards, the duration of restrictions requiring Low or Moderate Income Housing, and the limited dividend status of the Applicant);
- (g) conceptual design drawings of the site plan and exterior elevations of the proposed buildings, along with a summary showing the approximate percentage of the tract to be occupied by buildings, by parking and other paved vehicular areas, and by open areas, the approximate number of parking spaces, and the ratio of parking spaces to housing units;
- (h) a narrative description of the approach to building massing, the relationships to adjacent properties, and the proposed exterior building materials;
- (i) a tabular analysis comparing existing zoning requirements to the Waivers requested for the Project; and
- (j) evidence of control of the site.

STEP TWO: [Review and Comment Process](#). [760 CMR 56.04(3)]

- (a) Upon receipt of the application, the Subsidizing Agency provides written notice to the Chief Executive Officer of the municipality where the Project is located
- (b) 30-day review period of Project begins with written notice to municipality.
- (c) The Subsidizing Agency shall conduct a site visit, which Local Boards may attend.
- (d) Local Boards and other interested parties submit written comments to Subsidizing Agency.
- (e) The Subsidizing Agency issues a determination of Project Eligibility after the 30-day review period.

**STEP THREE: Findings in Determination.** [760 CMR 56.04(4)]

After the 30-day review period, the Subsidizing Agency will make a determination of Project Eligibility based upon its review of the application, and taking into account information received during the site visit and from written comments. Copies of the written determination of Project Eligibility will be provided to the Department, the Chief Executive Officer of the municipality, and the Board.

Issuance of a determination of Project Eligibility shall be considered by the Zoning Board of Appeals (ZBA) or the Housing Appeals Committee (HAC) to be conclusive evidence that the Project and the Applicant have satisfied the project eligibility requirements of 760 CMR 56.04(1).

**STEP FOUR: Applicant Files an Application with the Local Zoning Board of Appeals** [760 CMR 56.05(2)]

The applicant files a Comprehensive Permit Application and a complete description of the proposed project with the municipality's ZBA.

**STEP FIVE: Conduct of Zoning Board of Appeals Hearing.** [760 CMR 56.05(3)-(4)]

- (a) The ZBA has seven days, after the receipt of a complete application, sends a notice of the application and a copy of the list of Waivers required by 760 CMR 56.05(2)(h) and invite the Local Boards to participate in the hearings.
- (b) The Board shall open a hearing within 30 days of its receipt of a complete application, and it shall thereafter pursue the hearing diligently.
- (c) A hearing shall not extend beyond 180 days from the date of opening the hearing, presuming that the Applicant has made timely submissions of materials in response to reasonable requests of the Board that are consistent with its powers under 760 CMR 56.05, except with the written consent of the Applicant.
- (d) If the Board wishes to deny an application on one or more of the grounds set forth in 760 CMR 56.03(1), it must do so in accordance with the procedure set forth in 760 CMR 56.03(8), or it shall be deemed to have waived its rights.
- (e) A Board may stay the commencement of a hearing if three (3) or more Comprehensive Permit applications are concurrently undergoing hearings before the Board, and the total number of housing units in those pending Projects exceeds the numerical threshold for a large project within that municipality, as set forth in 760 CMR 56.03(6).

**Consultant Review**

[760 CMR 56.05(5)]

- (a) If, after receiving an application, the Board determines that in order to review that application it requires technical advice in such areas as civil engineering, transportation, environmental resources, design review of buildings and site, and (in accordance with 760 CMR 56.05(6)) review of financial statements that is unavailable from municipal employees, it may employ outside consultants. Whenever possible it shall work cooperatively with the Applicant to identify appropriate consultants and scopes of work and to negotiate payment of part or all of consultant fees by the Applicant. Alternatively, the Board may, by majority vote, require that the Applicant pay a reasonable review fee in accordance with 760 CMR 56.05(b) for the employment of outside consultants chosen by the Board alone. The Board should not impose unreasonable or unnecessary time or cost burdens on an Applicant. Legal fees for general representation of the Board or other Local Boards shall not be imposed on the Applicant.
- (b) A review fee may be imposed only if:
  1. the work of the consultant consists of review of studies prepared on behalf of the Applicant, and not of independent studies on behalf of the Board;
  2. the work is in connection with the Applicant's specific Project; and
  3. all written results and reports are made part of the record before the Board.
  4. a review fee may only be imposed in compliance with applicable law and the Board's rules.

**Review of Financial Statements**

[760 CMR 56.05(6)]

- (a) A Board may request to review the *pro forma* or other financial statements for a Project only after the following preconditions have been met:
  1. Other consultant review has been completed;
  2. The Applicant has had an opportunity to modify its original proposal to address issues raised;
  3. the Board has had an opportunity to propose conditions to mitigate the Project's impacts and to consider requested Waivers; and
  4. The Applicant has indicated that it does not agree to the proposed condition(s) or Waiver denial(s) because they would render the Project uneconomic. A Board may not conduct review of a *pro forma* in order to see whether a Project would still be economic if the number of dwelling units were reduced, unless such reduction is justified by a valid health, safety, environmental, design, open space, planning, or other local concern that directly results from the size of a project on a particular site, consistent with 760 CMR 56.07(3).



- (b) If the Applicant does not agree to some or all of the proposed permit conditions or Waiver denials because they would render the Project Uneconomic, the Board may ask the Applicant to submit its *pro forma*, in form satisfactory to the Subsidizing Agency, and revised as necessary to reflect the additional cost of meeting these conditions and/or denials. The revised *pro forma* may be subjected to the same consultant review as any other technical information submitted to the Board, in accordance with 760 CMR 56.05(5) and the Board's rules.

The Board may then use this information to decide whether to adopt or modify its originally proposed conditions and/or denials. *Pro forma* review should conform to recognized real estate and affordable housing industry standards, consistent with the policies of the Subsidizing Agency and guidelines adopted by the Department.

- (c) Related financial issues, including related-party transactions, the estimated sales price or rental rates of market-rate units, and land acquisition costs, shall be addressed in accordance with the Department's guidelines. Disagreements between the Applicant and the Board's consultant should be resolved in accordance with the Department's guidelines. The Subsidizing Agency has the sole responsibility to establish and enforce reasonable profit and distribution limitations on the Applicant, as set forth in 760 CMR 56.04(8).

### Waivers from Local Requirements and Regulations

[760 CMR 56.05(7)]

The Applicant may request Waivers, solely from the "as-of-right" requirements of the zoning district where the project site is located, as listed in its application or as may subsequently arise during the hearing, and the Board shall grant such Waivers as are Consistent with Local Needs and are required to permit the construction and operation of the Project.

If a Project does not request a subdivision approval, waivers from subdivision requirements are not required (although a Board may look to subdivision standards, such as requirements for road construction, as a basis for required project conditions, in which case the Applicant can seek Waivers from such requirements).

STEP SIX Board Decisions. [760 CMR 56.05(8)]

- (a) Forty-five days after the close of the public hearing, the Board shall render a decision, based on a majority vote of the Board, taking into consideration the recommendations of Local Boards.
- (b) The Board shall file its decision within 14 days in the office of the city or town clerk, and it shall forward a copy of any Comprehensive Permit to the Applicant or its designated representative and to DHCD when it is filed.
- (c) The Board may:
  1. approve a Comprehensive Permit on the terms and conditions set forth in the application;

2. approve a Comprehensive Permit with conditions with respect to height, site plan, size, shape or building materials that address matters of Local Concern; or
3. deny a Comprehensive Permit as not Consistent with Local Needs if the Board finds that there are no conditions that will adequately address Local Concerns.

- (d) Uneconomic Conditions. The Board shall not issue any order or impose any condition that would cause the building or operation of the Project to be Uneconomic, including a requirement imposed by the Board on the Applicant:

1. to incur costs of public infrastructure or improvements off the project site that:
  - a. are not generally imposed by a Local Board on unsubsidized housing;
  - b. address a pre-existing condition affecting the municipality generally; or
  - c. are disproportionate to the impacts reasonably attributable to the Project; or
2. to reduce the number of units for reasons other than evidence of Local Concerns within the purview of the Board (see 760 CMR 56.05(4)(e); see also 760 CMR 56.07(3)(c – h) regarding evidence that would be heard by the Committee on an appeal), such as design, engineering, or environmental deficiencies that directly result from the impact of a Project on a particular site.

If a proposed nonresidential element of a Project is not allowed by-right under applicable provisions of the current municipal zoning code, a condition shall not be considered Uneconomic if it would modify or remove such nonresidential element.

STEP SEVEN Appeals from Board Decisions [760 CMR 56.05(9)]

- (a) If the Board approves the Comprehensive Permit, any person aggrieved may appeal within the time period and to the court provided in M.G.L. c.40A, §17.
- (b) If the Board denies the Comprehensive Permit or approves the permit with unacceptable conditions or requirements, the Applicant may appeal to the Housing Appeals Committee as provided in M.G.L. c.40B, §22 and 760 CMR 56.06.
- (c) If the Board takes action adverse to the Applicant under 760 CMR 56.03(8), 760 CMR 56.05(11), or a similar provision of 760 CMR 56.00, or otherwise violates or fails to implement M.G.L. c.40B, §§20 through 23, the Applicant may appeal to the Housing Appeals Committee as provided in M.G.L. c.40B, §22 and 760 CMR 56.06.

For Procedural Regulations for Appeals to the Housing Appeals Committee see 760 CMR 56.06.

## Local Initiative Program (LIP): Local Action Units

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00.

For LIP LOCAL ACTION UNIT guidance refer to GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory, section VI. Local Initiative Program (LIP):

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

LIP is a state housing program established in 1989 to give cities and towns more flexibility.

The **subsidy** for this program is technical assistance and services provided to municipalities and developers for the creation, maintenance and preservation of Low or Moderate Income Housing.

There are two means of creating affordable housing under LIP:

- 1) Local Initiative Projects “Friendly 40B”: go through the Comprehensive Permit process
- 2) Local Action Units: developed through local zoning, such as Inclusionary Zoning bylaws, or permit issue process.

Units developed through LIP are eligible for SHI

DHCD reviews for:

- 1) Consistency with State Sustainable Development Principles
- 2) Consistency with Local Housing Needs
  - a. LIP approval for age-restricted housing needs to show actual need and marketability within the municipality.
  - b. Do other age-restricted units, created with a Comp Permit, unbuilt or unsold? Are the proposed age-restricted units, in context with other housing efforts, unresponsive to needs for family housing?

## Local Action Units

Housing units that are built without a Comprehensive Permit but meet LIP criteria and are suitable for inclusion in LIP.

1. Built pursuant to a local action and not developed with a comprehensive permit:
  - a. Zoning-based approval
    - i. Inclusionary Zoning, Accessory Apartment Bylaw meeting the LAU criteria
    - ii. Condition of a variance or special permit; agreement between town and a Developer to convert and rehabilitate municipal buildings into housing;
  - b. Substantial municipal financial assistance: Funds raised, appropriated, administered by city or town.

- c. Provision of land or buildings that are owned or acquired by the city or town and conveyed at a substantial discount from their fair market value.
  - iii. donation of municipally-owned land
  - iv. use of local funds to develop or write down housing units
2. Must meet the following criteria
  1. Resulted from city or town action or approval
  2. Meet requirements for SHI eligibility
    - i. Have a subsidy
    - ii. Affordable to households with household income that does not exceed 80% of the AMI
    - iii. Meet the Household Assets limitations
    - iv. Meet Housing Costs limits
      1. Rental: 30% of Household income
      2. Ownership: 3% of purchase price as down payment and monthly housing costs not to exceed 38% of monthly income
    - v. Units having a use restriction restricting occupancy to Income Eligible Household having a lower percentage of AMI than 80%.
    - vi. Project is in compliance with the Bedroom Mix Policy and affordable units subject to an Affirmative Fair Marketing and Resident Selection Plan.
  3. The community is strongly encouraged to meet with DHCD LIP staff to discuss project *prior* to submitting an application

## Process

STEP ONE. Discuss the Local Action Unit projects with DHCD LIP staff prior to submitting an application.

STEP TWO. File a MEPA Environmental Notification Form, for new construction only.

STEP THREE. Complete a Regulatory Agreement for Ownership Developments, or a Regulatory Agreement or Rental Developments, or a HOME Covenant/Deed Restriction

STEP FOUR. Application

[www.mass.gov/dhcd](http://www.mass.gov/dhcd) (search “LIP Local Action Unit application”)

Submit a complete, signed copy of the Local Initiative Program Application for Local Action Units to DHCD, attention LIP Program Coordinator; including:

- (a) Documentation of the municipal action
- (b) Submit a copy of the Regulatory Agreement for Ownership or Rental Developments or the HOME covenant/deed restriction, redlined to reflect any proposed changes.
- (c) MEPA environmental notification form (ENF) for new construction only
- (d) Affirmative Fair Marketing and Lottery Plan.

STEP FIVE. DHCD expects to review and process the application within 60 days. To receive LAU approval, DHCD reviews for location action or approval. LAUs cannot be developed with a Comprehensive Permit.

## Lessons Learned

- Maximum LIP maximum rents are calculated at what is affordable to a household earning 80% of the area median family income adjusted for household size. E.g.:  
 2 BR unit      Household size = (#BR +1) = 3      80% of AMFI = \$58,000      Monthly Income = \$4,875      Max Rent (30% of monthly income) = \$1,462

## Accessory Apartments

In order for Accessory Apartments to be added to the Subsidized Housing Inventory, they must receive Local Action Unit (LAU) approval:

- Resulted from city or town action or approval
  - Subject to a recorded use restriction approved by DHCD, that has a term of not less than 15 years
  - Meet the requirements for LIP units, with the exception of receiving a Comprehensive Permit.
1. Municipality adopts an Accessory Apartment zoning bylaw or ordinance that permits the creation of accessory apartments that are affordable to Income Eligible Households.
    - a. *Submit a draft to DHCD for compliance review prior to local approval – DHCD’s review will be limited to noting any provisions that might conflict with LIP requirements.*
    - b. Units to be submitted to DHCD will have received zoning approval under the bylaw or ordinance.
    - c. There shall be no provisions that conflict with the LIP requirements
      - i. Allowing affordable accessory dwelling units to be rented to family members.
      - ii. Allowing affordable accessory apartments to be rented to households earning more than 80% of AMI
      - iii. A requirement that all accessory dwelling units shall be restricted to residents of the municipality
      - iv. Any provision in conflict with applicable fair housing laws.
  2. Complete a Local Initiative Program Application for Accessory Apartments.
    - a. Letter of Support signed by the Chief Executive Officer
    - b. An Affirmative Fair Housing Marketing Plan
    - c. Designation of a Local Project Administrator (LPA) for all accessory apartments – responsible for oversight of all accessory apartments
      - i. Local Official
      - ii. Local Housing Partnership board member or staff member
      - iii. Director of an area housing non-profit organization
      - iv. Another appropriate person meeting DHCD approval

- d. Schedule of maximum rent for each accessory apartment
  - e. Proposed tenant application form and plan for processing of applications
  - f. Plan for annual verification of tenants’ income
3. Submit a letter of support from the local housing partnership, if any.
4. Meet the Local Action Requirements:
  - a. Municipality has a local zoning bylaw or ordinance that permits the creation of accessory apartments.
  - b. Received approval under the bylaw
5. Tenant Eligibility
  - a. Family Members Prohibited
  - b. Household income shall not exceed 80% of the AMI adjusted for actual household size, as determined by HUD. Limits may be lower.
    - i. Certification of income eligibility made by the Local Project Administrator (documentation may include recent tax returns, pay stubs, affidavits, etc.). Any post-occupancy changes must be reported to the owner and the LPA.
6. Affirmative Fair Housing Marketing
  - a. Affirmative Fair Housing and Marketing and Resident Selection Plan
    - i. Outreach
    - ii. Minimum Advertising Period – 60 days
    - iii. Wait List: “Ready Renters List”
  - b. Annual Data Collection: the LPA shall collect data annually regarding the number of minority households renting accessory apartments.
  - c. DHCD may suspend/revoke the eligibility of units if a Failure to Apply Good Faith Efforts is found.
  - d. Tenant Selection
    - i. Owner gives written notice to LPA that a unit is available and requests referral of applicants.
    - ii. Within 5 business days, the LPA refers the top appropriately-sized household(s), no more than 3 at a time.
    - iii. The owner meets the referred applicant(s) and show the unit. The referred applicant has a *minimum* of 10 business days to view the unit. Owner may select one of the applicants or request additional referrals. Non-selected applicants return to the top of the Ready Renters List.
    - iv. Owner enters into a 1-year lease with selected applicant.
    - v. Upon request of the LPA, the owner shall specify in writing a substantial nondiscriminatory reason for having rejected an applicant.



## Local Initiative Program Comprehensive Permits (“Friendly 40B”)

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00.

For LIP Comprehensive Permit guidance refer to GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory, section VI. Local Initiative Program (LIP):

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

Local Initiative Project – means a Project for which the project eligibility application is submitted by the Chief Executive Officer of the municipality under 760 CMR 56.04(2) to the Department of Housing and Community Development, in accordance with the Department’s Local Initiative Program (“LIP”).

<http://www.mass.gov/hed/economic/eohed/dhcd/legal/regs/760-cmr-56.html>

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  - a. LIP approval for age-restricted housing needs to show actual need and marketability within the municipality.
  - b. Are other age-restricted units, created with a Comp Permit, unbuilt or unsold? Are the proposed age-restricted units, in context with other housing efforts, unresponsive to needs for family housing?

## Comprehensive Permit Projects: Summary of the Process

[For complete information see GUIDELINES, section VI]

STEP ONE: Project must meet requirements of 40B

STEP TWO: Receive written support of Chief Executive Officer

STEP THREE: Complete Local Initiative Program Application for Comprehensive Permit Projects as Word Fillable Form [*LIP Guidelines* pg. VI – 3]: <http://www.mass.gov/hed/housing/affordable-own/local-initiative-program-lip.html> Include:

- (a) Letter of support signed by the Chief Executive Officer of the municipality.
- (b) Signed letter of interest from a construction lender
- (c) Site plan showing contours of the site and the footprint of all proposed buildings, roads, parking and other improvements
- (d) Front and rear elevations for each building and sample floor plans for each unit type
- (e) Description of proposed units by size, type, number of bedrooms, location within the project, and proposed rents or sales prices.

APPLICATION FEE: \$1,500 per project plus an additional \$20 per unit with checks payable to Department of Housing and Community Development. [Reduced by one-half for non-profit developers; waived for public agencies and municipalities.] Application fee is refunded if the application is not accepted or is rejected. One-half of the fee is refunded if application not approved.

STEP FOUR: Determination of Project Eligibility. [GUIDANCE, p. VI-9]

Upon receipt of the application, DHCD reviews the LIP Comprehensive Permit Application.

- (a) The Determination of Project Eligibility is a prerequisite to application for a Comprehensive Permit for the Project from the municipality’s Zoning Board of Appeals.
- (b) DHCD makes the following findings in order to issue a Determination of Project Eligibility.
  1. The application meets the requirements specified in 760 CMR 56.04(4).
  2. The proposed project appears generally eligible under the requirements of the LIP, subject to final program review and approval.
  3. The proposed site plan is appropriate in the context of the surrounding area and taking into account previous municipal action to meet affordable housing needs, and the housing design is appropriate for the site.
  4. The proposed project appears financially feasible in the context of the local housing market.
  5. The initial pro forma for the project appears financially feasible on the basis of estimated development costs and revenues.
  6. The applicant is a public agency, a non-profit organization, or a Limited Dividend Organization.
  7. The applicant controls the site.