



Town of Sudbury

**Analysis of Impediments to
Fair Housing Choice**

June 4, 2013

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Certification from CEO that community will affirmatively further fair housing

I, as the Chief Elected Official of the Town of Sudbury, endorse this report, the Analysis of Impediments to Fair Housing Choice, and certify that Sudbury will affirmatively further fair housing through continuing efforts of the Fair Housing initiatives.

Through this certification, the Town has completed the Analysis of Impediments to Fair Housing Choice, and is taking appropriate actions to overcome the effects of any impediments identified through the analysis; and is maintaining records reflecting the analysis and actions in this regard.

Name:

Date

Chairman, Town of Sudbury Board of Selectmen

Section 1: Introduction

The Analysis of Impediments to Fair Housing Choice ('AI') is a comprehensive review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice or the provision of housing to persons identified as a 'protected class', further defined as persons of a particular race, color, religion, sex, disability, familial status, or national origin.



Fair housing is an important component of a municipality's affordable housing program. Fair Housing plans are required at the Federal and State level. All development entities which utilize public funds for the creation of housing and projects that strive to be 'counted' on the State's Subsidized Housing Inventory (SHI), must have an Affirmative Fair Housing Marketing Plan in place. The Affirmative Fair Housing Marketing Plan requires the identification of goals and objectives which are designed to identify and mitigate the obstacles to fair housing choice; the creation of records to support the actions taken to eliminate any identified impediments; transcripts of relevant public hearings and citizen comments/inputs; and progress reports.

But fair housing has implications beyond just affordable housing. Simply put, fair housing asks whether all residents and potential residents of this jurisdiction have equal access to housing regardless of their race, color, religion, sex, national origin, disability, or familial status. Fair Housing opportunity operates under the premise that where we live determines the quality of our children's education, our access to jobs, and aspects of our health and well-being. It is fundamental to ensuring that non-discriminatory practices are in place for all types of housing transactions, both private and public, market-rate and affordable.

The purpose of this Analysis of Impediments to Fair Housing Choice report is to ensure that Sudbury becomes fully aware of the existence, nature, extent, and causes of any and all fair housing problems and the resources available to solve them, and to include discernible actions that the Town will pursue to mitigate or remove those impediments.

A. Executive Summary of Impediments and Actions Identified

Housing in Sudbury is predominantly expensive, single-family detached homes facilitated through local zoning ordinances. Increasing the diversity of housing options, by removing economic barriers to housing, gives more access to households who wish to live in Sudbury, whether they identify as a protected class or not.

The data in this report suggests that the overall lack of housing options in Sudbury may be the most pressing impediment to fair housing choice for many groups. The provision of lower cost housing to lower income households is very limited, which disadvantages the black minority population in Sudbury, who has lower incomes than whites, Latinos or Asians. The lack of family rental units disadvantages the broad minority racial category as studies have shown that minorities have more families than whites. The senior population (which continues to grow) increasingly cannot afford to stay in their homes and live here. For these reasons, increasing the stock of lower-priced, or affordable, housing and offering styles other than single-family detached dwelling units should be a main objective for Sudbury, even though economic status by itself is not a protected class. Providing alternative housing types will fulfill the needs across a broad spectrum of the population and will enhance Fair Housing choice.

It should be noted that all housing is subject to Fair Housing laws, not just affordable housing. The Fair Housing symbol is found on all market-rate real estate advertisements and promotional material, and real estate housing showings cannot be biased.

It is explicitly noted that Sudbury does not have any current fair housing issues reported or identified, though recent efforts to increasing broad access to housing opportunities across a diverse range of styles and prices continues to remove any potential impediments.

The major influences which constrain the development of diverse housing types in Sudbury (the fair housing impediments) are restrictive zoning, a lack of available developable land for new housing coupled with extremely high land prices, and lack of support to change the status quo.

- I. Impediment 1: Zoning and land use policies limit the availability of land to develop diverse types of housing, including attached multi-family housing and rental housing. With minimum lot sizes of one acre in Sudbury and no zoning provision for multi-family units, this type of development is only permitted through MGL Chapter 40B. This approval and permitting process is complicated and time consuming and there is frequently neighborhood opposition to proposed developments. Projects may be proposed that are at odds with neighborhood character, and local control over density and design is difficult at best. The lack of zoning remedies underscores the need to evaluate existing zoning and land use policies that impede development except for those uses which are currently available by-right. Changes to the zoning ordinance require Town Meeting approval and with a general lack of community awareness and support for affordable and attached housing, it is difficult to revise current land use policies.

Action: The Town of Sudbury revised its accessory apartment bylaw at the 2009 Town Meeting, which increases housing options for owners and renters. The Town of Sudbury has included zoning reforms for the Town-owned Melone property and in commercial districts on Route 20, including 40R, in the recent Housing Production Plan. The Planning Board is discussing potential zoning changes for Route 20 through the municipal sewer initiative which may include the provision for rental or multi-family housing.

- II. Impediment 2: Available land for development of either market rate housing or affordable housing is limited. The price per acre of land in Sudbury is high, which requires the development of large, expensive homes, or the development of high density 40B developments, to sustain the cost of acquisition. With limited land availability, and no zoning for denser developments other than age-restricted communities, single family subdivisions become the de-facto housing choice.

Action: The use of MGL chapter 40B in Sudbury has been the only method of producing alternative housing types. One of these developments yielded 8 small single family dwellings, while most of the other recent 40B developments have constructed condominiums. The Sudbury Housing Trust, approved by Town Meeting and chartered in 2007 is proposing a 3 unit condominium development on a 1 acre parcel. The Sudbury Housing Authority has recently completed the innovative development of ten units of new multi-family construction. However, market rate housing continues the development pattern of only single family homes on large lots or age-restricted housing. Changing zoning requirements to allow smaller lots (which in turn may provide smaller units) should be proposed to Town Meeting. Smaller units translate into lower priced units, which will fill a need in Sudbury and provide more housing choice.

- III. Impediment 3: Lack of support for diverse housing styles is an impediment to housing choice. 40B developments are often opposed by neighbors and residents. This opposition may be due to specific project factors, such as style, size and location, but regardless of these factors this lack of support has hindered the creation of diverse types of units – both affordable and market rate.

Action: Providing education on the benefits of affordable housing and housing diversity, and continuing consistent and positive outreach on housing initiatives is important to the success of the overall housing program in Sudbury and in ensuring adequate housing choice. Engaging community groups who represent various segments of the population in developing goals and objectives for future housing types would be constructive (i.e. Council on Aging for senior housing issues, young professionals, empty nesters, teachers, etc.). The Town has been successful in creating community programs that balance potentially competing interests, such as the Community Preservation Act, however more work is needed. A more active approach to incorporating diverse housing into multiple use projects must be pursued. The support for the Sudbury Housing Trust and its Home Preservation Program, the new Sudbury Housing Authority duplexes, as well as the Habitat for Humanity project which garnered significant

community support, are excellent examples of successful local initiatives in providing diverse housing choices.

B. Obligation to Further Fair Housing as a Recipient of Federal Funds

This AI report is a requirement of the federal Department of Housing and Urban Development (HUD). Recipients of all HUD housing grants are required to certify that grants are administered in conformity with fair housing law.

All HOME grantees must certify to HUD's satisfaction that (1) the awarded grant will be carried out and administered according to the Fair Housing Act, and (2) the grantee will work diligently to affirmatively further fair housing.

HUD funded recipients are required to: (1) examine and attempt to alleviate housing discrimination within their jurisdiction; (2) promote fair housing choice for all persons; (3) provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin; (4) promote housing that is accessible to and usable by persons with disabilities; (5) and comply with the non-discrimination requirements of the Fair Housing Act.

As part of the WestMetro HOME Consortium, Sudbury must certify to HUD that an Analysis of Impediments to Fair Housing Choice was conducted every five years and that fair housing action steps are being implemented to identify and mitigate the obstacles to fair housing choice.

C. Legal Framework and Protected Classes

As required by HUD, the scope of the AI is broad. It covers the full array of public and private policies, practices, and procedures affecting housing choice, serving as the substantive, logical basis for Fair Housing Planning. The AI provides detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates and assists in building public support for fair housing efforts both within Sudbury's boundaries and beyond. In a proscribed format, it covers the full range of activities oriented to promoting housing diversity and equal access to housing.

Impediments to fair housing choice are defined by HUD, and include:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

D. Who Conducted the Analysis of Impediments?

This report has been prepared by the Department of Planning and Community Development. There was no specific funding needed or supplied for its production.

E. Public Participation

The draft AI was reviewed and offered for comment and review to the Sudbury Housing Trust and the Sudbury Housing Authority. There was a legally noticed public hearing with the Sudbury Planning Board on May 29, 2013, and the document was posted on the Town website. No specific funding was needed or supplied.

F. Methodology Used

This report was prepared through data gathering from the sources listed below, formulation of conclusions based on the data gathered, review by the participants noted above, and final presentation to the Board of Selectmen on June 04 2013 for approval.

There were many sources used in preparing this report, including:

1. 2008 Analysis of Impediments
2. 2011 Sudbury Housing Production Plan
3. 2010 Census information
4. 2011 Changing Patterns, published by the Massachusetts Community and Banking Council
5. Communities of Opportunity report with maps by Kirwan Institute:
http://kirwaninstitute.osu.edu/docs/publications/finalreport_maoppcomm_kirwan_jan2009.pdf
6. Fair Housing Institute of Boston – timeline
<http://www.bostonfairhousing.org/timeline/>
7. Market Data – Raveis, Trulia
8. Zipskinny – Community overview
9. www.city.com – Community profiles, including income by race analysis

This report does not supersede Sudbury's certified Housing Production Plan ('HPP'), nor is it intended to contradict any information in the HPP.

Section 2: Past Fair Housing Plans and Activities

Sudbury is committed to Fair Housing Planning and has demonstrated its support for almost 30 years. In 1984, the Town signed a memorandum of agreement for the development of Affirmative Action Plans which included housing, and subsequently developed local Fair Housing plans, including the appointment of a Fair Housing Director, the organization of a Fair Housing Committee and the development of a local Fair Housing Program. The committee was established and the director appointed in September, 1988, and the Fair Housing Plan published in August 1988. Town Meeting 1989 passed a resolution expressing the Town's commitment to enforcing antidiscrimination laws and promoting equal choice and access to housing for all persons. In January 2000, Sudbury joined the "No Place For Hate" program, and was certified in 2003. The No Place for Hate program was created in 1999 by the Anti-Defamation League New England Region, in partnership with the Massachusetts Municipal Association, to provide communities with a solid framework for promoting an inclusive environment while fighting all forms of hate and bigotry.

In the last decade, the Town of Sudbury has opened the Community Housing Office and staffed a dedicated Community Housing Coordinator who also serves as the Fair Housing Director for the Town.

Sudbury has also demonstrated support for establishing the Newton Fair Housing Initiative Fund Education and Outreach Initiative, and provided Fair Housing training to the Sudbury housing providers through that initiative. Training workshops oriented to realtors, property managers and landlords were held in September 2007 in partnership with Framingham and were attended by almost 20% of Sudbury real estate offices (three of sixteen).

Sudbury completed its initial Analysis of Impediments to Fair Housing Choice in May of 2008, and prepared a Housing Production Plan in 2011. The activities and efforts listed below are identified in those reports and are on-going or have been completed in the last five years.

Sudbury has a current certified **Housing Production Plan** – one of only four communities in Massachusetts. The HPP is a tool that enables the Town to have more control over 40B developments. The premise of this process is to encourage municipalities to do their long term housing planning, while at the same time making progress towards the requisite 10% affordable housing unit goal. A municipality must have an approved plan and then create the required number of units in order to be certified. When a municipality has a certified Housing Production Plan, comprehensive permit applications submitted to the Zoning Board of Appeals ("ZBA") will be deemed "consistent with local needs" under MGL Chapter 40B. In June of 2010, the Board of Selectmen endorsed the creation of a Housing Production Plan in accordance with the State requirements, and Sudbury submitted its HPP to Department of Housing and Community Development on May 17, 2011, receiving DHCD approval on July 14, 2011. The certification process requires creating the requisite number of affordable housing units. For Sudbury, this equates to 30 units for a one year certification, or 59 affordable units for a two year certification. The Coolidge at Sudbury project fulfilled this requirement by creating 64

units of housing through the issued comprehensive permit, filed with the Town Clerk on August 9, 2011. DHCD certified the HPP as of that date for a period of two years (through August 8, 2013). Sudbury is currently certified through July 31, 2014 due to two additional Comprehensive Permit projects issued in 2012. [Note: the Sudbury certification is multi-layered. The original certification lapsed when Coolidge did not pull building permits after one year. It was then reinstated with a new date based on the Johnson Farm permit being issued. The Johnson Farm certification will lapse on August 1, 2013, and it is planned that by then, the Coolidge project will have been issued a building permit and can reinstate the certification.]

The HPP identifies goals, strategies and objectives to creating affordable housing, building on the needs analysis provided in the report. It identifies programs, parcels and properties that are potential candidates for housing development.

The **Sudbury Housing Trust** has continued to create units of affordable housing in Sudbury since its formation in 2007. The homes are affordable to households earning below 80% of the AMI and the Trust has offered eight homes to eligible purchasers, 87% of whom identify as a protected class (single parent or minority).

The **Sudbury Housing Authority** has recently redeveloped five of its properties for the benefit of low income households. These new family rental units were offered through Affirmative Fair Marketing guidelines and minority participation was encouraged through advertising and outreach. It should be noted that the Sudbury Housing Authority has an Affirmative Action plan which gives minority applicants preference until the goals of 22% are attained, which has been exceeded in family housing and has never been achieved in elderly housing.

The Town of Sudbury successfully worked closely to **preserve expiring use** for 120 units of affordable housing by working with Equity Residential in their sale of Longfellow Glen to ensure that the affordability restriction was preserved in the sale of this property. The property provides low income rental housing for families and seniors, and serves 120 households through Project-Based Section 8 Program.

The Town of Sudbury continues to appropriate funds for affordable housing through the **Community Preservation Act**, in total appropriating over \$3,741,000 in CPA funds since 2005 to create and develop affordable housing for underserved populations.

The Town of Sudbury has **committed \$96,666 of HOME Funds** to help create and develop 64 units of low income rental housing in the Coolidge project for the underserved population of age-restricted households under 60% of the Area Median Income. This project will be accessible, and one of the few projects in Sudbury with an elevator.

The Sudbury Housing Trust has granted over \$81,000 in funds through the **Sudbury Small Grant Program** for small home repair and maintenance for income eligible households in Sudbury, allowing households to better afford their homes and make necessary repairs for health and safety concerns.

The Sudbury Housing Trust continues to provide **lottery agent services** to sell housing units to low and moderate income households. Through this program, the Sudbury Housing Trust actively advertises and markets to encourage minority participation. Notices are published to

an extensive list of paid advertisements and urban non-profit organizations. As a result, 26% of the applicants self-declare as a minority, and 31% of the units were sold to single parents.

The Town of Sudbury led the creation of the **Regional Housing Services Office** joining five other Towns in an Inter-Municipal Agreement to provide monitoring agent services to preserve affordability restrictions in the Towns of Acton, Bedford, Concord, Lexington, Sudbury and Weston. These proactive efforts assist owners and residents and provide linkages to needed support as requested. One notable example includes rental monitoring which resulted in the reimbursement of over \$184,000 in rent overcharges to present and past tenants. This innovative regional collaboration has been recognized by the Lieutenant Governor Tim Murray, has won the 2012 Massachusetts Municipal Association award for innovation and was invited to showcase at the National League of Cities annual conference in 2012.

The Town of Sudbury has revised its **accessory apartment bylaw** which was approved at 2009 Town Meeting, increasing housing options for owners and renters.

The Town of Sudbury convenes **Sudbury Housing Roundtable** forums to educate Town Boards and interested persons on housing items. In 2011, the Town hired an expert on the State's Chapter 40B affordable housing statute, and held a widely-attended public forum on 40B guidelines to help educate the public.

Section 3: Demographics and Data

A snapshot of the 2010 Census data generalizes that the residents of Sudbury are highly educated, married, earning well above the rest of the state and country, and additionally the residents are predominantly white professionals with more school aged children than the rest of Massachusetts or the country.

A. Population and Household Characteristics

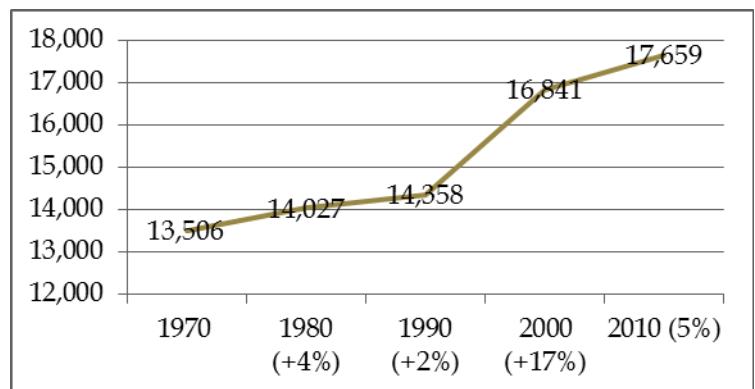
The more current 2010 Census data shows that Sudbury's population growth has slowed over the last decade, after the rapid growth of the 1990's.

Sudbury's population was stable and small until the 1940's. From 1940 to 1970, and again in the 1990's the town experienced rapid growth, which has now shown signs of stabilization.

The 5% growth in Sudbury's population over the last decade is only slightly higher than the overall 3% growth in Massachusetts population, and compares to some of Sudbury's neighboring communities.



Sudbury Demographics, Source: ZIPSKINNY, 2010 Census



: Sudbury Population, Source: 2010 Census

	Population 2000	Population 2010	% change
Stow	5,902	6,590	12%
Marlborough	36,255	38,499	6%
Hudson	18,113	19,063	5%
Sudbury	16,841	17,659	5%
Concord	16,993	17,668	4%
Massachusetts	6,349,097	6,547,629	3%
Framingham	66,910	68,318	2%
Wayland	13,100	12,994	-1%
Maynard	10,433	10,106	-3%

According to 2010 Census data, the state's population is also growing older. Since 2000, the median age of a Massachusetts resident has increased by over two-and one-half years, from 36.5 to 39.1, and 13.8% are over age 65 years, up from 13.5% in 2000. This trend is evidenced in Sudbury as well, with the median age increasing 3.7 years, from 38.8 to 42.5, and the over 65 years population increasing by 2.35 percent.

Profile Of Demographic Characteristics						
	Median Age	Rank	%Pop under 5 Years of Age	Rank	%Pop Over 65 Years of Age	Rank
Concord town	46.9	289	4.23	83	20.07	318
Framingham town	38	27	6.65	333	13.62	150
Hudson town	41	98	6.09	300	14.33	181
Marlborough city	38.5	37	6.65	332	12.56	100
Maynard town	41.3	109	7.07	343	12.78	105
Stow town	43.5	193	6.25	308	12.75	103
Sudbury town 2010	42.5	155	5.66	259	12.20	89
Sudbury town 2000	38.8		8.84		9.82	
Wayland town	45.4	250	5.09	184	16.45	244

Regional Demographics, *Source: 2010 Census*

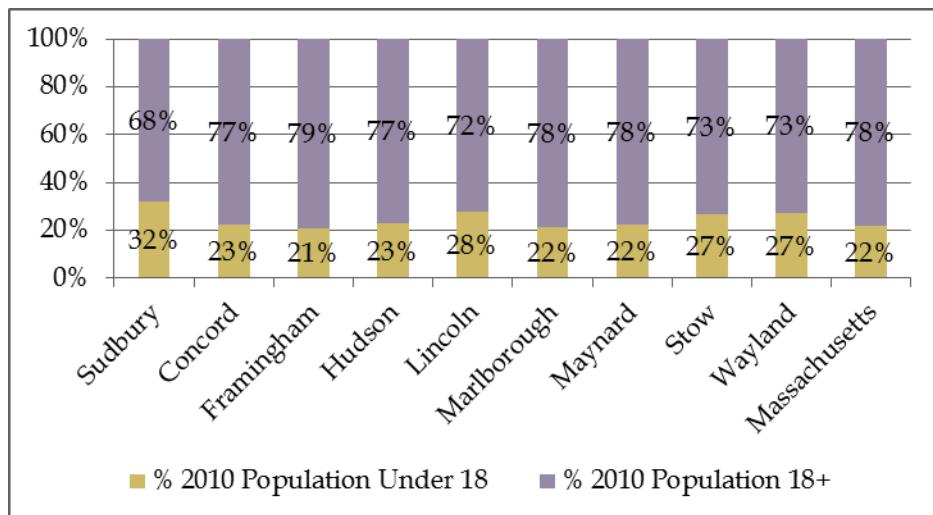
Compared to surrounding towns and Massachusetts as a whole, Sudbury continues to have a high percentage of family households with children under 18, and a high average family size. In fact, the average family size has slightly increased in the last ten years.

City and Town	Family Households		% Senior Households (65+)	Average Household Size	Average Family Size
	Percent	%Families with own children under 18			
Concord town	69.2	46.1	36.7	2.46	3.02
Framingham town	63.2	45.9	24.1	2.47	3.03
Hudson town	68.2	44.1	26.8	2.53	3.07
Marlborough city	62.8	46.2	22.0	2.46	3.06
Maynard town	62.5	46.2	23.6	2.38	3.03
Massachusetts	63.0	28.3	25.6	2.48	3.08
Stow town	78.3	47.5	24.9	2.71	3.10
Sudbury town 2010	85.7	57.9	23.6	3.02	3.30
Sudbury town 2000	86.3	59.2	18.6	3.02	3.28
Wayland town	76.5	50.5	31.4	2.69	3.13

Regional Demographics, *Source: 2010 Census*

This trend is also evidenced from a population standpoint. Sudbury continues to have the highest percentage of children under the age of 18 compared to the surrounding towns, and is also significantly higher than Massachusetts, and consistent between the 2000 and 2010 Census.

In the last decade Sudbury's population of under 18 year olds grew only 3% while the over 18 population grew 6%. Of the 5,648 persons under 18 years old, Sudbury has 4,642 students in the K-12 school system, which is 82% of the under 18 year old population.

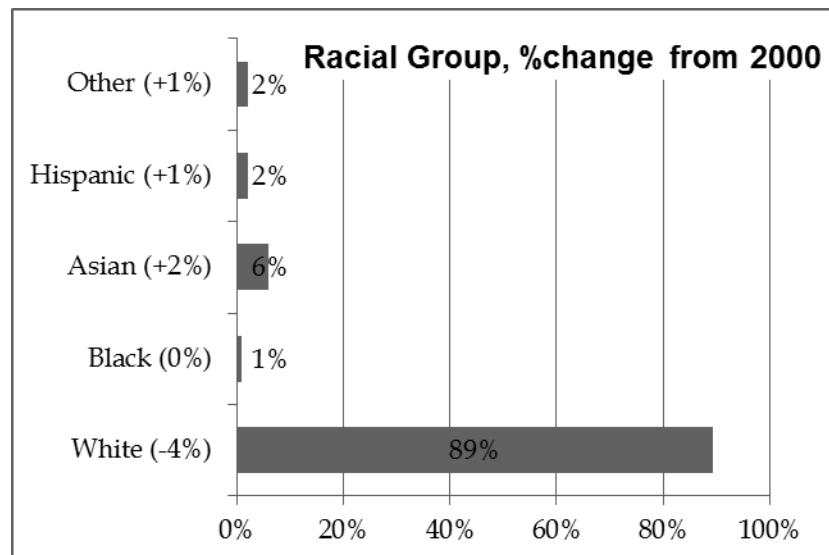


Age Composition of Neighboring Towns, *Source: 2010 Census*

The minority and racial composition of the Sudbury residents has not changed much since the 2000 Census.

The Table shows the racial composition of Sudbury from the 2010 Census, with the data labels show the percent change from the 2000 Census.

This shows that minority residents have increased by 4% over the last decade, with Asians making up half of that increase. There is a corresponding decrease in the white population. The number of black residents (137) has not changed in the last 10 years.



Sudbury Racial Composition, *Source: 2010 Census*

B. Income analysis

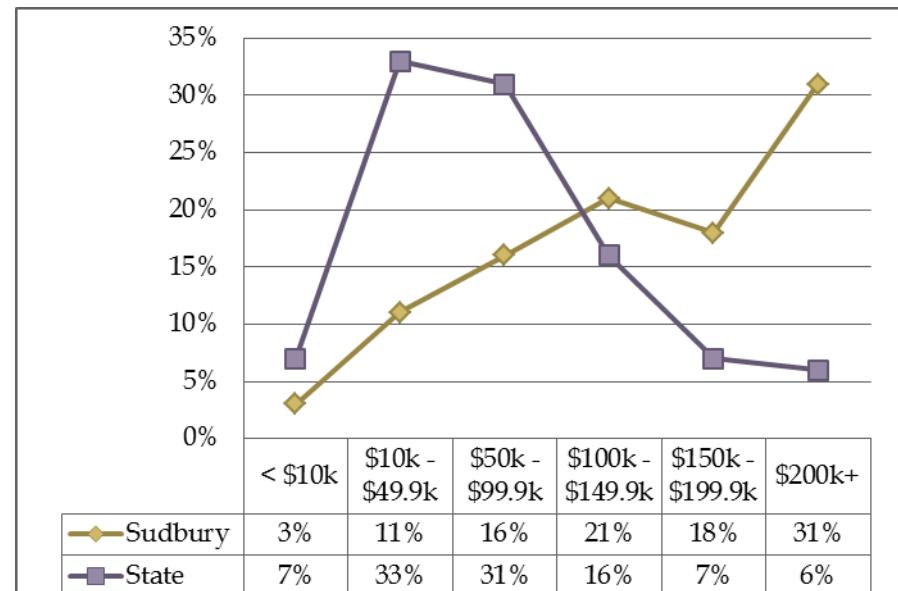
The median income in Sudbury continues to rise and was reported as \$147,383 in 2009, an increase of 23% since 2000. Comparatively, the median income in our Metropolitan Statistical Area (Boston-Quincy-Cambridge) is \$91,800, up 40% over the same period. (This MSA area includes Metrowest, and most of the communities within the I-495 belt.

In terms of income range composition, the table compares the percentage of households in Sudbury to the rest of Massachusetts by income range. On the lower end of the spectrum, there are 30% of Sudbury residents that have household income less than \$100k, and half of those under \$50k.

Some of these residents are on fixed incomes. Others are in housing they cannot afford. For example, a resident must make \$25,000 to ‘afford’ a home in Sudbury assessed at \$400,000, paying only taxes and insurance (no mortgage). Seniors, or others who have less income than this and are living in their paid-for home, are struggling with housing burden – the term for paying more than 30% of your gross income on housing expense.

Many of these residents would qualify for affordable rental housing. Affordable ownership programs include an asset limit and residents who own their homes typically have home equity above the limit.

From a racial perspective, Hispanic (208 households) and Asian (630) households earn more than White (15,870) households, who earn more than Black (137) households.



Sudbury Household Income, Source: American Community Survey 2005 – 2009

Median Household Income by Races

01776 Zip Code Massachusetts	U.S.
White \$118,737, see rank	\$52,445 \$44,687
Black \$68,077, see rank	\$33,727 \$29,423
Hispanic \$200,001, see rank	\$27,300 \$33,676
Asian \$131,455, see rank	\$51,273 \$51,908
American Indian, Alaska Native \$90,957, see rank	\$36,810 \$30,599
Hawaiian Native \$36,250, see rank	\$34,891 \$42,717
Two or More Races \$37,361, see rank	\$34,229 \$35,587

Sudbury Household Income by Race, Source: USA.COM

Another indicator that links fair housing with affordable housing is the fact that there are more minority Sudbury residents living in affordable rental housing than living in Sudbury as a whole. As shown above, minorities make up 11% of Sudbury residents overall, while in family affordable rental housing the percentage is 35%. This suggests that household income is a factor in the racial diversity of Sudbury.

	Minority	White
SHA Family Housing	30%	70%
Longfellow Glen	37%	62%
Total	35%	65%

DHCD Data Collection for Subsidized Rental Housing, 2007

C. Housing Supply in Sudbury

Sudbury has preserved its rural character through its local zoning bylaws that predominantly permit single family homes on one-acre parcels, and limit zoning for attached housing – duplex, condo, townhouse, and apartment – to age-restricted occupants.

The population trends are mirrored in the housing production. The 2010 Census reports a 5% increase in population and a 6% increase in housing units. Correspondingly, the 17% growth in population in the 1990's is mirrored with a 15% increase in housing units.

From approximately 1995 – 2005, Sudbury implemented many land use standards and guidelines in order to manage this growth. The Site Plan Review Bylaw (2001) and the Comprehensive Zoning Bylaw (2001) provided definitive standards for new development.

However, the production of affordable housing did not keep pace with the production of market housing. There were 22 units of affordable housing added to the Subsidized Housing Inventory in the 1990's, versus 715 housing units created overall.

	1981 - 1990	1991 - 2000	2001 - 2010
Sudbury Population - % change	2%	17%	5%
Sudbury Housing Units - % change	16%	15%	7%
Sudbury Subsidized Housing Units – Overall %	4%	4%	5.79%

Sudbury Changes since 1980, *Source: DHCD SHI, 2010 Census*

From the occupant view point, Sudbury continues to have the lowest percentage of rental housing in the surrounding area, and has not increased rental housing in the last decade.

	2010 Occupied Housing Units					2000 Occupied Housing Units				
	Total Housing Units	Total Occupied	% Total Occupied	% Owner Occupied	% Renter Occupied	Total Housing Units	Total Occupied	% Total Occupied	% Owner Occupied	% Renter Occupied
Concord	6,947	6,484	93	77	23	6,095	5,976	98	81	19
Framingham	27,529	26,173	95	55	45	26,588	26,240	99	56	44
Hudson	7,998	7,528	94	72	28	7,144	6,990	98	71	29
Maynard	4,447	4,239	95	71	29	4,398	4,292	98	70	30
Sudbury	5,951	5,771	97	92	8	5,582	5,505	99	92	8
Stow	2,526	2,429	96	89	11	2,108	2,082	99	87	13
Wayland	5,021	4,808	96	89	11	4,703	4,664	99	92	8

Tenure of Housing in Neighboring Towns, *Source: 2000 and 2010 U.S. Census*

Despite the predominance of single family homes, Sudbury has 531 housing units that are not single family homes, permitted through local bylaws and Chapter 40B.

Many of these units (439 or 71%) are Market Discount housing, meaning that the prices and rents are permanently discounted as documented in their legal frameworks. While many units are both discounted from market rates, and counted on the State's Subsidized Housing Inventory (SHI), there are some slight differences in Sudbury, including the 96 discounted Incentive Senior Development (ISD) units which do not count on the SHI as they do not meet the affordability guidelines. These cross all the categories of homeownership and rental, senior and family, as shown in the profile table below, and described in the sections below.

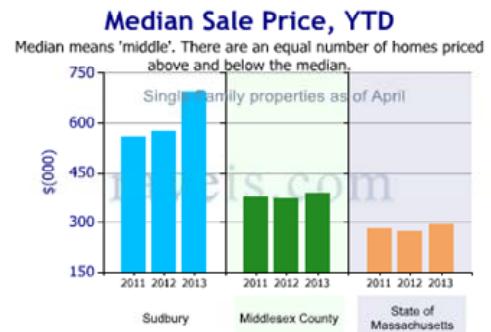
	# Units	SHI?	Housing Development
<u>Ownership:</u>			
Family Ownership	31	Y	Carriage Lane (4), Snowberry (2), Villages at Old County Road (10), Home Preservation (5), Habitat (2), Landham Crossing (8)
Senior Ownership	96	N	Frost Farm (44), Grouse Hill (52)
<u>Rental:</u>			
Family Rental	153	Y	Longfellow Glen (70), SHA (27), Johnson Farm (56)
Senior Rental	159	Y	Longfellow Glen (50), SHA (64), Orchard Hill (45)
Total Market Discount Units	439	343	

Market Discount Housing in Sudbury, *Source: Sudbury Community Housing Office*

In correlation to the rise in median income, the value of homes in Sudbury has continued to increase over the last decade. Even in this recent downturn of the real estate market, Sudbury has retained strong property values compared to the rest of Middlesex County and the State.

	2000 Median Value	2005 Median Value	\$% chg	2010 Median Value	\$% chg
Single Family	\$330,500	\$544,200	65%	\$577,300	6%
Condominium	\$178,500	\$369,800	107%	\$431,700	17%
Multi- Family	\$407,100	\$688,250	69%	\$641,550	-7%

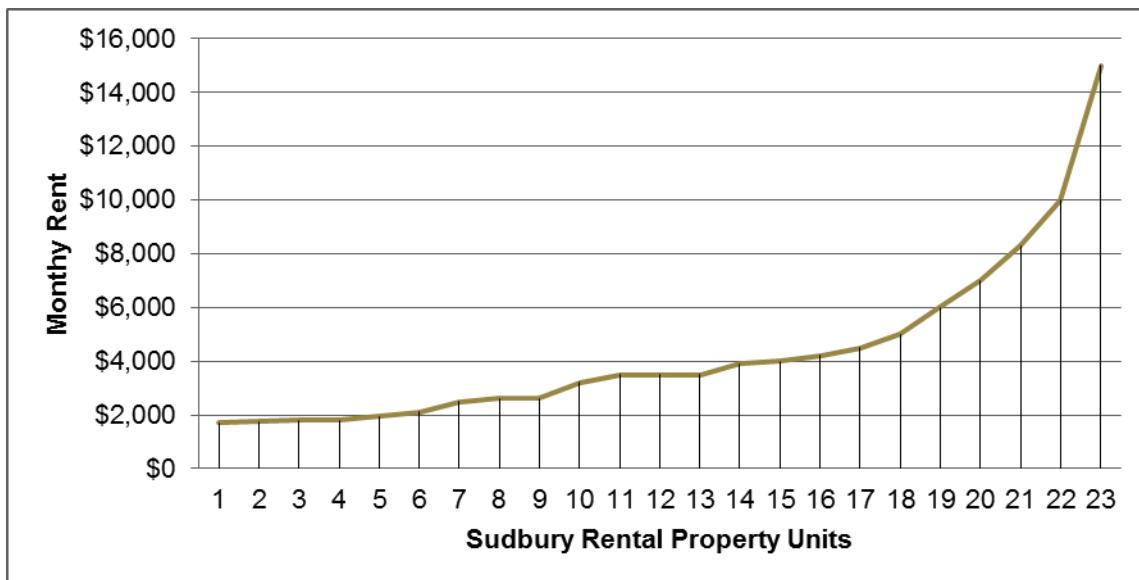
Sudbury Median Values, *Source: Sudbury Assessor Office*



Raveis.com 5.13.2013

Sudbury has few market rate rental options. On 2/1/2011, there were 23 rental opportunities in Sudbury for a monthly median rent of \$3,500 (with or without the two properties with over \$10,000 per month rent). Almost 80% (or 18) of the rental properties are single family homes, with the remaining 5 at Mahoney Farm, Grouse Hill, and a private duplex.

Realtor opinion is that the rental market in Sudbury tends to be driven by the inability to sell single family homes, either the homeowner is moving and can't sell, or perhaps a developer is not selling a completed unit. There are few "investment" rental properties, specifically units built or purchased with the intent to rent.



Sudbury Median Rents, *Source: MLS Property Information Network 2/1/2011*

Compared to nearby communities, Sudbury has the highest median rents, and highest percentage of large units (22% are 5+ Bedrooms).

	#Rental Units	Median Rent	%SFH	1-2BRr	3-4BR	5+BR
Sudbury	23	\$3,500	78%	7	11	5
Wayland	27	\$2,250	74%	7	18	2
Concord	80	\$2,375	41%	36	37	7
Lincoln	12	\$2,950	75%	6	4	2
Stow	16	\$1,395	44%	10	6	0

Sudbury Rental Market, *Source: MLS Property Information Network 2/1/2011*

The affordable family homeownership units are generally sold via lottery and the last six lotteries (since 2006) have been administered by the Sudbury Housing Trust. The lotteries for these 31 units have been well-subscribed – in comparison to many under-subscribed lotteries in the state. The Town maintains a list of 400 persons interested in affordable homeownership.

Of the 94 units sold by the Trust, 27% are to households that identify as minority, and another 31% to single parents.

Affordable family rental units include are 99 units of family (not age-restricted) rental housing in Sudbury, 70 at Longfellow Glen, 27 operated by the Sudbury Housing Authority in scattered sites around town, and 2 units managed by the Department of Developmental Services (formerly DMR, Department of Mental Retardation).

Affordable family rental units are in high demand. The waiting list at Longfellow Glen for the 70 family units (2 and 3 bedrooms) is around 5 years, with ~80 households on the list. The Sudbury Housing Authority, with 27 units, also has a long wait time - up to 12 years, with on average one SHA unit turn over per year. The 10 new units constructed in 2012 were leased via lottery which had almost 100 eligible applicants who applied. Affordable rental units in Sudbury charge rents at 27%-30% of the tenant's income, similar to project-based section 8 vouchers.

There is less wait time for age-restricted affordable rental units. There is a one-year wait for one of the 50 1BR units at Longfellow Glen, where there is no priority for Sudbury residents. At the SHA-operated 64-unit Musketahquid Village, there is a short wait for local seniors and it can take several years for a non-local senior to be offered a unit. Musketahquid Village has walk-up units on the second floor, and there is considerably more demand for the lower ones. At Orchard Hill, there is currently one external person on the affordable waiting list and a few others internally where current tenants wish to transfer from a market rate unit to an affordable unit. The wait time is unpredictable for the affordable units in this facility.

Across the inventory in Sudbury, there are 15 accessible units for mobility impairment all within rental units (11 in Longfellow Glen, and 4 in Musketahquid). Two of the four units in Musketahquid are rented to persons in wheelchairs, and in accordance with the State regulations, up to 13.5% of the total units at Musketahquid Village are reserved for people with disabilities. Few applicants apply to lease these units for reasons unknown.

There are no housing units in Sudbury managed by the Department of Developmental Services or reserved for persons with mental impairments. This is a notable gap. According to the 2000

Census, there were 1,503 people in the Town of Sudbury who reported to have one or more disabilities. This represents 8.9% of the total population which is considerably below those claiming disability in Massachusetts or in the region. In general, the only housing options available to Sudbury residents with mental disabilities are to live at home or to move to another community.

D. Zoning, land use and permitting

Sudbury favors single family housing through its zoning bylaws. There is no zoning for attached multi-family housing, other than age-restricted housing.

The **Senior Residential Community (SRC)** bylaw was adopted in 1997 to provide additional housing opportunities for seniors. The bylaw allows for 2.5 units per buildable lot on a parcel of at least 10 acres. Currently there are 4 developments of 100 units permitted under this bylaw with an additional 26 units soon to be constructed.

The **Incentive Senior Development (ISD)** bylaw was adopted in 1998 to provide discounted housing development opportunities for seniors. It allows for up to four (4) dwelling units per buildable lot in exchange for dedicated open space, occupancy requirements (aged 55+), and unit resale and price restrictions. Since its inception, 96 units have been approved. The bylaw was created to provide housing for seniors with higher income and asset limits than the State programs.

The Fair Housing Center of Greater Boston alleges that, although not an explicitly discriminatory tactic, age-restricted zoning has an implicit and inequitable impact on families with children—a protected class under the Fair Housing law. By not allowing residents under the age of 55, age-restricted housing also has a disparate impact on minorities because 48% of minority households in Boston have children, vs. 32% of white households. This opinion has not impacted the state approval of bylaws or other age-restricted developments in Sudbury. But as pointed out, it may have the effect of creating an inequity.

The Frost Farm Village offers ownership condominium units to households aged 55 and older. There are additional eligibility requirements that the owners must meet, including income and asset limits determined by the Town, and there is a maximum sales price set. There have been six resales of units in this development over the last two years, with sales prices ranging from \$267,250 to \$291,500. These prices are below the maximum sales price, providing affordable options for the senior population looking to purchase 2BR condominiums.

The Grouse Hill development offers 52 ownership units, to households aged 55 and older. These units have no income eligibility criteria, though the property is deed restricted with a maximum resale price tied to the Area Median Income. Sales prices for these units are currently running below \$500,000.

The **Village Business District** bylaw is a mixed-use zoning district bylaw adopted in 1994 which allows apartments over stores by right. This district encompasses an approximate 0.5 stretch along Route 20. No units have been produced under this bylaw due to the lack of sewage facilities on Route 20.

The **Accessory Dwelling Unit** bylaw was initially adopted in 1994 and significantly revised in 2009. It allows the creation of an accessory unit in any district in Town. They can be either within the structure of the main house or in a detached structure. Since the recent revisions 14 accessory apartments have been approved. See section 5500 of the Sudbury Zoning Bylaw.

E. Development Constraints

Sudbury's infrastructure needs have not kept pace with the growing population. The road network in Sudbury consists of many old, narrow roads which serve as main thoroughfares through town. Route 20, a state highway, is a two lane road and there is no plan to widen it at the present time.

Waste Water: The entire town relies on septic systems to handle wastewater. From a development perspective, DEP guidelines limit septic systems to a maximum of 90 bedrooms, however package treatment plants can support larger developments. Of course, specific constraints of the site and its proximity to water wells as well as other factors impact these guidelines.

The Rt. 20 business corridor is also served by individual septic systems. This area is substantially located in areas of poor soils and high groundwater. These conditions and the density and types of businesses pose a potential threat to the groundwater. Since much of this high density business area is just north of many of the town wells, the Town is very concerned about the threat of groundwater pollution and protecting the wells.

Sudbury is currently examining the issue of installing sewers in portions of the Route 20 area, which presents the greatest opportunity for higher-density, smart growth development (both residential and commercial). However, financial and political issues make this a long-term project.

The town has instituted an aquifer protection Bylaw which provides additional protection and regulates land uses within the areas surrounding the town aquifers.

Soils: Since Sudbury is served by septic systems, the types of soils are an important factor in the growth rate of the town. Approximately 40% of the town is glacial outwash plain which is characterized as sandy soils with rapid percolation rates. Systems in these soils must be designed to compensate for the fast percolation rate of the soils so the leachate achieves the level of treatment necessary to protect the groundwater. Approximately 20% of the town is glacial till/moraine soils which present the opposite problem with slow percolation rates.

Sudbury has its own local Board of Health Regulations which defines design requirements more stringently than Title 5 requirements for septic systems in these soils. Floodplain soils and hydric soils are found in wetlands and river/stream systems and are not suitable for septic systems under Title 5, local regulations or the Wetland Protection Act. Approximately 30% of Sudbury is wetland/floodplain area. Since a significant portion of the town is not suitable for installation of septic systems, there is added pressure for development in those areas of town with suitable soils.

Water: Sudbury is served by 9 operating wells which are administered by the Sudbury Water District. The Water District provides water to town residents and businesses and also water for

fire protection. Most wells produce good quality water, with chlorination, pH neutralization, air stripping (2 wells), greens and filtration for manganese and iron, and fluoridation treatment taking place in various wells as needed. In July 2004, the Water District completed the Source Water Assessment and Protection Report (SWAP) to support water supply protection.

Significant water resource protection needs are outlined in this report, including the identification of different zones requiring different protection practices.

Sudbury generally has conditions suitable for public wells. However, 5 of the 9 water supply wells (generating 58% of the total Sudbury water supply) are located in aquifers with a high vulnerability to contamination. In particular, the Route 20 business corridor presents a threat of groundwater pollution and contamination of wells in the area. The Town's major drinking water well fields are adjacent to the business district and are vulnerable to contamination from commercial and industrial uses. This is another driver for the creation a municipal sewer collection system for the business district along Route 20. The soil conditions make it difficult to maintain the current septic systems.

Wetlands: Sudbury has made significant improvements in its land use regulations for new development over the last two decades, and continues to do so. Since 1988, the Town has enacted a Cluster Development Bylaw, Water Resource Protection Bylaw, local Wetlands Administration Bylaw, Stormwater Management Bylaw, and prevention of commercial and industrial pollution. The Town's recently adopted Stormwater bylaw is in compliance with the National Pollutant Discharge Emissions Standards. Town Boards and staff carefully review development plans prior to construction, during construction and post-construction.

Redevelopment sites are required to upgrade existing stormwater and wastewater facilities to current standards, or to some higher level of protection.

Much of Sudbury's remaining land is environmentally constrained by wetlands, soils and groundwater protection bylaws. Easily developed land that could sustain higher densities than single family development is in short supply.

Schools: Starting in 1998, the Town embarked on an ambitious program of school expansion and the construction of new schools to meet the town's needs for more classroom space.

Sudbury currently has four elementary schools (grades K-5), one middle school and one regional high school. The physical expansion program of 1996 by the Sudbury Public Schools increased school enrollment capacity to approximately 3600 in the K-8 system. In 2004, Sudbury completed the construction of the new Lincoln Sudbury Regional High School which provided state of the art facilities, and increased the school enrollment capacity to 1,850 students.

After these significant projects, the combined enrollment capacity of all the schools is 5,450 students, and the actual enrollment data is significantly less – 4,642 – with projected decreases in the next three years. This correlates with the 2010 Census data which reports that the population growth in Sudbury is stabilizing after the dramatic increase in the last decade. However, it is important to note that Sudbury continues to have an increasingly large family size, with correspondingly high number of school-aged children per household compared to the state or surrounding towns.

The enrollments in the schools have been slightly decreasing since FY09. This decrease though does not eliminate the stress of those ‘bubble grades’ – large grades that slowly pass through the system. Also, from our demographics, we know that we have more school-aged children than most communities. Fortunately we have excess physical capacity in our schools due to the expansion programs completed in the past, though the operating budget for the schools remains strained.

Even with the slight decrease in the recent school enrollment, the comparison over the last decade (FY01 to FY11), indicates an overall significant increase of 5.4% in enrollment.

Transportation: No major highways run through Sudbury, however, the old coach roads still remain the major auto-routes. Sudbury lies equidistant from Route 128 to the east and Route 495 to the west, connected by Route 20 (Boston Post Road). Route 20 has been the traditional commercial byway since the seventeenth century when mills and stores located there. Route 27 carries traffic into the center of town from Wayland, turning north toward Maynard, with a branch continuing west toward Hudson as Hudson Road. Nobscoot Road is another major route, running south from Route 20 to Framingham. On the northern side of Town, Route 117 runs east and west connecting Sudbury to Concord and Maynard.

There are approximately 160 miles of roadway in Sudbury today. As of the last ownership status report in 1997, there are 5.3 miles of state road, 18.6 miles of county road, 102.9 miles of town roads, and 15.4 miles of private roads. Build-out projections increase the total length of new roads by 43 miles.

There is no public transportation in Sudbury. There are commuter rail stations in Framingham (8 miles) and Lincoln (4 miles).

Section 4: Public Sector: State and Local resources

State housing and other policies affect the location and accessibility of affordable housing opportunities in Sudbury primarily through the Comprehensive Permit Law also known as Chapter 40B and, to a lesser extent, the Massachusetts Department of Housing and Community Development Qualified Action Plan. These resources assist in affirmatively furthering fair housing.

Chapter 40B is a statewide inclusionary zoning law that allows developers to propose housing projects that are denser than would otherwise be allowed under the local zoning bylaw if they provide some units of affordable housing (at least 20% of the units at a rent or sales price affordable to families at or below 50% of median income or 25% of the units at a rent or sales price affordable to families at or below 80% of median) if a community has under 10% of its year-round housing designated as ‘affordable’.

In Sudbury, this density bonus is enough to build a mixed-income development without the need of additional subsidy funds. Local control is a hallmark of New England municipal governance; therefore, achieving the 10% goal is an incentive to granting permits for projects that include affordable units.

Sudbury was one of the minority communities that voted for the repeal of Chapter 40B as a state-wide ballot initiative in November of 2010.

Sudbury has some experience with developments permitted under Chapter 40B. From an affordable housing perspective, most (75%) of Sudbury’s total affordable housing units are permitted under Chapter 40B (257 units of 343 total), and 4% of Sudbury’s entire occupied housing stock was created under Chapter 40B. All non-age-restricted multi-family dwellings in Sudbury have been permitted under Chapter 40B.

The Qualified Allocation Plan (QAP) is the document that governs the allocation of the largest housing subsidy program, the federal Low Income Housing Tax Credit Program. In Massachusetts, the QAP also affects the allocation of HOME and state subsidies that are used to develop hundreds of affordable housing units per year. The QAP explicitly encourages development in towns like Sudbury, by listing one of its four funding priorities as “Family housing production in neighborhoods and communities that provide access to opportunities, including, but not limited to, jobs, transportation, education, and public amenities.” The town of Sudbury is considered to be such a community. The QAP lays out a point-based competitive system. The town of Sudbury is favored in two important categories. Marketing represents up to 20 of the 100 available points under the Fundamental Project Characteristic scoring – since the differential between the restricted rents and the prevailing market rate is the main driver of the scoring, the town of Sudbury will score well. Location in an Area of Opportunity represents up to 14 of the 82 available points under the Special Project Characteristics scoring –since the strength of the local school system and the proximity to jobs, higher education and health care are the factors that are included, the town of Sudbury will score well.

The Coolidge at Sudbury project has many funding sources, including State and Local HOME funds, and Low Income Housing Tax Credits. The Area of Opportunity scoring in the QAP was a factor in those awards.

The tenant selection policy that is in effect for both the Comprehensive Permit Law and state-subsidized developments is a key public policy that furthers fair housing in Massachusetts. Affordable units are first made available in a lottery system. Massachusetts allows up to 70% of affordable units to have local preference; hence there are two pools of applicants: local and non-local. However, Massachusetts has a broad definition of local that includes persons who work in a municipality and those who have a child attending public school in the community through the METCO program, a voluntary school integration program where minority children from Boston attend suburban school districts. Lastly, if the local pool is still less than the prescribed percentage after minority applicants are added in, then a lottery is held of non-local minorities and those non-local minorities are added to the local pool until the local pool has matched the percentage of minority population in the metropolitan area. Sudbury performs extensive local outreach to increase the minority applicants in the local pool through mailings to all METCO families, and tenants of subsidized rental units. The result has been that there have been sufficient minority applicants in the local pools for all the lotteries in Sudbury.

In Sudbury, there is one tax rate for all residential properties types. This approach is race and income neutral. It is worth noting that the formula used to calculate an affordable sales price under the Comprehensive Permit Law takes real estate taxes into consideration such that the total housing cost to the buyer for a given house size will be the same throughout the metropolitan area. If a town has a high tax rate, the price will be adjusted down and vice-versa.

The Town of Sudbury has a number of local resources that assist with the creation of affordable housing in Sudbury, including the Community Housing Office, the Sudbury Housing Trust, the Sudbury Housing Authority, the Community Preservation Act, private developers, West Metro HOME Consortium, zoning tools, and a variety of plans and strategies.

Community Housing Office: The Town of Sudbury has established a Community Housing Office staffed by a Community Housing Coordinator to add housing services to the range of municipal functions.

This innovative design has provided a central focal point for housing related activities in Sudbury and has enabled the Town to progress in many of its housing initiatives, including development of external revenue streams. Staffing the Community Housing Coordinator position was an essential component to establishing the Sudbury Housing Trust, and implementing the Town's housing goals.

The Community Housing Coordinator has shared the Sudbury experience with other communities which led to the formation of the Regional Housing Services Office. This was formed through an Inter-Municipal Agreement between six towns (Acton, Bedford, Concord, Lexington, Sudbury and Weston) that share housing administrative services hosted by Sudbury. This innovative regional collaboration has been recognized by the Lieutenant Governor Tim Murray, has won the 2012 Massachusetts Municipal Association award for innovation and was invited to showcase at the National League of Cities annual conference in 2012.

Community Preservation Act: At the 2002 Annual Town Meeting and subsequently at a ballot, Sudbury residents voted to adopt the CPA with a 3% surcharge on all real estate property tax bills. This program continues to be well supported through two recent Town Meeting challenges that were overwhelmingly defeated.

There are four eligible activities that can be funded with Community Preservation Act funds: Community Housing; Historic Preservation; Open Space and Recreation. The legislation requires that 10% of all collected funds (local and state) must be spent on each of three required activities of Community Housing; Historic Preservation; and Open Space.

In addition to the preservation of more than 500 acres of open space, and the numerous historic preservation projects funded, \$3,741,000 has been appropriated over the last seven years for community housing as shown below to create 86 units of housing.

Sudbury Housing Trust: The Sudbury Housing Trust was formed by Town Meeting accepting the MGL chapter 44, s.55C at the April 2006 Annual Town Meeting. The Trust was formed specifically to focus on affordable homeownership opportunities and to show performance against the CPA housing requirements. 10% of the CPA revenue MUST be spent on affordable housing. While Sudbury had accumulated significant housing reserves in the early years of the CPA, no housing projects had come forward. The Trust was formed to address that issue.

The Trust charter was developed with the Town's interests in mind. The charter allows a range of powers though it requires Selectmen approval for certain transactions. The Town Treasurer is the custodian of the funds. The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households.

In the last six years since the Trust was chartered (February 2007), the Trust has committed resources towards the creation of 79 units of housing at an average subsidy of \$21,000; and all these units have been added to the State Subsidized Housing Inventory. The Trust has directly created 7 units of housing and assisted another 70 units since its formation.

In 2012, the Trust completed another home under the successful Home Preservation Program. In this program, smaller, less expensive homes are purchased and sold, subject to a permanent deed restriction, to eligible first-time homeowners selected from a lottery. In this way, homes are converted to affordable housing, preserving existing housing stock. The Housing Trust is able to work 'real time' to put offers on the property and use their own funds for required health and safety repairs. An additional home is currently in process with a lottery held to produce a list of potential buyers on January 31, 2013.

The Trust continues to sponsor the Small Grants Program to help seniors and other moderate income homeowners fund health and safety repairs in their homes. The Program has three rolling grant periods annually, and has awarded over \$66,500 for 26 grants over the life of the program, and 77% of the grantees are senior households. In FY12, the Trust awarded 4 grants for a total of \$7,000; the easy-to-submit application can be found on the Town's website.

Sudbury Housing Authority: In 1969, MGL Chapter 121B, Section 3, was passed to allow the creation of housing authorities by cities and towns and shortly thereafter, in 1971, Town

Meeting voted to establish the Sudbury Housing Authority for the purpose of "providing housing for elderly persons of low income." It was the 204th housing authority formed in the Commonwealth cities and towns and the original 5 members were appointed by the selectmen.

Since its establishment, the Sudbury Housing Authority has been enthusiastically active in creating and maintaining affordable housing in Sudbury, creating 69 units of housing in its first 10 years of operation, and 16 units in the next 10 years (1980's).

Muskataquid Village, consisting of 64 apartments and a community building for seniors, is the largest SHA property, and the SHA also manages 28 units of family rental housing in duplexes and single family homes across town. These properties were developed with State grants and Town donated land, and recently the SHA redeveloped several of its existing single family detached homes into new duplexes – and innovative and successful project.

The SHA has provided leadership over the years in bringing other affordable housing mechanisms to Town Meeting for consideration. These included advocating for zoning for handicapped and physically disabled persons (defeated 1979), participation in town commissioned committees and task forces for parcel suitability, inclusionary zoning, long range planning and other housing related studies.

The Sudbury Housing Authority Board of Commissioners is comprised of one state appointee and four elected representatives.

HOME Funds: HOME is a federal housing program administered by the U.S. Department of Housing and Urban Development (HUD). HUD distributes funds to groups of adjacent communities who create a local consortium. The West Metro HOME Consortium is administered by the City of Newton and currently has fourteen members: Newton, Bedford, Belmont, Brookline, Concord, Framingham, Lexington, Lincoln, Natick, Needham, Sudbury, Watertown, Waltham, and Wayland.

The allocation amount varies according to HUD formulas, based on entitlement parameters of population, rental housing units occupied by the poor, poverty households living in rental housing units built before 1950, families in poverty, and rental housing units with problems.

The Consortium also brings each community into a local housing network. The network provides both informal contacts among housing professionals and opportunities for more formal exchanges of information and technical assistance.

The Town of Sudbury joined the Consortium in 2005, and has received HOME program and administrative funds starting in federal fiscal year 2006, municipal fiscal year 2007. Sudbury was able to fund the buy-down of a unit at the Villages at Old County Road with the accumulated allocated HOME funds (\$101,000) in 2008, producing an additional affordable unit above the required 25% in this private 40B homeownership project.

More recently Sudbury has granted \$96,666 of its HOME Program funds to The Coolidge at Sudbury project. B'nai B'rith Housing New England, Inc. ("BBHNE") is sponsoring a redevelopment of the property located at 189 Boston Post Road in Sudbury, Massachusetts. The rental community, named "The Coolidge at Sudbury", would be restricted to seniors and older adults (ages 55+). BBHNE proposes to create a 100% affordable housing development

with all 64 units serving moderate and low income seniors earning 60% of Area Median Income (AMI) or below. Ten percent of the total units would be reserved for low income households earning 30% AMI or below.

Previous Local Plans and Strategies: Sudbury has invested significant resources: staff, consultants, and volunteers, in developing and publishing strategic and important land use plans to help guide development for the future.

The 2001 Master Plan – Sustainable Sudbury was prepared by the Sudbury Planning Board and outlines key goals, strategies and guidelines for Sudbury, including a housing element.

The 2005 Community Housing Plan prepared by the Sudbury Community Housing Committee, provided a framework for the development of affordable housing, and also lays out potential implementation strategies.

The 2008 Impediments to Fair Housing Choice summarized data from fifteen sources including the 2000 Census, information from Sudbury housing specialists and providers, and other regional sources.

The 2009 Community Preservation Committee Report provides details on the Town goals for community preservation, criteria for project assessment, and procedures for solicitation of project proposals.

The 2009 Open Space and Recreation Plan identified many environmental factors and open space needs through the year 2013.

The 2011 Housing Production Plan identified the housing needs of the community and the goals and strategies it will use to identify and achieve the 10% threshold of Chapter 40B state mandate. This HPP Program enables municipalities to develop a strategy to meet its affordable housing needs in a manner consistent with the MGL Chapter 40B statute, produce housing units in accordance with that plan, and demonstrate progress towards their affordable housing production.

Sudbury has a number of tax relief measures for seniors. Chapter 169 of the Acts of 2012 created a **Means Tested Senior Exemption Program** in the Town of Sudbury to be implemented for Fiscal Year 2014. The program provides for those seniors whose income qualifies them for the Circuit Breaker exemption and who make application under this program to be eligible to receive an additional property tax exemption. The exemption amount, capped at 50% of the original tax, has eligibility requirements that include residency, age, assessment value of home, and income. The program is funded by a residential tax burden shift.

Sudbury also has a local **property tax deferral program**, administered through the local Assessor. The Deferral Program is a very valuable asset to the Town. Over sixty senior (most over the age of 65) taxpayers are enrolled, benefiting both town and citizens, and two-thirds of those have incomes under \$40,000, with the rest having incomes under \$60,000. This program enables eligible applicants to defer part or all property tax payments until the house is sold. The current deferred amount will be charged 2.5% interest, rates are set each year never to exceed 8%.

Section 5: Fair Housing Opportunity

Fair Housing opportunity operates under the premise that where we live determines the quality of our children's education, our access to jobs, and aspects of our health and well-being.

Lending: Sudbury is among the highest-income and has the most expensive housing markets in Massachusetts.

According to the real estate site Trulia, the median sale price in Middlesex County is \$399,900 and the values in Middlesex were higher than that of the state as a whole. The median sales price is \$596,000 for Sudbury. With median income commensurate with the sales prices, Sudbury has a competitive banking/lending sector. The high prices for market homes have a positive effect for lenders of affordable homes. When the differential between the restricted sale price and the market price is high, lenders are assured that they will recoup their investment in the case of foreclosure and that the unit can be resold to another affordable buyer relatively quickly.

There is no information that points to discrimination of lending practices to minority households in Sudbury. The tables below are excerpted from the 'Changing Patterns' report from 2011, published by the Massachusetts Community and Banking Council. Sudbury has a lower minority denial rate than Middlesex County as a whole, except for Asians. In fact none of the few loan applications made to Black and Latino households were denied.

SUPPLEMENTAL TABLE 3
**Total & Gov't-Backed Loans (GBLs) to Black, Latino, & White Borrowers in All Cities & Towns
in Massachusetts,* First-Lien REFINANCE Loans for Owner-Occupied Homes, 2011**

	Black Borrowers			Latino Borrowers			White Borrowers			GBL Share Disparity Ratios	
	All Loans #	Gov't-Backed Loans	% GBLs	All Loans #	Gov't-Backed Loans	% GBLs	All Loans	Gov't-Backed Loans	% GBLs	Black/White	Latino/White
Chs/Gos/Hnt/Westh/Wrmsb*		na		1		0.0%	143	10	7.0%	na	0.00
Cum/Midfld/Plnfld/Worth*		na			na		46	3	6.5%	na	na
Middlesex County	291	37	12.7%	544	53	9.7%	28,913	1,060	3.7%	3.47	2.66
Sudbury	3	0.0%		10	1	10.0%	658	8	1.2%	0.00	8.2

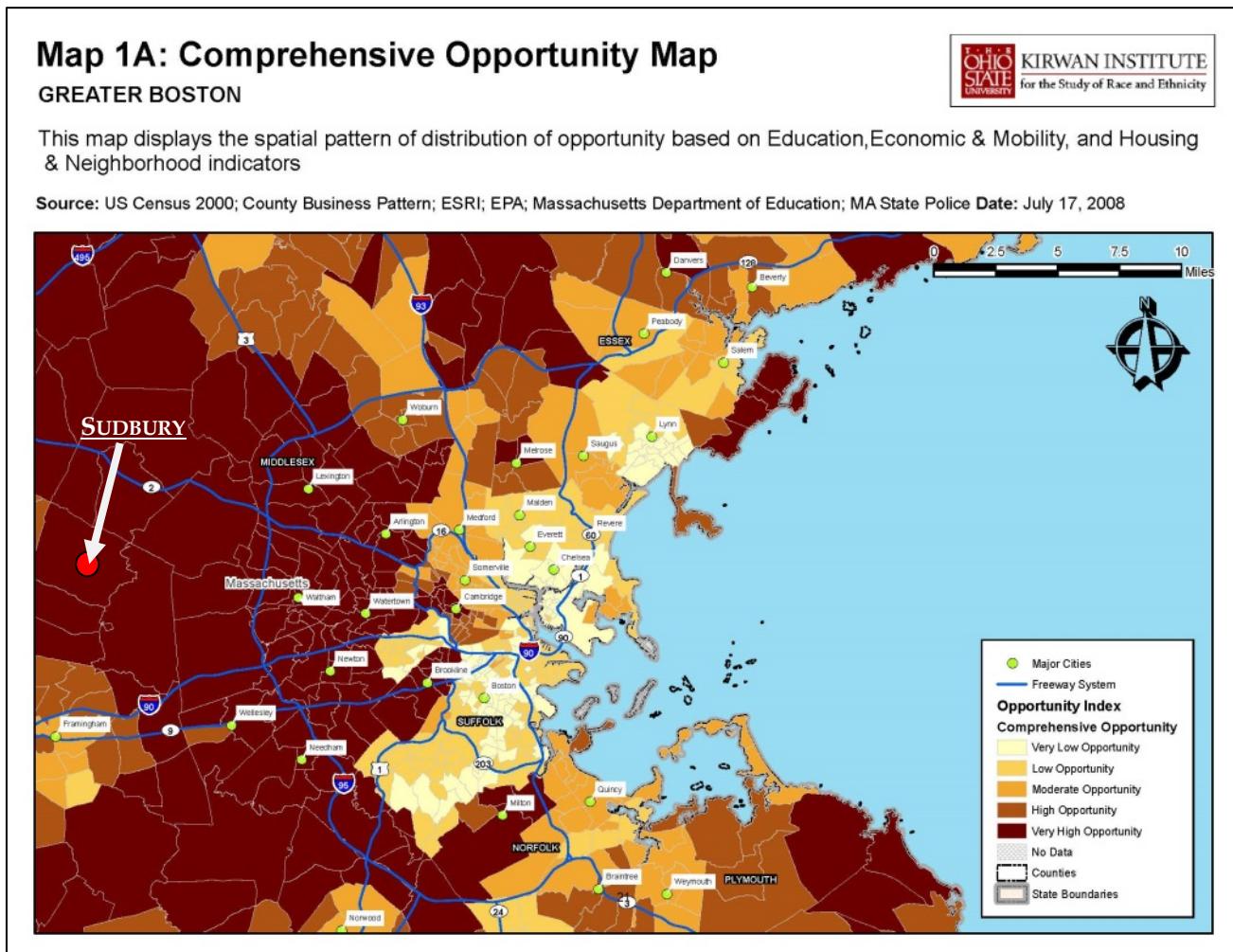
SUPPLEMENTAL TABLE 4
**Denial Rates and Ratios, By Race/Ethnicity, in All Cities & Towns in Massachusetts
First-Lien HOME-PURCHASE Loans for Owner-Occupied Homes, 2011**

	Applications				Denial Rate				Denial Rate Ratio		
	Asians	Blacks	Latinos	Whites	Asians	Blacks	Latinos	Whites	Asian/ White	Black/ White	Latino/ White
Middlesex County	1,879	280	492	10,511	0	19.6%	14.4%	8.0%	1	2.47	1.81
Sudbury	22	1	3	192	18.2%	0.0%	0.0%	6.3%	2.91	0.00	0.00

Middlesex County studies: In 2009, the Kirwan Institute for the Study of Race and Ethnicity completed a study of the **Communities of Opportunity** in Massachusetts. The Kirwan Institute uses opportunity mapping to analyze the geographic inequity of resources and opportunities within various metropolitan regions. Nineteen indicators of opportunity were assessed.

Examples included: student poverty rates, school drop out rates, unemployment rates, population on public assistance, neighborhood vacancy rates, homeownership rates, etc. These indicators were assessed separately in three different opportunity areas (educational opportunity, economic opportunity, and neighborhood/housing equality). Indicators were determined to either be impediments to opportunity (i.e. high poverty rates) or conduits to opportunity (low unemployment rates). After factoring in all of the indicators, each census tract was given a rating ranging from very low opportunity to very high opportunity. The map of greater Boston shows that very high opportunity census tracts exist primarily in the suburbs.

The study's premise is that the neighborhood and environment in which an individual lives has as much or more impact on their future opportunities, and ultimately their success, as the inhabitants of their individual homes. High quality educational systems, healthy and safe neighborhood environments, sustainable employment, political empowerment, easy access to transportation routes, and outlets for wealth-building are all considered to be essential opportunities necessary for individuals to succeed.



The study found that when affordable housing developments are included within, or allowed easy access to, these areas of opportunity, the corresponding likelihood that an individual living in that housing will reach their full development potential increases dramatically.

The study also concluded that the largest minority population in Massachusetts lives in Boston, an area of low opportunity, while the western suburbs of Middlesex County are consistent areas of Very High Opportunity.

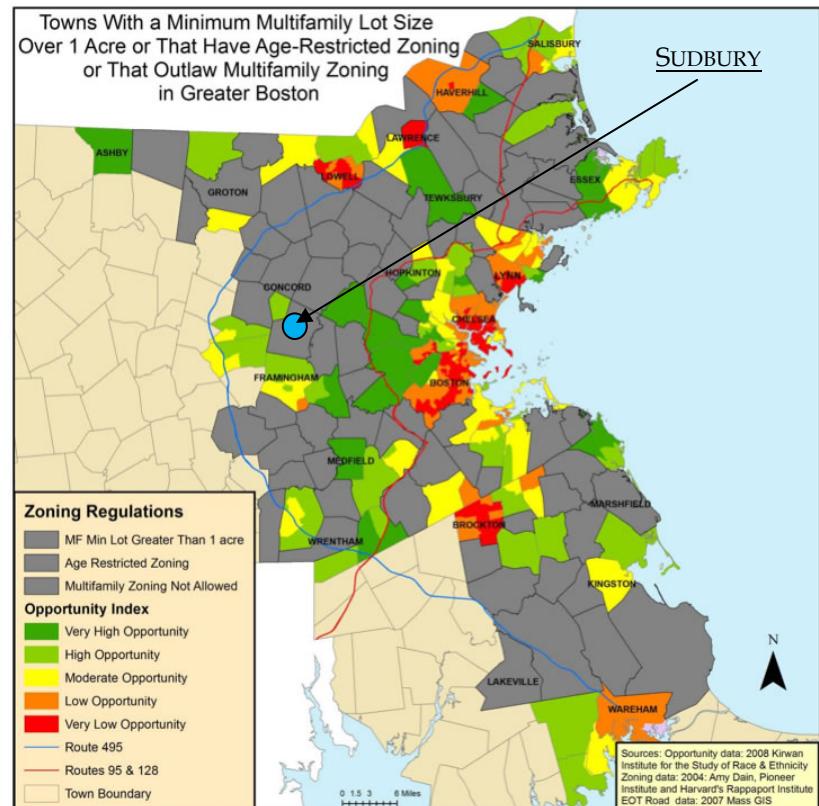
Sudbury is considered to be a community of Very High Opportunity for its highly regarded school system; access to major commuter routes and a strong housing market; safe and healthy family focused neighborhoods; and recreational opportunities. Sudbury also remains consistent with a second Middlesex County trend of having low populations of minority households within its member communities.

The **Fair Housing Center of Greater Boston** (FHCGB) has prepared some material on housing policies in Eastern Massachusetts since 1900. They acknowledge that at the turn of the century racial discrimination was once an explicit part of housing laws, regulations, and practices, creating unequal access to opportunity. While the laws have changed, the impact of decades of institutionalized discrimination continues to have an effect today.

They discuss the disparate impact of local land use regulations. Specifically, they point to the development of the suburbs via the construction of Route 128 that magnified the effects of segregation by increasing the physical separation between whites and people of color. Municipalities responded to the subsequent in-migration of jobs and people to the suburbs by enacting rigid zoning ordinances.

Zoning regulations were created to control density, protect open space, and subsequently artificially inflated housing prices. Strict zoning restrictions are still in use today and have a disparate impact on African Americans and Latinos and in particular family households, because they limit affordability and the number of rental multifamily housing opportunities.

The FHCGB cites specific zoning policies that impact segregation to include restrictions of multi-family zoning, the impact of special permits, age-restricted housing, minimum lot sizes and local preferences.



Housing Gaps - Costs and Affordability: Sudbury's principal barriers to affordable housing opportunity is the high price of its existing real estate, the lack of zoning provisions for by-right multi-family housing options and the value the community has placed on open space.

Sudbury is a popular, primarily residential community with a median home price of \$677,900 in 2013. With approximately one-third of its existing land area permanently protected open space (by federal, state, municipal and private entities) and another third of the land developed, the remaining land available is generally sold at a premium, is of limited buildability or is valued for its open space potential.

In general, housing affordability is determined by comparing median incomes and the availability of housing options within various income ranges. Federal and state affordable housing programs group households by income using the area median family income (AMI) as the benchmark. [The AMI referenced in this analysis is for the Boston-Cambridge-Quincy Metropolitan Statistical Area which includes Sudbury.]

The homeownership programs mostly use the 80% AMI income limits. Households purchasing homes must qualify for a mortgage, requiring income stability, sufficient assets, and strong credit scores. There are occasional homeownership projects that use lower income limits (notably Habitat For Humanity), and some projects that use higher income limits. The higher limit projects orient towards a more moderate income household. CPA funds require a 100% or less AMI, and some communities have local bylaws than define units up to 150% of AMI.

Rental programs often offer deeper subsidies, making affordable units available to households in the 50% to 60% AMI range as required by the subsidizing program and funding source.

The table below identifies this affordability gap for both ownership and rental opportunities in Sudbury, using the \$577,300 median home value, and \$3,500 median market rent.

The affordability gap tells us how 'unaffordable' Sudbury's market priced housing is for the different income limits. In other words, a household in Sudbury needs \$144,000 income to purchase a home, or \$140,000 income to rent at market rate prices.

Income limits are updated by HUD on a yearly basis. The 2010 income limits for a 4-person household are:

Very Low Income (50% AMI) = \$45,900
Low Income (80% AMI) = \$64,400
Moderate Income (100% AMI) = \$91,800

	Household Income	Ownership: Price @30% of income	Ownership: Affordability Gap	Rental: Affordable Rent	Rental Affordability Gap
80% AMI	\$64,400	\$185,000	\$392,300	\$1,425	\$2,075
100% AMI	\$91,800	\$300,000	\$277,300	\$2,110	\$1,390
160% AMI	\$144,000	\$577,300	\$0	\$3,500	\$0

Affordability Gap, Source: Community Housing Office analysis using Income Limits, DHCD sales price calculator

Section 5: Fair Housing Enforcement

The Massachusetts Commission Against Discrimination is the state's chief civil rights agency. The Commission works to eliminate discrimination on a variety of bases and areas, and strives to advance the civil rights of the people of the Commonwealth through law enforcement, outreach and training.

Municipal Functions: The Town of Sudbury has a Discriminative Harassment Policy that promotes a workplace that is free of discriminatory harassment of any type, including sexual harassment.

Sudbury also has the following: Medical Records Privacy Policy; HIPAA; Disability Discrimination Policy; and an EEO/AAP program.

Fair Housing Complaints: In 2011, a discrimination complaint was filed against the Sudbury Housing Trust with HUD and then referred to Massachusetts Commission Against Discrimination (MCAD). The claim alleged that a lottery applicant was discriminated against based on national origin (Belarus). The complaint was dismissed in 2012 by MCAD and HUD due to lack of probable cause after statements were submitted and reviewed, and a mediation session was held at MCAD. While all regulations and affirmative fair housing marketing practices were followed, and the claim was baseless, the Sudbury Housing Trust has further described the eligibility process in its materials to prospective applicants.

Bias and prejudice: The Sudbury Police Department reports that during the previous five years they have fortunately not investigated any hate crimes perpetrated against any members of a protected class.

Public and private fair housing programs and activities: Sudbury dedicates municipal resources towards furthering fair housing. Sudbury has a Fair Housing Director (Community Housing Coordinator) and has an accessible and visible Community Housing Office, with website, phone and email contact information. The Community Housing Office responds to calls relating to housing questions. Many of these inquiries relate to the availability of housing in Sudbury and surrounding communities. Additionally, the Community Housing Office maintains accurate records as a key component to the Sudbury Community Housing Program. One such set of records includes the Subsidized Housing Inventory (SHI) as published by DHCD where the percentage of affordable housing is tracked. Sudbury's Affordable Housing Inventory is published now at 343 units of 5,921, or 5.79%. In addition, the Housing Office maintains an Affordable Housing Interest List containing almost 400 persons actively interested in future affordable housing homeownership opportunities. Five years ago there were fewer than 100 persons on this list.

Sudbury has a policy that requires a certified Homebuyer training program for all affordable homeownership units, to help first-time homeowners be successful. There are Fair Housing brochures and posters in the Housing Office. All housing flyers and advertisements display the Fair Housing logo.

Sudbury has received numerous referrals from the state regulators for the comprehensive nature of the Affirmative Fair Marketing plans associated with housing lotteries. Additionally, the Town, through the Office of Planning and Community Development and the Sudbury Housing Trust, has developed recognized expertise in performing lottery and monitoring agent services, both requiring knowledge and active consideration of Fair Housing law, practices and policies.

Section 6: Conclusion and Recommendations

This section further iterates the impediments noted in the Executive Summary in Section 1 of this report, and identifies specific action items to address them. These action items will be completed through the overall affordable housing program agenda, the Planning Board and the work of different Sudbury boards and committees. Completion targets and status will be reported through the Annual Consolidated Plan and CAPER reporting process required by HUD.

Impediment 1: Zoning and land use policies limit the availability of land to develop diverse housing.

Sudbury's zoning has few bylaws that promote diverse housing choice. By-right development opportunities are limited, making approval processes lengthy and adding to the cost of development.

With predominantly one acre zoning, multi-family units are not allowed by-right, forcing developers to utilize MGL Chapter 40B to develop condominiums or rental apartments. These approval and permitting processes are complicated and time consuming and there is frequently neighborhood opposition to proposed developments.

Changes to the zoning ordinance require Town Meeting approval and it is difficult to revise current land use policies.

Actions: Change land use and zoning policies.

1. Consider zoning changes for Route 20 and/or the Melone property, including 40R and other higher density development options
2. Consider zoning changes for smaller lot developments.
3. Assist the Zoning Board of Appeals in the comprehensive permit process to create developments that are in scale with the neighborhood.

Impediment 2: High cost of housing and lack of available land for new development limits opportunities and choices.

This high cost of land acquisition in the Town of Sudbury restricts low-and moderate-income families from developing and/or purchasing housing units – whether for homeownership or rental.

Actions: Implement the Housing Production Plan which encourages development of affordable and diverse housing in Sudbury.

1. Subsidize additional homes in the Home Preservation Program, and sell them to eligible purchasers.
2. Include additional affordable units in 40B Comprehensive permits over the statutory minimum requirement

3. Examine the feasibility of developing housing on the Melone property with a range of prices and styles
4. Examine the feasibility of purchasing property under tax foreclosure processes
5. Utilize CPA funds to create and develop affordable housing
6. Utilize HOME funds to create and develop affordable housing
7. Continue disbursement of Grant funds through the Sudbury Small Grant Program for small repair and maintenance for eligible households.
8. Continue using data from lottery agent services to develop housing units targeted to need
9. Continue monitoring agent services to preserve affordability restrictions
10. Support the Sudbury Housing Trust
11. Support the Sudbury Housing Authority and other initiatives to increase affordable rental units
12. Support preservation of affordable unit in other communities through the Regional Housing Services Office

Impediment 3: Lack of Education and Outreach

Lack of support for diverse housing styles is an impediment to housing choice.

Site specific housing initiatives generally meet with strong opposition from neighbors. There is a lack of awareness by the public regarding fair housing and actions that can be taken to reduce impediments.

Actions: Continue housing education and outreach programs

1. Continue the Sudbury Housing Roundtable and other public forums, and engage the community in long-term housing production planning, building on the 2011 Housing Production Plan.
2. Provide resources and training opportunities to staff, housing service providers, board and committee members so that they can stay informed on any fair housing items.
3. Promote open communication for the general public to become more informed.