

TOWN OF SUDBURY

Housing Production Plan

July 14, 2011

Prepared by:
Town of Sudbury, MA

Sudbury Housing Production Plan

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Introduction

A Housing Production Plan (HPP), defined in 760 CMR 56.03 and administered by the Department of Housing and Community Development (DHCD), is a proactive strategy for planning and developing affordable housing. The HPP identifies the housing needs of a community and the goals and strategies it will use to identify and achieve the 10% threshold of Chapter 40B state mandate. The Town's status relating to this 10% threshold is documented on the Subsidized Housing Inventory (SHI), also administered by DHCD.

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.

By taking a proactive approach in the adoption of a HPP, cities and towns are much more likely to achieve both their affordable housing and community planning goals. HPPs give communities that are under the 10% threshold of Chapter 40B, but are making steady progress in producing affordable housing on an annual basis, more control over comprehensive permit applications for a specified period of time.

In order for the Town of Sudbury to avail itself of the provisions and protections of a HPP, the following process must be completed:

- Prepare the HPP: In accordance with the regulations, write the plan, including a public process, and have the plan adopted by the Board of Selectmen and Planning Board, [Sudbury Planning Board voted to adopt plan May 11, 2011, and the Sudbury Board of Selectmen voted to adopt the plan May 17, 2011.]
- Approve the HPP: DHCD approves the plan, including revising the plan per DHCD comment
- Certify the HPP: Create affordable units equal to 0.5 of 1% of the total number of housing units in Sudbury (or 30 for Sudbury) in one year, or 1.0% (59 for Sudbury) in two years, and petition DHCD for certification.
- Renew the HPP: The term of the HPP is five years from approval.

When a municipality has a certified plan, decisions on comprehensive permit applications by the Zoning Board of Appeals (ZBA) to deny or approve with conditions will be deemed "consistent with local needs" under MGL Chapter 40B.

Sudbury has chosen to prepare a Housing Production Plan for three reasons:

1. Many of the strategies defined in the in the 2005 Community Housing Plan have been implemented, and with increased housing resources (between the Community Preservation Act funds, the Sudbury Housing Trust and staff), it is time to set future strategic goals and objectives;
2. With the emerging 2010 census data, it is appropriate to get an updated view on the needs of the community;
3. And finally, with the new 40B projects proposed, there is an opportunity to create enough units to certify a plan. This is the first time projects that meet the required threshold have been proposed.

This Housing Production Plan was prepared by the Community Housing Specialist, with support from the Sudbury Housing Trust.

Executive Summary

Sudbury is a suburban community of 24.6 square miles, located 20 miles west of Boston and 26 miles east of Worcester in Middlesex County. It is divided by Routes 20 and 117 running east to west, and Route 27 running north to south. The Town is bordered by Wayland and Lincoln to the east, Framingham to the south, Concord and Maynard to the north, and Marlborough, Stow and Hudson to the west. Incorporated in 1639 with a population of 476, Sudbury is one of the oldest towns in New England. Primarily agricultural until after World War II and the ascendancy of the automobile, Sudbury is now a suburb of Boston, and largely a bedroom community. The colonial flavor of the historic town center and winding roads bordered by stone walls built by the farmers of yesteryear impart an historic, semi-rural ambience the town cherishes.

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 periods, and the population now is showing signs of stabilization, though 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. Two recent build-out analyses, completed for the Town by Mullin & Associates (1997) and the Metropolitan Area Planning Council (2000), conclude that Sudbury could be built out by 2020 at a population of approximately 20,000.

Sudbury has a foundation in housing plans. In 2005, Sudbury prepared a Community Housing Plan under the directive of Executive Order 418, addressing the Housing Shortage in Massachusetts. Executive Order 418 was the first step in tying the creation of housing at various price levels and the removal of barriers to the development of affordable housing to the receipt by municipalities of state grant monies. Additional recent housing plans and strategies have been produced under the WestMetro HOME consortium requirements. These documents include many of the requirements for a HPP (housing needs analysis, description of needed housing mix, strategies and action plan) though additional elements are required in the regulations for the Housing Production Plan.

Sudbury has made significant progress in its affordable housing program in the last five years. In the time since 2005, when the Community Housing Plan was prepared, the Town has accomplished many housing initiatives including adding 63 units to the Subsidized Housing Inventory – or 1.1% of the year-round housing in Sudbury. Other major accomplishments include:

- Establishing and funding the Sudbury Housing Trust; which has committed resources towards the creation of 14 units of housing;
- Implementing the Small Grants Program which has provided over \$64,000 in assistance to 23 eligible households;
- Implementing the Home Preservation Program to convert five existing market dwellings to affordable homes with perpetual deed riders;
- Developing the widely supported Habitat For Humanity duplex;
- Permitting and providing funding for the redevelopment of five properties owned by the Sudbury Housing Authority from older large single family homes, to new smaller duplex structures, as well as funding four units for buy-downs of condominiums to be purchased by the Sudbury Housing Authority for subsequent rental;
- Permitting and providing land and funding for the development on 278 Maynard Road, property owned by the Sudbury Housing Trust, for the development of three permanently restricted units of housing;

- Increasing the number of affordable units in private 40B developments by working collaboratively with the developers during the permit process;
- Establishing and hosting the Regional Housing Services Office to leverage housing resources with neighboring communities, building on the successful external lottery and monitoring agent service contracts currently administered by the Sudbury Housing Trust;
- Adopting revisions to the Accessory Apartment zoning bylaw, facilitating development of accessory dwelling units;
- Continuing to support the Community Preservation Act program, and its funding of community housing;
- Establishing and staffing the Community Housing Office to provide a central focal point for affordable housing in Town, and to share the Sudbury experience with other communities through presentation at statewide conferences.

The Housing Production Plan provides the framework for the housing program in Sudbury, and offers a comprehensive analysis for the benefit of the Town residents. The plan plays an important role in educating the community and providing data that will formulate the future plans and strategies. The summary conclusions of Housing Needs Analysis in Section 1 of the Housing Production Plan include:

1. The demographics of Sudbury households — compared to MA and the US — show that households in Sudbury are highly educated, married, white, professional, have more school aged children, have fewer 1-person households and make higher incomes.
2. According to Census 2010 data, the state’s population is growing older, and this is evidenced in Sudbury as well. Though 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. Sudbury continues to have an unparalleled number of school-aged children per household compared to the State or surrounding communities.
3. Sudbury experienced high growth in population in the 1990’s and corresponding growth in housing units over that time, with a continued predominance (96%) of single family homes on 1-acre lots, resulting in very little rental, or non-single family detached housing. However, growth from 2000 to 2010 was primarily age-restricted condominiums, with 181 units constructed (49% of total housing units created in that decade). With its abundance of single family homes, Sudbury continues to need dwellings more suitable for smaller households – seniors, single-person households, couples with no children, and others desiring to live in Sudbury in attached multi-dwelling housing.
4. The median income of Sudbury residents is significantly higher than the State, though 14% of the household have incomes under \$50,000, and 30% under \$100,000.
5. From the occupant view point, Sudbury continues to have the lowest percentage of rental housing of its neighboring communities, and has not increased the percentage of rental housing over the last 10 years.
6. Sudbury has grown its affordable homeownership program from zero units in 2004, to twenty-three units in 2011. This program has a strong local component, with 63% of the units sold to first-time homeowners with connections to Sudbury.

7. Sudbury has increased affordable housing from the private 40B projects that have been developed. These particular projects have less of a detrimental fiscal impact than conventional zoning and have provided desirable market rate, as well as affordable, condominiums.
8. Sudbury is poised to further its goals for increasing the housing diversity in Town through implementation of the strategies articulated and prioritized at the Community Housing Workshop, such as development of vacant parcels, and the creation of new local zoning ordinances.

Projecting housing needs, taking into account regional growth factors, may be more art than science. The impacts of recent economic factors have great influence that no one can predict. However, several factors identified will have an impact on future housing. These include a slight trending towards slower population growth in an aging population. In addition, Census data shows that Sudbury continues to have large family sizes and very little rental housing. Coupled with less buildable land in town, these tend to point to the increased development of smaller dwellings closer to public resources, and the development of family rental dwellings.

The Town has articulated eight goals and eleven strategies to define the framework and implementation activities for the housing plan. The goals range from preserving existing homes throughout town to increasing diversity of housing options through creating both homeownership and rental developments, with specific strategies identified to accomplish the goals.

Section 1: Housing Needs Analysis

Section 1.1: Population and Household Analysis

TRENDS

A snapshot of the 2000 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.

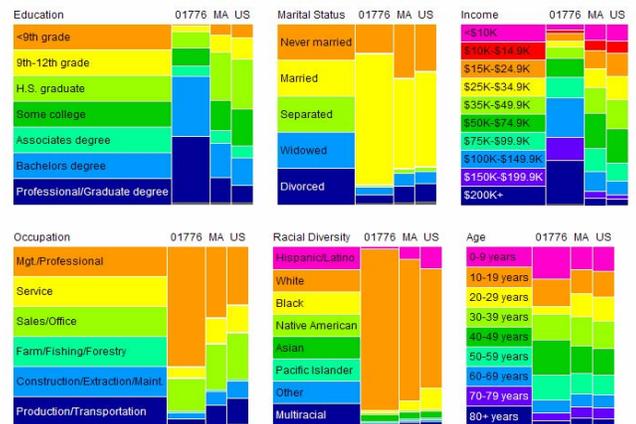


Table 1: Sudbury Demographics, *Source: ZIPS KINNY, 200 Census*

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.

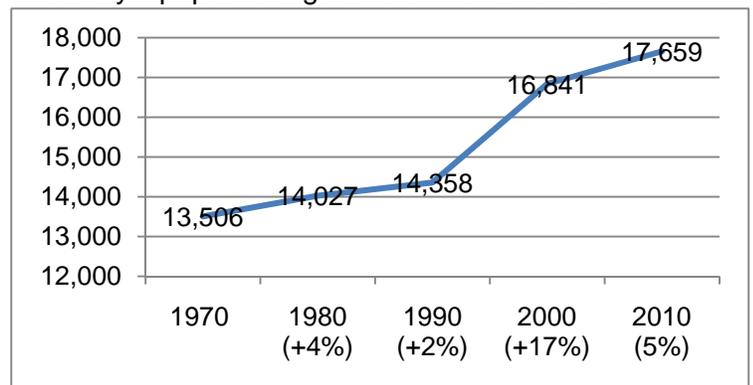


Table 2/2a: Sudbury Population, *Source: 2010 Census*

	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 Census 2010 data, the state's population is also growing older. Since 2000, the median age of a Massachusetts resident has increased by over two-and a half years, from 36.5 to 39.1, and 13.8% are age 65 years or older, 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

Table 3a: 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

Table 3b: 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.

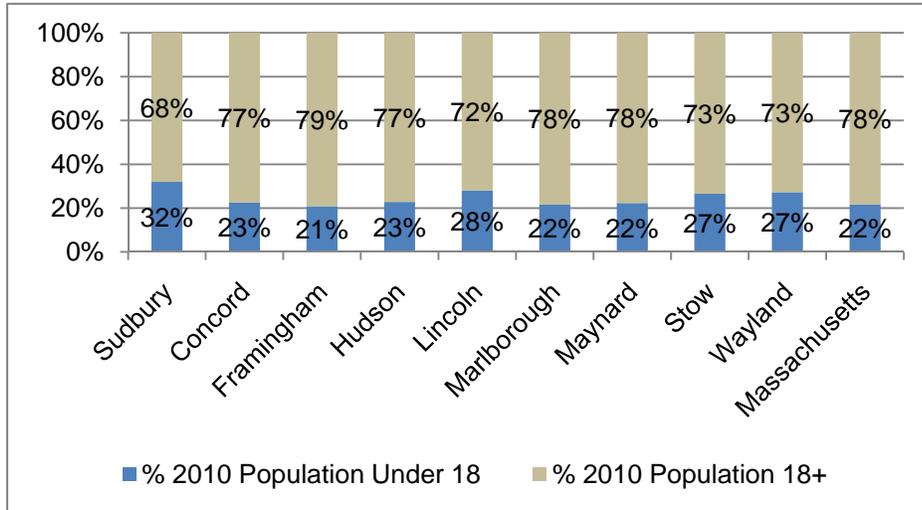


Table 4: Age Composition of Neighboring Towns, *Source: 2010 Census*

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

Table 5 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.

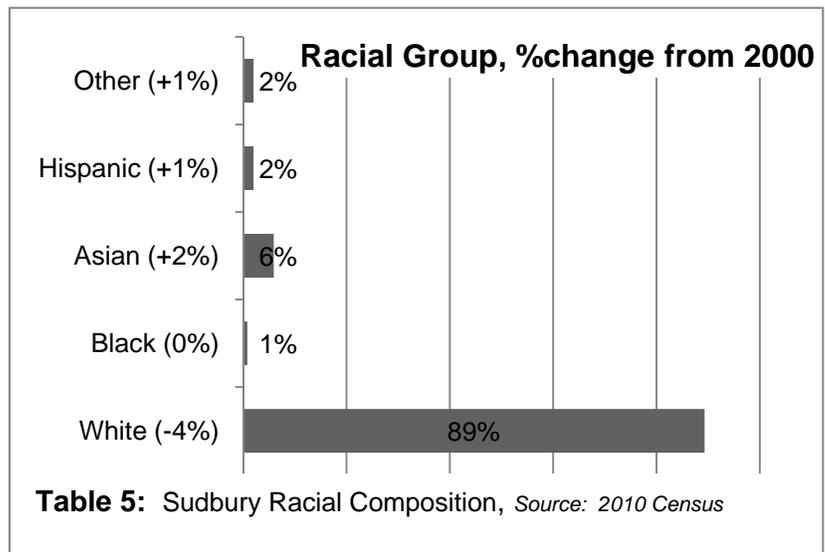


Table 5: Sudbury Racial Composition, *Source: 2010 Census*

INCOME ANALYSIS

The median income in Sudbury continues to rise with the 2009 report of \$147,383, 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 I495 belt. This is also the area that defines our income limits used in the housing programs.) While our median income limit in Sudbury has not increased as much as our MSA, it is still significantly higher than the income limit than our local area.

In terms of income range composition, Table 6 compares the percentage of households in Sudbury to the rest of Massachusetts by income range.

What we can see from here is that our curve does not align with curve of the state – in fact it is quite opposite.

On the lower end of the spectrum, there are 30% of Sudbury residents than have household income less than \$100k, and half of those under \$50k.

Unfortunately, these income ranges do not correlate

precisely to the income limits of the affordable housing programs.

However, for illustration and simplistic purposes, assume that \$50,000 is the income limit, and there are no other requirements. It would still be incorrect to conclude that those 14% of the population are in affordable housing situations. There is more to the definition of affordable housing than the income of the resident. The resident must be able to actually afford to live there, defined as not paying more than 30% of your gross income on housing expense.

Some of these residents are seniors, and 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, with no mortgage – only taxes and insurance. 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.

Section 1.2: Housing Supply in Sudbury

Sudbury has preserved its rural character through its local zoning bylaws that predominantly only permit single family homes on one-acre parcels, and limit zoning for attached housing – duplex, condo, townhouse, 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. And from an overall perspective, Sudbury experienced significant building activity in the last 30 years, increasing the overall housing units by 41% since the 1980 Census (1980’s - 16%, 1990’2 – 15%, 2000’s – 6%), with a 26% increase in population.

Sudbury implemented many land use standard and guidelines for the Planning and Zoning Boards to manage this growth. The Site Plan Review Bylaw (2001) and the Comprehensive Zoning Bylaw (2001) provided definitive standards for the Planning Board.

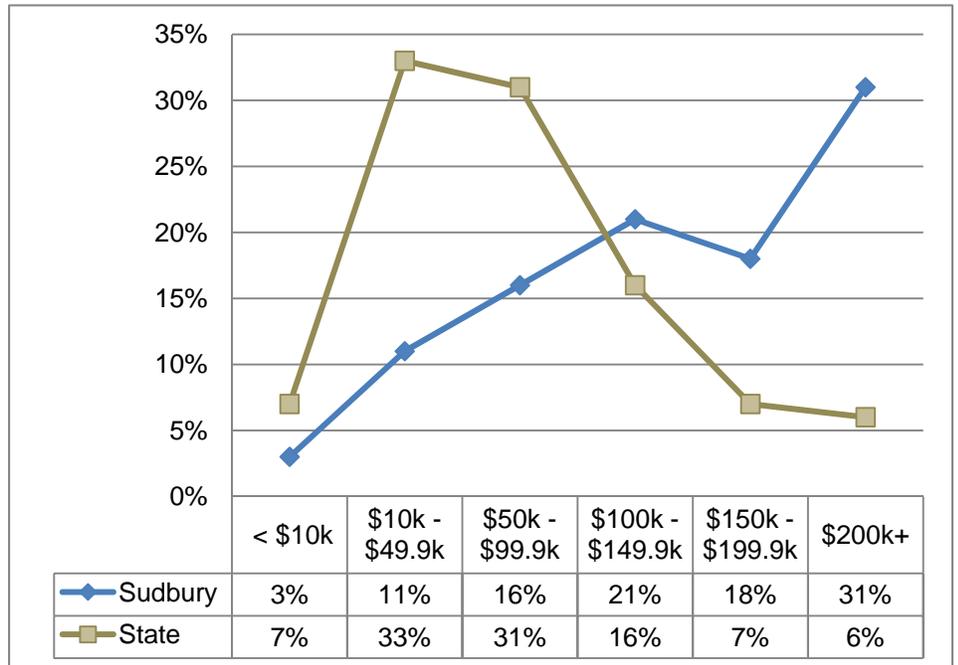


Table 6: Sudbury Household Income, *Source: American Community Survey 2005 – 2009*

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 Unit % change	16%	15%	7%
Sudbury SHI %	4%	4%	5%

Table 7: Sudbury Changes since 1980, *Source: DHCD SHI, 2010 Census*

Compared to the neighboring communities, from a housing density perspective, Sudbury is denser than Stow and Lincoln, and less dense than all the others. Again, this is not surprising given the predominance (96%) of single family homes on 1-acre lots.

Geographic area	2010 Population	2010 Housing units	Area in square miles			Density per Land area square mile of land area		SHI [using 2000 Census]
			Total area	Water area	Land area	Population	Housing units	
Stow	6,590	2,526	18.1	0.5	17.6	374.0	143.4	6.8%
Lincoln	6,362	2,617	14.5	0.6	13.8	459.7	189.1	10.9%
Sudbury	17,659	5,951	24.6	0.3	24.3	726.7	244.9	5.0%
Concord	17,668	6,947	26.0	1.0	25.0	705.9	277.5	11.7%
Wayland	12,994	5,021	16.1	0.7	15.5	839.9	324.6	4.6%
Hudson	19,063	7,998	11.8	0.3	11.5	1657.7	695.5	10.3%
Marlborough	38,499	16,416	22.2	1.1	21.1	1825.5	778.4	10.7%
Maynard	10,106	4,447	5.4	0.1	5.2	1928.6	848.7	8.3%
Framingham	68,318	27,529	26.5	1.3	25.1	2718.6	1095.5	10.9%

Table 8: Density of Neighboring Towns, *Source: U.S. Census 2010, DHCD*

From the occupant view point, shown in Table 9, Sudbury continues to have the lowest percentage of rental housing, 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

Table 9: Tenure of Housing in Neighboring Towns, *Source: 2000 and 2010 U.S. Census*

Despite the predominance of single family homes, Sudbury has 531 living units that are not single family homes. These attached units were mostly permitted in the 1990's through local bylaws and Chapter 40B.

Many of these units (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
Ownership:			
Family Ownership	22	Y	Carriage Lane (4), Snowberry (2), Villages at Old County Road (10), Home Preservation (4), Habitat (2)
Senior Ownership	96	N	Frost Farm (44), Grouse Hill (52)
Rental:			
Family Rental	99	Y	Longfellow Glen (70), SHA (27), DMR (2)
Senior Rental	159	Y	Longfellow Glen (50), SHA (64), Orchard Hill (45)
Total Market Discount Units			
	376		

Table 10: Market Discount Housing in Sudbury, *Source: Sudbury Community Housing Office*

SECTION 1.2.1 HOMEOWNERSHIP HOUSING

MARKET RATE HOMEOWNERSHIP

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. As reported to DHCD, the median sales price in 2009 was down only 4% from 2008, versus 18% in the Boston-Cambridge-Quincy Metropolitan Statistical Area (source: *National Association of Realtors Median Sales Price of Existing Single-Family Homes for Metropolitan Area*).

	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%

Table 11: Sudbury Median Values, *Source: Sudbury Assessor Office*

FAMILY AFFORDABLE HOMEOWNERSHIP

Family affordable homeownership units are marketed and sold via lottery, as required under the Affirmative Fair Marketing guidelines issued by DHCD in February 2008. These guidelines establish standards for making affordable units available, and following these guidelines are

required in order for the unit to be counted on the Subsidized Housing Inventory, irrespective of the zoning mechanism that the project was permitted under (local regulations, 40B, 40R) or under which subsidizing agency the unit and project belong to (MassHousing, DHCD).

Lotteries are required for new construction and for units where there is sufficient demand. Resale units do not require a lottery as there is a finite right of first refusal period which does not allow for the full marketing timeline required by a lottery.

There have been five lotteries held in Sudbury in the last six years. The first, for the four Carriage Lane units, was held in 2004. The second, for the two Snowberry Lane units, was held in November 2, 2006, and three lotteries have been held annually since in 2007, 2008 and 2009 for units at the Villages at Old County Road and the Home Preservation Program. The next lottery is scheduled for May 2011. All lotteries have been well subscribed with ample eligible applicants, in contrast to other communities, denoting a strong demand for affordable homeownership units in Sudbury.

Through external service contracts administered by the Sudbury Housing Trust, Sudbury has performed lottery services for other towns and developers in Metrowest communities. In total, Sudbury has administered fourteen lotteries for new construction and contracted for resale services for a total of 78 units. Through these contracts, Sudbury has qualified 321 eligible applicants and is able to provide a knowledgeable summary of the profiles of the applicants. This provides a regional comparison viewpoint to the data gleaned from the homeownership units in Sudbury.

The table below compares the demographic profiles of both the Sudbury owners and the general applicant pool for the following:

- **Household Size:** There are a high percentage of single person households in the general applicant pool, however fewer of those households go on to purchase due to requirements to prioritize large households in lotteries.
- **Household Composition:** 29% are single parents, 9% are senior households, the average head of household age is 41 years old,
- **Children and Students:** The number of children is lower than some estimate, though is not a surprising given that 35% have no children or dependants. The Sudbury averages precisely mirror the larger applicant pool.
- **Minority:** minority categories to include only Native American or Alaskan Native, Black or African American, Asian, Native Hawaiian or Pacific Islander; or other (non-White); and the ethnic classification Hispanic or Latino.
- **Local Connection:** as defined by DHCD allowable categories and local policy place current resident, municipal or public employee, and family of local student in this pool.

	Sudbury Owners (19 units)	General Applicant Pool (lottery data)
Household Size	5% are households of 1 53% HH of 2 21% HH of 3 21% HH of 4 0% HH of 5+	26% are households of 1 22% HH of 2 29% HH of 3 19% HH of 4 5% HH of 5+
Household Composition	58% are single parents average 2.6 people in household total of 49 people in the 19 units	30% are single parents Average 2.5 people in household
Children and Students	average of: 1.1 children: 0.7 students, 0.4 non-school aged	average of: 1.1 children: 0.7 students, 0.4 non-school aged

	total of 13 students in the 19 units	
Minority	26% self-declared minority	40% self-declared minority
Local Connection	63% local preference of which 26% are teachers, fire or police employees. Additionally 4 households were prior renters at Longfellow Glen	32% local preference

Table 12: Sudbury Affordable Applicant Demographics, *Source: Community Housing Office*

AGE-RESTRICTED HOMEOWNERSHIP

Overall, Sudbury has seen the development of 181 units of age-restricted condominium homeownership in the last decade, which may indicate the ability and desire of Sudbury seniors to remain in town.

Market rate units have been permitted or created in Springhouse Pond (29), Maple Meadows (23), Mahoney Farm (33) and Northwoods (24 created/66 permitted). Market discount units have been created at Frost Farm Village (44) and Grouse Hill (52) under the local Incentive Senior Development bylaw.

These developments offer units across the price spectrum, from \$275,000 at Frost Farm to \$746,000 at Mahoney Farm. Sales at all price points have slowed, due to the economy and the increased supply. Recent units at Frost Farm took over one year to sell. Other indications of a slow age-restricted market include recent permit amendments at Northwoods in Sudbury and Wayland Commons in Wayland to remove the age-restriction. This echoes a trend across the metro Boston area.

Sudbury has no senior homeownership units on the State Subsidized Housing Inventory, but has developed 96 units of market discount senior housing developed by-right under the local Incentive Senior Development bylaw to provide discounted opportunities for seniors.

Sudbury recognized that the State encourages family units for the ownership program and has not funded age-restricted ownership projects in many years. Additionally, the bylaw was created to provide housing for seniors with higher income and asset limits than the State programs.

The ISD bylaw was adopted in 1998 and 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.

The Frost Farm Village offers ownership condominium units, for owners aged 55 and older. There are additional eligibility requirements that the owners must meet, including income and asset limits, 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.

In detail, the Frost Farm 2010 criteria, which are set annually by the Department of Planning and Community Development of Sudbury, include that buyers not exceed 2 out of 3 eligibility criteria including maximum income limit of \$92,500, a maximum asset limit of \$830,200, or maximum valuation of primary dwelling of \$541,100. Additionally the Department annually calculates the maximum sales price, which sets a sales price ceiling which is currently \$415,375.

The Grouse Hill development, located at 42 Old Framingham Rd, offers 52 ownership units, to owners 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. These units are in process of being constructed and sales have been steady since the first closing in 2007.

As of this writing, 65% of the units at Grouse Hill have sold (or 34 of the 52) for either \$499,900 or \$519,900 (with limited upgrades), and the current sales are either \$449,900 or \$469,900, with the decrease in price due to the economy. The maximum sales price of these units, including all upgrades, is \$572,500.

SECTION 1.2.2 RENTAL HOUSING

MARKET RATE RENTAL

Sudbury has few market rate rental options. As of 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.

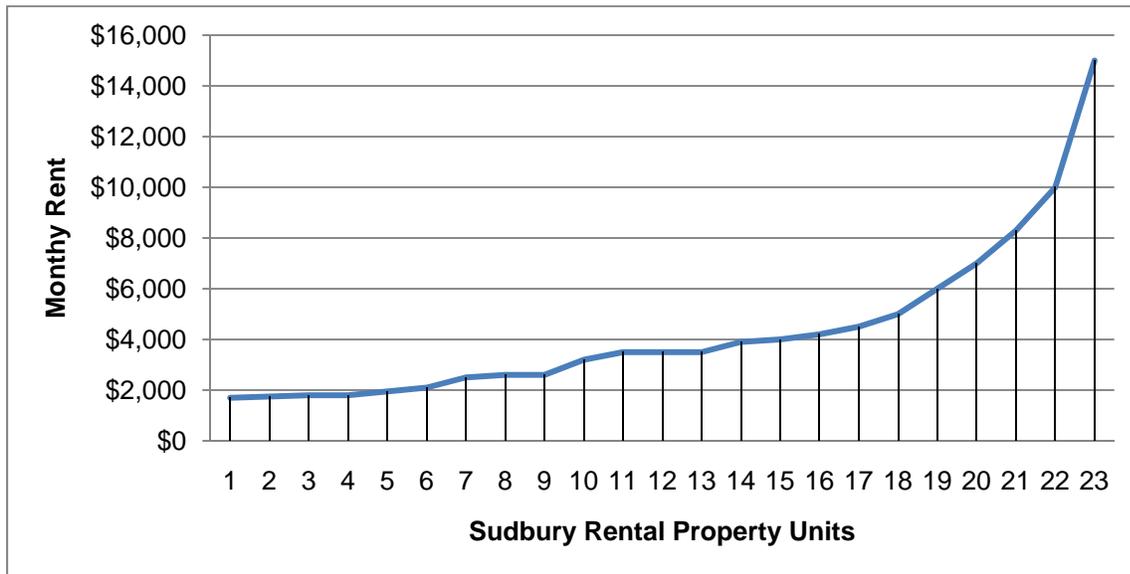


Table 13: Sudbury Median Rents, *Source: MLS Property Information Network 2/1/2011*

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

Table 14: Sudbury Rental Market, *Source: MLS Property Information Network 2/1/2011*

FAMILY AFFORDABLE RENTAL

There 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).

These units are in high demand. The waiting list at Longfellow Glen for the family units (2 and 3 bedrooms) is around 5 years, with ~80 households on the list. The Sudbury Housing Authority units also have a long wait time of up to 12 years. On average, one SHA unit turns over per year, and there are 12 households on the list. [For the SHA, the waiting lists are short because they have been closed for several years and were updated recently.]

AGE-RESTRICTED AFFORDABLE RENTAL

There are 123 units of age-restricted rental housing in Sudbury, 50 at Longfellow Glen, 64 at Musketahquid Village operated by the Sudbury Housing Authority and 9 at Orchard Hill (20% of the 45 units).

There is less wait time for age-restricted affordable rental units. There is a one-year wait for a 1BR unit at Longfellow Glen, where there is no priority for Sudbury residents. At the SHA-operated 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. There are walk-up units on the second floor, and with 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.

Nearby in Lincoln, the Groves Apartments in Lincoln, a new Continuing Care facility, has had slow leasing for the eight affordable rental units. The Shillman House is also an age-restricted new construction development in Framingham, just over the Sudbury border on Edmands Road. This development is designed for independent seniors, with 150 one- and two-bedroom apartments, ninety (90) of which are reserved for low income seniors at 60% of the Area Median Income, and the remaining sixty (60) units at market rate.

SPECIAL NEEDS HOUSING

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, where up to 13.5% of the total units at Musketahquid Village are reserved for people with physical or mental impairments. There are two units housing managed by the Department of Developmental Services which 'count' on the Subsidized Housing Inventory.

The Sudbury Housing Trust was awarded a grant from CHAPA (Citizens Housing and Planning Association) for the development of a report on the need for group home housing in MetroWest: what's available, how has the population to be served changed demographically, and how has public policy/funding impacted the ability to provide housing for this segment of the population. The executive summary is included here:

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.

While the housing needs of physically-disabled, low-income Sudbury elders are probably being met by the available housing stock, there are few accessible housing options available to either higher income elders or younger people with physical disabilities.

There are 15 subsidized handicapped-accessible permanent housing units in Sudbury targeted to the elderly at Musketahquid Village and Longfellow Glen. Anecdotally, these units often go wanting for physically disabled applicants when they become available for rent.¹ In addition to this subsidized permanent housing, there are about 180 additional accessible units available through the three long-term care facilities in town which provide a continuum of services from assisted living to nursing home care.

The 2000 Census figures indicate that there are approximately 120 elderly Sudbury residents who are physically disabled. Since the two permanent housing providers indicate a lack of those applicants, one must assume that many of Sudbury's elderly who are physically disabled are being cared for at home. Once their condition has deteriorated to the point that they need more intensive services, they are probably moving to an extended care facility.

In general, the only housing options available to Sudbury residents with mental disabilities is to live at home or in one of a few public housing units specifically set-aside for this group. According to the 2000 Census, there are 330 individuals in Sudbury who report a mental disability. Of these, about 150 are being provided services through either the Department of Mental Health or the Department of Developmental Services. For those with developmental disabilities, DDS provides a variety of services, depending on individual needs. These services include group homes - some of which provide intensive 24/7 care and others which provide only part-time staffing. Statewide about 47 percent of DDS consumers use this type of service. In Sudbury, there are only two units of housing that provide this type of service. It should be noted that in the Middlesex West area, the towns of Dover, Sherborn and Wayland have no staffed group homes. This means that the remaining ten towns in the region provide the vast majority of group home housing options for consumers in this category.

Section 1.3: Housing Gaps: Costs and Affordability

The following analysis reviews the demand for housing in Sudbury and the housing needs of local residents, while also assessing what is actually an affordable housing option.

HOUSEHOLD AND FAMILY INCOME

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.

All subsidized housing programs include maximum income limits as part of their eligibility criteria. While rental programs may offer deeper subsidies, making affordable units available to households in the 50% of Area Median Income range or less, 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 programs and projects that use lower income limits. Publically subsidized rental projects often offer rents at 60% of the AMI, and Habitat for Humanity is also an exception to the 80% homeownership limits, as they underwrite mortgages for participating homeowners with income under 50% - 60% of the AMI.

Income limits are updated by HUD on a yearly basis. The 2010 income limits are:

State, Federal housing program limits:
Very Low Income (50% AMI) = \$45,900
Low Income (80% AMI) = \$64,400

CPA housing expenditure limits
Moderate Income (100% AMI) = \$91,800

The 30%, 50%, 80% and 100% income limits are published by HUD for all areas in the country. Under federal statute, the 80% limit cannot increase above the national average except for the top 10 MSA areas. Boston is not in the top 10 MSA areas, and as such, the 80% limit is capped at the national average. This has the effect of reducing the mathematical AMI percentage. The below table (using the data for a household of 4) shows the effect over the last six years, where the 80% limit used in housing programs, is actually a different arithmetic percentage of the Area Median Income. The 2011 income limits, published in May 2011, show that the 50% and 100% figures have increased, while the 80% limit decreased.

	50%	80%	100%	80% is really
2011	\$48,150	\$64,200	\$96,500	67%
2010	\$45,900	\$64,400	\$91,800	70%
2009	\$45,100	\$66,150	\$90,200	73%
2008	\$42,900	\$66,150	\$85,800	77%
2007	\$42,050	\$66,150	\$82,400	80%
2006	\$42,050	\$66,150	\$84,100	79%

Table 15: Area Median Incomes, *Source: HUD Income Limits*

While this may be overly technical, and the HUD calculation description very difficult to fully analyze, this does have affordability considerations for the homeownership program. It becomes increasingly difficult for household to earn less than the decreased income limits, and still qualify for a mortgage, with enough down payment and strong credit. This has the effect of reducing the eligible applicant pool for the affordable housing programs, which has become apparent at the state level. Sudbury continues to receive strong interest in potential buyers for affordable homeownership due to the strong property values, and significant affordability gap between the affordable housing price and the market housing price.

The table below identifies this affordability gap for both ownership and rental opportunities in Sudbury, using the \$577,300 median value, and \$3,500 median market rent. [The affordable price for condominiums is approximately \$30,000 less (taking into consideration the condominium fee) and still remains 'unaffordable' versus the median of \$431,700.]

Given the high median rents/prices, and the low AMI, it is not surprising that there is a large affordability gap to households in the income limits for our Metropolitan Statistical Area.

As previously reported, the current median assessed value in Sudbury is \$577,000 and the monthly median market rate rent is \$3,500.

The affordability gap not only tells us how 'unaffordable' Sudbury's market priced housing is for the different income limits, but also shows that half of the Sudbury residents could not afford to buy at those levels now. They are either in housing below those prices or rents, or are housing burdened.

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.

	Household Income	Ownership: Affordable Price	Ownership: Affordability Gap	Rental: Affordable Rent	Rental Affordability Gap
50% AMI	\$45,900	\$120,000	\$457,300	\$963	\$2,538
80% AMI	\$64,400	\$185,000	\$392,300	\$1,425	\$2,075
100% AMI	\$91,800	\$300,000	\$277,300	\$2,110	\$1,390
120% AMI	\$110,160	\$360,000	\$217,300	\$2,569	\$931

Table 16: Affordability Gap, *Source: Source: Sudbury Community Housing Office*

SUMMARY OF LOCAL NEED

Simply stated, there is a large affordability gap in Sudbury. Half of Sudbury’s population cannot afford to rent or purchase in town at the current median values. This applies to those working in Sudbury as well.

In recognition of this, the Sudbury Public School Committee (in July 2008) voted to support the Town’s general goals for the community housing program as articulated in the 2001 Master Plan and the 2005 Housing Plan.

They further clarified this support in terms of local need. The Town’s housing program provides preferences for those who live and work in Sudbury in its affordable housing production programs. This preference benefits the schools by supporting the District’s staff hiring and retention objectives and providing more local connections among its staff members, some of whom may be eligible for such housing. While the School Committee may not take a position on particular proposals offered by the housing program, the Sudbury Public Schools will continue to provide information or other relevant assistance to support the efforts of the Town working to implement these goals.

The table below maps actual teacher salary data for the Sudbury Public School system data for the FY09 period. The summary data is shown with both the 80% Area Median Income (the maximum income limit for countable 40B housing units) as well as the 100% AMI limit which defines that eligibility for CPA funding.

	Income Limit (2009 limits)	# SPS Staff paid under income limit	% SPS Staff
Household of 3, 80% AMI	\$59,550	114	42%
Household of 3, 100% AMI	\$77,200	202	74%

Table 17: Sudbury Public School Income Eligibility, *Source: SPS, Community Housing Office*

This mapping may be overstated as it assumes that the SPS income is the sole household income. So the data was further analyzed to assume that perhaps half of those households have additional income, then still over 20% of the SPS staff would qualify for a private 40B (household of 3, starting family) and over 35% of staff for the Town-Sponsored project, where the income limits could be 100% AMI.

This data is also consistent with information from the Sudbury housing lotteries in 2007 and 2008, where 65% of the applicants had Sudbury connections: 63% were residents, 29% were school staff, and 8% were Town staff.

Of the 19 affordable owners, 63% purchased with a local preference with 26% of that number being teachers, fire or police employees. Additionally 4 households were prior renters at Longfellow Glen.

Section 1.4: Chapter 40B Statutory Minima - Housing Inventory and Land Area

As regulated in 760 CMR 56.03, a decision by a Board to deny a Comprehensive Permit shall be upheld if the municipality has achieved one or more of the Statutory Minima - being the calculation of whether the city or town's SHI Eligible Housing units exceed 10% of its total housing units, or whether SHI Eligible Housing exists in the city or town on sites comprising more than 1.5% of the total land area zoned for residential, commercial or industrial use. The requirements to 'count' on the SHI are shown on the box to the right.

For purposes of calculating whether the city or town's SHI

Three eligibility requirements for Chapter 40B projects

- Applicant is a public agency, a non-profit organization or a Limited Dividend Organization
- Project is fundable by a Subsidizing Agency under a Low or Moderate Income Housing subsidy program
- Applicant controls the site.

Eligible Housing units exceed 10% of its total housing units, pursuant to M.G.L. c. 40B, § 20 and 760 CMR 56.00, there shall be a presumption that the latest SHI contains an accurate count of SHI Eligible Housing and total housing units.

If the Town uses the Housing Production Plan as an affirmative defense, it is noted that the Housing Appeals Committee (HAC) would make the final determination of computation of achieving the Statutory Minima.

Five required elements to 'count' units on the SHI

- Occupancy limited to households earning up to 80% of AMI
- Housing units created under an approved housing subsidy program
- Property has a recorded use restriction, restricting occupancy and specifying other details
- Housing units are subject to an Affirmative Fair Marketing and Resident Selection Plan
- Maximum housing cost parameters are met

If a community does not meet the statutory minima as described in this section, then it cannot deny a development permit based on local zoning regulations, provided that the project.

Developers of Chapter 40B projects must meet certain conditions – as detailed in the box on the left.

There are overlaps in requirements between the units counting on the inventory, and those permitted with a Comprehensive Permit issued under Chapter 40B.

Specifically, if a project is fundable or the housing units created under an approved housing subsidy program it refers to the regulated prices and rents and the requirement that a portion of the units be reserved for households with income restrictions at regulated prices and rents. If the project uses 80% of the Area Median Income, then at least 25% of the units must be

affordable; if the project is reaching lower income households (50% of the AMI), then at least 20% of the units must be affordable. These percentages are minimum thresholds, and can be higher. – as is the case with most of the units permitted in Sudbury under Chapter 40B.

Sudbury has some experience with developments permitted under the Chapter 40B legislation. In fact, 4% of Sudbury's occupied housing stock was created under Chapter 40B,

Sudbury 40B Project Highlights:

1. 4% of housing stock created under 40B
2. 56% of those units affordable, versus 25% requirement
3. 63% (12 of the 19) of the ownership units purchased by local families – 5 of which are teachers and a firefighter employed by town.

with another 2% permitted but not yet built. As mentioned previously, all non-age-restricted non-single family dwellings in Sudbury have been permitted under Chapter 40B.

From an affordable housing perspective, most (72%) of Sudbury’s total affordable housing units that have been built and occupied are permitted under Chapter 40B, and two-thirds of those permitted have been built and are occupied.

40B project	Total Permitted	Built and Occupied	Not Built	Local Impact/Benefit
Orchard Hill	45	45	0	Assisted living units, 10 affordable at 50% AMI
Longfellow Glen	120	120	0	Affordable family rental
SHA Scattered Sites: Fairbanks, Old Meadow, Pine St	12	12	0	Scattered site program
Carriage Lane	16	16	0	Project reduced from proposed 24 units to final 16 permitted. First affordable homeownership units, 3 teachers, 1 Sudbury businessman
Villages at Old County Road	37	22	15	Contributions to traffic improvements and Military Training Field. Additional affordable unit provided. Local owners include 4th generation Sudbury family and firefighter, two Sudbury single parent families.
Habitat	2	2	0	Community sponsored project with involvement at all levels for duration. Local renter became owner
Snowberry	8	8	0	Project reduced from proposed 16 units to final 8 permitted. Extensive sidewalk constructed. Local owners include Sudbury teacher and former renter.
Sudbury Villages	73	0	73	Extensive sidewalk included. Not built yet, so no owner data. Additional affordable units included.
Residences at Sudbury Common	21	0	21	Renovates empty building in Town Center
SHA: Redevelopment	6	0	6	Additional affordable family rentals on SHA scattered sites, renovating existing housing
Maynard Road	3	0	3	Project reduced from proposed 6 units to final 3 permitted. First restricted workforce housing units in Sudbury (100% AMI)
TOTAL units permitted under 40B	343	225	118	

Table 18: Sudbury 40B Projects, *Source: Department of Planning and Community Development*

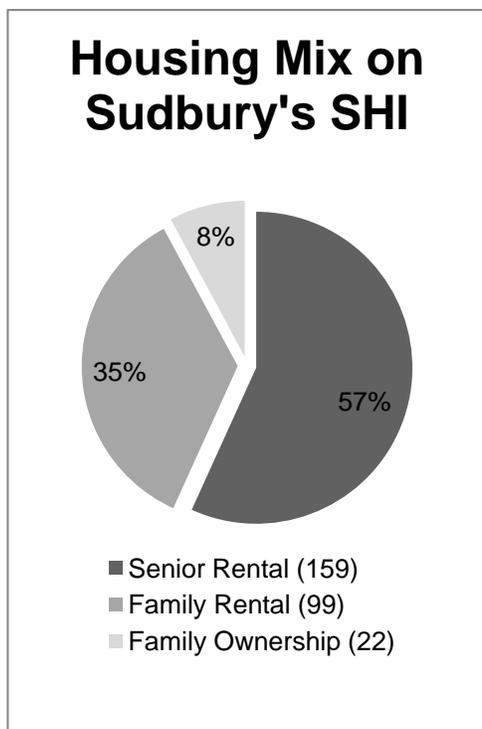
The table below lists all developments and units on the Sudbury SHI:

Project	40B Permit	SHI Units	Total Units
Musketahquid Village	No	64	64
Longfellow Glen	Yes	120	120
Orchard Hill	Yes	45	45
SHA Single Family Homes	No	9	9
SHA Duplexes	Yes	12	12
SHA Redevelopment	Yes	6	6
Carriage Lane	Yes	4	16
Snowberry Lane	Yes	2	8
Villages at Old County Road	Yes	10	37
Sudbury Villages*	Yes	0	0
Residences at Sudbury Common*	Yes	0	0
Home Preservation Program	No	4	4
Habitat	Yes	2	2
DDS Group Homes	No	2	2
Maynard Road	Yes	1	3
		281	328

* Projects not eligible for SHI until building permit issued

Table 19: Sudbury Subsidized Housing Inventory, *Source: DHDC*

SUBSIDIZED HOUSING INVENTORY



As further regulated in 760 CMR 56, the Massachusetts Department of Housing and Community Development (DHCD) maintains a Chapter 40B Subsidized Housing Inventory (SHI) representing the list compiled by the Department containing the count of Low or Moderate Income housing units by city or town. Housing units are eligible for this list if they meet a number of detailed criteria as defined in the regulations as summarized below.

Sudbury has 5,921 housing units as determined by the 2010 Census data.

As of July 2011, the SHI list included 281 units in Sudbury, representing 4.75% of Sudbury's 2010 housing base of 5,921 units.

The SHI has been recalibrated by DHCD with the 2010 Census data, and Sudbury now needs to add 311 units of affordable housing to reach the 10% benchmark of low/moderate income housing under Chapter 40B.

Sudbury has 281 units or 4.75% of its housing stock as affordable using the 2010 Census.

This percentage has decreased from 5.0% with the 2010 Census.

Sudbury added 339 housing units in the last decade.

Table 20: Sudbury SHI, *Source: DHDC*

Of the 281 affordable housing units on the SHI, 92% are rental units, and 8% homeownership. It should be noted that all units in an affordable rental development ‘count’ towards the SHI even if they are rented on a market rate basis, while in homeownership developments only the individual affordable units are counted. For the 258 rental units on Sudbury’s inventory, all but 36 are truly affordable and provided to income

Sudbury has made significant progress towards its affordable housing goals in the last five years, with increases in family and senior rental, and family homeownership. This latter category, the family homeownership, has increased from no units in 2000, to 23 units in 2011. This increase is attributed to private 40B developments (15), locally sponsored programs initiated by the Sudbury Housing Trust (8 units in total, 4 from the Home Preservation Program, 2 from a Habitat for Humanity duplex, 1 buy-down, and 1 developed).

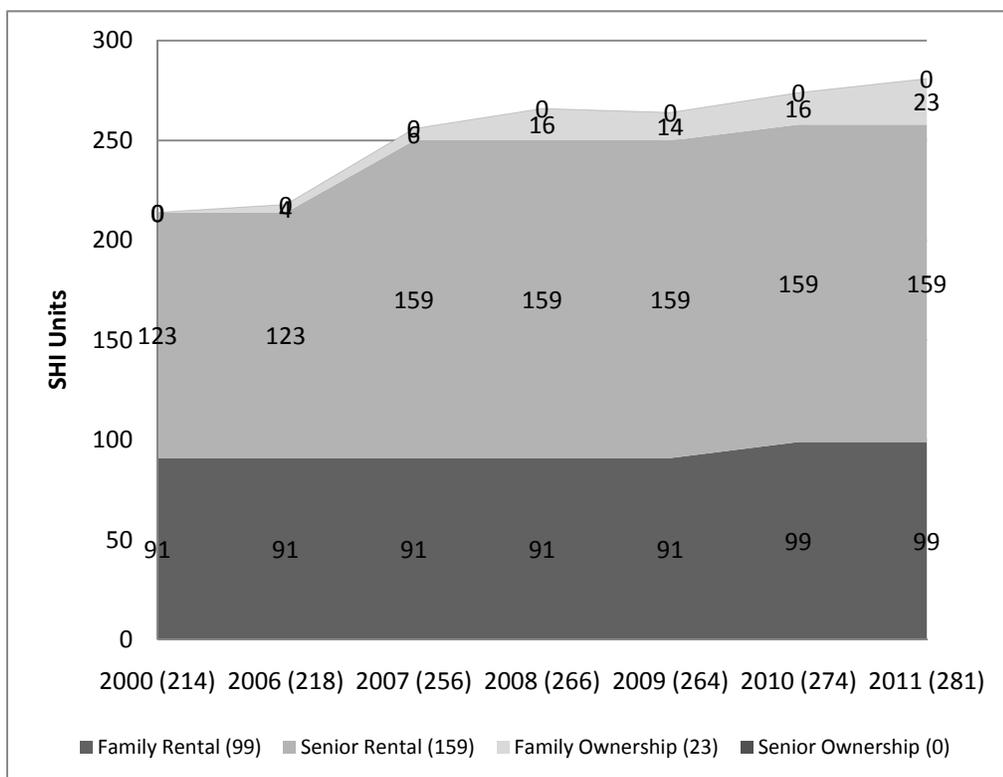


Table 21: Sudbury SHI, *Source: DHDC*

LAND AREA CRITERIA

As mentioned above, Chapter 40B requirements can also be met if affordable housing exists on more than 1.5% of the total land area zoned in town for residential, commercial, and industrial uses. The portion of any site that has low and moderate income housing units inventoried by DHCD is proportionately included toward the 1.5%.

For the purposes of calculating whether SHI Eligible Housing exists in the city or town on sites comprising more than 1½% of the total land area zoned for residential, commercial, or industrial use, pursuant to M.G.L. c. 40B, § 20, involves first calculating the total land area.

This analysis is included in the Housing Production Plan, not as a defensive mechanism to certification, but with the interest to include all housing related information in this plan. As shown below, Sudbury is far from achieving the land area statutory minima, and another 91 acres would be needed to achieve the 1.5% Minima. Sudbury understands that the Housing Appeal Committee (HAC) would make the final determination on this issue, and that by DHCD approving the HPP it does not equate agreement with Sudbury’s assertion that another 91 acres is needed to achieve the 1.5% Minima.

Per regulation, the Total Land Area:

1. Shall include all districts in which any residential, commercial, or industrial use is permitted, regardless of how such district is designated by name in the city or town's zoning by law;
2. Shall include all unzoned land in which any residential, commercial, or industrial use is permitted;
3. Shall exclude land owned by the United States, the Commonwealth or any political subdivision thereof, the Metropolitan District Commission or any state public authority, but it shall include any land owned by a housing authority and containing SHI Eligible Housing;
4. Shall exclude any land area where all residential, commercial, and industrial development has been prohibited by restrictive order of the Department of Environmental Protection pursuant to M.G.L. c. 131, § 40A. No other swamps, marshes, or other wetlands shall be excluded;
5. Shall exclude any water bodies;
6. Shall exclude any flood plain, conservation or open space zone if said zone completely prohibits residential, commercial and industrial use, or any similar zone where residential, commercial or industrial use are completely prohibited.
7. No excluded land area shall be counted more than once under the above criteria.

The land area used for affordable housing investigates only sites of SHI Eligible Housing units inventoried by the Department or established according to 760 CMR 56.03(3)(a) as occupied, available for occupancy, or under permit as of the date of the Applicant's initial submission to the Board, shall be included toward the 1½% minimum. For such sites, that proportion of the site area shall count that is occupied by SHI Eligible Housing units (including impervious and landscaped areas directly associated with such units).

Sudbury has a total land area of 15,825 acres of which 9,948 acres is available for residential, commercial, and industrial uses, and 5,877 acres are excluded per regulations cited above. Sudbury must have at least 1.5% of these acres (149 acres) as affordable housing sites. Currently, 58 acres are used for affordable housing. Therefore, another 91 acres is needed to meet the 1.5% minimum.

40B Overall Land Area Summary

Total Land Area, per 760 CMR 56.03(3)(b)	9,948 acres
Statutory Minima of 1.5%	149 acres
Total Affordable Housing Land Area	58 acres
Additional Land Area Needed to Meet 1.5% Minima	91 acres

Total Land Area Calculation

Description	Area (in acres)	Explanation
Sudbury Boundary	15,825	
Roads	970	Excluded as publicly owned
Rivers, Ponds, Water Bodies, Streams	194	Excluded as water bodies
Federal & State Land	2,170	Excluded as publicly owned (includes Floodplain)
Municipal Land	451	Excluded as publicly owned

Sudbury Valley Trust/Sudbury Water District	822	Land that is deed restricted in perpetuity for conservation
Conservation Restrictions	1,270	Only land restricted in perpetuity
Total Land Area	9,948	Total Land Area, per 760 CMR 56.03(3)(b): land where residential, commercial, or industrial use is permitted, regardless of how such land or district is designated by name in the town's zoning by law

Table 22: Sudbury Land Area Summary, *Source: Planning Department*

Affordable Housing Land Area

Project	ADDRESS	Total Units	SHI Units	% SHI	Land Area	SHI Land Area
Carriage Lane	725 Boston Post Rd	16	4	25%	2.43	0.61
DDS Group Homes	655 Boston Post Rd	2	2	100%	0	0.00
Habitat	219 Pratts Mill, 490 Dutton	2	2	100%	0.43	0.43
Home Preservation	4 Longfellow	1	1	100%	0.53	0.53
Home Preservation	20 Maplewood	1	1	100%	0.21	0.21
Home Preservation	8 Howell	1	1	100%	0.49	0.49
Home Preservation	68 Oakwood	1	1	100%	0.11	0.11
Longfellow Glen	655 Boston Post Rd	120	120	100%	22.61	22.61
Orchard Hill	761 Boston Post Rd	45	45	100%	10.18	10.18
SHA Scattered Sites	21 Great Lake Dr	1	1	100%	0.17	0.17
SHA Scattered Sites	8 Oakwood Ave	1	1	100%	0.23	0.23
SHA Scattered Sites	41 Great Rd	2	2	100%	0.46	0.46
SHA Scattered Sites	56 Great Rd	2	2	100%	0.46	0.46
SHA Scattered Sites	11 Ford Rd	2	2	100%	0.69	0.69
SHA Scattered Sites	2 Beechwood	2	2	100%	0.25	0.25
SHA Scattered Sites	19 Greenwood	1	1	100%	0.69	0.69
SHA Scattered Sites	9 Richard Ave	1	1	100%	0.16	0.16
SHA Scattered Sites	45, 47 Old Meadow Rd	2	2	100%	1.89	1.89
SHA Scattered Sites	62 -64 Pine St	2	2	100%	0.90	0.90
SHA Scattered Sites	10 Landham Rd	3	3	100%	0.45	0.45
SHA: Musketahquid Village	55 Hudson Rd	64	64	100%	7.82	7.82
SHA: Fairbanks Circle	42 - 56 Fairbanks Circle	8	8	100%	5.58	5.58
Sudbury Meadows	1, 8 Snowberry Lane	8	2	25%	4.93	1.23
Villages at Old County Road	6 Old County Road	37	10	27%	6.02	1.63
Sudbury Housing Trust	278 Maynard Road	3	1	33%	1.00	0.33
Total		328	281		68.69	58.11

Table 23: Sudbury Land Area Detail, *Source: Planning Department*

Future/Potential Project	ADDRESS	% SHI	Land Area	SHI Land Area
HOME Preservation	18 Pinewood Avenue	100%	0.23	0.23
Landham Crossing	192 Boston Post Road	28%	8.50	2.39
The Coolidge	189 Boston Post Road	100%	5.95	5.95
Johnson Farm	189 Landham Road	100%	35.60	35.60
Total future projects			119	44.17

Section 1.5: Development Constraints and Limitations

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. The town has no sewer service – all lots utilize on-site septic systems to treat wastewater. The town derives its drinking water from underground wells which, according to the 2000 MAPC build-out analysis, are estimated to be able to serve the growing population at build-out.

WETLANDS AND ENVIRONMENTAL

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, performance standards in the areas of erosion control, stormwater management, and prevention of commercial and industrial pollution. The Town has recently adopted a new stormwater bylaw 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.

SOILS

In many towns the type of soils found in the town limits or prohibits the installation of septic systems, and thus limits development. In Sudbury, 40% of the soils in Town are hydric soil, floodplain soils or soils with a shallow depth to bedrock, thereby putting significant pressure on the remaining upland areas for development. The remaining soils are the sandy soils of glacial outwash soils which have a fast percolation rate and the more compact till soils have a slower percolation rate. Most of these soils are suitable for septic systems, given enough depth of soils, percolation rate, water table and adequate land area for the system.

WATER

Sudbury is served by 10 operating wells which are administered by the Sudbury Water District. The Water District provides water to town residents 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. Thus, the Town has identified the need to create a municipal sewer collection system for the business district along Route 20. The current conditions make it difficult to maintain the current septic systems. The identification of a suitable site for a local treatment plant or other alternative sewer treatment remains a critical need.

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. Nobscot 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.

WASTE WATER

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 purification 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 define 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.

The Rt. 20 business corridor is also served by individual septic systems. This area is substantially located in areas of gravel, sand and silt. These types of soils, 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.

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

From a development perspective, general guidelines are that a private septic system can support at its maximum 45 bedrooms, and a private treatment plant can support 100 bedrooms or more. Of course, specific constraints of the site, and its proximity to water wells as well as other factors impact these general guidelines.

SCHOOLS

Over the last decade, 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 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 is shown in the table below, please note that the LSRHS enrollment includes the Lincoln children and does not include the tuition pupils attending other schools which averages 33 students per year.] 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 that does not staff the classrooms.

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.

		K-8		LSRHS		total	
		#	% Chg	#	% Chg	#	% Chg
Enrollment 13-14 (P)	FY 14*	2,763	-3.3%	1,652	2.9%	4,415	-1.1%
Enrollment 12-13 (P)	FY 13*	2,858	-3.6%	1,605	-0.4%	4,463	-2.5%
Enrollment 11-12 (P)	FY 12*	2,964	-2.3%	1,612	0.2%	4,576	-1.4%
Enrollment 10-11	FY 11	3,033	-2.2%	1,609	-0.3%	4,642	-1.6%
Enrollment 09-10	FY 10	3,102	-2.1%	1,614	-1.6%	4,716	-1.9%
Enrollment 08-09	FY 09	3,167	-0.1%	1,640	1.1%	4,807	0.3%
Enrollment 07-08	FY 08	3,169	-1.4%	1,622	0.2%	4,791	-0.8%
Enrollment 06-07	FY 07	3,213	1.7%	1,619	2.9%	4,832	2.1%
Enrollment 05-06	FY 06	3,159	0.2%	1,573	4.7%	4,732	1.6%
Enrollment 04-05	FY 05	3,153	3.3%	1,503	6.0%	4,656	4.1%
Enrollment 00-01	FY 01	2,875	5.0%	1,315	5.9%	4,190	5.2%

Table 24: Sudbury School Enrollments, *Source: SPS and LSRHS*

Section 1.6: Municipal Fiscal Impact

There has been much reference in Sudbury to the fiscal impacts of the State's "40B" affordable housing law in Sudbury.

Under the M.G.L. Chapter 40B Comprehensive Permit process, a developer can override local zoning when the host community lacks a minimum of 10 percent affordable housing as a percentage of the town's housing stock. State approved 40B developments must have a minimum of 25 percent low-income housing (reserved for households earning below 80% of median income) and, typically, nearly three-quarters of housing units in a 40B development are sold at market-rates. This statute is a zoning mechanism for construction, and has been used for many years by public, non-profit and private developers.

On a state level, the University of Massachusetts Donahue Institute (UMDI) prepared a study in 2007 to determine whether mixed-income developments that have been built in the state did, in fact, place new burdens on their communities. This study incorporated extensive field work in seven municipalities with mixed-income, homeownership developments. Complete details of the report findings and methodology are included in the full report, *The Fiscal Impact of Mixed-Income Housing Developments on Massachusetts Municipalities* found on the Town's website.

From the executive summary, the UMass Donahue Institute analysis found:

- The immediate fiscal impact of mixed-income homeownership developments may not be as great as is often assumed. The eight home ownership housing developments in the study did not have any measurable negative impact on public services in their municipalities.
- School costs are rising in cities and towns throughout Massachusetts; however, those increased costs are occurring in communities with declining enrollments as well as increasing enrollments. In short, enrollment is not the most significant factor driving increases in school costs.
- Using the fair share methodology developed for this study, this report demonstrates that mixed-income housing units, including 40B projects, have the same fiscal impact as the vast majority of their neighbors.
- The implications of this study for the state, developers and municipalities are that towns may be able to plan appropriately for development in a manner that ensures that future growth does not have a long-term negative fiscal impact.

Sudbury has been able to provide a detailed fiscal analysis of the recent private 40B developments, comparing them to what could be developed under zoning regulations on those same parcels.

The 40B analysis used real data from three private homeownership developments in Sudbury, where 25% of the units are affordable and 75% are market rate. The conventional zoning analysis used property attributes, and assumed a sales price of \$800,000 per lot, above the median assessed value of \$577,300. The higher estimated sales price is used, though it should be noted that the location of these properties is less desirable than more private and secluded parcels. The 40B analysis used actual student counts from the occupied units, and the conventional zoning used the average of 1.8 students per household, as provided by the school administration.

Also to note, the municipal and school cost data was calculated using an average cost methodology, using data from the FY10 Town Warrant and used per household/per student averages. A more accurate marginal cost analysis would reduce the school and municipal costs

for all households, and would reflect the incremental cost of the next student or home. However, this information is extremely complicated to calculate and is not available for Sudbury.

Consistent with the conclusions of the UMass Donahue Institute report, the results show that these 40B developments in Sudbury have comparable fiscal impact than if the same property was developed into subdivisions and in fact appear to be less detrimental than conventional zoning. This is mostly due to the significant property tax revenue generated by the increased number of units than conventional zoning allows, despite the increased number of overall children.

It should be noted that with the average cost methodology in both scenarios a detrimental fiscal impact is shown. It is estimated the breakeven point is a home valued at \$1.7 million value and a household with 2 students. However, it is noted that the 40B developments generate over \$452,000 of revenue, while the subdivision would have generated \$136,240.

40B Zoning Analysis							
	Total Impact	# units	Property Value	Property Tax Revenue	# Students	School Cost (\$13,045/stdnt)	Municipal Cost (\$2,716/HH)
Carriage Lane	-\$90,589	16	\$5,658,600	\$96,366	11	\$143,498	\$43,457
Old County Road	\$14,524	37	\$17,554,735	\$298,957	14	\$183,938	\$100,495
Snowberry Lane	-\$29,668	8	\$3,363,900	\$57,287	5	\$65,226	\$21,729
	-\$105,734	61	\$26,577,235	\$452,610	30	\$392,663	\$165,681

By Right Zoning Analysis							
	Total Impact	# units	Property Value	Property Tax Revenue	# Students	School Cost (\$13,045/stdnt)	Municipal Cost (\$2,716/HH)
Carriage Lane	-\$25,147	2	\$1,600,000	\$27,248	4	\$46,963	\$5,432
Old County Road	-\$62,868	5	\$4,000,000	\$68,120	9	\$117,407	\$13,580
Snowberry Lane	-\$37,721	3	\$2,400,000	\$40,872	5	\$70,444	\$8,148
	-\$125,736	10	\$8,000,000	\$136,240	18	\$234,815	\$27,161

Table 25: 40B Fiscal Analysis, *Source: Sudbury Assessors, 2010 Town Warrant, Community Housing Office*

Section 1.7: Existing Local Tools and Resources

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 Specialist to add housing services to the range of municipal functions.

In an innovative design, the employee is a town employee, with 100% funding outside the operating budget since 2005. While the position is considered Town Staff from the Human Resource management perspective, it is not counted in the Town Full Time Equivalent reporting mechanisms as it is funded entirely from CPA and Sudbury Housing Trust funds.

This staff position 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 and has enabled the Sudbury Housing Trust to develop external revenue streams. Staffing the Community Housing Specialist position was an essential component to establishing the Sudbury Housing Trust, and implementing the 2005 Community Housing Plan.

As a direct result of having dedicated staff to implement and administer the overall housing programs, the Town has been able to increase its Commonwealth Capital score by 8% (or 8 points), increasing the competitiveness in grants and other discretionary state funding programs. (Specifically: Q1A: 2 points, Q13: 3 points, Q32: 3 points).

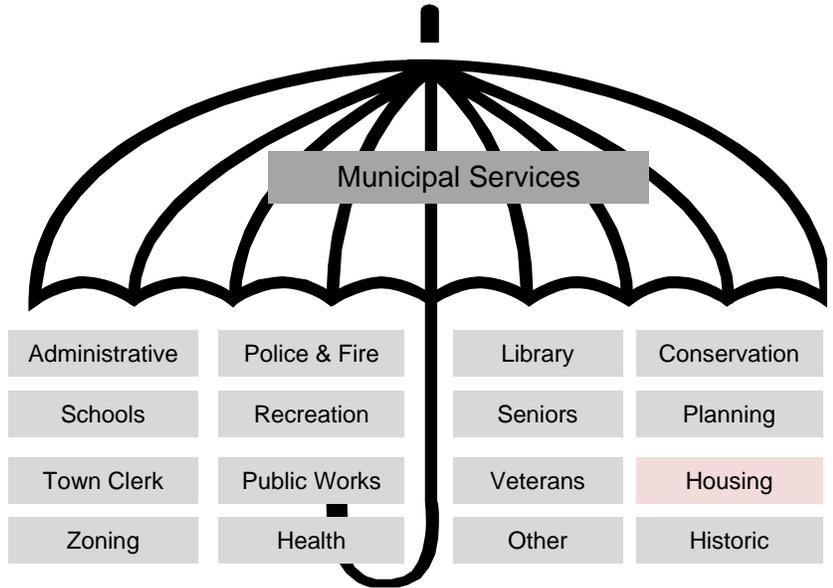
The Community Housing Specialist has shared the Sudbury experience with other communities through speaking on various panels and presentations at State-wide conferences. To date, there have been 16 such engagements sponsored in large part by Massachusetts Housing Partnership, and DHCD. In addition, the specialist serves as a municipal member of the CHAPA 40B training sub-committee, and was appointed by Governor Deval Patrick to sit on the MassHousing Homeownership Advisory Committee.

CPA

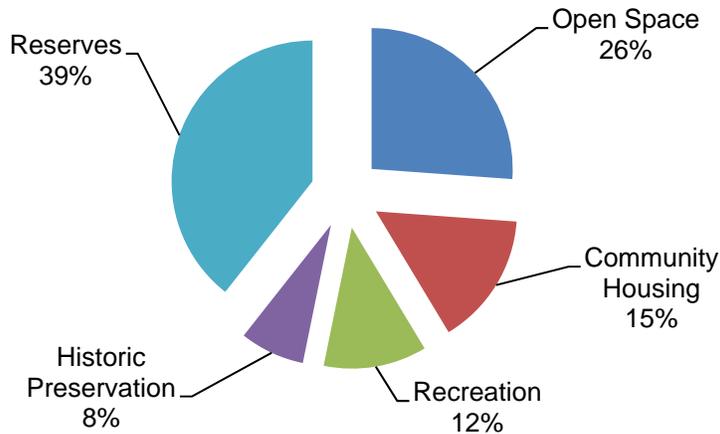
At the 2002 Annual Town Meeting and subsequently at the polls, Sudbury residents voted to adopt the CPA with a 3% surcharge on all real estate property tax bills. This program continues to be well supported through two recent Town Meeting challenges that were overwhelmingly defeated.

There are four eligible activities that can be funded with Community Preservation Act funds: Community Housing; Historic Preservation; Open Space and Recreation. The first three are required and the fourth is optional.

The legislation requires that 10% of all collected funds (local and state) must be spent on each of the three required activities.



Sudbury CPA Funds by category



The recent 2009 Community Preservation Committee Report provides details on all elements of the program-to-date. In summary, \$18.6 million was collected over the eight years of program implementation from 2003 through 2010, with \$9.9 million from local tax receipts, and \$7.2 million in state match. While the state match declined to roughly 70% in FY2009, 37.58% in FY10, and 29% in FY11, it remains over \$431,000.

Table 26: Sudbury CPA Funds, *Source: 2009 CPC Report*

Through the CPA, the Town has dedicated affordable housing resources to fund local projects, and leveraging other funding mechanisms. These funds have created or are planned to create 23 units of housing.

In addition to the preservation of 386 acres of open space protected, and the numerous historic preservation projects funded, \$3,198,000 has been appropriated over the last seven years for community housing as shown below to create 21 units of housing with an average contribution of \$152,285 per unit.

Year	Project	Amount
2005	To buy down market units and convert them affordable (3 units created)	\$500,000
2006	Funds for the Sudbury Housing Authority to purchase land or construct housing (4 units planned)	\$360,000
2006	Feasibility studies on 2 parcels of land for appropriateness for affordable housing/recreation uses (this represents the housing portion only)	\$25,000
2007	Appropriation to the Sudbury Housing Trust of accumulated 10% housing reserves (2 units created)	\$385,000
2008	Partial funding for redevelopment SHA-owned single family dwellings with new, duplex units (6 units planned)	\$600,000
2008	Funds to continue Sudbury Housing Trust's efforts to provide for the preservation and creation of affordable housing (3 units planned)	\$750,000
2009	Funds to continue Sudbury Housing Trust's efforts to provide for the preservation and creation of affordable housing (1 unit created)	\$208,000
2010	Funds to continue Sudbury Housing Trust's efforts to provide for the preservation and creation of affordable housing (1 unit planned)	\$180,000
2011	Funds to continue Sudbury Housing Trust's efforts to provide for the preservation and creation of affordable housing (1 unit planned)	\$190,000
	Total (21 Units)	\$3,198,000

Table 27: Sudbury CPA Housing Appropriations, *Source: Sudbury CPC*

SUDBURY HOUSING TRUST

The Sudbury Housing Trust was established at the 2006 Annual Town Meeting by accepting Massachusetts General Law Chapter 55C Section 55C through article 33. The Trust was chartered in February 2007 and the Trust documents recorded at the Middlesex Registry of Deeds book/page 49096/353.

The Trust was created with strong recommendation from the Community Preservation Committee to facilitate spending the mandated CPA housing funds in accordance with the 2005 Community Housing Plan and subsequently approved plans and policies.

In its 5-year plan, the Trust has committed resources towards the creation of 14 units of housing at an average subsidy of \$165,000; 8 of these units have already been created and/or added to the State Subsidized Housing Inventory.

The Sudbury Housing Trust receives funds through annual CPA appropriations, external revenue through lottery and monitoring agent services, and interest income on its fund balance, with CPA funds the largest component. The CPC has recommended to Town Meeting the mandated 10% each year, and each year this article has passed. The funds requested must be spent on community housing.

In its first year, in recognition of the strength of the Trust, the Community Housing Committee (CHC) was disbanded and folded into the Trust and Department of Planning and Community Development.

Over the last four years since the Trust has been operational, the CPA funds have been instrumental in developing the housing program, and have specifically been used to purchase land and develop two units of permanently restricted affordable housing at the Dutton Road Habitat for Humanity project, create five units of permanently restricted affordable housing under the **Home Preservation Program**, and to purchase the parcel at 278 Maynard Road to create three units of permanently restricted affordable housing.

The Maynard Road project has received its neighborhood-supported comprehensive permit to build three units of permanently restricted housing. One of the units will be made available to a household earning a maximum of 80% of the Area Median Income, and two units at 100% of AMI. Current activities include finalizing detailed construction specifications and a potential ground breaking in the summer of 2011. This project is completely funded through prior year CPA appropriations and other Trust income.

The Sudbury Housing Trust also administers a **Small Grant Program** which is not eligible to be funded with CPA funds. This program provides health and safety repairs for eligible residents through rolling grant cycles. Through the life of the program, there have been 9 grant cycles, 43 applicants, 23 awards and \$64k awarded - half for senior households.

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 of 301 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).

Musketahquid Village, consisting of 64 apartments and a community building for seniors, is the largest SHA property, and the SHA also manages 21 units of family rental housing in duplexes and single family homes across town. These properties were developed with State grants and Town donated land.

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. 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. The town funding allocations are detailed below. 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). This produced an additional affordable unit above the required 25% in this private 40B homeownership project.

Table 28 shows the history of funds awarded to Sudbury for use in the HOME program. Future uses of HOME funds may include local funding in support of the Coolidge project.

Municipal Fiscal Year	Program Funds	Administrative Funds
FY2007	\$22,339	\$1,738
FY2008	\$22,220	\$1,728
FY2009	\$21,462	\$1,669
FY2010	\$24,013	\$1,836
FY2011	\$23,848	\$1,855
Spent	\$101,100	\$8,826
Available	\$12,781	\$0

Table 28: Sudbury HOME Funding, *Source: MetroWest HOME Consortium*

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.

The **2005 Community Housing Plan** prepared by the Sudbury Community Housing Committee, provides a framework for the development of affordable housing, and also lays out potential implementation strategies. This housing plan was the sound starting point of this housing production plan.

The **2008 Impediments to Fair Housing Choice** summarizes data from fifteen sources including the 2000 Census, information from Sudbury housing specialists and providers, and other regional sources. It provides - under one cover - all information on the Sudbury housing programs and benefits for all protected classes under the Fair Housing Acts.

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** identifies many environmental factors and open space needs through the year 2013.

ZONING

Sudbury continually creates and enhances its zoning bylaws. Below are three specific bylaws that can create market discount housing.

The **Incentive Senior Development** 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. See section 5400 of the Sudbury Zoning Bylaw.

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 approximately 0.5 stretch along Route 20. No units have been produced under this bylaw due to the lack of sewage facilities on Route 20. See section 2230 of the Sudbury Zoning Bylaw.

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.

Section 2: AFFORDABLE HOUSING GOALS

Section 2.1: Defining Housing Goals

In addition to analyzing Sudbury's housing needs through the needs assessment presented in Section I, the housing planning process engaged the broader community in an evaluation of needs and identification of goals through a planning workshop.

Outreach for the workshop included notices in the Sudbury Town Crier, an announcement on the Town website, and email notifications to town employees as well as members of boards, commissions and interested citizens. The Community Housing Workshop was held on March 31, 2011 at the Sudbury Town Hall and was attended by members of the Board of Selectmen, the Community Preservation Committee, the Planning Board, the Sudbury Housing Trust, the Sudbury Housing Authority, the Council on Aging, the Zoning Board of Appeals, the Sudbury League of Women Voters, residents of affordable housing units, and residents at large. The workshop was taped for SudburyTV.



Discussion Group Exercises: The facilitated workshop started with a summary of Sudbury's housing needs analysis. The 32 participants then responded to a series of questions in six discussion groups.

Each discussion group fell into one of two categories: "What" group or "How" group. The three "What" groups responded to two questions that were different from the "How" group and two that were the same.

Each group was instructed to find common ground between the members of their group and to indicate group consensus if and when identified.



Individual Prioritization Exercise: The workshop participants also individually indicated their priority objectives through a group prioritization technique referred to as "dot voting." Each participant was given 11 dot stickers with verbal instructions regarding how many dots stickers could be used for each of three questions that were displayed on a wall.

The following pages provide summaries of the results of both the discussion group exercises and the individual prioritization exercise.

Question 1: The first question is shown below, as responded to by the three "What" discussion groups and individually prioritized by the workshop participants from all groups. In the

prioritization exercise, participants were each allowed 5 dot stickers for this question to indicate their preferences. The question included a multiple choice list, also shown below.

What type of affordable housing units should the town encourage?

- condo/apartment units above commercial spaces
- scattered in existing residential neighborhoods
- two-family or duplexes
- small units sized for singles or couples
- located close to Rt 20
- utilize existing buildings, minimize new development
- small (<8) multi-unit developments
- apartments
- condos
- single family
- larger multi-family developments
- larger, family-sized units

Summary of Discussion Group's Preferences: The three discussion groups that responded to this question expressed strong preference for encouraging small units for singles or couples and units above commercial spaces. In addition, the groups showed some support for encouraging condos, housing scattered in existing residential neighborhoods, and two-family homes. No support was shown to encourage apartments, larger multi-family developments, or larger, family-sized units.

Summary of Individual Prioritization Preferences: Through the dot-voting prioritization exercise, workshop participants expressed sentiments that strongly correlate to the discussion groups' responses. This exercise demonstrated firm support primarily for encouraging units above commercial spaces (23 dot votes). There was also support for encouraging affordable housing units scattered in existing residential neighborhoods (17), two-family homes (16), and units sized for singles or couples (16). Some support was expressed for encouraging units close to Route 20, utilizing existing buildings to minimize new development, and for small (<8 units) multi-family developments.

Question 2: The three "What" discussion groups responded to the following question, which was also included in the individual prioritization exercise.

Should the Town of Sudbury's housing efforts focus on creating more units targeted for:

- rental
- family
- homeownership
- seniors
- persons with disabilities (mental or physical)

Summary of Discussion Group's Preferences: The three "What" groups showed preference for a mixture of both rental and homeownership units in addition to some preference for providing more units for college age/singles/young professionals. Some support was also expressed for units for persons with disabilities, seniors, and families.

Summary of Individual Prioritization Preferences: The individual priorities showed firm support to create more rental units - with rental receiving almost twice as many dot-votes (31) as family units (16). There was also support for creating homeownership units (13) and some support for units for seniors and persons with disabilities.

Question 3: The three "How" groups responded to the following question regarding land use controls and participants from all groups responded to this question in the prioritization exercise.

What land use controls and zoning mechanisms should the Town utilize to guide and encourage the creation of affordable housing?

- village business district, units above commercial space
- infill development
- inclusionary zoning
- locally-sponsored “friendly” 40B
- rezone for smaller lot sizes in selected areas
- 40R “Smart Growth Zoning” district
- other overlay zoning or local bylaw

Summary of Discussion Group’s Preferences: The three “How” groups demonstrated firm support for utilizing village business district zoning to allow units over commercial space and for infill development zoning to allow smaller lots in existing neighborhoods to be developed as affordable housing. There was also support for rezoning selected areas for smaller lot sizes and adopting an inclusionary zoning bylaw. There was also some support for other overlay zoning, combination of all the mechanisms, and establishing a transfer of development rights bylaw (TDR). No support was indicated for a chapter 40R smart growth zoning district.

Summary of Individual Prioritization Preferences: The results of the individual prioritization exercise demonstrated a strong correlation with the discussion group results. Utilizing a village business district was firmly supported (25 dot votes). Establishing an infill development bylaw was also supported (17) as well as creating an inclusionary zoning bylaw (10). Participants expressed some support for locally-sponsored “friendly” 40B and rezoning for smaller lot sizes in selected area. One vote supported establishing a 40R district and other overlay zoning.

Question 4: The three “How” groups responded to the follow open-ended multi-part question. This question was not included in the prioritization exercise.

What are other mechanisms to create affordable housing in Sudbury? Describe other ways in which the Town should foster development of affordable housing and any major obstacles in developing affordable housing

In response to the first part of the question regarding other mechanisms to create of affordable housing, responses primarily fell into the following categories:

- *Increase Local Funding:* Use a larger percentage of CPA funding for housing, Seed money/design money, provide tax credits to investors to raise money
- *Increase Public Awareness:* Increase citizens’ knowledge of affordable housing, provide tours of finished projects, identify local need better, have clergy commit to promoting, document resident profiles, explore reasons for neighborhood opposition
- *Increase Town Infrastructure and Capabilities:* Provide sewer and waste water treatment options, develop differential tax rates, provide incentives for developers (in certain areas) to create multifamily, consider higher densities in mixed use/commercial districts, research tax title/receivership properties
- *Create More Units:* Encourage more rental, develop 1-br units, provide more units for disabled persons, provide more senior housing, develop units with Habitat For Humanity, advance the Home Preservation program

In response to the second part of the question regarding obstacles to develop affordable housing, responses primarily fell into the following categories:

- *Concerns about Municipal Cost:* Adding more students/costs, amount of local and Town subsidy required, high cost of land
- *Concerns of Residents:* Perception abutters' concerns will not be considered, NIMBY, neighborhood opposition, prejudice, concern it will negatively affect property values, will of the town
- *Concerns of Town Character:* Maintaining "rural" image, traffic, public transit makes 40R specific development unrealistic lower incentive, limited tow-owned developable land

Question 5: All six discussion groups responded to the following question using a map showing existing and potential affordable housing sites (see Appendix A). This question was not included in the individual prioritization exercise.

Are there particular sites or general areas that may have potential to accommodate development of affordable housing units?

The results below show the top six most preferred sites for development of affordable housing as demonstrated by the discussion groups:

1. Melone Gravel Pit – Town-owned parcel on Route 117
2. Sudbury Residences – 29 Hudson Road, site of permitted private 40B development in Town Center
3. Raytheon Site – Boston Post Road, large private commercial property
4. DPW Property – 275 Old Lancaster Road
5. Parkinson - Off Hudson Road, behind Ti-Sales
6. Sudbury Village – 275 – 301 Boston Post Road, site of permitted private 40B development on Route 20

Question 6: All six discussion groups responded to this question, in addition all workshop participants were asked to return their individual responses to the facilitator. Twenty-seven individuals submitted their responses and are included in the summary of results below.

Review the following goals from the 2005 Community Housing Plan. Indicate whether you would confirm, challenge, or build upon each goal.

Summary of Individual Responses: The matrix below summarizes the individual responses and is sorted by percent confirmed (highest percent confirmed on top).

Id #	Goals (from 2005 Community Housing Plan)	Confirm	Challenge	Build	No Answer
6	<i>Preserve affordability restrictions on existing and new units for the longest period possible.</i>	89%	0%	4%	7%
<i>Participants showed the greatest level of confirmation for #6 with some indicating the need to be build. Since no specific suggestions for building were offered, this goal may need to be clarified to allow greater understanding of intent.</i>					
2	<i>Provide a share of regional housing needs for persons earning 80% or lower of the Boston MSMA median income.</i>	82%	7%	4%	7%
<i>Participants showed strong confirmation of #2, however it also received a relatively fair level of challenge and build suggestions. A build suggestion includes adding specific number of units that would constitute what is meant by Sudbury's "share" and to specify that this goal is referring to housing within 40B guidelines.</i>					
5	<i>Give preference to persons with ties to Sudbury (residents, relatives, employees, Metco families) in all housing production programs.</i>	78%	11%	11%	0%
<i>Participants offered the greatest challenge to this goal, compared with other goals. In addition, the participants offered build suggestions including making these preferences more transparent.</i>					
1	<i>Maintain and increase a diversity of housing types in Sudbury to meet the needs of a changing and diversified population with respect to age, disability, household size and income.</i>	70%	4%	26%	0%
<i>Participants indicated a firm need to build this goal and one participant challenged the goal. Suggestions for building the goal are to emphasize the need to increase rental housing, multifamily, duplex, and row houses.</i>					
4	<i>Increase the number of housing units that are affordable to middle income households making less than 120% of the area median income. (reduce emphasis)</i>	70%	7%	15%	7%
<i>Participants indicated a need to build this goal to include a priority for first meeting the 10% goal before giving middle income units priority. In addition, a few participants challenged this goal, presumably for much the same reasons other participants suggested clarifying it.</i>					
7	<i>Use town funds to leverage outside funding for housing creation. (+ % CPA funding, investment tax credits)</i>	70%	4%	15%	11%
<i>Participants recommended building onto #7 to emphasize the use of Community Preservation Act funds. One participant challenged this goal.</i>					
3	<i>Attempt to achieve the goal of 10% of the town's total housing units affordable to households making less than 80% of the area median income.</i>	67%	0%	29%	4%
<i>Participants indicated the highest need for building #3 including emphasizing strategies including the Housing Production Plan and zoning changes as well as clarifying that the attempt should be to make steady progress rather than trying to reach 10% all at once. No challenges were indicated to this goal.</i>					

Section 2.2: Affordable Housing Goals

Building off the goals contained in the 2005 Community Housing Plan and the results of the 2011 Community Housing workshop, the following goals are presented.

GOAL 1: PROMOTE A DIVERSITY OF HOUSING TYPES IN SUDBURY TO MEET THE NEEDS OF A CHANGING AND DIVERSIFIED POPULATION, PARTICULARLY WITH INCREASED PRODUCTION OF RENTAL UNITS, DEVELOPMENT OF MULTI-FAMILY BUILDINGS, DUPLEXES, AND SINGLE-FAMILY ATTACHED DWELLINGS, IN ADDITION TO CONVERSION OF EXISTING MARKET RATE HOMES TO AFFORDABLE.

The workshop results indicated strong preference for encouraging small units, housing scattered in existing residential neighborhoods, and two-family homes oriented towards smaller households. The Town was encouraged to promote rental and homeownership housing, with emphasis on rental developments, and smaller developments centered in business areas.

GOAL 2: CREATING MORE AFFORDABLE RENTAL AND HOMEOWNERSHIP UNITS FOR ELIGIBLE HOUSEHOLDS MAKING LESS THAN 80% OF THE AREA MEDIAN INCOME, WITH PREFERENCE GIVEN FOR HOUSEHOLDS WITH LOCAL TIES.

In order to address regional housing needs, Sudbury is committed to making steady progress towards the goal of 10% of the town's total housing units affordable to households making less than 80% of the area median income.

Sudbury will continue to produce units that are affordable to households earning under 80% of the Area Median Income and counted on the State Subsidized Housing Inventory, adding over 60 units in the last decade.

Particular progress has been made in the family homeownership category, which has increased from no units in 2000, to 23 units in 2010.

Sudbury will continue to offer local preference to the extent allowable by law, giving local residents preference in affordable housing tenancy. All marketing and placement efforts will continue to follow Affirmative Fair Housing Marketing guidelines as provided by DHCD, and attached as Exhibit B.

GOAL 3: INCREASE DIVERSITY OF HOUSING OPTIONS BY ENABLING HOUSING IN BUSINESS DISTRICTS INCLUDING APARTMENTS ABOVE COMMERCIAL SPACES.

The workshop results clearly articulate the priority of developing housing near services such as churches, schools, and parks, and on main roads, enhancing the vitality of the business districts.

This goal is dependent on providing Town wastewater treatment services. Currently, property owners tend to offer light office use above businesses to reduce wastewater disposal requirements.

GOAL 4: PRESERVE AFFORDABILITY RESTRICTIONS ON EXISTING UNITS FOR THE LONGEST PERIOD POSSIBLE.

The Sudbury Department of Planning and Community Development is the local entity that proactively monitors existing affordable housing to ensure, where possible, that expiring use restrictions are extended or converted to permanent restrictions and to monitor and provide assistance for resale of ownership units.

This department annually ensures that each homeownership unit and owner continue to comply with property restrictions. In support of the homeownership monitoring, the Town provides the owners with refinancing and resale assistance.

The Town also participated in the purchase and refinancing of Longfellow Glen in October 2010, which was one of the ten properties, with 931 affordable units, owned by Equity Residential. The affordable restriction on the Longfellow Glen property was due to expire in 2014, and was sold to Rhode Island Homes, LLC in October 2010, extending the affordability restriction until 2040.

GOAL 5: LEVERAGE LOCAL COMMUNITY PRESERVATION ACT FUNDS AND SUDBURY HOUSING TRUST FUNDS AND OTHER LOCAL RESOURCES TOWARDS AFFORDABLE HOUSING PRODUCTION.

Sudbury has a strong commitment to the Community Preservation Program and the Sudbury Housing Trust is well established as the transactional entity to create housing units using CPA funds.

GOAL 6: PRESERVE EXISTING SMALL HOMES AND DWELLINGS.

The Sudbury Housing Trust was established with the preservation of existing small homes as a key initiative. The Home Preservation Program was established to implement this goal and continues to be successful for Sudbury as well as model for other communities.

GOAL 7: MAINTAIN AND ADVANCE CAPACITY WITH PLANNING AND ADVOCACY

Workshop participants reinforced the importance of supporting and strengthening the capacity of local organizations and institutions that provide affordable housing so Sudbury has a strong infrastructure for meeting its housing needs and is able to respond to housing opportunities in a timely and effective manner.

Increasing the public awareness of the affordable housing program is noted as a key mechanism to furthering affordable housing in Sudbury.

In addition, proactive planning will continue to be valuable in the years ahead to increasing the Town's infrastructure and capabilities. The design and construction of a sewer on Route 20 will increase opportunities for creating affordable units consistent with the goals outlined in the section.

The strength of the planning efforts in Sudbury, through the Director of Planning and Communing Development, the Community Housing Specialist and the Planning Board enable the housing strategies to be implemented. This includes advancing zoning options and creating new bylaws, providing leadership in public meetings to implement the housing goals and strategies, and providing leadership to the region.

Goal 8: THROUGH TOWN POLICY, REGULATIONS, AND LOCAL FUNDING, ENCOURAGE CREATION OF WORKFORCE HOUSING - UNITS THAT ARE AFFORDABLE TO MIDDLE INCOME HOUSEHOLDS MAKING BETWEEN 80% AND 120% OF THE AREA MEDIAN INCOME.

Although this goal was challenged by some participants at the workshop, the majority still support the goal. Multiple participants indicated that it is a priority to produce units that count on the State's Subsidized Housing Inventory before creating housing for middle-income households.

This goal continues to be important as many workforce households, both local municipal employees and those from other towns, earn slightly over the 80% income limits, and cannot afford market rate housing in Sudbury. This is part of being a sustainable community, enabling people who work in Sudbury to live in Sudbury. This helps to

reverse the trend of exporting professionals during the day, and importing the service workers.

Section 2.3: Reaching 10%

As stated in the earlier Housing Inventory section, Sudbury currently has 281 units counted on the Subsidized Housing Inventory, which is 4.75% estimated using the 2010 year round housing base of 5,921. The 10% target number of units is 592 affordable units.

The town expects the creation of 74 units in FY12 through existing projects, and has estimated the remaining units to be created from the strategies outlined in the next section. Per the Regulation, the HPP must demonstrate a numerical increase in SHI-eligible unit of at least 0.5% during every calendar year.

	FY12	FY13	FY14	FY15	FY16	Total
Starting Units	281	355	477	507	537	
Strategy 1: Inclusionary Zoning			3	3	3	9
Strategy 2: Allow Infill Development			2	2	2	6
Strategy 3: Expand Village Business District					5	5
Strategy 4: Overlay Zoning District					10	10
Strategy 5: Private 40B Developments	73	120	15	15	10	233
Strategy 6: Other Private Properties			3	3	3	9
Strategy 7: Municipal Properties			5	5	30	40
Strategy 10: Home Preservation Program	1	2	2	2	2	9
Annual SHI Units Created	74	122	30	30	65	
% SHI Units Created Annually	1.2%	2.1%	0.5%	0.5%	1.1%	
Cumulative SHI Units Created	74	196	226	256	321	
Total SHI Units	355	477	507	537	602	
Annual SHI %	6.0%	8.1%	8.6%	9.1%	10.2%	

This numerical representation of the strategies is a starting point for the further development of affordable housing in Sudbury.

Section 3: IMPLEMENTATION STRATEGIES

The strategies defined in this section below are the specific initiatives by which Sudbury will achieve its housing production goals as defined in Section 2.

Strategy	Goal 1	Goal 2	Goal 3	Goal 4	Goal 5	Goal 6	Goal 7	Goal 8
1: Inclusionary Zoning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>	
2: Infill Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3: Expand Village Business District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
4: Overlay District Zoning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5: Private 40B Developments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
6: Review Private Properties	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
7: Municipal Properties	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8: Staff Housing Office	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				
9: Regional Housing Services Office							<input checked="" type="checkbox"/>	
10: Home Preservation Program	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		
11: Small Grants Program					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		

The strategies are grouped by major category including zoning related strategies (Section 3.1), identification of specific sites for Comprehensive Permit applications (Section 3.2), identification of municipally owned parcels (Section 3.3), participation in regional collaborations addressing housing development (Section 3.4), and development of assistance programs (Section 3.5).

Section 3.1: Zoning Bylaw Amendments

STRATEGY 1: INCLUSIONARY ZONING

Inclusionary zoning is another tool to create affordable housing by requiring that a certain percentage of new housing units in market rate developments be affordable. Inclusionary zoning ordinances vary substantially among municipalities. These variables can include:

1. Mandatory or voluntary ordinance.
2. Percentage of units to be dedicated as inclusionary housing.
3. Minimum size of development that the ordinance applies to.
4. Whether inclusionary housing must be built on site.
5. Whether fees can be paid in lieu of building inclusionary housing.
6. Income level or price defined as "affordable," and buyer qualification methods.
7. Appearance and integration of inclusionary housing units.

STRATEGY 1 helps to achieve **Goal 1** by providing scattered site housing, and **Goal 2** by creating affordable units that can be counted on the SHI, and **Goal 7** by creating zoning mechanisms through proactive planning

Sudbury proposed an Inclusionary Zoning bylaw to the 1994 Town Meeting which was defeated by 10 votes.

The basic provision of the article required residential developments of five lots or more, to reserve 10% of the area to be developed into affordable housing in exchange for an increase in allowed density. The reservation was for three years, after which time it was automatically lifted

and the developer could build on the land in the normal manner, or could negotiate a cash payment in lieu.

A review of 10 studies and 30 Massachusetts bylaws summarize that only 1 out of 5 bylaws produced any units, and there are certain factors that make production more likely:

- Bylaw is in place for more than 5 years
- Density bonus offered - allow additional market rate lots in exchange for affordable units
- Towns with moderate/strong housing markets
- Strategies should include both sticks (regulations) and carrots (incentives)

There is recent interest in resurfacing this zoning mechanism to encourage and create affordable housing. Inclusionary zoning has the benefit of creating affordable housing in pact with market rate housing, so as to continually make proportional progress.

Measurable Milestones: The Planning Board is currently reviewing the current Inclusionary Zoning Bylaw proposal. After detailed review and analysis with public comment, the Planning Board may bring an Inclusionary Zoning Bylaw to the 2012 Annual Town Meeting for acceptance.

STRATEGY 2: PROVIDE INFILL DEVELOPMENT ZONING

The objective of Infill Development Zoning is to allow for small single family homes to be developed on substandard vacant lots that are interspersed in developed residential areas if they are affordable units.

The Town of Medway recently adopted such an infill bylaw for affordable housing. Other Massachusetts municipalities have as well and can provide models for structuring an amendment to Sudbury's zoning bylaw.

The bylaw would require that any units created through the infill bylaw would be eligible to count on the State's Subsidized Housing Inventory (SHI) and be restricted as affordable housing in perpetuity.

The provision can set minimum lot sizes; for example, the provisions could apply to lots as small as 75% of the minimum lot size in the zoning district. In addition, the provisions could require a special permit to ensure full compliance with DHCD's requirements under the local action unit program to create units that will count on the SHI or could create workforce housing at a higher income level to target teachers and other municipal workers. The bylaw could be structured so that other dimensional requirements, such as height and setbacks, would still apply.

Measurable Milestones: The Planning Board may bring an Infill Zoning Bylaw to the 2013 Annual Town Meeting for acceptance, potentially enabling units to be created starting in FY14.

STRATEGY 2 helps to achieve
Goal 1 by providing scattered site housing, and
Goal 2 by creating affordable units that can be counted on the SHI, and
Goal 7 by creating zoning mechanisms through proactive planning, and
Goal 8 by creating workforce housing

STRATEGY 3: EXPAND VILLAGE BUSINESS DISTRICT ZONING

The Housing Production Plan workshop participants clearly prioritized this strategy.

There is currently a Village Business District Zoning in place though it has created no units of housing due to the lack of Town wastewater disposal services.

There is very active effort to construct such a facility, with the recent (2010) identification of a suitable site to handle the requirements. The funding for the design of this system has been approved at the 2011 Annual Town Meeting, and will be presented to the residents for a debt-exclusion vote in June.

If passed, the Town will initiate a public process involving residents and businesses to begin planning for the future of Route 20 with decentralized wastewater. A Citizens Advisory Committee (CAC) will be formed, which will include subcommittees on creating a vision for Route 20, writing zoning bylaws, defining the sewer service area, preparing bylaws and regulations for the sewer district including its operation, planning for other Route 20 streetscape improvements to be executed during the construction period, and other issues. The CAC will be the catalyst for zoning changes directed by the residents and businesses.

There are many good examples in Massachusetts of successful mixed use business districts and corridors, and studying these examples will be the cornerstone of this effort. Preserving the character of Sudbury and creating development opportunities without allowing overdevelopment is of utmost concern, therefore adopting proper zoning controls needs to be carefully studied and executed.

Measurable Milestones: The Town will vote on funding the design of the system in June 2011, and if passed, the Citizens Advisory Committee will be formed to create proper zoning controls for mixed-use purposes - residential housing and retail. Zoning may be ready for a vote of 2013 Town Meeting.

STRATEGY 3 helps to achieve

Goal 1 by providing scattered site housing, and

Goal 2 by creating affordable units that can be counted on the SHI, and

Goal 3 by creating housing in the business districts, and

Goal 7 by creating zoning mechanisms through proactive planning

STRATEGY 4: OVERLAY ZONING DISTRICT

Overlay zoning is a regulatory tool that creates a special zoning district, placed over an existing base zone(s), which identifies special provisions in addition to those in the underlying base zone. Overlay zones may be applied to protect historical areas or encourage or discourage specific types of development such as housing or commercial development.

There are three basic steps to creating any overlay district:

1. Define the purpose of the district.
2. Identify the areas that make up the district.
3. Develop specific rules that apply to the identified district.

One specialized overlay district is defined in MGL **Chapter 40R**. In June 2004, Massachusetts enacted the Smart Growth Zoning and Housing Production Act ("Chapter 40R"), as a standard overlay zoning mechanism that encourages cities and towns to offer compact residential and mixed-use development in "smart growth" locations by offering financial incentives and control over design. Proponents see it as a way to increase housing production and ultimately bring down housing costs in Massachusetts by creating zones pre-approved for higher density development that will attract developers. It is designed to address municipal fiscal and design

concerns, as well as developer concerns. It offers an alternative to the Chapter 40B comprehensive permit process in communities that have not met state affordable housing goals, by giving municipalities more control and, unlike 40B, does not impose profit limits on developers.

The Chapter 40R regulations define the criteria for creating a zoning district, with the following summarized requirements:

1. The districts must be in “smart growth” locations, which are:
 - Near transit - located within ½ mile of a rapid transit or commuter rail station, bus terminal
 - Concentrated development - primary current use is commercial or mixed use and at least 50% of the land area in the district is substantially developed or underutilized, and it is currently served or scheduled to be served within 5 years of the 40R application by public sewer or private sewage treatment plants.
 - Otherwise highly suitable - the district must include land found suitable by virtue of its infrastructure, transportation access, existing underused facilities or other features. Locations are presumed to be suitable if they have been identified as an appropriate site for high-density housing or mixed use development in a local plan adopted no more than five years before the submission of a 40R application
2. The district overlay must allow housing to be built as of right at densities of at least 8 to 20 units per acre depending on the type of housing: At least 8 units per acre for single family homes, at least 12 units per acre for two and three unit buildings and, at least 20 units per acre for multifamily housing (buildings of 4 or more units).
3. The bylaw must require that at least 20% of the housing units developed district-wide using 40R be affordable (reserved for households with incomes below 80% of area median income at an affordable cost) for a minimum of thirty years. In the case of projects exclusively for the elderly, the disabled or for assisted living, at least 25% of the units must be affordable, and district-wide age restrictions are prohibited under the statute.

STRATEGY 4 helps to achieve

Goal 1 by providing scattered site housing, and

Goal 2 by creating affordable units that can be counted on the SHI, and

Goal 3 by creating housing in the business districts, and

Goal 7 by creating zoning mechanisms through proactive planning, and

Goal 8 by creating workforce housing

In its initial offering, Chapter 40R authorized direct cash payments to cities and towns that create zoning overlay districts that meet location and procedural standards set out in the statute. Localities become eligible for a zoning incentive payment (\$10,000 for up to 20 units; \$75,000 for 21-100 units; up to \$600,000 for 501 or more units) when they adopt the overlay and a density bonus payment of \$3,000 per unit if and when units are built using it.

To address fears about school impacts, a companion law (Chapter 40S) was enacted in 2005 that offers “school cost” insurance. It requires the State to reimburse localities for school costs related to children who live in the 40R district and attend the public schools *to the extent that those costs* (1) exceed the share (approximately 50%) of property tax revenues received from new growth properties in the 40R district that goes to school costs and (2) are not covered by Chapter 70 state funding. The formula is generous in that it provides payments based on a district’s average per student cost rather than marginal cost of adding students.

Another specific sort of district-level bylaw is the **Transfer Development Right** bylaw. In this model specific development regulations are established in a Preservation District and also enable the transfer of development rights from the Preservation District to the Development

District. Sample bylaws have been created as part of the State's Smart Growth Toolkit. The goals of this bylaw are to steer development away from sensitive resource areas while providing land owners with the ability to purchase and sell development rights to their property.

TDR bylaws have the benefit of preserving such resources such as groundwater reserves, wildlife, habitat, agricultural lands, public access to surface waters; while to steering development to places better suited to increased levels of development such as established mixed use, commercial or residential centers; and to areas served by existing infrastructure such as established roadways, the centralized sewer collection system, public transit and other utilities.

Measurable Milestones: The Planning Board and the Citizens Advisory Committee will investigate overlay zoning within the Route 20 Wastewater Treatment project, and define the zoning bylaw to present to the 2013 or 2014 Annual Town Meeting.

Section 3.2: Identification of Specific Sites

STRATEGY 5: ADVANCE TOWN GOALS THROUGH PRIVATE 40B DEVELOPMENTS

There are three private 40B developments in process currently for Sudbury. Throughout each projects, the Town will pursue advancing the town housing goals. This may be in the form of increasing the number of affordable units, ensuring the equitable distribution and high-quality amenities for the affordable units, allowing for the maximum local preference units to the extent allowable by law, requiring regulatory agreements and other legal framework documents are prepared timely and accurately, and other items related to the affordability requirement as appropriate.

The numerical plan in Section 2.3 Reaching 10%, above, assumes that most of the units required to reach 10% are created through this strategy, private 40B developments. The below three projects are included at their proposed number of units, though this is often adjusted during the Comprehensive Permit hearings. It is assumed that - in general - this strategy will create 225 units to count on the SHI over the next 6 fiscal years, with some larger rental projects where all units are counted. If it is not these exact projects, it will be other similar ones.

LANDHAM CROSSING

This project is proposed as a 32 unit attached condominium complex located on 8.5 acres at 192 Boston Post Road. Trask Development is the developer. The Board of Selectmen has submitted written positive comments to the state. This application has received its site eligibility letter from DHCD, and the Zoning Board hearing was opened on April 25, 2011.

COOLIDGE

This project is proposed as 64 units of age restricted, affordable rental housing in one building located on 6 acres at 189 Boston Post Road (at the corner of Landham Rd and Route 20). B'nai B'rith is the developer. This application has received its site eligibility letter from DHCD, and the public hearing is scheduled to open May 16, 2011.

STRATEGY 5 helps to achieve
Goal 1 by providing scattered site housing, and
Goal 2 by creating affordable units that can be counted on the SHI, and
Goal 5 by providing opportunities to create additional affordable units (above 25%) in 40B projects, and
Goal 7 by providing leadership to implement the Town's housing goals through private development

JOHNSON FARM

This project is proposed as 120 rental units in 12 buildings located at 189 Landham Road on a 35-acre property. Moss Development is the developer. This application has recently received site eligibility approval from MassHousing, which makes it eligible to proceed to the Sudbury Zoning Board of Appeals for a Comprehensive Permit. This project is not well received by the community, and the Sudbury Board of Selectmen has indicated their opposition to the proposed project. The property has significant wetland constraints. In 2007, the Town proposed to purchase property to construct a small housing component (6 units), with the majority of the property preserved for open space. This proposal was submitted to Annual Town Meeting, but indefinitely postponed upon the death of the property owner.

Measurable Milestones: The Department of Planning and Community Development provides staff assistance to the Zoning Board of Appeals for Comprehensive Permits. Through the public hearings, the department ensures that the projects meet the state and local guidelines, that issues from all parties are heard and addressed, and that the Town’s housing goals are accomplished. These activities are currently active with the 40B projects in public hearing.

STRATEGY 6: REVIEW OTHER PRIVATE PROPERTIES FOR HOUSING

The Town reviews private parcels for affordable housing development when the opportunity arises. In the 2005 Community Housing Plan, nine private parcels were identified as having potential. Of these nine properties, six were sold privately, two are unsuitable for development, and one remains (Sudbury Water District, Concord Road).

Other private properties of interest include Chapter 61 (Forestry), 61A (Agriculture), and 61B (Recreation) property. These are parcels are under special designated tax status to the benefit of both the Town and the landowners.

In exchange for beneficial tax status, the owners must agree to offer to the Town a right of first refusal on the property if a sale or conversion of use is contemplated. In order to maintain program status, the owner is required to apply annually to the program. Properties are taken out of the program if the application is not renewed, the property use is converted, or the property is under agreement for sale.

Many of the parcels enrolled in this program are of interest for preservation of open space and conservation.

Some parcels would also be suitable for a small number of housing units in addition to the larger open space use. These are explored in detail when the Town considers exercising its Right of First Refusal.

Housing may be considered as a municipal use along with commercial, recreation and other mixed-uses when the following short list of properties is available.

CAVICCHIO – 110 CODGER LANE

This property is approximately 135 acres of Chapter 61A land. It was started as an apple farm in 1910 but was leveled during a hurricane in 1938. It was then rebuilt and currently functions as a large-scale plant and landscape nursery. It contains an early 20th-century house and barn on Codger Lane, and is located within the Hop Brook Corridor Priority Heritage Landscape. If

STRATEGY 6 helps to achieve
Goal 1 by providing scattered site housing, and
Goal 2 by creating affordable units that can be counted on the SHI, and
Goal 5 by utilizing CPA funds for community housing, and
Goal 8 by providing workforce housing

available to the Town, this property may support housing with commercial, recreation or other mixed-uses.

RAYTHEON – 526/528 BOSTON POST ROAD

This property is approximately 51 acres of property on Boston Post Road in close proximity to shopping and retail services assessed at ~\$30,000,000. If available, the property would be suitable for housing, including a overlay district. If available to the Town, this property may support increased commercial use in the business district with a housing component for small apartments above the retail space.

SUDBURY WATER DISTRICT – CONCORD ROAD

Identified as parcel D13-0500, this vacant 10 acre property is located on Concord Road. If available to the Town, this property may support housing with commercial, recreation or other mixed-uses.

Measurable Milestones: The Department of Planning and Community Development will review any property for suitability for housing, whether Chapter 61A properties, or other private parcels.



SUDBURY WATER DISTRICT – CONCORD RD

Section 3.3: Identification of Municipal Parcels

Sudbury has invested significant time into exploration of municipal properties for housing purposes.

In 2003, the Blue Ribbon Housing Site Selection Committee (BRHSSC) committee was formed by the Board of Selectmen to assess town-owned parcels of land for development into community housing, specifically scattered site rental housing in duplex or triplex units.

Ten parcels were identified by the BRHSSC as having the potential for scattered housing units.

After public hearings were held by the Board of Selectmen, three parcels were on the warrant for action by the 2004 Annual Town Meeting, of which one was defeated; one is on hold until a determination can be made regarding use of this parcel for a new police station and one proved to be unbuildable due to soils.

During the Committee review process, other Town of Sudbury properties were identified by the BRHSSC as having the potential for development into multiple community housing units at a later date. The BRHSSC report details a complete list of Town-owned properties that are categorized as “not wet” or having other conservation concerns in Appendix C.

STRATEGY 7: INVESTIGATE TOWN OWNED PROPERTIES FOR HOUSING

MELONE GRAVEL PIT

The Melone property is a 46 acre parcel located on Route 117, North Road, identified on Town Assessor Map C12-100, and zoned Research District. It is the largest municipal property that would be suitable for

STRATEGY 7 helps to achieve

- Goal 1** by providing scattered site housing, and
- Goal 2** by creating affordable units that can be counted on the SHI
- Goal 5** by leveraging additional funds with municipal land
- Goal 7** by providing the project management for municipal land projects
- Goal 8** by providing opportunities to create workforce housing

development for commercial, recreation and field development or housing purposes.

The Town purchased this property in 1992 and has operated a gravel operation on the parcel since the 1990's.

Estimates from the Department of Public Works indicate that nearly all the gravel has been removed from the parcel. Sixteen (16) acres of the property is located in the Town of



Concord, six (6)

of which are presumed to be outside all wetland and riverfront resource areas and should be included in this project scope for development.

This parcel lies within a DEP designated Zone II, Aquifer Protection District, and entirely within the Sudbury Water Resource Protection District, which will require protections for groundwater supplies as well as special permitting. One of the Town's water supply wells is located directly across the street from the parcel. Concord's Dug Meadow well field is adjacent to this parcel as well. There are also groundwater contamination concerns from the adjacent property previously owned by Unisys, which is currently being monitored by DEP. There is a wireless tower on an abutting parcel owned by the Sudbury Water District, Assessor's Map C12-004, joining other carriers on that site.

From the time of initial purchase, the Board of Selectmen has been interested in planning for the future for this parcel. This is the largest remaining, buildable Town-owned property and it has much potential. The land offers potential for trail connections to both Sudbury and Concord conservation lands, area to construct new playing fields (baseball diamonds is the current proposal), and suitable soils for residential housing.

In 2005, the Board of Selectmen indicated through a vote that their intent was for the Melone land to be used for either mixed affordable housing and recreational purposes or individual affordable housing and recreational projects. From there, CPA funds were appropriated in 2006 to perform a feasibility study (along with the Mahoney property).

In 2007, the 495/MetroWest Corridor Partnership chose the Sudbury Melone Gravel Pit to explore – with the University of Massachusetts Amherst's Department of Landscape Architecture and Regional Planning - the issue of housing affordability more



Concept Plan 6: Goldsmith, Prest & Ringwall

The Town-Owned parcel list established by the Blue Ribbon Site Selection Committee will be re-evaluated for feasibility. In conjunction with the Infill Development Zoning project above, there are likely to be some appropriate town owned properties.

Measurable Milestones: The Sudbury Housing Trust will lead the review of the Town-owned parcel list, with assistance from the Sudbury Housing Authority. A short list of properties will be available by FY12, with initial feasibility completed in FY13.

Section 3.4: Advancement of Local Capacity and Participation in Regional Collaborations

STRATEGY 8: STAFF COMMUNITY HOUSING OFFICE

All initiatives require dedicated and experienced staff to implement. Creating affordable housing in compliance with all state legislation, regulation, and guidelines, that meets the desire and preferences of the local political body, and is attractive and an enhancement to the character of the town requires time, energy and expertise.

The Community Housing Office is staffed by the Community Housing Specialist who provides a central focal point for housing related activities in Sudbury and has enabled the Town to progress in many of its housing initiatives and has enabled the Sudbury Housing Trust to develop external revenue streams.

Staffing the Community Housing Specialist position was an essential component to establishing the Sudbury Housing Trust, and implementing the 2005 Community Housing Plan, and continues to be essential to implementing the strategies outlined in this plan.

Measurable Milestones: Continue staffing the Community Housing Office and expand the mix of staffing as planned for FY12.

STRATEGY 8 helps to achieve

- Goal 1** by administering programs to develop scattered site housing, and
- Goal 2** by administering programs that creates units that can be counted on the SHI, and
- Goal 4** by monitoring affordable units for compliance, and
- Goal 5** by creating project pro-forma schedules to leverage funds and resources, and
- Goal 6** by administering the Home Preservation Program, and
- Goal 7** by advancing advocacy, and
- Goal 8** by creating workforce housing opportunities

STRATEGY 9: ESTABLISH THE REGIONAL HOUSING SERVICES OFFICE

Sudbury is very active in regional housing efforts, and is hosting an innovative Regional Housing Services Office established through an inter-municipal agreement (IMA) with the Towns of Bedford, Concord, Lexington, Lincoln, Sudbury, and Weston.

The participating Towns anticipate a benefit in preserving their investments in affordable housing through proactive monitoring and leveraging regional expertise. Sudbury will act as the lead community and will establish this Regional Housing Services Office to deliver the agreed upon administrative services.

There are benefits on all sides for this collaboration. The member towns receive high-level service on an as-needed basis without individual procurement processes, or staffing expense;

STRATEGY 9 helps to achieve

- Goal 7** by establishing regional leadership in municipal housing administration

Sudbury as host community is able to leverage existing resources, and those looking for housing have access to wider inventory under one administrator. All parties are able to share in best practices and develop a more regional approach.

This initiative started with leadership from MAPC (Massachusetts Area Planning Council) in January 2009. Through discussions, meetings and conferences, it became evident that there was general interest in some of the Metrowest communities to explore shared housing services further. MAPC awarded three District Local Technical Assistance grants to support the project, from concept to implementation.

As a regional leader in housing, Sudbury was invited to participate and lead the delivery of services. The participating Towns have signed the Inter-Municipal Agreement, the Regional Housing Services Office Revolving Fund has been authorized, and implementation is planned for 7/1/2011 (FY12).

Measurable Milestones: Implement the Regional Housing Services Office in FY12, hire staffing in support of all activities, establish the Advisory Committee and support the member communities in their housing objectives.

Section 3.5: Development of Assistance Programs

STRATEGY 10: ADVANCE THE HOME PRESERVATION PROGRAM

The **Home Preservation Program** is an existing program offered by The Sudbury Housing Trust to preserve current housing stock while creating affordable Local Action units. This program offers single-family detached homes with their own yard at affordable prices, preserving them for first time homebuyers. The houses are subject to a Local Initiative Program affordable housing restriction, and the Trust subsidizes the difference between the market price and the affordable price.

Once a ranked buyer list is established through a lottery, the home will be selected for purchase. Buyers will be offered the home in ranked order and the Trust will work closely with the buyer through the offer process.

The Sudbury Housing Trust, continually searches for appropriate homes for this program. These are well-maintained 2 or 3-BR homes being sold on the open market. The homes are sold with their own property – ie they are not condominium properties and have no condominium fee. When a suitable property is found, The Trust negotiates a [market] purchase price, and takes the lead on bringing the parties together from the offer through to the closing. The Trust does not buy the property, but facilitates the transaction between the seller and income-eligible buyer.

The Town also recognizes that initial repairs on the homes may be needed prior to closing. The Trust will complete required home repairs based on inspection results from licensed local home inspectors. The inspection results and the home repair plan are available for the potential purchaser to review.

Measurable Milestones: The Home Preservation Program has completed four home sales in this program, and plans to create at least one unit of housing in

STRATEGY 10 helps to achieve

Goal 1 by creating scattered site housing

Goal 2 by creating SHI eligible units

Goal 6 by preserving existing homes



the 2011 calendar year. These will be offered to the ranked list created from this lottery.

STRATEGY 11: CONTINUE THE SMALL GRANTS PROGRAM

The Sudbury Housing Trust has sponsored the Small Grants program, designed to provide assistance to income-eligible Sudbury residents to make repairs and alterations to their homes for safety and health reasons.

This program can address house repairs like minor plumbing or electrical, light carpentry, doorbell switch, window repairs, broken or clogged gutters or downspouts, door repairs or replacements, step or porch repairs, lock repair or replacement, cement work or masonry repair, tiling, plaster patching and wallpapering, sheet-rock repair, touch-up painting, smoke/CO2 detectors, weather stripping, bathroom grab bars, interior painting or wallpapering.

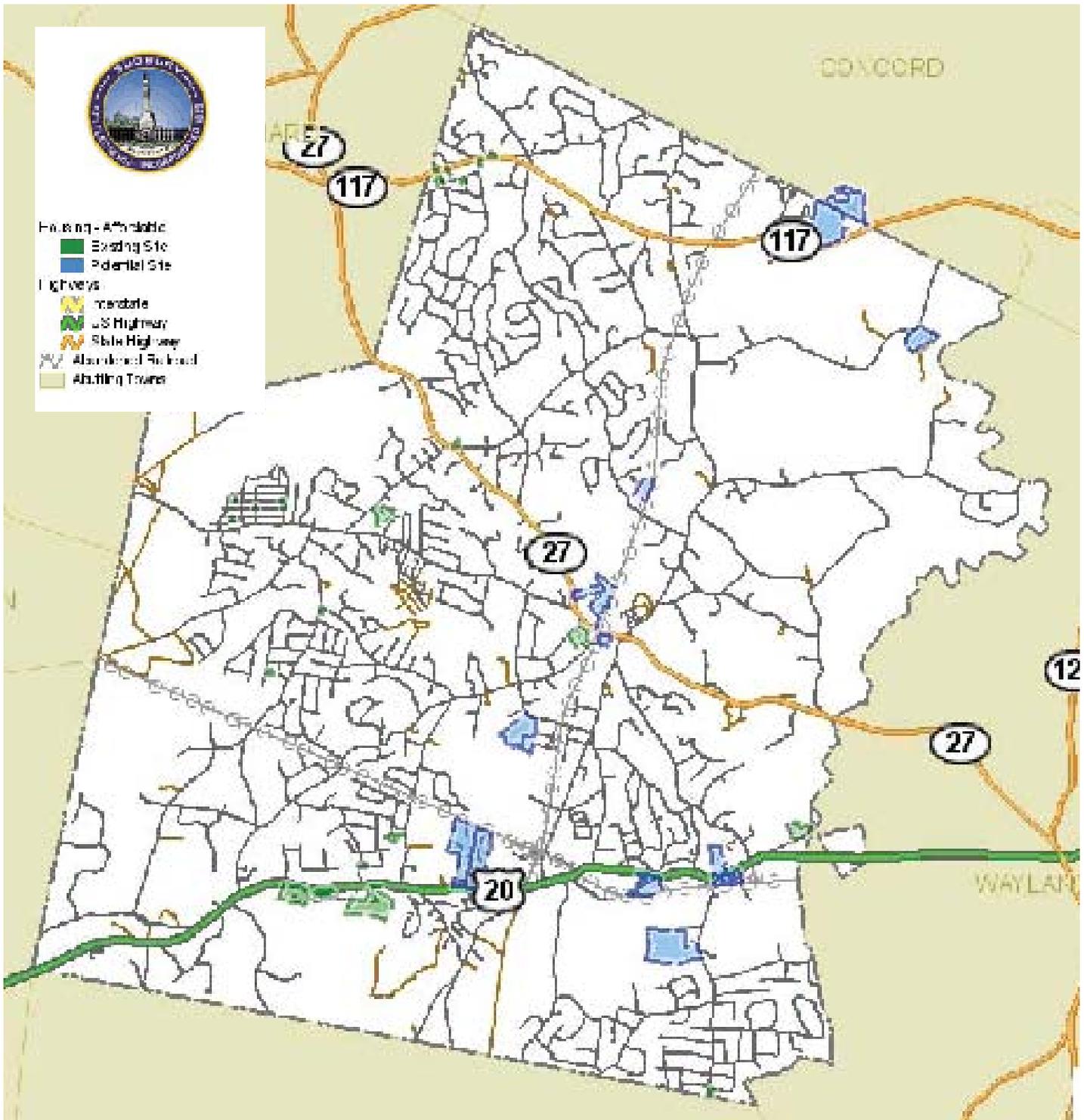
STRATEGY 11 helps to achieve

Goal 5 by receiving pre-listing notice for homes with funded work, and
Goal 6 by assisting to preserve existing home with needed repairs

The process is designed to be simple and quick, with grants awarded three times a year for up to \$3,000 per grant. This financial assistance is given on an unsecured basis; there is no repayment required of the funds awarded, though there are some property and income eligibility requirements. All award recipients are required to give the Sudbury Housing Trust 60-days notice before listing their home for sale – in case the Trust wishes to purchase the property (at market rate). Applications are be evaluated and prioritized based on health and safety considerations, and financial need of the applicant.

Grants are awarded three times per year. Through the life of the program, there have been 9 grant cycles, 43 applicants, 23 awards and \$64k awarded - half for senior households.

APPENDIX A: Town Map – Existing (green) and Potential (blue) Housing Sites



APPENDIX B: DHCD Affirmative Fair Housing Marketing Guidelines

The Commonwealth of Massachusetts has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights obligations. Therefore, all housing with state subsidy or housing for inclusion on the Subsidized Housing Inventory (SHI) shall have an Affirmative Fair Housing Marketing Plan (AFHMP).

To that end, DHCD has prepared and published comprehensive guidelines that all agencies use to guide the resident selection of affordable housing.

In particular, the local preference allowable categories are specified:

- Current residents: A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
- Municipal Employees: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
- Employees of Local Businesses: Employees of businesses located in the municipality.
- Households with children attending the locality's schools, such as METCO students.

These were revised on June 25, 2008, removing the formerly listed allowable preference category, "Family of Current Residents.")

The guidelines in full can be found at the link:

http://www.mass.gov/?pageID=ehedterminal&L=3&L0=Home&L1=Community+Development&L2=Chapter+40B+Planning&sid=Ehed&b=terminalcontent&f=dhcd_legal_ch40bguidelines&csid=Ehed