

TOWN OF STOUGHTON COMMUNITY DEVELOPMENT PLAN

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EXECUTIVE SUMMARY

Project Overview

Executive Order 418 provided funds to enable communities to address future growth and development by creating visions, goals, and strategies in four topic areas: natural resources and open space, housing, economic development, and transportation. Four state agencies provided funding for communities to hire consultants to assist them in preparing this Plan: the Executive Office of Environmental Affairs, Department of Housing and Community Development, Executive Office of Transportation and Construction, and the Department of Economic Development.

The Town of Stoughton elected to work with the Metropolitan Area Planning Council (MAPC) to complete its Community Development Plan under Executive Order 418. In the autumn of 2002, the Town of Stoughton began the Community Development Plan process by undertaking its Visioning effort. In the Spring of 2003, Stoughton was granted approval of its full scope of work for \$30,000 in planning services to create a Community Development Plan (CDP).

The Board of Selectmen appointed a Community Development Plan Committee, which coordinated the CDP efforts in Stoughton and hosted five Community Development Plan public workshops to gather public input over the course of 2 years. On May 3, 2004, the Community Development Plan Committee hosted a final meeting at which MAPC presented draft concepts for the Community Development Plan to the Committee and solicited feedback from town residents.

Background

The Town of Stoughton is a former mill town with 27,000 residents that has experienced slow population growth over the past ten years. The majority of the existing housing stock was built prior to 1970, and most housing in town is owner occupied. While only 63% of the housing stock is single family units, almost all new construction is single family housing. Stoughton has modest potential for residential growth, but substantial potential for commercial and industrial growth, based upon the MAPC buildout analysis of the Town.

Stoughton has a history of manufacturing and an emerging cluster of regional retail, as well as a substantial base of land zoned for commercial and industrial purposes. The major commercial and industrial areas in town are located adjacent to Route 24 and along routes 138, 139 and 27, but smaller areas are interspersed with residential zones due to the community's industrial past.

The Town has significant protected open space resources, including the Bird Street Sanctuary, water department lands, recreational fields and a municipal golf course.

Additional privately owned, but not protected, undeveloped lands are an important factor in the character of the community.

Stoughton has good access to the regional roadway network, being served by several state routes and 3 interchanges on Route 24. Stoughton also has access to regional transit, being served by bus from Brockton and MBTA Commuter rail at the station in downtown Stoughton.

Community Development Plan Recommendations and Map

Based on research, discussions with the Community Development Plan Committee and town officials, and on the results from five public workshops, the Stoughton Community Development Plan recommends the following actions for Natural Resources and Open Space, Economic Development, Housing, and Transportation. Details regarding these recommendations are in the body of the report. To the maximum extent possible, key location-specific actions are shown on the Community Development Plan map (Map 6).

Overarching Proactive efforts

- The town should establish a committee made up of members of various town boards and town residents to follow up on this Community Development Plan, and ensure that appropriate zoning and other bylaw amendments are filed in a timely manner for review at future town meetings.
- In order to maintain maximum eligibility for all state grants, including those for open space, housing, and economic development, it is critical that the Town take necessary actions to become “Certified” under Executive Order 418 and any other state funding review program. Future state funding will likely be oriented towards communities that are promoting “smart growth” while providing for housing across a wide range of incomes, under the Commonwealth Capital Fund guidelines.
- Adopt the Community Preservation Act (CPA) to provide funding for natural resource protection, affordable housing, and historic preservation. The Community Preservation Act enables communities to establish a local property tax surcharge, which is matched annually from a state trust fund, and which is spent by the community on CPA projects.
- Based on the recommendations of the participants at the final plan forum, the Town should commit to adhere to a set of Smart Growth Principles, and should hire a municipal planner to oversee continued planning and implementation of the Community Development Plan.

Recommendations to Achieve Natural Resource Goals:

The following methods, some of which were discussed at the Natural Resources forum, provide options for the Town of Stoughton to consider as means to achieve the Stoughton Natural Resource goals:

Raise Stoughton residents' awareness of the value and importance of open space and environmental protection.

Complete the update to the Stoughton Open Space Plan, following up on the input received as part of this Community Development Plan, in order to further prioritize the proposed acquisitions and to be eligible for State matching funds .

Use Zoning and Other Regulations to Protect Open Space

- Promote cluster development as a means of protecting significant portions of a property which is proposed for development. The town could promote cluster through a variety of means, including density bonuses for developers willing to use cluster, or through requiring that all subdivisions over a specified acreage or number of lots (i.e., “major developments”) be developed through cluster subdivision.
- Protect wetlands and buffer zones through continued use of the local Stoughton Wetlands Protection Bylaw.

Protect Key Properties

Work with private conservation groups and State agencies to utilize a variety of options to protect natural resources and provide recreational lands in Stoughton. Key properties include:

- Ames Long Pond East area
- Benson Road/Goddard property
- Glen Echo Pond area
- Southworth Pond and Lipsky Field

Examine Funding Alternatives

- Explore state and private grants and other options for purchase of fee title or conservation restrictions on key properties
- As noted above, adopt the Community Preservation Act (CPA)
- Establish a town land acquisition account, funded from a variety of potential sources
- If acquisition of the properties is not an appropriate option (because of cost, or where the town does not need to own the land to achieve its conservation goals), the town could work to obtain Conservation Restrictions (CRs) on these areas

Recommendations to Achieve Economic Development Goals

Downtown Stoughton:

- Establish or reinvigorate a public-private downtown partnership to guide and coordinate revitalization efforts.
- Execute plans to improve streets and sidewalks, and help businesses improve the appearance of their properties.
- Revise downtown zoning to guide the design of new buildings, stimulate redevelopment, and increase housing by allowing mixed use development.
- Develop short-term management strategies for downtown parking while exploring the feasibility of increasing parking spaces.
- Improve the mix of commercial and cultural activities to attract shoppers and visitors by encouraging businesses and activities consistent with the vision for a more active specialty retail district.

Promote higher quality redevelopment of highway commercial strips through design standards and review.

Promote orderly development of the commercial and industrial area near Route 24 by planning for future uses and roadway and infrastructure improvements.

Create a new neighborhood commercial zone sensitive to surrounding residential uses, and rezone specific commercial and industrial districts for uses more compatible with their surroundings.

Recommendations to Achieve Housing Goals

Final Plan Map 6 illustrates proposals to add residential development to the Downtown as part of a Mixed-Use Overlay and to change several industrial or commercial zones to residential. In addition, there are a number of housing recommendations that are not location-specific. The following are the main topics included in the housing recommendations; more details are provided in the Housing section of this report.

Based on Stoughton's Housing Profile and the input from its citizens, MAPC recommends that the town pursue the strategies outlined below.

Develop Leadership and Organizational Capacity

To actively guide housing, it is important to establish a strong voice for housing and an organizational framework to pursue plans. For a small town, the most important first steps are for local leaders to:

- Make a strong public commitment to housing
- Develop a proactive housing policy
- Establish /strengthen a housing partnership or committee
- Designate and support staff resources to pursue housing goals
- Undertake a public education campaign

Pursue Opportunities to Achieve 10%

- Seek technical assistance in working with proposed 40B developments.
- Develop an Affordable Housing Plan under 40B Planned Production Program.
- Pursue the inclusion in the 40B inventory of the 20 group home units & other units identified in the OCPC 40B study.
- Take steps to ensure the continued affordability of all privately owned mixed-income housing with potentially expiring use restrictions.
- Encourage 40B developers to provide rental housing, which meets a need and also helps to achieve the 10% goal faster.
- Establish criteria governing the use of the Comprehensive Permit process as a positive tool to encourage affordable housing.
- Adopt inclusionary or incentive zoning to ensure that new housing developments routinely include enough permanently affordable housing to achieve and stay current with the 10% target.
- Use the leverage of zoning and funding to promote housing affordability, using existing housing stock.
- Establish a Local Initiative Program (LIP).

Pursue Financial Resources

- Offer rehab loans &/or grants with funds from state programs or other sources, in exchange for affordability agreements.
- As noted above, adopt the Community Preservation Act (CPA), to fund housing, open space and historic preservation projects (with guaranteed matching funds from state).
- Set up a Housing Trust Fund, to fund a variety of actions to promote affordable housing.

Revise Zoning to Meet Housing Goals

- Inclusionary or incentive zoning
- Mixed use overlay districts
- Consider allowing greater flexibility to add accessory apartments and accessory dwelling units in separate structures (carriage houses, barns, garages) and to convert single-family to multi-family houses.

- Consider allowing new Single Room Occupancy (SRO) residences with suitable standards and oversight.

Property Resources: Preservation

- Preserve expiring use properties
- Pursue opportunities to turn SROs into permanently affordable housing (countable units under Chapter 40B)

Explore Opportunities to Produce Housing in Keeping with Community Character

- Inventory potentially surplus municipal property, other potentially available public or institutional property, and vacant and underutilized properties. In particular, pay attention to religious institutional properties that may be sold
- Explore program to purchase and convert 2-4 family units to affordable rental / ownership

Ensure that market rate housing is developed in a way that is compatible with other planning and “smart growth” goals using downtown overlay districts or cluster subdivisions.

- Cluster, Transfer of Development Rights (TDR)

Explore Regional Strategies

- Collaborate with regional non-profits
- Share staff or expertise with neighbors

Recommendations to Achieve Transportation Goals

The Town of Stoughton received Equivalent Plan Status for transportation since the town participated in the *Route 138 Corridor Study*, conducted by the Central Transportation Planning Staff in 2002. The study recommended a series of improvements to enhance safety and traffic flow in the Route 138 corridor in Stoughton, Canton and Milton.

The Town should work to implement traffic and pedestrian improvements in Stoughton Square, one of the areas cited as a major traffic concern during the community forums. Also, based upon the input received at the public forums, Stoughton should concentrate on mitigation efforts to lessen impacts on residential areas of town as the abutting commercial and industrial areas continue to develop.

INTRODUCTION

In 2002, the Town of Stoughton began work with the Metropolitan Area Planning Council (MAPC) to complete its Community Development Plan under Executive Order 418. Executive Order 418 allowed communities to address future growth and development by creating visions, goals, and strategies in four topic areas: natural resources and open space, housing, economic development, and transportation. Because Stoughton had participated in a recent transportation study, the Community Development Plan focused on the remaining three elements. Four state agencies provided funding for this Plan: the Executive Office of Environmental Affairs, Department of Housing and Community Development, Executive Office of Transportation and Construction, and the Department of Economic Development.

In the autumn of 2002, the Town of Stoughton began the Community Development Plan process by undertaking its Visioning effort. In the Spring of 2003, Stoughton was granted approval of its full scope of work for \$30,000 in planning services to create a Community Development Plan. The Board of Selectmen appointed a Community Development Plan Committee, which coordinated the CDP efforts in Stoughton and hosted five Community Development Plan public workshops to gather public input over the course of 2 years.

The Community Development Plan Committee hosted the following public forums as part of the Community Development Plan process:

- Town-Wide Visioning Workshop, October 21, 2002;
- Natural Resources and Open Space Workshop, September 15, 2003;
- Economic Development Workshop, January 26, 2004; and,
- Housing Workshop, March 1, 2004

On May 3, 2004, the Community Development Plan Committee hosted a final meeting at which MAPC presented draft concepts for the Community Development Plan to the Committee and solicited feedback from town residents.

This study summarizes data on the three elements, presents the results of the various workshops, and recommends strategies to reach the town's goals. Throughout this report, we provide perspective on trends in Stoughton by comparing the town to larger geographic regions. Often we refer to the "MAPC region." This is the area covered by the Metropolitan Area Planning Council and includes the 101 communities of metropolitan Boston from Cape Ann to Duxbury and from Boston out to Bellingham, Marlborough, Littleton and other communities along Interstate 495. We also refer to the "subregion", which in Stoughton's case, is the Three Rivers Interlocal Council, a subset of MAPC made up of 11 communities: Canton, Dedham, Dover, Foxborough, Medfield, Needham, Norwood, Sharon, Stoughton, Walpole, and Westwood.

VISION

TOWN OF STOUGHTON VISION STATEMENT

The Town of Stoughton held a Visioning session at the High School on October 21, 2002. Based on the results of those discussions, the following DRAFT Vision Statement was prepared:

(First Draft 12/8/02)

The Town of Stoughton seeks to enhance the vibrancy of the community through diversifying the mix of economic development and housing options within the community, addressing the traffic and transportation needs of the residents, developing North Stoughton as an economic development engine for the community, continuing its commitment to excellence in its schools, and preserving or acquiring open space within the Town.

The Town seeks to set these goals into motion

- Through the creation of stronger Zoning by-laws which uphold and promote the goals and objectives of the Master Plan.
- Through increasing the business and commercial mix within downtown as well as by attracting new businesses and light industry to North Stoughton.
- Through implementation of bylaws to enhance the appearance of commercial development in the community.
- Through increasing the residential density downtown, and promoting rehabilitation of housing over new construction at the town-wide level.
- Through preserving the affordability of housing in Stoughton for residents of all income levels and at all stages in their lives.
- Through the continued commitment by the residents of the town to allocate funding for the preservation and acquisition of Open Space within the town and for the further awareness of and development of recreational opportunities in conjunction with the Open Space.
- Through seeking funds for maintenance of recreation lands, including ponds.
- Through the improvement of traffic circulation; within the downtown area as well as at major intersections within the town limits to promote ease of travel as well as pedestrian safety.
- Through increased parking, especially in the downtown, and within walking distance of the commuter rail station.
- Through continued interactions with the MBTA, to promote the interests of the town, and the promotion of more frequent commuter rail service into Boston.
- Through the establishment of a Town Planner position to coordinate these activities.

NATURAL RESOURCES AND OPEN SPACE

Key Findings

- The Town of Stoughton has substantial protected or partially-protected open space and natural resources. The largest conservation property is the Bird Street Conservation Area. Conservation lands, including lands managed by the Stoughton or Canton Water Departments to protect water resources, are found throughout town. Major recreational facilities include the various school properties, the baseball fields off Elm Street, the soccer fields off West Street, the football field off Washington Street, a town beach on Ames Pond off Highland Street, and the town-owned golf course off Park Street. Two major conservation restrictions in town include a rod and gun club off Highland Street and part of an industrial park off Technology Drive.
- Substantial ownership in larger privately owned parcels in portions of the town adds to the open space character of the community, although these lands are not permanently protected.
- Stoughton is currently developing an Open Space Plan. That plan will build upon the results of this Community Development Plan and provide further strategies for maintaining and enhancing the town's open space and recreational facilities.

Results of Natural Resources and Open Space Workshop

Priority Goals for Natural Resource and Open Space Protection:

The Natural Resources Forum was held on September 15, 2003. Themes for Goal Statements for Town of Stoughton Natural Resources Community Development Plan Element were discussed and voted on at the Natural Resources Forum. The highest priority themes are as follows (the number after each theme is the number of votes received by that theme when the participants prioritized the concepts at the forum).

- Protect streams, wetlands and ponds for flood control conservation, wildlife habitat, ground-water recharge and recreation use (18)
- Ensure quality of water supply through protection of open space and other methods to protect watershed areas from impacts of development (15)
- Preserve the natural character of the Town for current and future generations (12)
- Preserve and provide natural environments/recreational facilities that are accessible from existing and new neighborhoods for current and future generations (11)
- Preservation of open space to stabilize local real estate taxes (9)

- Preservation of open space for health and environmental benefits (cleansing qualities of open space on air and water) (7)
- Preserve agricultural uses (6)
- Connectivity of open space for wildlife and public access (6)
- Preserve wildlife habitat (5)

A full list of themes discussed can be found in the report of the Natural Resources Forum in Appendix I.

Specific Areas Discussed for Protection of Natural Resources:

Twenty areas within town were discussed for possible acquisition and/or protection. The properties which were rated highest priority by the participants in the Natural Resources Forum were as follows.

- Ames Long Pond East area
- Benson Road/Goddard property
- Glen Echo Pond area
- Southworth Pond and Lipsky Field

Additional properties identified at the Natural Resources Forum as important for protection of natural resources include:

- Libby Property (now protected)
- Britton's Pond parcels
- Lands adjacent to Stonehill Gift lands
- York Street parcel
- Page Street parcel
- Island Street East parcel
- Mill Brook property
- Lakewood Drive parcel
- Cohenno property
- West Street south parcel 1 (now protected)
- West Street south parcel 2
- West Street north parcel 1
- Parcel west of Sumner Street
- Parcels north of Central Street
- Pleasant Street parcel
- Remainder of Cedar Swamp

The recommendations for addressing the Natural Resources and Open Space goals can be found in the Putting It All Together section of this report.

HOUSING IN STOUGHTON

Summary

Vision and Goals

Stoughton's overarching housing goal is to diversify the mix of housing options by

- increasing residential density downtown, including both rental and ownership;
- promoting housing rehabilitation over new construction town-wide; and
- preserving affordability of housing for residents of all income levels and life stages, especially young adults and seniors, who are most burdened.

Findings

- Stoughton is one of the region's most affordable, accessible towns, but future housing is likely to be less diverse, less affordable, and farther from transit.
- As baby boomers age, demand for smaller-scale, lower maintenance empty-nester and senior housing will grow.
- Although 7.43% of the town's housing is subsidized, there is still a high need for affordable housing, indicated by large numbers of low-to-moderate income people, high rent burdens, and long waiting lists for elderly and family housing.
- Middle-income households also face barriers to homeownership as costs escalate.

Recommendations

This report identifies a series of housing barriers and "enablers," suggested housing locations, and detailed recommendations under the following general categories:

- Develop Leadership and Organizational Capacity
- Pursue Opportunities to Achieve 10%
- Pursue Financial Resources
- Revise Zoning to Meet Housing Goals
- Preserve Existing Property Resources
- Explore Opportunities to Produce Housing in Keeping with Community Character
- Ensure that New Market-rate Housing is Compatible with Planning and Smart Growth Goals
- Explore Regional Strategies

Potential housing locations appear on the chart in Part II of this section.

Part I: A Profile of Housing Demand, Supply, and How They Relate

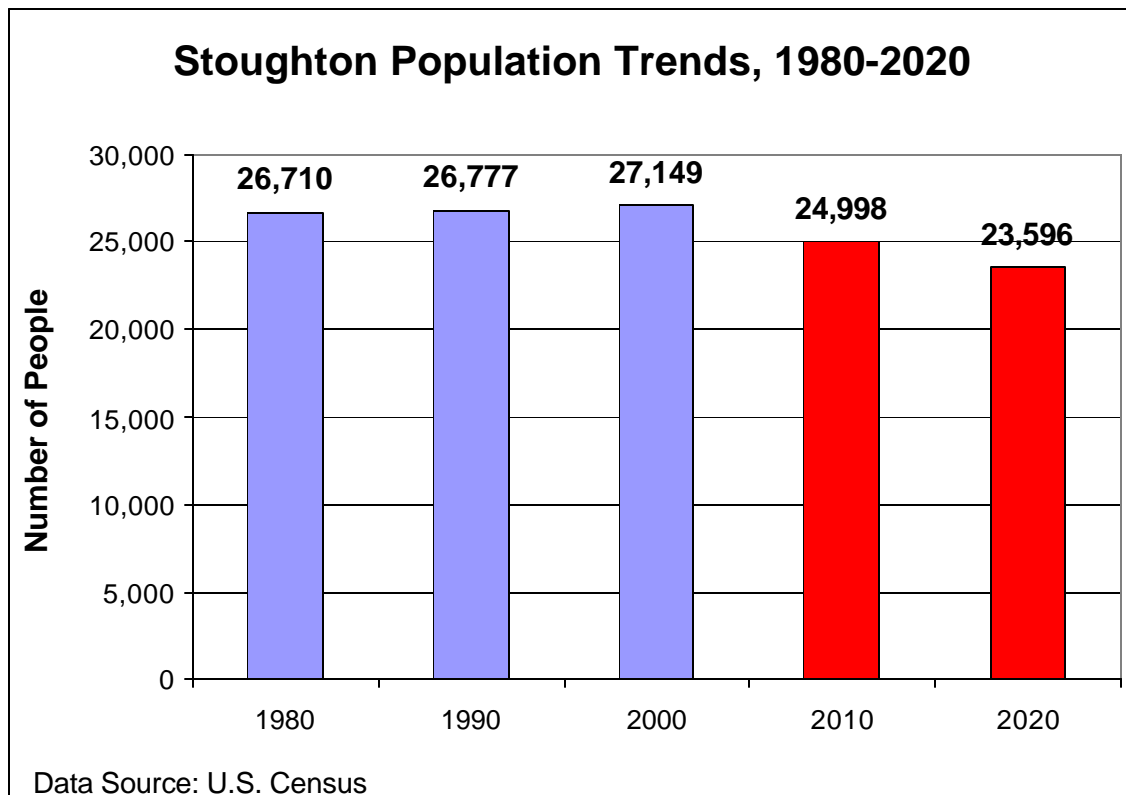
Assessment of Housing Demand

Recent Population Trends

Population trends are among the key factors driving housing demand. Stoughton's population grew less than 2% between 1980 and 2000. The Three Rivers subregion (TRIC) also grew, but at a faster rate, as did the larger MAPC region (almost 7% each). In all three cases, there was more growth in the 1990s than in the 1980s. Past and future population trends appear in Figure 1.

While Stoughton's population grew just a little over 1% in the 1990s, the number of households grew by 9%, and the average household size fell. Stoughton's households are a little smaller than TRIC's and a little bigger than the region's. The trend toward smaller households is a nationwide phenomenon, driven largely by the growing diversity of household types and lifestyle choices and the aging of the population.

Figure 1

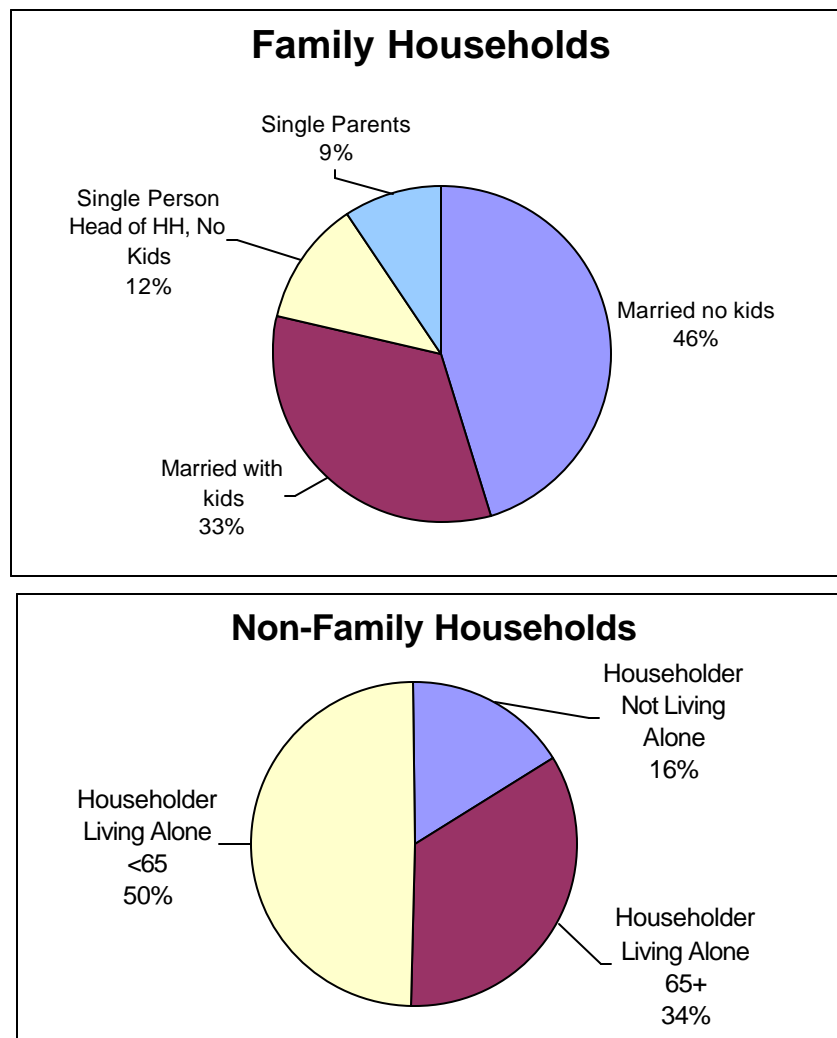


As we will see, this increase in the number of households led to declining vacancy rates and escalating housing costs.

Changes in household size were accompanied by changes in household composition. For the region as a whole, the decade saw a decline in the proportion of family households versus non-family households and an increase in the percentage of householders living alone. Only 22% of the region's households today are "typical" married couples with children, while 30% of households are occupied by a single person living alone. Although the number of single parents grew, they continue to make up 7% of all households.

In Stoughton, 71% of all households are families and 29% are non-families. The proportion of families is down from 75% in 1990 and is considerably higher than the 61% for the region as a whole. Of all family households, 79% are married-couple families, 33% are married couples with children, 9% are single-parents, and 12% are headed by a single adult without children. Of all non-family households, 84% live alone – many more than the region's 77% -- and 34% are elders living alone (see Figure 2).

Figure 2

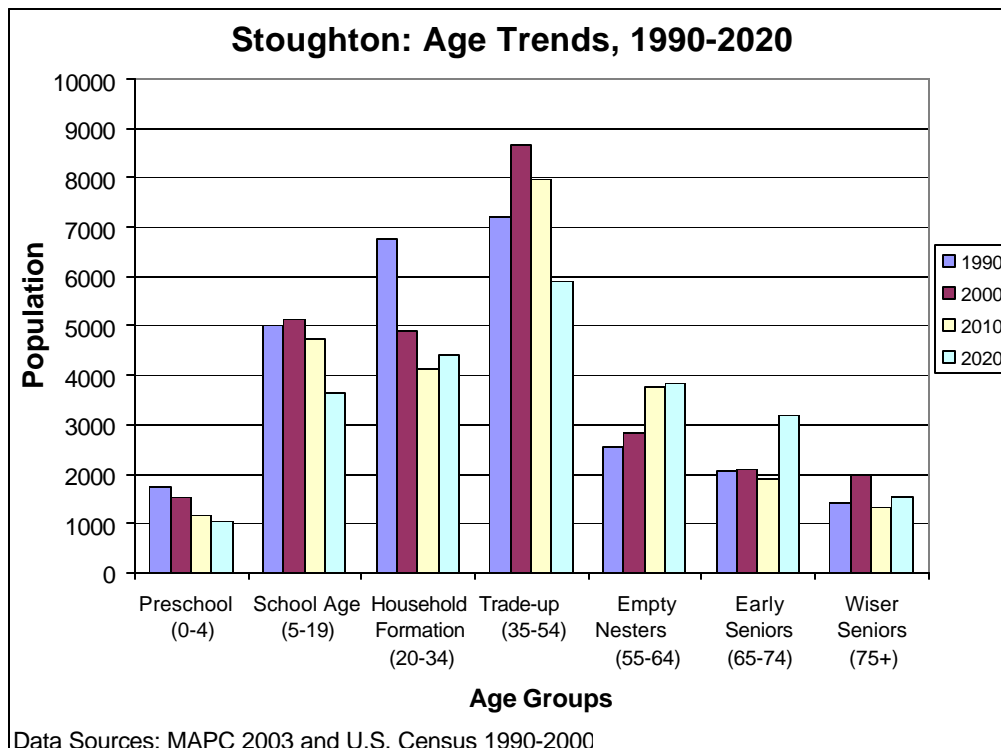


Of all households in Stoughton, 24% are two-parent families with children, 7% are single-parent families, and 10% are elders living alone. Compared to the MAPC region, Stoughton has more two-parent families with children, fewer non-families, more single heads of household, and fewer elders living alone.

Changes in Stoughton's age mix also affect housing demand and housing need. To show this relationship, we have clustered age groups to relate them loosely to various stages in the housing market (for past and future trends, see Figure 3). Thus in the last decade, the town has seen:

- a slight decline in pre-school children and a slight increase in school-age children, suggesting a relatively stable demand for family housing;
- a sharp decline in household-formation years (ages 20-34), signaling a possible decline in demand for rentals and first-time homebuyer opportunities;
- growth in the middle years (ages 35-54), putting pressure on the trade-up market;
- a slight increase in the empty-nester years (ages 55-64), resulting in slightly increased demand for smaller units with less maintenance than larger, single-family homes; and
- a modest increase in the number of seniors, especially older seniors (age 75+), suggesting a need for small-scale housing and housing with services.

Figure 3



This is generally consistent with regional patterns, except that Stoughton has seen slightly less growth in the trade-up group and more growth in the older age groups. The increase in early seniors (ages 65-74) runs counter to the regional decline in that group, although in both cases the change is very small.

Housing Demand: What Will the Future Bring?

According to MAPC forecasts, the town's population is expected to decline over 13% in the next 20 years (see Figure 1). During that time, the subregion's population is likely to decline (5%), while MAPC's population is expected to grow by almost 4%, driven largely by the fast-growing communities near the I-495 beltway. The trend toward more but smaller households is likely to continue in Stoughton, the TRIC subregion, and the region as a whole.

Stoughton can expect:¹

- a decline in the number of both pre-school and school-age children;
- a decline, followed by a small increase, in the household-formation years;
- a decline in trade-up demand;
- growth in empty-nesters; and
- a decline, followed by an increase, in seniors.

While the general trends, driven by the aging of the baby-boomers, are similar to the region as a whole, there are some differences. Stoughton's decline in school-age children is predicted to be both sooner and steeper than the region; the 2010 decline in the household-formation years runs counter to regional growth patterns; and the decline in trade-ups is much steeper. Only the older groups (age 55+) precisely track regional trends.

As this report will show, however, Stoughton is one of the most affordable communities in the region. With good transit and highway access and good schools, it may draw more young families than these predictions show. MAPC will take these factors into account when it updates its population forecasts.

Housing Supply Inventory

Quantity and Characteristics of Stoughton's Housing

The number of housing units in Stoughton grew 10% in the 1980s and 8% in the 1990s, for a 20-year growth of 18%. The pattern of growth was the same as the subregion and the region, with more growth in the 1980s than in the 1990s. The 20-year growth for the

¹ Some of these age categories aggregate more ages than others, which contributes to the visual difference in the proportions of the groups (i.e., trade-up group includes the 20 years from age 35 to age 54, while empty nesters covers only the 10 years from age 55 to age 64).

town, however, was less than that of the subregion, which grew 21%, but more than that of MAPC, which grew 14%.

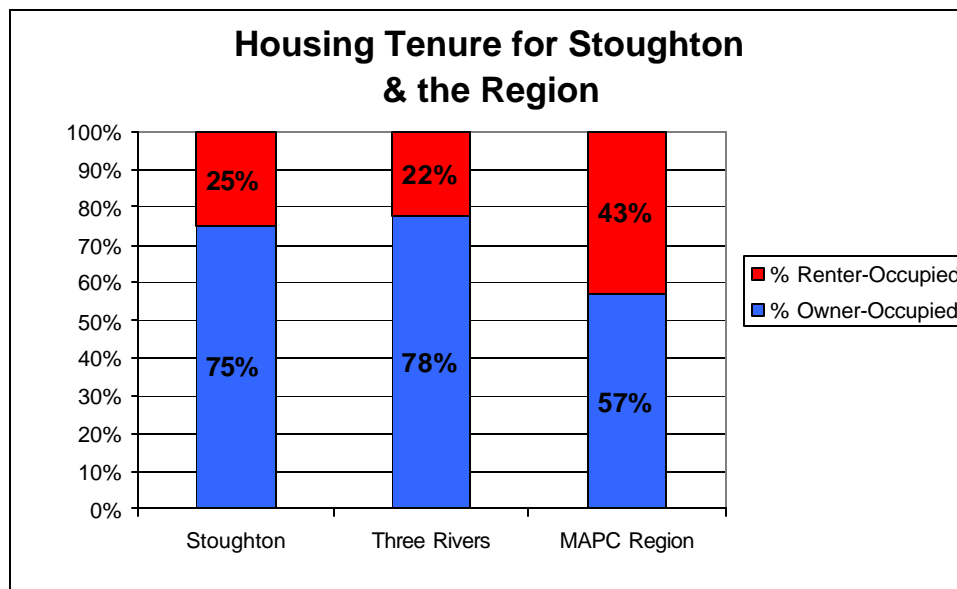
Vacancy rates in Stoughton, especially for homeownership, were quite low as the 1990s began. Both rental and homeownership vacancies declined during the decade. By 2000, vacancy rates for both rental and homeownership were extremely low.

Figure 4
Stoughton Vacancy Rates, 1990 and 2000

<u>Vacancy Rate</u>	1990	2000	National Standard
Rental	3.6%	2.2%	5%
Homeowner	0.8%	0.5%	3%

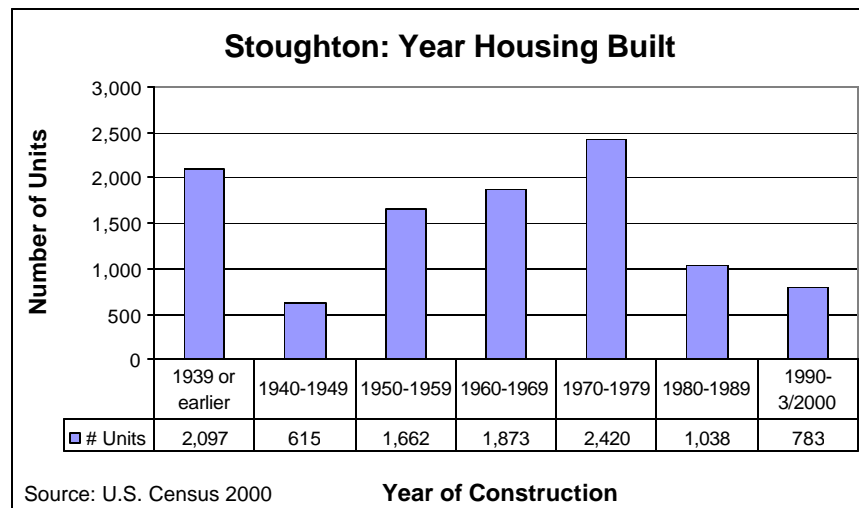
Of Stoughton's housing, 75% is owner occupied and 25% is renter occupied. This is a higher proportion of owner occupancy than the region as a whole (57%) but a lower proportion than the subregion (78%) (see Figure 5). Although the amount of renter-occupied housing has grown over 9% since 1980, owner-occupied housing has grown more (21%), and the proportion of rental housing has declined from 28%.

Figure 5



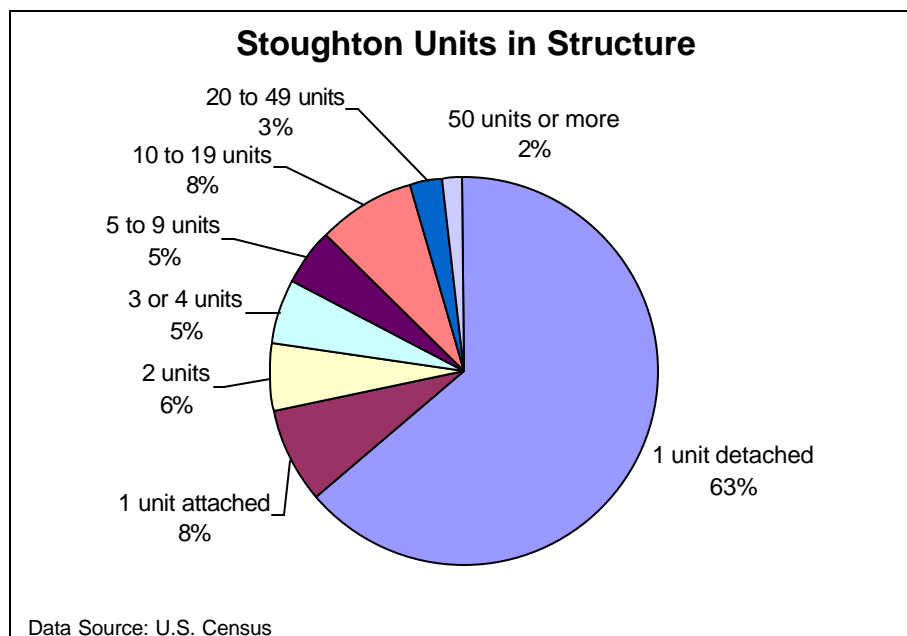
In spite of Stoughton's recent growth, much of its housing is relatively old. Only 26% of the town's housing units were built before 1950, but fully 60% were built before the 1970s, when lead paint laws were enacted. Stoughton's boom began in the 1950s and peaked in the 1970s (see Figure 6). Some of the older housing may need rehabilitation, repairs, and lead paint removal.

Figure 6



Stoughton's housing is predominantly single-family detached (63%), and this proportion has increased since 1990, when it stood at 61%. The remainder is divided among a mix of structure sizes (see Figure 7). The current percentage of single-family detached homes is lower than the TRIC subregion (71%) but more than MAPC (44%).

Figure 7



In recent years, however, Stoughton has issued almost no building permits for multi-family housing. After issuing permits for four multi-family units in 1990, the town did not issue another multi-family permit until 2001, when it permitted one two-family home; another two-family home followed in 2002.

Housing Supply: What Will the Future Bring?

Based on Stoughton's available land, existing zoning, and land use constraints, the town may see about 824 additional dwelling units (see Figure 8). All of them will be single family, and 94% of them will be on lots of 40,000 square feet or more; the smallest lot is 25,000 square feet. This "buildout" could result in over 2,000 new residents and almost 350 new school children. These results do not consider possible zoning changes, 40B developments outside present zoning, or teardown/redevelopment options.

Figure 8

Potential New Housing and Its Impacts				
Zoning District	Lots	Dwelling Units	Residents	Students
Residence District A (R30)	419	419	1110	176
Residence District B (R20)	132	132	350	55
Residence District C (R15)	244	244	645	102
Residence District RU (R8)	29	29	78	12
Total	824	824	2183	345

Given recent trends and development projections, Stoughton's new housing will be primarily single-family, owner-occupied, lower-density, and more expensive housing than its existing housing. This will represent a further shift in housing balance and less housing choice.

Stoughton may wish to reconsider its zoning in light of its stated goal of diversifying the mix of housing options and in light of the likely future demand for more small units for empty-nesters and seniors.

Affordable Housing Inventory

According to the state's April 2002 Subsidized Housing Inventory, which keeps track of all housing that qualifies under M.G.L. Chapter 40B, Stoughton has 775 subsidized housing units. This inventory serves a mix of people. It includes 278 units of public housing, most of it for the elderly (226 units for elderly and disabled, 45 units for families, and 8 special needs units) and 497 units of privately owned housing, most of it (about 67%) for families. Of the total, 44% is elderly, 49% is family, and 7% is special needs.

Stoughton's 775 subsidized housing units constitute 7.43% of its 10,429 total year-round units, or 268 units short of the 10% goal (1,043 units). A recent Old Colony Planning Council (OCPC) draft study entitled *Review of the Inventory of Housing Counted, or Potentially Counted, as "Subsidized" under Chapter 40B* found 20 additional group home beds and recommends that the town inform DHCD of these units and ask that they be added to the count. If they are included, the number of subsidized units would be 795, and the percentage would rise to 7.62%. The OCPC study also found a number of other existing units that might be counted under new or evolving DHCD regulations and

policies. The reader is referred to that study for more information as well as for details of existing affordable housing.

There are also five 40B developments proposed or in the pipeline that could add as many as 299 qualified units to the count. They are:

Figure 9
Potential 40B Developments²

Development	40B units
Vazza Project, The Village at Indian Woods	25
The Village at Goddard Highlands	24
The Village at Ames Pond	10
Page Street Apartments	48
Woodbridge	192
Proposed Projects Total	299

There is widespread concern about the number of proposed 40B housing developments. Residents feel that the town has a substantial amount of housing that is currently affordable to individuals across a wide range of incomes; however, because much of this housing does not meet state affordability criteria, it is not included in the official 40B count.

Nonetheless, if the town were to achieve the 10%, it could take advantage of the positive aspects of 40B but not be subject to its negative aspects. The community could offer the more streamlined comprehensive permit process to developers with projects it considers appropriate and need not fear being forced to accept projects it does not consider appropriate.

The addition of the proposed units could bring Stoughton's total to slightly over 10%. However, the town must bear in mind several added considerations. First, 10% is a moving target: as the base number of housing units grows, the 10% grows as well; thus new affordable housing must be added simply to keep pace. Second, 10% is an arbitrary number and is not based on need; given that 42% of Stoughton's households have low-to-moderate incomes (see next section of this report), 10% may not be enough to meet the need.

Third, four privately owned affordable developments, totaling 418 units, may not be permanently affordable. These developments were built under programs with "expiring use" restrictions that allow owners to choose to raise rents to market levels or sell them as market-rate condos after a finite time period. These four projects were built under four different programs with different regulations and different expiration dates and agreements. There are steps that owners, communities, financing agencies, and others can take to keep properties affordable. The OCPC study presents some preliminary

² Old Colony Planning Council, *Review of the Inventory of Housing Counted, or Potentially Counted, as "Subsidized" under Chapter 40B*, draft, March 1, 2004.

information about the status of these properties, but the town is advised to investigate further and to seek help in preserving affordability. For more information, see *Housing Strategies: Getting Started* in the Appendix.

Two factors combine to make Stoughton especially vulnerable to 40B proposals, thus limiting its ability to control future housing growth. The factors are: 1) Stoughton has not reached 10%; and 2) land in Stoughton costs less than in most other communities in the region. The town would have greater control over its future if it allowed more affordable housing to be developed in locations it considers most appropriate and if it achieved the 10% affordable housing goal.

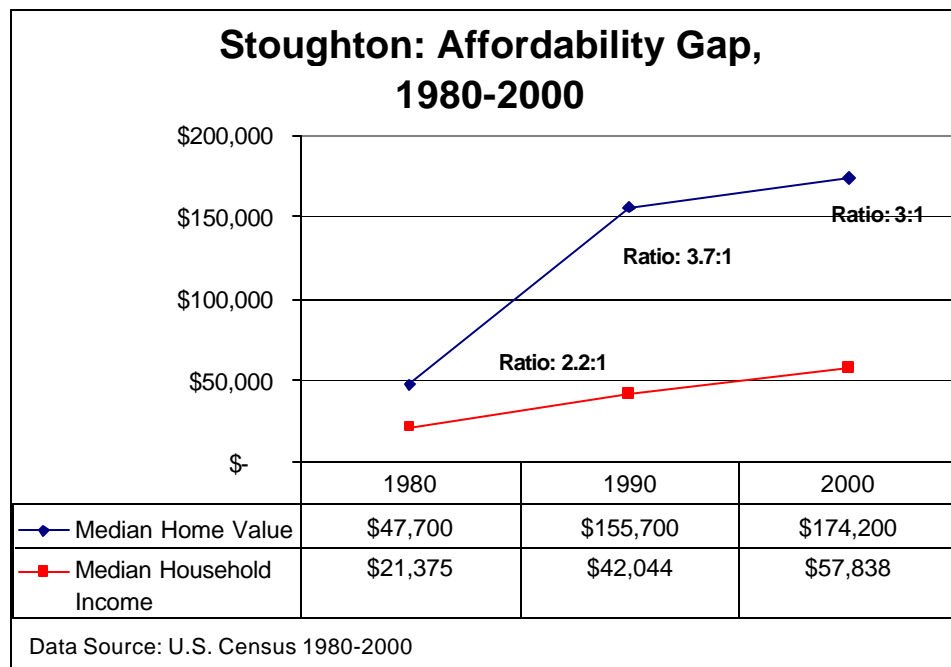
Linking Supply, Demand, and Affordability

High demand and limited supply have cut vacancy rates and forced up the costs of both owning and renting a home.

The Costs of Buying a Home

Stoughton's "Affordability Gap" – the relationship between income and home values – has grown substantially since 1980 (see Figure 10). In 1980, the median-income household could afford the median-value home; home values were 2.2 times incomes, a ratio that is below the 2.5 ceiling for affordability. In 2000, home values were about 3 times incomes, higher than this affordability rule of thumb.

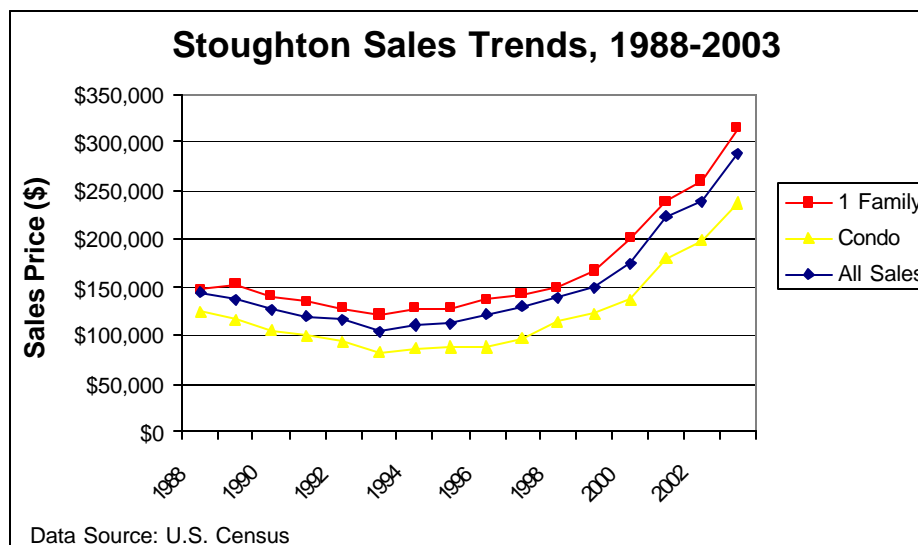
Figure 10



Clearly, housing prices have risen faster than incomes, and housing has become much less affordable. Nonetheless, Stoughton has one of the smallest affordability gaps in the region, where the median ratio of home value to income is almost 4:1, and the highest ratio is 9:1. In 2000, the median-value Stoughton home cost \$29,600 more than the median-income Stoughton household could afford and almost \$10,500 more than the regional median income household could afford. **By any of these measures, the town is among the ten most affordable of MAPC's 101 cities and towns.**

Stoughton's home sales prices rose 108% from 1998-2003 (see Figure 11). The median condominium cost \$237,500; the median single-family home cost \$315,000, and the median for all residential sales was \$289,000. As recently as last year, a household with the regional median income could have afforded the median-priced condo but faced a gap of \$58,000 between the median single-family sales price and the price it could afford. Today – FY 2004 -- a household with the regional median income (\$82,600) can afford \$206,500, less than the median condo sales price and \$108,500 shy of the median single-family sales price!

Figure 11



To bring the situation closer to home, we estimated how a young family with two town-worker salaries might fare in trying to buy today's typical condo as a starter home. An entry-level police officer and DPW worker together might earn just over \$64,100 and could afford about \$160,258. Given the median condo price of \$237,500, that family would have a gap of over \$77,200 just to buy a condo.

Future housing is likely to be even more expensive. As we have seen, all new housing under current zoning will be single family, and 94% will be on lots of 40,000 square feet or more. For new single-family homes permitted in 2002, average construction cost alone, not counting land and other costs, was almost \$232,000. Of the new units built in 2002, only 30% had sales prices below \$375,000.

The Cost of Renting

The costs of rental housing also rose substantially during the 1980-2000 time period. Rents more than doubled in the 1980s but slowed to a 12% increase in the 1990s for an overall increase of 139%. Stoughton's median rent in 2000 was \$711, requiring an annual income of \$28,440 to be affordable.

Rents as reported in the Census seem low. They are as reported by tenants in 2000. Thus they are relatively old. More importantly, they reflect rents paid by in-place tenants who may be long term and have rents that rise only incrementally from year to year. Newcomers seeking market rentals today most likely face considerably higher rents.

Although accurate current rent level data are not available, a recent national study found that Massachusetts had the highest rents in the country. The study found that the statewide "fair market rent" (FMR)³ -- \$1,165 -- required an income of \$46,582, while the metro Boston FMR -- \$56,760 -- required an income of \$56,760. Furthermore, 61% of Massachusetts renters and 64% of metro Boston renters cannot afford the FMR.⁴

There are some indications of a slight slackening in recent rents, especially for luxury rentals. Nonetheless, of the various sources cited in a recent report,⁵ none shows rents below \$1,000 per month; median advertised 2003 rents in Dedham and Quincy, the only communities south of Boston for which data are available, were \$1,275 and \$1300 respectively. Dedham's rent was identical to its 2001 median, and Quincy's had risen 4%.

Housing Cost Impacts and Housing Need

High housing costs have the most severe impact on those on the lowest rung of the income ladder. Of Stoughton's renter households, 41% (1,007 households) pay more than 30% of their income for rent; 39% of renters (943 households) have incomes below \$35,000 and pay more than 30% of their income for rent; and 60% of elderly renters (295 households) pay more than 30% of their income for rent.

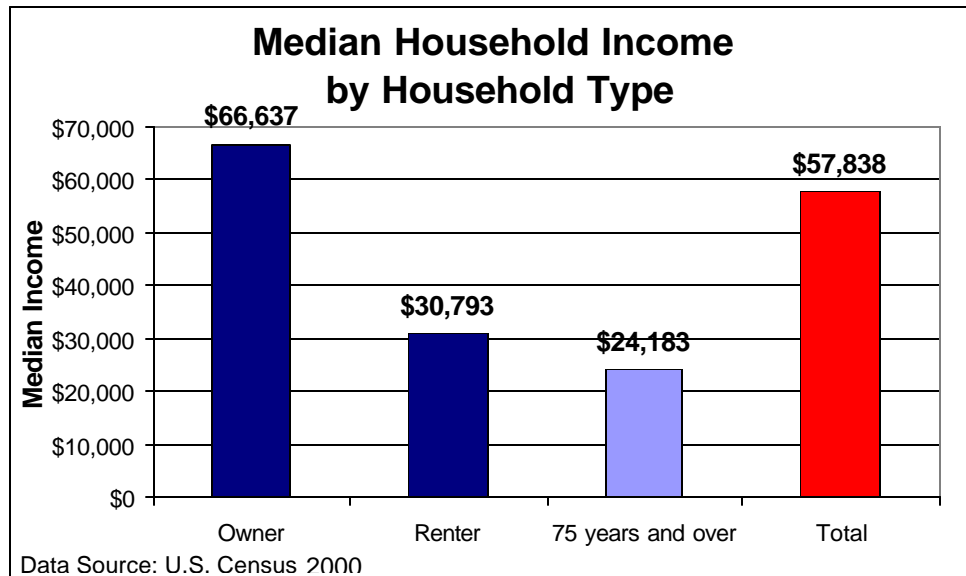
³ FMRs are estimated annually by HUD. They determine the eligibility of rental housing units for the Section 8 Housing Assistance Payments program and are used to calculate subsidies under the Rental Voucher program.

⁴ National Low Income Coalition, *Out of Reach*, 2003.

⁵ Northeastern University Center for Urban and Regional Policy, *The Greater Boston Housing Report Card 2003*, April 2004.

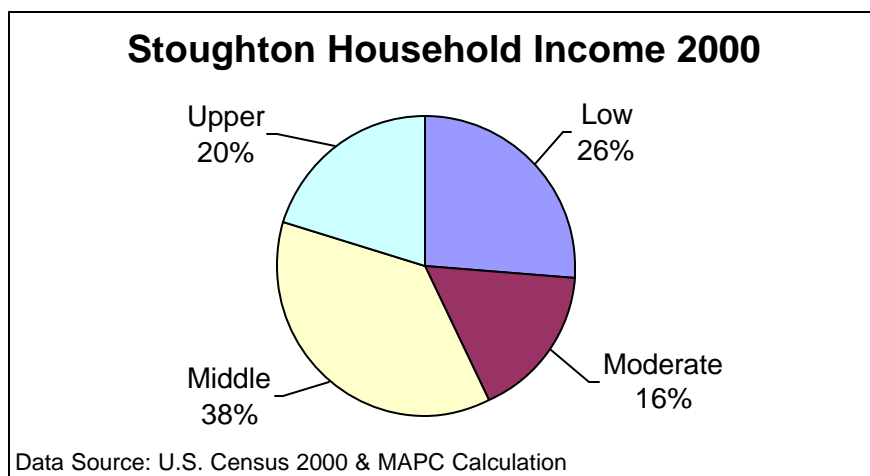
Renters and elders have the lowest incomes (see Figure 12).

Figure 12



Of Stoughton's households, an estimated 42% -- 4,390 households -- have incomes below 80% of median (see Figure 13). This is considered to be "moderate income" and is the income level that qualifies for affordable housing. Of these households, over 2,700 are estimated to have incomes below 50% of median, considered "low income." Middle income households -- those with incomes up to 150% of median -- make up 39% of Stoughton's households, while upper-income households constitute about 18%.⁶

Figure 13

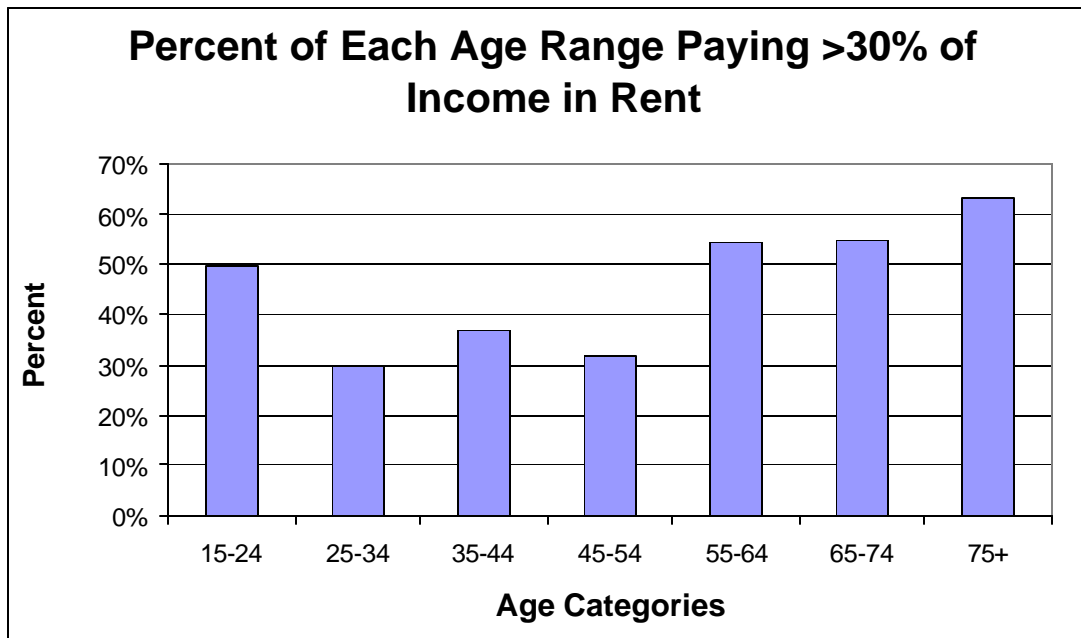
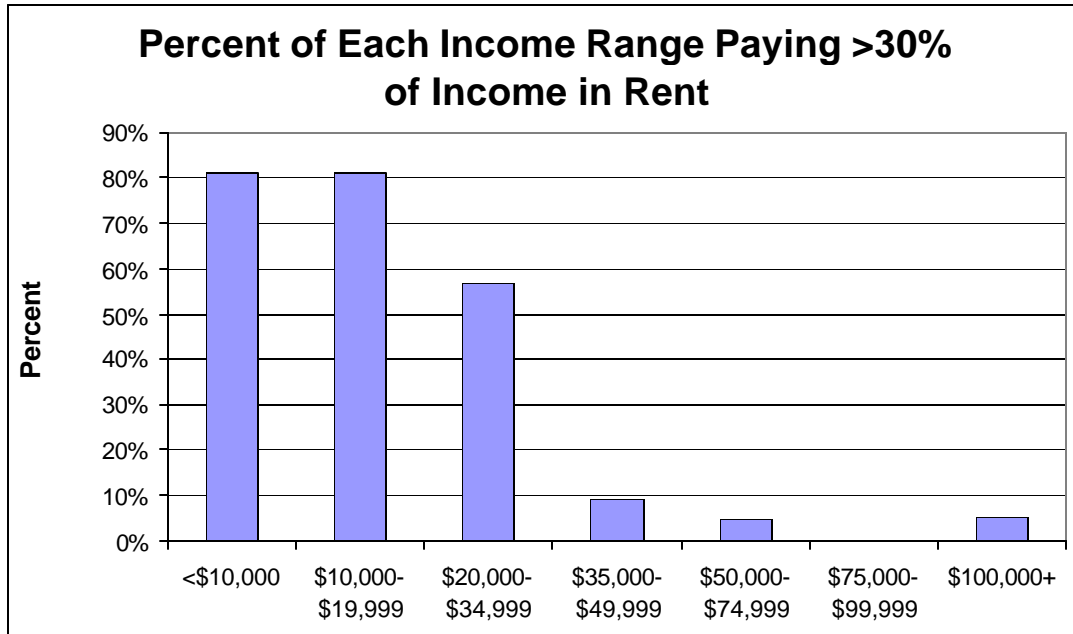


⁶ This is a statistical estimate only and does not adjust for family size. Cut-offs used in chart are for the year 2000, coincident with Census data. Low income (50% of median) = \$32,750; moderate income (80% of median) = \$50,200; middle (81% - 150%) = \$98,250; upper income (over 150%) = over \$98,251.

According to HUD, 9,176 people, or 34% of Stoughton's residents, have low-to-moderate incomes. According to the Census, 223 local families are below the poverty level.

Lower-income people are most burdened by high rents (see Figure 14). Similarly, young people and older renters face especially high rent burdens (see Figure 15).

Figure 14 & 15



Low-to-moderate income demand far exceeds subsidized housing supply. About 125-150 families and 125-150 elderly people are on the town's public housing waiting lists. The wait is about 13-15 years for family housing and 2-3 years or more for the elderly.

Housing Profile Summary and Conclusions

- Stoughton is one of the region's most affordable, easily accessible towns and has attracted many first-time homebuyers who have pushed low-end home prices up dramatically.
- Trade-up homebuyers have also fueled recent demand.
- Most new housing is likely to be expensive, large-lot single-family, owner-occupied, lower density, and farther from transit.
- As the baby boomers age, trade-up demand will decline but demand for empty-nester and senior housing will grow.
- There will be greater need for more smaller, lower maintenance units, possibly nearer to transit and services.
- Stoughton has 775 units of subsidized housing (7.43%); potential new units could add more than 300 new 40B units, but other units may be at risk.
- Low-to-moderate income demand far exceeds supply.
- In 1980, Stoughton's median-income household could easily afford the median priced home; by 2000, that household faced an affordability gap of \$29,000.
- Town workers face a growing gap in their ability even to afford a condominium.
- About 42% of households have low to moderate incomes, the level qualifying for affordable housing.
- For the 125-150 families on Stoughton's public housing waiting list, the wait is about 13-15 years.

In order to achieve its housing goals in a "smart growth" manner, the town will need to address the discrepancy between its goals and the direction housing development is currently taking. Neither of the two current trends -- the market-driven, large-lot, high-end new construction and the spate of 40B developments -- lead the town toward a diverse mix of housing options consistent with "smart growth" principles and affordable to residents of all income levels and life stages.

Part II: Steps to Address Stoughton's Housing Needs

Setting Goals and Objectives

Stoughton is one of the more affordable communities in the high-cost Boston region. It has a mix of single-family and multi-family houses. Nearly all recent development, however, has been “higher end” single-family homes, and the MAPC buildout analysis indicates that, under current land use regulations, almost all of the potential future residential construction will be single-family low-density homes farther from transit and presumably more expensive. It is clear from Stoughton's Housing Profile that the town is becoming much less affordable and continues to have a sizable population that cannot compete in today's marketplace.

The town's housing goal is **to diversify the mix of housing options and preserve affordability for residents of all income levels and life stages.**

The town will use a balanced approach and encourage retention of town character and higher end units while providing units across a wider range of incomes.

The town plans to set its goals in motion through:

- increasing residential density downtown, including both rental and ownership;
- promoting housing rehabilitation over new construction town-wide; and
- preserving affordability of housing for residents of all income levels and life stages, especially young adults and seniors, who are most burdened.

Housing policies will target the following needs:

- More housing authority rentals, targeting very low-income families
- Assisted living for seniors
- Elderly housing – seniors who want to move out of large homes but are not ready for assisted living
- Young adults

Consistent with “smart growth,” the town will:

- Target infrastructure-rich areas;
- Plan for development in an anti-sprawl manner –
 - In the downtown, promote mixed use development near transit and services and on sewer; and
 - In new developments on natural landscapes, promote cluster subdivision to preserve open space while providing housing;
- In downtown redevelopment, preserve existing affordability and include a percentage of permanently affordable housing.

Identifying Potential Locations for Housing

Participants identified sites where housing might be appropriate either as new construction or redevelopment of existing structures. The Housing Opportunities map (see Map #4) and the list of potential sites, with some preliminary ideas about who might live there and what type of housing might be most appropriate (see next page), present a “starter set” for future investigation by the town and other partners. Further study of these sites will be needed to determine their development potential and feasibility and to address a range of issues including parking, site design, ownership, and affordability levels.

Participants were asked which locations seemed worth pursuing. Column 2 shows the result: a check mark (✓) indicates locations that received a 2/3 vote or more; an (X) indicates locations that did not receive a 2/3 vote. Only 6 of the 13 concepts received 2/3 support of the participants, and several of these related to downtown redevelopment (which received universal support at all forums), use of town-owned land, and town-wide (non-site-specific) proposals. It is important to note that the group of participants was small, and several votes were close; we recommend further investigation of most sites listed and others that may be identified in the future.

Preserving and Creating Appropriate Housing

Seizing Opportunities and Overcoming Barriers

Stoughton’s ability to preserve and create housing to meet its needs depends on many factors, including available land and buildings, funding and financial resources, staff, public awareness and political will, organizational resources, laws, regulations, policies, and programs.

Certain of these factors work in the town’s favor. Forum participants identified the following “enablers” that can help the town achieve its housing goals:

- Temporary housing units are allowed by special permit
- Zoning allows for conversion of large single-family houses to up to 4 units by special permit, but only in some districts
- Resolution of water issue – the town has resolved its water issue by joining the MWRA; although this is not an unlimited source, there is enough to help for now
- Availability of water, sewer, & transportation infrastructure

The availability of some low-cost housing and some property in need of rehabilitation may also be an advantage in creating affordable housing.

The following factors present obstacles to achieving the town’s housing goals:

- Zoning -- the state Zoning Act makes it difficult to change zoning – uses are grandfathered for 8 years
- Current Zoning By-law is restrictive for development of multi-family or assisted living; needs to be revamped

- Permitting process needs to be clarified/updated
- Lack of available land for residential uses
- Lack of ability to have in-law apartments
- Lack of overall incentives to build houses
- Concern that increased housing will increase costs of schools & services

Potential Housing Locations

Map #	Vote	Location & Possible Uses
1	X	St. James <ul style="list-style-type: none"> • Low- mod apartments, esp. low income • Senior &/or assisted living, perhaps a mix with higher income
2	✓	Our Lady of the Rosary <ul style="list-style-type: none"> • Low- mod apartments on bus line • Senior &/or assisted living
3	✓	Downtown <ul style="list-style-type: none"> • Smart growth –mixed use • ½ mile radius commercial/industrial reuse for mixed use
4	✓	Town-wide <ul style="list-style-type: none"> • Reuse – redevelopment of properties for housing
5	✓	Town properties <ul style="list-style-type: none"> • Potential reuse for housing
6	X	Woodbridge (across from Hanson School) <ul style="list-style-type: none"> • Multi- family proposal • Mixed use?
7	X	Gill Machine <ul style="list-style-type: none"> • Proposed: multi- family
8	X	Connell Drive <ul style="list-style-type: none"> • Proposed: over-55 housing, 68 units (40B)
9	X	Goddard Highlands <ul style="list-style-type: none"> • 96 single- family (40B)
10	X	West St./ Ames Pond <ul style="list-style-type: none"> • Over-55 housing – no sewer or water
11	X	Page St. Apartments <ul style="list-style-type: none"> • 48 units (40B)
12	✓	Gates Crossing (Buckley Rd., across from fire station) <ul style="list-style-type: none"> • 40B under discussion, ~ 150 units
13	✓	Vazza property <ul style="list-style-type: none"> • 40B

Taking Strategic Action

Participants identified the following strategies:

- Buy existing housing & restrict it as future affordable units
- Distribute affordable units throughout town
- Address issues of conversion of apartments to condominiums
- Target: youngest, oldest, mid-oldest – rental, condos, & 1st time homebuyers
- Institute inclusionary zoning, requiring (or encouraging) a % affordable housing as part of all developments
- Partner with developers and housing authority on town-owned land
- Review in-law apartment by-law
- Investigate the potential for accessory apartments in other areas
- Provide tax incentives for redevelopment/rehabilitation
- Retain some “showcase” homes to maintain the character of the town; retain large homes
- Consider adopting linkage – Bellingham zoning example
- Encourage transfer of development rights
- Work with realtors on determining the needs of the market
- Fast-track projects that meet the plan & provide housing
- Develop system for obtaining more detailed plans from developers before meetings
- Inventory vacant & underutilized commercial-industrial lands for reuse potential
- Seek grants for redevelopment with future affordability restrictions (@ 40B)

The recommendations for addressing the Housing goals can be found in the Putting it All Together section.

ECONOMIC DEVELOPMENT

Overview and Key Findings

Stoughton is a former mill town with a history of manufacturing and a large base of commercially zoned land. With the lifting of growth restrictions imposed to conserve water, the town is experiencing considerable interest in development of retail, office, and distribution space, particularly near Route 24. Key findings on Stoughton's economy include:

- Stoughton residents are more educated than in the past, but relative to the region, they have less formal schooling and are more likely to pursue occupations in construction, production, and sales and office work, and less likely to be in managerial and professional occupations.
- Stoughton hosts about three full or part-time jobs for every four working residents, and 80% of its residents commute to other communities. Those who work in town fill about 20% of local jobs.
- Health care is the largest private employer in Stoughton, followed by retail and manufacturing. The average wage of local jobs is about 75% of the region's.
- Business properties contribute about 17% of the town's property value, which is slightly above average for communities in Massachusetts. Buildout analysis calculated the potential for 12 million square feet of additional built space under current zoning.

Stoughton Economic Profile

Resident Workforce

Stoughton's population grew by about 1.4% in the 1990s, but the number of adults in the workforce declined by 2.2% according to the Census. Historical data from the state show the number of Stoughton residents active in the workforce growing fairly steadily, adding about 500 since 1990 to total almost 15,700 in 2001.

The number of jobs in town has shown less steady progress, rising to a peak of almost 14,000 in 1995 before declining to about 12,500 in the latest annual data (Table 1). The ratio of jobs to working residents rose to over 0.9 before declining to around 0.8, indicating that there is less than 1 part- or full-time job in Stoughton for every working resident. This puts Stoughton near the middle of the 101 MAPC communities (the median is about 0.75) in terms of the ratio of jobs to workers, with about half the value of neighboring Canton and nearly twice that of Sharon.

Just over 80% of Stoughton's working residents commuted to other communities in 2000, with the largest number (19%) working in Boston, followed by 9% in Canton. Those residents who worked for Stoughton employers filled over 20% of the jobs in town.

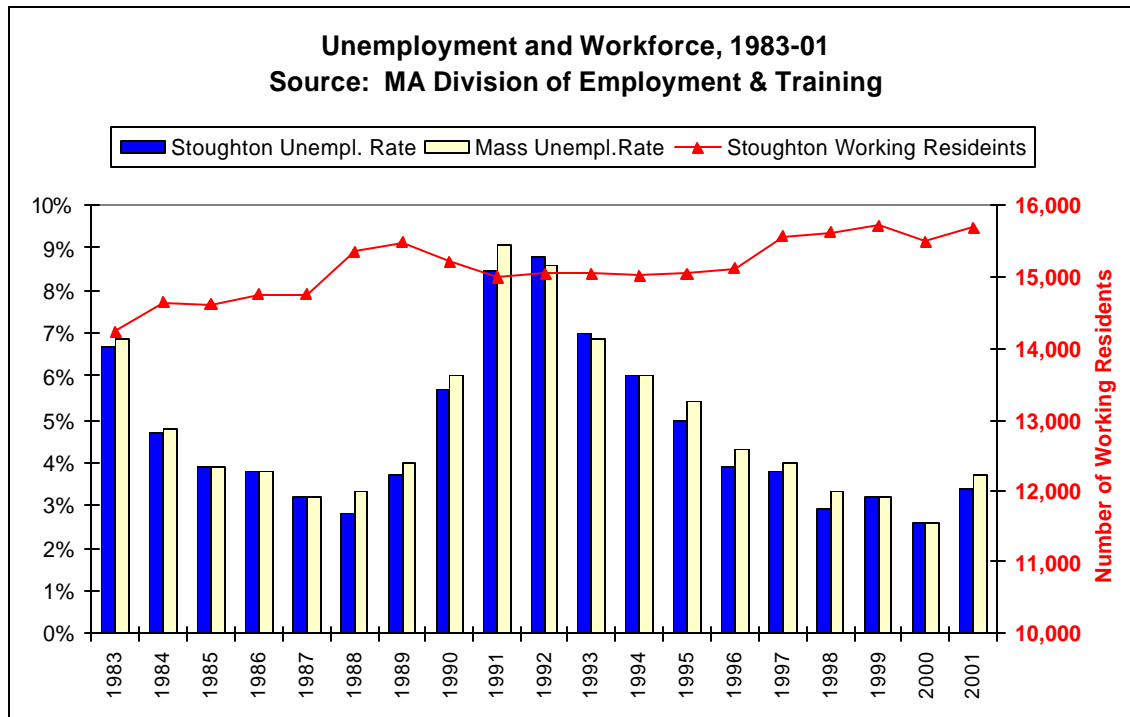
Table 1. Numbers of Working Residents and Jobs in Stoughton, 1985-2001.

	Residents in Workforce	Jobs	Ratio of Jobs to Workers
1985	14,614	10,614	0.73
1986	14,746	11,036	0.75
1987	14,757	12,014	0.81
1988	15,348	13,119	0.85
1989	15,485	13,607	0.88
1990	15,213	13,192	0.87
1991	14,990	12,644	0.84
1992	15,039	13,300	0.88
1993	15,049	13,349	0.89
1994	15,027	13,757	0.92
1995	15,055	13,983	0.93
1996	15,119	13,750	0.91
1997	15,580	13,353	0.86
1998	15,628	13,671	0.87
1999	15,702	13,384	0.85
2000	15,509	12,452	0.80
2001	15,698	12,500	0.80
Growth 1990-2001			
	+485	-692	
	+3%	-5%	

Source: MA Division of Employment and Training

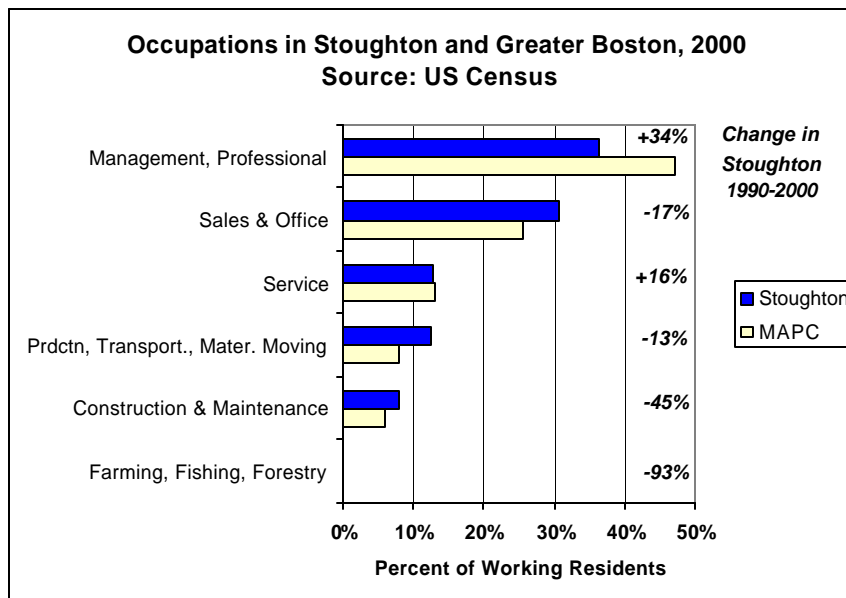
Stoughton residents have fared reasonably well in the employment market in recent decades with the annual unemployment rate for residents having stayed near the statewide rate in the 1980s, and being more consistently below it in the 1990s (Figure 1).

Figure 1. Stoughton unemployment rate and number of residents in the workforce.



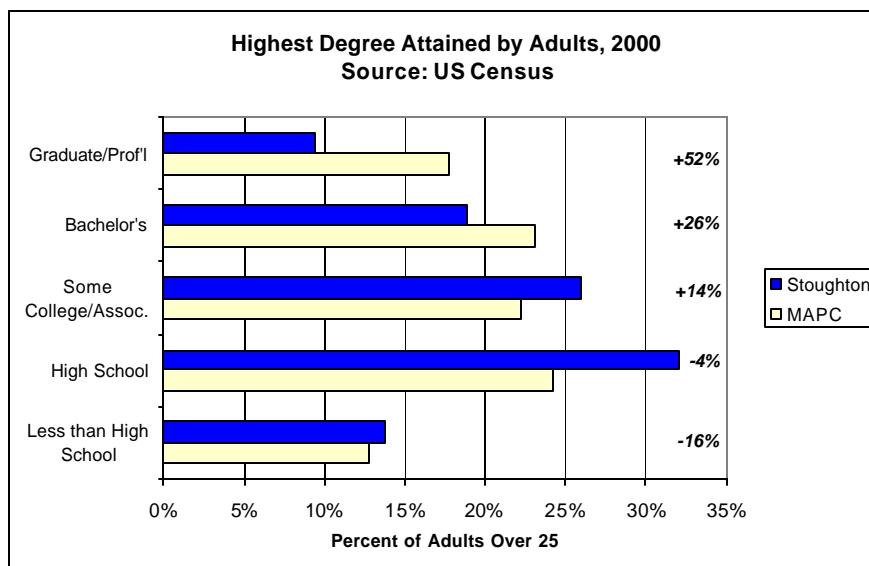
The occupational profile of Stoughton residents mirrors that of the region (Figure 2), with the 2000 Census showing the greatest number of residents in managerial and professional occupations, followed by sales and office work and services. The proportion of Stoughton workers in managerial occupations is considerably lower than the region's at 36%, even though that category grew more quickly in the 1990s in the town (34% versus 32% regionally). Growth in managerial and professional occupations is consistent with national trends toward "knowledge-based" work and services and away from production of goods. Production and construction categories declined in Stoughton in the 1990s but represent a larger proportion of the local workforce than region-wide. The median age of Stoughton residents increased in the 1990s from 35 to 39 years, 3 years above the regional median of 36.

Figure 2. Occupations of Stoughton Residents.



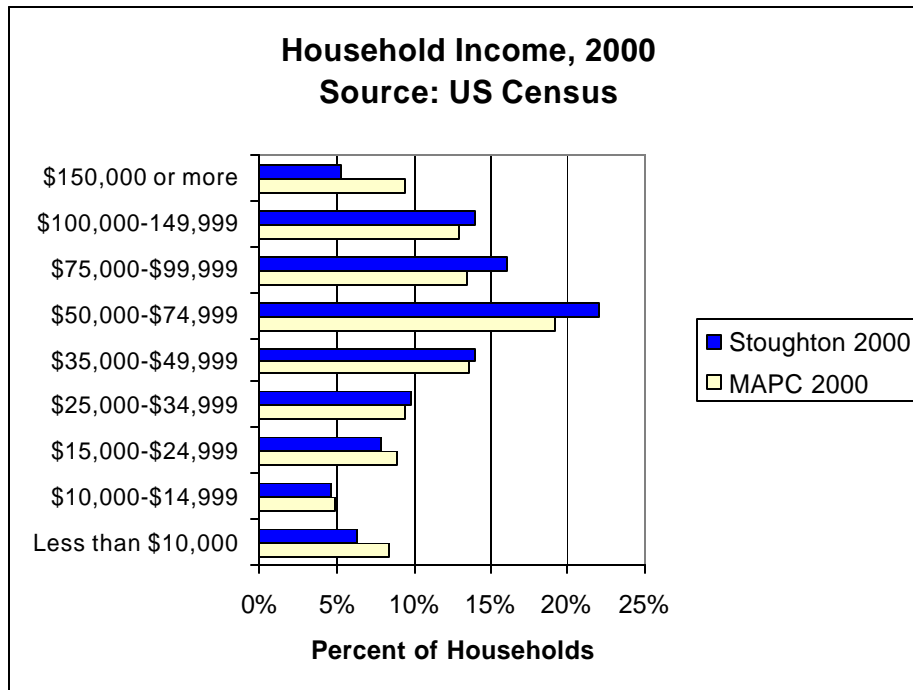
The growth of managerial and professional occupations accompanies rising educational levels (Figure 3). While Stoughton's population over age 25 increased by 6.6% in the 1990s, the number of residents having a college degree jumped by a third. The town's residents are still less likely to have a college degree (28% of residents, compared to 41% for the region), both for bachelor's and advanced degrees (note that the metropolitan Boston work force is one of the most highly educated in the U.S.). The number of adults having high school degrees or less fell less than they did regionally, and represent a larger proportion of adults in Stoughton.

Figure 3. Educational attainment of Stoughton adults, 1990 and 2000.



Median household income in Stoughton rose by 38% in the 1990s to \$57,838 about 5% above the regional median of \$55,200 (Figure 4). When adjusted for inflation, Stoughton's median income grew by 2.6% over the decade, slightly faster than the 2% regional rate. Stoughton's income distribution is skewed slightly toward the upper-middle brackets relative to the region, having higher proportions of households in the categories between \$25,000 and \$150,000. The number of residents who lived in poverty fell by 3% in the 1990s to 1,219 or 4.5% of the town's population in 2000.

Figure 4. Household Income in Stoughton and the region.

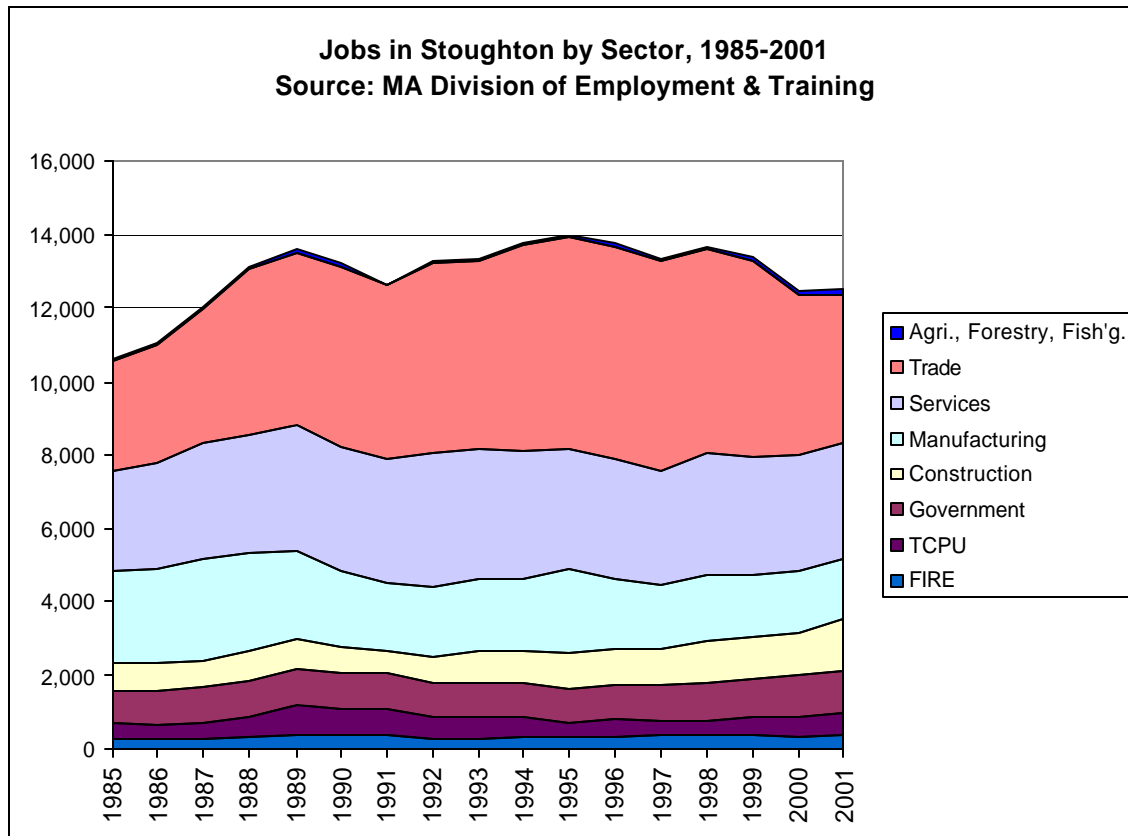


Job Base

Stoughton has a history as a mill town, and while manufacturing still plays a role in the community, other types of businesses are driving employment growth today. Overall, the town hosts over 12,500 full- and part-time jobs, which is down about 700 since 1990. The number of jobs peaked at almost 14,000 in 1995, but has not yet completely rebounded from the closings of some manufacturing plants and the relocation of Reebok headquarters. The recent lifting of controls on construction due to water supply limitations is generating renewed interest in commercial development which should accelerate job growth.

The number of employers has grown more steadily than employment, and totals about 950. The average number of employees working at each establishment has fallen slightly to 13 in the most recent annual data. This is in the middle ground between purely residential suburbs with small retailers averaging below 10 employees, and major job centers such as Waltham or Burlington that average above 20. The list of Stoughton's largest employers includes manufacturers, retailers, health care providers, and a large engineering company.

Figure 5. Jobs in Stoughton by Sector, 1985-2001.



Historic employment data show that trade (wholesale and retail) took over the role of the town's largest employment sector during the 1990s (Figure 5 and Table 2). As of 2001, trade provided one third of the town's jobs, despite having a net loss of 700 since 1990 to total over 4,000. Services was the next largest sector with 3,100 jobs (25%), but was also hundreds of jobs below its peak employment. Manufacturing remains the third largest sector, about half the size of services. Unlike the two larger sectors, which are on long-term growth paths relative to their size in the 1980s, manufacturing's employment total has been on a general downward path. Loss of manufacturing jobs has been common across the region as manufacturers have increased productivity and relocated operations to lower the cost of location. Stoughton's manufacturing decline has been, in fact, less severe than in some other communities.

Construction has been the bright spot since 1990 in terms of job growth, having added over 700 jobs to reach 1,400. It should be noted, however, that the data from the state Division of Employment and Training tends to overstate the impact of construction businesses. The data is collected based on where employees are *paid*, but in the case of construction or delivery businesses, employees may only come to Stoughton to pick up a vehicle, or may go directly to a job site in another community. This may lessen the traffic impact of employment, but the town also misses any economic spillover from purchases made before or after work or at lunch. Official construction employment in Stoughton may decline significantly as contractor work on the Big Dig is completed.

Table 2. Number of Jobs in Stoughton by Sector, 1985-2001.

Year	Number of Establishments	Total Jobs	Trade	Services	Manufacturing	Construction	Government	Transportation, Communications, Utilities	Finance and Real Estate	Agriculture, Fishing, Forestry
1985	635	10,614	2,999	2,704	2,574	707	898	407	264	61
1986	700	11,036	3,210	2,915	2,560	739	912	382	258	60
1987	758	12,014	3,609	3,181	2,757	762	944	408	287	67
1988	797	13,119	4,504	3,223	2,650	825	981	526	334	77
1989	829	13,607	4,717	3,410	2,399	836	1,018	758	370	97
1990	848	13,192	4,888	3,380	2,081	697	1,002	724	345	64
1991	818	12,644	4,730	3,361	1,864	608	983	687	351	51
1992	800	13,300	5,187	3,658	1,923	671	957	554	295	47
1993	824	13,349	5,153	3,548	1,968	831	960	541	290	49
1994	857	13,757	5,579	3,498	1,970	830	936	563	309	60
1995	884	13,983	5,770	3,282	2,285	978	921	358	318	71
1996	894	13,750	5,815	3,260	1,889	1,006	933	440	335	72
1997	874	13,353	5,745	3,095	1,708	1,034	974	376	346	75
1998	902	13,671	5,566	3,296	1,796	1,156	1,037	395	359	66
1999	909	13,384	5,366	3,220	1,663	1,158	1,089	440	370	78
2000	903	12,452	4,352	3,170	1,730	1,116	1,156	502	340	86
2001	920	12,500	4,086	3,165	1,609	1,424	1,143	603	360	110
2002	953	12,622								
% of 2001 Jobs			33%	25%	13%	11%	9%	5%	3%	1%
Growth 1990-2001										
	+72	(692)	-802	-215	-472	+727	+141	-121	+15	+46
%	+8%	-5%	-16%	-6%	-23%	+104%	+14%	-17%	+4%	+72%

Source: MA Division of Employment & Training

In the most recent annual industry-level job data from 2002, health care emerges as the largest private sector employer in Stoughton with over 1,800 jobs in medical and dental offices, nursing homes, daycare centers, etc. Health care is also the largest employer in the region and typically offers a wide range of jobs from entry level labor to the highly skilled and highly paid. Health care jobs in Stoughton pay near the regional average for the industry, but health care overall pays wages below the regional private sector average (Table 3).

Table 3. Employment and Wages for Private Sector Jobs in Stoughton by Industry, 2002.

Industry	Number of Employees	Average Annualized Wage
Health Care	1,824	\$37,700
Retail Trade	1,598	\$27,820
Manufacturing	1,544	\$44,668
Construction	1,438	\$60,632
Wholesale Trade	1,270	\$44,304
Accommodation & Food Services	1,151	\$13,312
Other Private Services	549	\$26,468
Admin.& Waste Services	435	\$35,620
Professional & Technical Services	381	\$47,632
Transport. & Warehousing	349	\$36,504
Real Estate & Leasing	304	\$42,848
Finance & Insurance	223	\$46,020
Information	162	\$50,804
Educational Services	138	\$18,980
Management of Companies	96	\$46,592
Stoughton Average Private Job Wage		\$38,376
Metro Boston Average Private Job Wage		\$50,752

Source: MA Division of Employment & Training

Retailing is the second largest employer in Stoughton and the region with 1,600 jobs. Continuing retail development near Route 24 should increase this total to the extent that the stores draw customers from a larger trade area rather than from existing stores. Retailers provide numerous entry level opportunities for low-moderate income workers, students, and seniors, but because they employ many part-time and seasonal workers and pay relatively low wages, the industry's average wage is relatively low.

Manufacturing remains Stoughton's third largest employer, accounting for 1,500 of the town's 11,500 private sector jobs. Major concentrations of manufacturing jobs are found in printing and in fabricated metals and machine shops, but there are few companies involved in the region's higher growth/higher value manufacturing industries involving electronics or medical devices. The \$45,000 average wage for Stoughton's manufacturing jobs is about three fourths of the industry regional average.

Construction provides another 1,400 jobs at an average wage of \$60,000, which is 20% above the regional private sector average and the highest in Stoughton. The town's other higher paying industries, information and professional and technical services, contribute relatively few jobs, and the overall average wage for the town is \$12,000 below the regional average for non-government jobs.

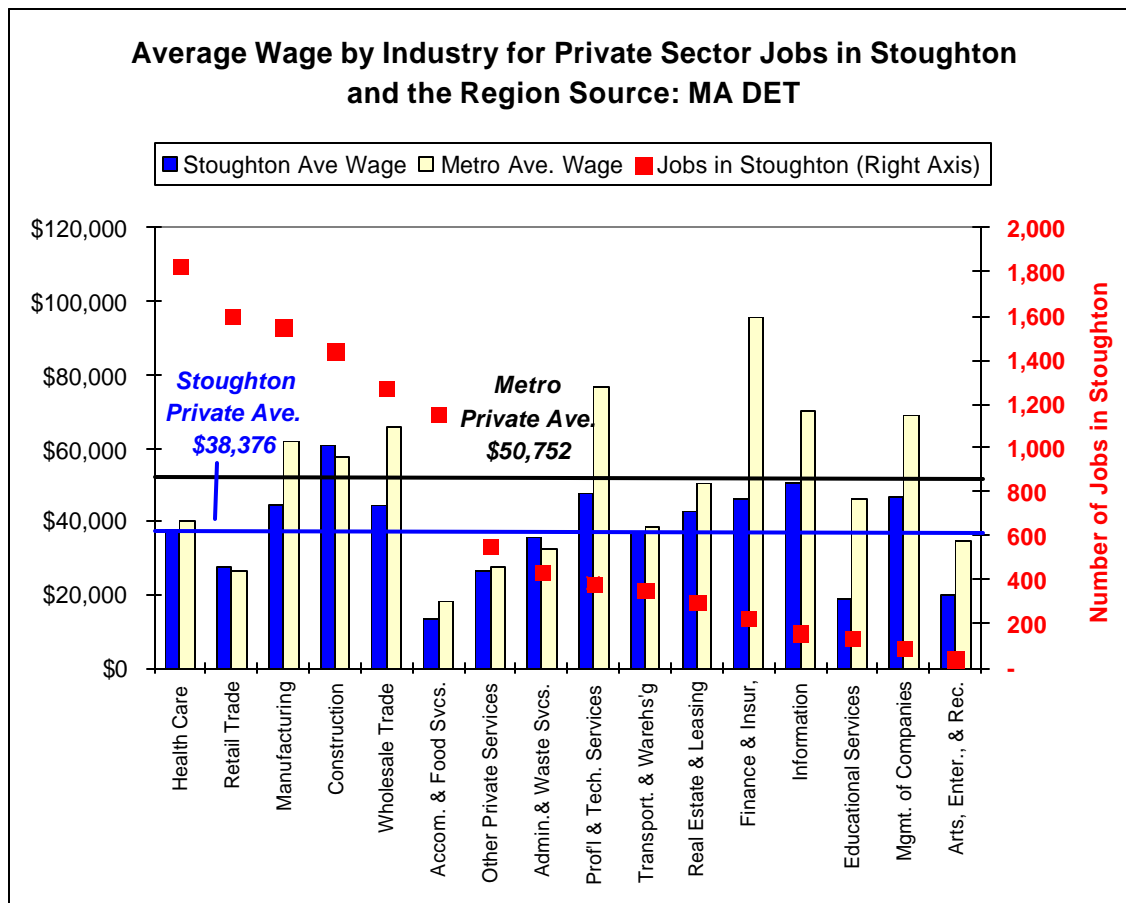
However, this data from 2002 is somewhat misleading in that it does not include the recent consolidation of engineering firm Stone & Webster into the office space previously occupied by Reebok. The inclusion of these professional services jobs would increase the town's average wage, although perhaps only by \$1-2,000. However, the area in northeast Stoughton near Route 24 has the potential to house similar office developments suitable for other companies in growing, high paying service and technology related industries that can offset expected regional declines in manufacturing employment.

Table 4. Largest Employers in Stoughton, 2003.

Employer	Number of Jobs	Industry
New England Sinai Hospital	500-999	Physical Therapists
Stone & Webster (estimated)	500-999	Engineering Services
Stop & Shop	250-499	Grocers-Retail
Ark-Les Corp	100-249	Current-Carrying Wiring Devcs (Mfrs)
B J's Wholesale Club	100-249	Wholesale Clubs
Blue Hills Alzheimers Care Ctr	100-249	Nursing & Convalescent Homes
Casual Male Big & Tall	100-249	Men's Clothing & Furnishings-Retail
Copley At Stoughton	100-249	Nursing & Convalescent Homes
Courier Stoughton Inc	100-249	Printers-Books
Franklin Sports Industries Inc	100-249	Sporting Goods-Manufacturers
Interstate Coach	100-249	Buses-Charter & Rental
Jewish Community Ctr Striar	100-249	Non-Profit Organizations
Judge Rotenberg Educational	100-249	Nonclassified Establishments
Lanier Professional Svc	100-249	Printers
Marson Corp	100-249	Bolts Nuts Screws Rivets (Mfrs)
Shaw's Supermarket	100-249	Grocers-Retail
State Armory	100-249	State Government-National Security
Std Manufacturing Inc	100-249	Surgical/Med Instr./Apparatus (Mfr)
Stoughton High School	100-249	Schools
Town Spa Pizza	100-249	Pizza
New England Sinai Hospital	500-999	Physical Therapists

Source: Reference USA.

Figure 6. Wages and employment in Stoughton's largest private sector industries.



Property Tax Base

The total valuation of Stoughton real estate for tax purposes reached almost \$2.5 billion in Fiscal Year 2004. Of the total, 16.8% (\$419 million) was contributed by business property (“CIP” or commercial and industrial buildings and land, plus personal property such as business equipment). This percentage is in the top third for the MAPC region and close to the statewide average. The town’s CIP share has gradually eroded since the early 1990s when it was about 10 percentage points higher, a decline that has been shared by most communities across the state. The drop in Stoughton has actually been less severe than in many metro communities. Just over 60% of Stoughton’s CIP value is contributed by commercial properties (stores, offices, restaurants) and about 30% by industrial.

The value of business property in Stoughton has waxed and waned over the last two decades, and the total has not yet returned to the peak level of 1991. In addition to its own lack of growth, CIP’s share of valuation has been reduced by very large increases in residential value. Just since 2000, the total value of Stoughton residences *increased* by \$794 million— an amount about 1.8 times the *total* valuation of business property. While new construction contributed to the residential increase, the dominant factor was the

surging value of individual properties. The average valuation of a single family parcel in Stoughton rose 65% from 1990 to 2004 to \$250,000. This reflects the soaring values of residences throughout Eastern Massachusetts over the last two decades which has dramatically increased the residential portion of the tax base in most metro Boston communities.

Stoughton has a large amount of land zoned for commercial use – 777 acres for retail and general business use and 1,315 for industrial. MAPC’s buildout analysis in 2000 calculated that over 12 million square feet of commercial development could take place in the town, 5 million on vacant land and 6.6 million in two redevelopment areas, most of it around Turnpike Street in northeast Stoughton. There are additional opportunities to increase the commercial tax base by stimulating redevelopment of higher valued commercial properties downtown and at various sites scattered about the town.

Table 4. Tax valuation in Stoughton by property class, Fiscal Year 1985-2004.

	CIP % of Valuation	Residential	Commercial	Industrial	Total
1985	23.5%	\$438 M	\$60 M	\$51 M	\$572 M
1990	25.3%	\$1,263 M	\$278 M	\$120 M	\$1,691 M
1995	21.9%	\$1,057 M	\$199 M	\$66M	\$1,354 M
2000	21.8%	\$1,285 M	\$212 M	\$106 M	\$1,643 M
2004	16.8%	\$2,079 M	\$257 M	\$124 M	\$2,498 M
<i>Change over Period</i>					
1985-1990	+1.8 pts	+ \$825 M	+ \$218 M	+ \$69 M	+ \$1,118 M
1990-1995	-3.4 pts	- \$205M	- \$78 M	- \$54 M	- \$337 M
1995-2000	-0.1 pts	+ \$228 M	+ \$13 M	+ \$40 M	+ \$289 M
2000-2004	-5.0 pts	+ \$794 M	+ \$45 M	+ \$18 M	+ \$855 M

Source: MA Department of Revenue

Economic Development Profile Summary

Stoughton is a former mill town that is transitioning to a more diversified economy. Its resident workforce is fairly affluent, but less well educated than the region as a whole. Most residents commute to jobs in other communities. The local economy has a significant manufacturing base, but health care and retail provide the largest numbers of jobs. The commercial tax base is slightly larger than average, and there is both considerable potential for redeveloping the town’s large base of commercially zoned land, and significant interest in doing so, as evidenced by recent proposals in the northeast part of town near Route 24.

Results of the Economic Development Workshop

The portrait of Stoughton that emerges from the economic development data is a middle income community that has a moderate commercial and industrial tax base with potential for continued development in the industrial areas along Route 24, and a relatively stable and broadly diversified job base which is somewhat lacking in knowledge-based sectors.

Based on the input received at the Economic Development forum, there is a strong interest in redevelopment of Stoughton's commercial areas (especially in the downtown), decreasing the existing and potential conflicts between residential and commercial/industrial uses, and of orderly development of the town's remaining potential for commercial and industrial development.

1) Priority goals for economic development:

Themes for Goals Statements for the Town of Stoughton Economic Development Community Development Plan Element were discussed and voted on at the Economic Development Forum held on January 26, 2004. A total of 15 themes were brainstormed, and later prioritized, by forum participants. The highest priority themes are as follows (the number after each theme is the number of votes received by that theme when the participants prioritized the concepts at the forum).

- Increase business/commercial activity downtown, increase residential density downtown, increase parking downtown (23)
- Pay attention to the impacts new developments have on traffic and pedestrians (16)
- Put development where infrastructure already exists (13)
- Create a flexible overall plan for the town and a clear blueprint for all Town boards to follow in implementing the plan (13)
- Revise existing zoning districts to reduce instances where residential and commercial/industrial uses are inappropriately close together (12)
- Establish design review guidelines to enhance the quality of development (9)
- Attract new businesses to North Stoughton, focusing on the quality of businesses and paying attention to traffic impacts (8)
- Emphasize re-use of existing commercial/industrial buildings over new construction(8)

The full list of themes discussed is included in the Results of the Economic Development forum in Appendix I.

2) Site Specific discussions: A series of locations were discussed. Included were areas proposed for additional economic development, and also areas currently zoned for commercial or industrial uses that the town might want to consider for other uses so as to lessen conflict with abutting residential uses. The locations discussed are listed below and are also shown on the Economic Development Forum Map 4.

- Downtown Business and Industrial Districts
- Canton Avenue Industrial District
- Gill Manufacturing site
- North Stoughton - Neighborhood Business and Industrial areas
- North Stoughton - Turnpike Street Industrial Area
- Park/Sumner Street Industrial Area
- Central Street Industrial area opposite Hansen School
- Route 138 Business district at Easton town line
- Pleasant Street General Business area
- Glen Echo Road General Business district
- Route 138 north General Business and Industrial Districts
- Route 27 Business Districts at Brockton line
- Route 139 Industrial District at Randolph town line
- Other small Industrial and Business districts mixed with Residential areas

The description of the concepts discussed for each of these locations are in the Economic Development meeting notes in Appendix I.

The recommendations for addressing the Economic Development goals can be found in the Putting It All Together section.

TRANSPORTATION

The town received Equivalent Plan Status for transportation since the town participated in the *Route 138 Corridor Study*, conducted by the Central Transportation Planning Staff in 2002. The study recommended a series of improvements to enhance safety and traffic flow in the Route 138 corridor in Stoughton, Canton and Milton.

Although there was therefore no specific Transportation component to the Community Development Plan, transportation issues were raised at several of the Community Development Plan forums. Brief recommendations for addressing the Transportation goals are in the Putting It All Together section.

PUTTING IT ALL TOGETHER

“Putting it all together” refers to the process of taking the recommendations from the individual topic areas and reconciling conflicts that may have arisen between the topic areas and identifying how the elements fit together. To the maximum extent possible, the recommendations of the Community Development Plan are illustrated on Map 6, the Community Development Plan Map. Non-location-specific recommendations are either shown in text boxes on this map, or are included in the recommendations section of this report.

Strategies include mapped strategies where the town envisioned and described the future of specific areas in town and non-mapped strategies that, if implemented, would not necessarily result in a change in the land use of a particular area. In all cases, implementing these recommendations will take a number of steps, many of which would involve public processes and reviews.

The recommendations included in this Community Development Plan are consistent with the input received from the participants at the Community Development Plan forums.

Community Development Plan Map and Recommendations

Based on research, discussions with the Community Development Plan Committee and town officials, and on the results from five public workshops, the Stoughton Community Development Plan recommends the following actions for Natural Resources and Open Space, Economic Development, Housing, and Transportation. Key location-specific actions are shown on the Community Development Plan map (Map 6).

Overarching Proactive efforts

- The town should establish a committee made up of members of various town boards and town residents to follow up on this Community Development Plan, and ensure that appropriate zoning and other bylaw amendments are filed in a timely manner for review at future town meetings.
- In order to maintain maximum eligibility for all state grants, including those for open space, housing, and economic development, it is critical that the Town take necessary actions to become “Certified” under Executive Order 418 and any other state funding review program. Future state funding will likely be oriented towards communities that are promoting “smart growth” while providing for housing across a wide range of incomes, under the Commonwealth Capital Fund guidelines.
- Adopt the Community Preservation Act (CPA) to provide funding for natural resource protection, affordable housing, and historic preservation. The Community Preservation Act enables communities to establish a local property tax surcharge, which will be matched annually from a state trust fund, and which is spent by the community on CPA projects. The balance of the state trust fund is

currently more than \$100 million, and all communities participating to date have received a 100% match from the state trust fund. More than 65 communities have passed the CPA locally. All of the site-specific land protection recommendations could be accomplished with CPA funding. In addition, the CPA could provide critical funding for implementation of some of the low and moderate income housing recommendations (www.communitypreservation.com).

- Based on the recommendations of the participants at the final plan forum, the Town should commit to adhere to a set of Smart Growth Principles, and should hire a municipal planner to oversee continued planning and implementation of the Community Development Plan.

Recommendations to Achieve Natural Resource Goals:

The following methods, some of which were discussed at the Natural resources forum, provide options for the Town of Stoughton to consider as means to achieve the Stoughton Natural Resource goals:

- Raise Stoughton residents' awareness of the value and importance of open space and environmental protection. This was viewed by some at the forum to be a prerequisite for obtaining the necessary political support to undertake activities that required Town Meeting support, such as bylaw changes or funding for land acquisitions.
- Complete the update to the Stoughton Open Space Plan, following up on the input received as part of this Community Development Plan, in order to further prioritize the proposed acquisitions and to be eligible for State matching funds.
- Use zoning and other regulations to protect open space
 - Promote cluster development as a means of protecting significant portions of a property which is proposed for development. The town could promote cluster through a variety of means, including density bonuses for developers willing to use cluster, or through requiring that all subdivisions over a specified acreage or number of lots (i.e., "major developments") be developed through cluster subdivision. Note that the Stoughton Cluster Zoning bylaw should be amended to reflect changes to underlying zoning districts, to allow greater flexibility of design, to increase the requirement for open space, and to increase the incentives for developers to use this type of design. If the Town is not willing to require cluster subdivision in all major developments, the alternative is to designate an area of Town where an overlay district could be established (e.g., an "Ames Pond Overlay District"), and within which the cluster developments could be required. See the Amherst Farmland Protection and the Amesbury Cluster Residential bylaws in Appendix II.
 - Protect wetlands and buffer zones through continued use of the local Stoughton Wetlands Protection Bylaw (which covers isolated wetlands not protected under State law). Some areas of town may not need any further protection than what is afforded by this bylaw.

- Work with the Trust for Public Land or other private conservation groups to utilize a variety of options to protect natural resources and provide recreational lands in Stoughton.
 - Utilize the tax-planning and negotiation skills of the non-profit organization to obtain lowest cost options to preserve open space.
 - Where appropriate, the selectmen can assign the Town's right-of-first refusal on Chapter 61 properties to a non-profit conservation organization. The non-profit can hold the property, pending town meeting approval to purchase the site. (Chapter 61 properties are those enrolled in the Agricultural, Forestland or Recreational Land property tax assessment programs).
 - Non-profit organizations can also lower the cost of acquiring key properties by undertaking fundraising campaigns, or by developing a portion of the property in order to lower the costs to the Town for the remaining portions of the property (under Chapter 61, the non-profit could develop up to just under half of the site in order to protect the majority of the property). The Libby property was preserved by cooperation with the Trust for Public Land, which split the house from the conservation land prior to the sale of the conservation land to the Town.
- If acquisition of the properties is not an appropriate option (because of cost, or where the town does not need to own the land to achieve its conservation goals), the town could work to obtain Conservation Restrictions (CRs) on these areas. A CR is a legally binding agreement between a landowner and a public agency or non-profit land trust where the landowner agrees to keep some or all of the land undeveloped and in its natural state. A Conservation Restriction can reduce the landowner's federal income taxes, federal and state capital gains taxes, local property taxes, and estate and gift taxes. An example of an existing conservation restriction in Stoughton is on the Ames Rod and Gun Club.
- Explore state and private grants and other options for purchase of fee title or conservation restrictions on key properties. The following are a series of Funding Strategies and resources available for Stoughton which have been utilized by other communities in the state:
 - Adopt the Community Preservation Act (CPA).
 - Establish a town land acquisition account. Potential funding sources include: annual allocations from the general operating funds, proceeds from the sale of municipal properties, proceeds from the sale of tax possession land, Chapter 61 rollback taxes on lands removed from the Chapter 61 program, and local option share of Hotel/motel rooms.
 - The Massachusetts Self-Help Program assists municipalities with acquiring land for conservation and passive outdoor recreation. Depending upon a community's equalized valuation per capita decimal rank, the State reimburses 52% to 72% of the acquisition cost (www.state.ma.us/envir/dcs/selfhelp/default.htm).

- The Federal Land and Water Conservation Fund is administered by the State Division of Conservation Services for the acquisition and development or renovation of park, recreation or conservation land. The program reimburses 50% of the total cost of public outdoor recreation projects with a maximum award limit of \$150,000.
www.state.ma.us/envir/dcs/LandWater/default.htm
- The Massachusetts Environmental Trust awards grants to municipalities, nonprofits, and educational institutions for a variety of environmental protection programs and projects. www.massenvironmentaltrust.org
- Numerous grants are available for natural resource protection from national foundations. Many are only available to non-profits. The town should consider which non-profit land trust to work with to investigate opportunities for grants as specific projects arise (partnerships may vary depending upon the project and the interests of the various non-profits). The Manomet Center for Conservation Services has a comprehensive grants directory for open space conservation. This includes government sources and private funding sources.
- The Agricultural Protection Restriction (APR) program of the Massachusetts Department of Food and Agriculture assists in the purchase of APRs on working farmlands. Current fiscal circumstances of the state are limiting funding for this program. Also, this program tends to focus on more affordable farmlands in central and western Massachusetts (so a local match may be needed to acquire an Agricultural Preservation Restriction in Stoughton).

Specific areas discussed for protection of natural resources:

As noted above, twenty areas within town were discussed for possible acquisition and/or protection. The properties which were rated highest priority by the participants in the Natural Resources Forum were as follows. (A full list of projects can be found in the report of the results of the Natural Resources Forum in Appendix I).

- Benson Road/Goddard property
- Glen Echo Pond area
- Southworth Pond and Lipsky Field
- Ames Long Pond East area

Specific options for protection of these resources were not discussed at the forum. The following acquisition/protection recommendations for these highest priority properties are based upon: the type of resource to be protected; whether or not public access is an essential component of the protection strategy; whether the property is currently the subject of a development proposal; and the assumption that due to the limited financial resources available the community cannot purchase all of its highest priorities.

- Benson Road/Goddard property: This 100+- acre property contains uplands, wetlands and open woodlands; portions of the property are proposed as 40B housing development. Based upon the Chapter 40B Housing proposal for a

portion of this land, acquire the open space that is proposed in this cluster subdivision. If the Housing Appeals Committee rules that the 40B proposal is not an appropriate proposal for the site, the Stoughton Open Space Committee should determine whether the entire property should be preserved (and if there are funds for this acquisition) or whether the most critical areas of the property could be preserved through an appropriately-designed cluster subdivision of the property.

- **Glen Echo Pond area:** This 60+- acre area consists of woodlands and wetlands on the south shore of Glen Echo Pond. Since one of the major goals for this site is to provide a multi-use water-based recreation facility, the appropriate action is to acquire the property in fee title. Note that the economic development portion of this Community Development Plan also calls for the re-examination of the commercial zoning on the south shore of the pond, and recommends a change to residential zoning. This re-zoning would enable protection of critical areas of the property as part of a cluster development, in the event that the community is unable to purchase the property
- **Southworth Pond and Lipsky Field:** This approximately 80-acre area consists of woodlands and open fields, as well as a mill structure and mill pond. Goals for this area include protection of agricultural areas and scenic views from public roads, ensuring public access to mill pond, and providing connections to adjacent conservation areas. The Southworth Pond Mill sub-area is proposed for re-zoning from industrial to residential to enable redevelopment of the vacant mill and the surrounding area for residential purposes. Given the imminent nature of this proposal, assuming that Town Meeting approves the zoning change, the Planning Board and Conservation Commission should negotiate, as part of the subdivision process, donations of portions of the property for preserving key natural resources and providing public access to the pond and connections to adjacent conservation lands. The Lipsky Field sub-area was until recently farmed. Future development proposals for the site may be limited by potential contamination issues in the lowland areas. Development may therefore be appropriately clustered in the upper elevations of the site, with the extensive fields as associated open space. Cluster subdivision requirements may preserve significant portions of the site. If funds are available, a conservation restriction on the property may be the most appropriate manner to preserve this site for agricultural purposes.
- **Ames Long Pond East area:** This 109+- acre site consists mostly of open fields with some woodlands, as well as frontage on the Ames Long Pond. Since the primary purpose for protection of this resource is to connect existing open spaces and protect the Ames Pond watershed and reserve land for future agricultural uses, a conservation restriction may be the most appropriate method of protection.

The Stoughton Open Space Committee can evaluate the remaining properties proposed for protection, and determine the most appropriate means of protection based upon proposed uses, critical resources to be protected, available funding, and other factors as noted above.

Recommendations to Achieve Economic Development Goals:

The following recommendations address the Economic Development goals developed from public input at the Stoughton Community Development Plan public forums. These location-specific recommendations appear on the Community Development Plan Map 6.

Downtown: Residents strongly expressed their desire for a more attractive and lively downtown with pleasant looking buildings and sidewalks and a better mix of businesses that would draw people from throughout the community. One particular interest was to use the MBTA commuter rail station as an asset to revitalize the entire commercial and industrial area within a roughly ½ mile walking radius of the station. Recommendations for downtown include:

- Establish or reinvigorate a public-private downtown partnership. The key to most successful downtown revitalization efforts is having an organization whose primary purpose is to focus creative thinking and practical efforts from a variety of groups on the problem of rejuvenating the area. This can be based on or incorporate existing business or civic groups that can each pursue their own efforts within the umbrella of the overall goal. The downtown organization should have a broad enough base to include businesses, property owners, residents, and town officials. Its activities should include:
 - Continue to refine the vision for the downtown and an image for communicating it to the community
 - Develop activities and events to focus the community on downtown, and coordinate and facilitate the activities of related groups to implement them
 - Identify and advocate the priorities for public and private sector investments and operational spending
 - Identify and obtain resources from state and national sources
- Improve public and private properties.
 - Execute the planned traffic and pedestrian improvements to pedestrian safety, traffic flow, streetscape appearance, and parking to make the downtown a place where people will want to stop and stroll, rather than to pass through quickly
 - Formally assess residents' and businesses' evaluation of the changes and identify if further improvements should be made and/or the improvements should be extended to a larger area
 - In the long term, evaluate the need for better routing of through- traffic, e.g. via new street connections
 - Establish a façade/signage ordinance and/or revolving loan program to help property owners improve the appearance of buildings and storefronts.
- Revise downtown zoning to stimulate redevelopment and increase housing.
 - A mixed use overlay district allowing housing above ground floor retail would create economic incentive for owners to redevelop downtown properties. The district could potentially overlay all commercial and industrial zoned properties within ½ mile of the train station. Residential-

only development may be more appropriate for side streets where retail stores are less likely to be successful, and will concentrate stores together for the convenience of shoppers. Ensure the continuing availability of the current number of affordable units by coordinating redevelopment with housing plans to give incentive to owners to make existing units permanently affordable or stimulate production of new units.

- Introduce design standards or a design review requirement for redevelopment. Provide training to aid town boards in reviewing proposals and seek to increase membership of design professionals on the boards.
- Study the availability and use of downtown parking spaces for near-term remedies to the perceived lack of parking. Often, parking problems can be addressed by better managing use of existing spaces – inventorying spaces, identifying who is using them and for how long, and assessing management alternatives such as organizing parking for employees off-site (perhaps with shuttle service), sharing of parking lots with churches or the town; using meters to increase turnover; etc. Constructing additional parking can be expensive, but may be found to be feasible. To be successful, off street parking should ideally be within a block of shopping, and any surface parking lots should be off the main commercial streets or behind buildings to maintain an attractive environment for shoppers.
- Improve the mix of commercial and cultural activities to attract shoppers and visitors.
 - Attract small offices and specialty retail, restaurant, and convenience retail businesses to serve an expanded downtown residential population. Explore the need and interest in business technical assistance programs or revolving micro loan fund to support entrepreneurs in creating and expanding businesses appropriate to the downtown vision.
 - Work with civic and cultural organizations to identify individuals, businesses, or groups that offer unique ethnic, historic, or artistic appeal to give the downtown a distinct atmosphere. For example, assist local Portuguese / Brazilian businesses and/or clubs or local artists to program festivals or performances to draw people downtown.
 - Identify ways to tie downtown in with the businesses on Washington Street; for example, through joint promotions, events, etc. that draw customers to both areas. Explore ways to make the entire shopping area more pleasant and convenient for shoppers, e.g., assess a shopper shuttle service along Washington Street, and improve its physical appearance as described below.
 - Assess ways to improve the permitting process to make establishing a business faster, easier, and more certain.

North Washington Street. This retail strip is home to many businesses that residents rely on for daily needs, but its auto-oriented design and some poorly maintained properties make it visually unappealing.

- In the near term, work with merchants and property owners through business groups and individually to identify ways to improve maintenance of properties, signage, screening of parking areas, etc. Alternatives range from voluntary programs such as awards and publicity or “adopt-a-site” type programs, to façade and landscape improvement loan or grant programs, to stricter code enforcement.
- Consider options to consolidate curb cuts to increase pedestrian safety and reduce visual clutter.
- For the long term, explore design review requirements for landscaping, parking, etc. for redeveloped properties that improve their appearance from the street. Consider eventually extending the downtown overlay for higher density mixed use at the southern end of Washington Street to tie this area in better to downtown and to build residential population.

North Stoughton (Page Street, Turnpike Street Industrial district). This area’s proximity to Route 24 makes it one of the highest potential areas in town for economic development. The community presently lacks a vision for how it will be used in the future when rising land values make redevelopment economically feasible.

- Develop a master concept for the area to set the overall mix of residential / commercial / industrial for the near term, as well as for the long term when gravel operations will relocate.
- Create a street connection between Page Street and the Ikea site at the Avon line to improve traffic flow for future office/industrial/retail development extending up from Avon toward the Route 24 exit.

North Stoughton (Page Street,/ Route 139 Neighborhood Business). Growth in North Stoughton may enhance the potential for a “village” neighborhood retail district at Page Street with multi-family housing nearby.

“Stranded”/Incompatible Industrial Districts. Several industrial sites in Stoughton are no longer compatible with the surrounding areas. The town should consider re-zoning the following districts to encourage uses more in keeping with the character of the neighboring uses:

- Gill Manufacturing site –rezone from industrial to residential
- Park/Summer industrial district – rezone to residential or office
- Canton Street industrial district – rezone for small office buildings with a more residential scale and design elements. Retail was also suggested for this area, but encouraging retail uses here may detract from efforts to revitalize the nearby downtown and North Washington Street district.

“Scattered”/Potentially Incompatible Commercial Districts. Several commercial sites in Stoughton are no longer compatible with the surrounding development. The Town should consider re-zoning these commercial districts to uses more appropriate to surrounding areas:

- Glen Echo Pond Commercial district – re-zone to residential
- Pleasant Street commercial district – leave commercial zoning in place but emphasize that future redevelopment of the area include residential scale and design elements to fit better with neighborhood
- Garage near senior center - re-zone to residential

Formalize a new commercial zoning district. Establish a new “neighborhood retail” zoning district which will allow only for small scale retail/office activities designed to meet the needs of town residents without having significant detrimental impact on adjoining residential uses. Included in this district would be design guidelines which would require development to be of residential scale and design. This district could be used to implement several of the site-specific recommendations above.

Recommendations to Achieve Housing Goals

Based on Stoughton’s Housing Profile and the input from its citizens, we recommend that the town pursue the strategies outlined below. We are also including in the Appendix a Comprehensive Matrix of Housing Strategies that presents a broad range of potential strategies the town may wish to consider in the future. Following the Matrix is a more detailed compendium, *Housing Strategies: Getting Started*, which presents useful information to begin to pursue the various strategies. This is followed by a brief list of sources and resources the town may wish to consult for more information, technical assistance, or funding.

Develop Leadership and Organizational Capacity

In order to actively guide housing, it is important to establish a strong voice for housing and an organizational framework to pursue plans. For a mid-sized town like Stoughton, the most important first steps are for local leaders to:

- make a strong public commitment to housing;
- establish a housing partnership or housing committee; and
- designate a staff person responsible for housing.

The committee should be appointed by the Board of Selectmen and should include representatives of housing- and planning-related town boards and relevant agencies (planning board, housing authority, building department); representatives of affected groups (e.g., Council on Aging); and local citizens with interest or expertise in housing (developers, lenders, business leaders, clergy). The committee’s role could include

recommending policy, planning, guiding action, engaging the public, reporting regularly to the Selectmen, and other responsibilities as determined by the Selectmen.

It is recommended elsewhere in this report that the town hire a planner. Responsibility for housing and for staffing the housing committee might be among this person's roles. Participants at the forum suggested that the housing authority act as the point agency to form the partnership and set its course. As the only staffed body dedicated to housing, the authority might fit this role. However, public housing authorities generally have a particular mission and clientele. The town may wish to have a broader purview on types of housing, target clientele, and funding sources. The authority might be appropriate if it can provide this breadth, but planning staff, if available, might have a broader perspective and be more accountable to town officials.

As the town develops its organizational capacity, it may be advantageous to have non-profit housing development capacity, either by forming a local entity or by linking to an existing one.

Pursue Opportunities to Achieve 10%

As we have seen, the town is close to achieving the 10% affordable goal. There are a number of steps the town can take to ensure that new affordable housing fits in with the town's vision, both before and after the town reaches 10%. These steps include:

- **Seek technical assistance in working with proposed 40B developments**

Contrary to popular opinion, communities can help shape 40B developments; they need not accept whatever the developer proposes. Both the Massachusetts Housing Partnership (MHP) and the Department of Housing and Community Development (DHCD) provide assistance. They can strengthen your ability to negotiate with developers to help craft proposals that the town deems more appropriate.

- **Develop an Affordable Housing Plan under 40B Planned Production Program**

The state provides an option for communities to exercise greater control over housing development based on an Affordable Housing Plan and progress toward achieving the 10% goal. Communities develop a plan pursuant to DHCD guidelines and request certification of compliance by demonstrating that low and moderate income housing has increased by at least $\frac{3}{4}$ of one percent⁷ of total year 'round housing units during the calendar year for which certification is requested. Once they are certified, they may deny comprehensive permit applications for a year; if they have produced 1.5%, they may deny applications for two years.

The plan must include a needs assessment, housing goals, strategies, and a description of use restrictions. Communities may use existing plans in part or in total, but must include

⁷ A proposal before the Legislature would reduce the $\frac{3}{4}$ to $\frac{1}{2}$ of one percent.

a summary document in the appropriate format. *Guidelines for Planned Production Regulation 760 CMR 31.07 (1)(i)* are available at www.mass.gov/dhcd along with samples of local plans that have received certification.

Given that Stoughton is approaching 10% and has several substantial proposals in the pipeline, the town may well be able to take advantage of the “breathing space” offered by certification.

- **Pursue the inclusion in the 40B inventory of the 20 group home units & perhaps other units identified in the 40B study**

Single-room-occupancy (SRO) units, transitional housing, and the new homeless facility are potential candidates.

- **Take steps to ensure the continued affordability of all privately owned mixed-income housing with potentially expiring use restrictions**

Affordability in some privately owned, mixed-income developments is governed by use restrictions that allow owners to sell or rent at market rates after a given number of years. There are steps communities can take to extend affordability, beginning by investigating the status of the property and its restrictions and getting technical advice and assistance. The list of expiring use properties and information about maintaining affordability is available at www.chapa.org. Expert guidance is available at CEDAC at (617) 727-5944 or www.cedac.org.

Stoughton has four privately owned affordable developments, totaling 418 units, that may not be permanently affordable. As we have seen, these projects were built under four different programs with different sets of regulations and different expiration dates and agreements. The OCPC study presents some preliminary information about the status of these properties, but the town is advised to investigate further and to seek help in preserving affordability.

Communities with expiring use properties should consider this issue a priority; it is almost always preferable and more cost-effective to preserve existing affordable housing rather than build new affordable housing. It is especially important for these developments, which are often well-maintained properties housing long-time community residents.

- **Encourage 40B developers to provide rental housing**

This will address an important need and will also help achieve 10% faster, since all units in a 40B rental – both affordable and market units -- “count” toward the 10% goal.

- **Establish criteria governing the use of the Comprehensive Permit process as a positive tool to encourage affordable housing**

The ZBA, with input from the proposed Housing Partnership and help from DHCD, could develop criteria. The process would help the town formulate its priorities, and the existence of the criteria would give the town greater leverage in negotiating with developers.

- **Adopt inclusionary or incentive zoning to ensure that new housing developments routinely include enough permanently affordable housing to achieve and stay current with the 10% target**

“Inclusionary” zoning requires residential developers to provide for affordable housing. “Incentive” zoning provides that developers seeking special permits may receive some sort of beneficial treatment, such as increased density, in exchange for providing affordable housing. In either case, the law may limit the developer to producing units within the development or it may allow off-site production or in-lieu payment into a housing fund to support a range of housing programs.

Inclusionary/incentive zoning offers a scattered site, low-impact mechanism for communities to control growth and increase affordable housing in proportion to new market-rate housing. It uses an “internal” subsidy, using the proceeds from the market-rate units to support the affordable units. It does not require additional financial support, and it works especially well in strong markets.

Many communities in Massachusetts have adopted this technique, with varying degrees of success. Communities include Arlington, Belmont, Brookline, Cambridge, Lexington, and Newton. There is considerable difference in the models used. The Newton ordinance is among the oldest, is fairly structured, and promotes housing for those earning low incomes. Lexington, on the other hand, has a policy rather than a by-law, with a series of flexible options including a range of affordability levels. With no land zoned for multi-family housing, the Town uses the policy to guide the Planning Board in determining whether to recommend development-enabling zoning changes to Town Meeting.

In designing a local ordinance, it is probably most useful to look at the most recently adopted laws, since they benefit from the experience of others. Belmont and Arlington are among the most recent, and both by-laws are available on their websites: for Belmont, see Section 6.10 of the Zoning By-law at www.town.belmont.ma.us and for Arlington see Section 11.08 at www.town.arlington.ma.us. In its brief existence, Arlington’s law has been very successful. The Town has six units that are completed and occupied, five that are approved but not yet under construction, and about six to ten in the proposal phase.

For an excellent discussion of the issues involved in formulating a good law, see *Inclusionary Zoning: Guidelines for Cities and Towns*,” prepared by Edith M. Netter, Esq., and appearing on the Massachusetts Housing Partnership website, www.mhp.net.

Other relevant documents on the same site are *Inclusionary Zoning: Lessons Learned in Massachusetts* and *Zoning for Housing Affordability*. As with many housing strategies, a good starter discussion also appears in CHAPA's *Taking the Initiative* (see www.chapa.org).

- **Use the leverage of zoning and funding to promote housing affordability**

Use of accessory apartment and mixed-use provisions, for example, could require affordability; similarly, grants and loans for rehab of 2-3 family structures could require affordable rentals for a fixed period of time. Details of these zoning and funding strategies appear elsewhere in these recommendations.

- **Establish a Local Initiative Program (LIP)**

The Local Initiative Program (LIP) is a state housing initiative designed to encourage communities to produce low and moderate income housing. The program operates through state regulation (760 CMR 45.00 et. seq.) and agency-issued *Guidelines*. Communities may produce units eligible for the Chapter 40B subsidized housing inventory through local zoning or other agreement with the developer (see "Local Initiative Units," 760 CMR 45.03). Projects with a minimum of 25% affordable units for households at or below 80% of median income, or 20% of affordable units for households at or below 60% of median income that require the issuance of a Comprehensive Permit are also eligible for inclusion in the inventory through the "Local Initiative General Program" (760 CMR 45.05).

These options offer communities an opportunity to tailor programs to local needs and to get credit toward 40B for housing units meeting the statutory qualifications. In addition to meeting the affordability criteria above, the units must be subject to use restrictions and be sold/rented using affirmative marketing procedures.

The LIP program options could be used to promote accessory apartments, housing above stores, mixed-use development, infill, adaptive reuse, substantial rehabilitation, or other types of housing. The program is especially useful in supporting small, relatively low density, scattered site development consistent with community character as an alternative to large-scale housing development.

Applications and information are available in the 40B section of the DHCD website at www.mass.gov.dhcd

Pursue Financial Resources

- **Offer rehab loans and/or grants with funds from state programs or other sources**

Stoughton has had rehab programs in the past. These programs maintain and improve existing property. For information, contact DHCD at (617) 573-1100 or at www.state.ma.us/dhcd or contact MassHousing at (617) 854-1000. Appendix B of CHAPA's *Taking the Initiative* (see www.chapa.org) includes a comprehensive catalogue of common funding sources. It includes grants, loans, and financing tools for predevelopment activities; affordable homeownership, rental housing, and housing for seniors and special needs; and preservation of existing affordable housing.

It may also be possible to link with neighboring communities to apply for funds and run programs jointly. Alternatively, neighboring towns may already have programs in place and be able to expand to cover others as well. Some programs are also run through regional non-profits; the regional non-profit serving Stoughton is the South Shore Housing Development Corporation (SSHDC).

- **Consider adopting the Community Preservation Act (CPA)**

To date, 65 Massachusetts communities have adopted CPA, raising more than \$55 million. Of this, 42% has been used for housing and has produced over 260 housing units. Adoption of CPA would provide more locally controlled resources and more partners with resources and expertise. It helps communities balance housing, open space, and other priorities, and is recommended to achieve several of the goals in this plan.

For information on local campaigns to adopt CPA and success stories about how funds have been used, visit www.communitypreservation.org and www.tpl.org.

- **Set up a Housing Trust Fund**

This can be done in conjunction with inclusionary or incentive zoning (see above); funds could be generated by allowing developers to pay into a fund instead of creating on-site units. Over time, there may be other sources of funds as well. Funds could be used to write down the interest on rehab loans, provide gap financing for property acquisition, write down mortgage interest, provide downpayment or closing-cost assistance to first-time homebuyers, or for other purposes.

Revise Zoning to Meet Housing Goals

Review key housing-related provisions of the Zoning By-law for opportunities to encourage housing that fits with the Town's expressed vision and goals. Goals that lend themselves to zoning solutions include diversifying the mix of housing options, targeting development to infrastructure-rich areas, and developing in an anti-sprawl manner, with increased density downtown and a mix of uses near transit and services and on sewer.

- **Inclusionary or incentive zoning** (see above)

- **Allow mixed-use zoning, including housing above stores, as an overlay or as a new zoning district**

Allowing a mix of residential, commercial, and other uses where there is infrastructure to support it is a prime example of “smart growth.” Communities that already allow mixed use in some areas could consider extending the concept to other commercial areas or transit-accessible areas; those that do not allow it should consider doing so. The Lincoln Institute recently published an excellent working paper with examples of how this concept has been used in various types of settings in metro Boston. See James C. O’Connell, *Ahead or Behind the Curve?: Compact Mixed-Use Development in Suburban Boston*, available at www.lincolninst.edu.

Many communities use “overlay” districts to promote mixed use with or without special affordable housing provisions or to accomplish specific purposes such as resource protection or transit-oriented development. An overlay is a district that is superimposed on existing or underlying zoning to add more restrictions, allow more uses or greater flexibility, or add incentives such as density bonuses. Where it is more permissive than the underlying zoning, it is an alternative to the underlying zoning and generally requires a special permit. It is most appropriate where there is a specific goal and the overlay is relatively consistent with the underlying zoning. Where the new concept differs substantially from the old, it may be less confusing to change the underlying zoning rather than go the overlay route.

In the case of downtown Stoughton, there is currently a mix of zoning districts, including some outdated industrial zoning and a prohibition against residential uses. As was suggested in meetings with the town, downtown Stoughton is a good place to consider a mixed-use overlay that would allow housing and commercial uses.

- **Consider allowing greater flexibility to add accessory apartments and accessory dwelling units in separate structures (carriage houses, barns, garages) and to convert single-family to multi-family houses**

An accessory apartment is generally a second, subordinate dwelling unit within a single-family house. Accessory units provide rental opportunities for tenants, added income for owners, and more efficient use of space. For older homeowners, tenants may offer additional benefits by assisting with chores or yard work and providing a sense of security.

Other accessory dwelling units (ADUs) may involve the reuse or adaptation of secondary structures – e.g., barns, garages, or carriage houses – on the same lot but in a separate structure. The same general principle applies to the conversion of large, single-family residences to two or more unit structures. In all these variations, units provide similar benefits.

Many communities allow accessory units in some or all residential zoning districts, sometimes by right and sometimes by special permit, usually with some restrictions on

size and appearance, and occasionally with provisions to encourage affordable rents, income eligibility of tenants, and inclusion of units in the state's Chapter 40B Subsidized Housing Inventory.

There are also illegal accessory units that remain “under the radar.” Some communities have taken steps to legalize these units by enacting “amnesty” provisions to encourage code compliance and more affordable housing.

Stoughton residents recommended a review of the town's in-law apartment provisions and an investigation of the potential of expanding the areas where accessory apartments are allowed. Participants also noted that current zoning allows conversions of single-family to multi-family homes by special permit in some but not all districts. Greater flexibility on various types of housing reconfiguration would be a low-impact way to produce smaller, less expensive housing in keeping with community character.

Housing Strategies in the Appendix presents examples to show how local communities have used these approaches and how they have designed programs to ensure that units “count” toward Chapter 40B.

- **Consider allowing new SROs with suitable standards and oversight**

Single-room-occupancy units (SROs), where residents have their own rooms but share bath and kitchen facilities, provide a very affordable housing alternative for people in transition toward self-sufficiency. In Stoughton, new SROs are not allowed under current zoning. Although the law contains a definition of rooming houses, it does not include them in the Table of Use Regulations.⁸ The town may wish to consider allowing SROs in certain areas.

Preserve Existing Property Resources

- **Preserve expiring use properties (see discussion above)**
- **Pursue opportunities to turn SROs into permanently affordable housing**

There are many models for this, usually involving cooperation between non-profits and housing authorities, with funding from a number of sources.

Many communities still have lodging houses and rooming houses that offer very low-cost rentals for lower income people in single rooms with shared kitchen and bath facilities. It is often a challenge to keep these homes in good condition, and communities are often ambivalent at best about their existence.

⁸ OCPC, *op.cit.*

A number of communities have found win-win solutions where SROs are purchased and rehabilitated by non-profits, often with project-based subsidies to assist with rents, and continue to provide low-end housing opportunities in perpetuity.

In Medford, for example, Caritas Communities recently acquired and rehabbed a 16-room lodging house with funding from the Mass. Housing Partnership (MHP) and the North Suburban HOME Consortium and additional support from a local lender and several foundations. Caritas is the largest owner-operator of single-room occupancy units or SROs in the Boston area.

Brookline has several SROs in old brownstones along the trolley line. They have been acquired and rehabbed by partnerships of, variously, the Brookline Improvement Coalition (a local non-profit), the Housing Authority, the Paul Sullivan Housing Trust, and/or other non-profit developers; non-profits continue to own and manage the facilities. Recently, another SRO was added to Brookline's permanent supply when Caritas Communities acquired a former student hostel with loans from MHP and a loan from local Affordable Housing Trust Fund monies generated through the town's Incentive Zoning provision; the property is being renovated to provide 15 SRO units.

Communities with an interest in retaining or upgrading SRO housing should first prepare an inventory of existing properties, using existing information on licenses or permits issued; talk with owners about their plans, and seek technical assistance to help consider next steps and potential resources. Municipal leaders should also review local procedures to ensure that relevant town boards and licensing authorities are supportive of SROs and do not give conflicting messages about the desirability of this housing stock.

- **Establish a housing buydown program**

Stoughton still has some relatively low-cost housing. A number of communities have established programs to buy affordable condos or two- and three-family houses, rehab as needed, and rent or sell them as permanently affordable housing. Boxborough and Bedford have condo programs of this type: Boxborough is using a town appropriation, and Bedford is using CPA and HOME funds. Arlington's non-profit has a similar program for the purchase of two-family homes; it has purchased several, using HOME and other funds plus bank financing and is renting them to income-eligible households at affordable rents. Although Stoughton would need both funding and organizational capacity such as a non-profit to initiate such a program, it is worth considering as a way to preserve currently affordable housing.

- **Pursue programs that help seniors remain at home and independent**

In certain sections of town and in certain housing developments, elders may be clustered in sufficient numbers to make it cost-effective and efficient to deliver support services on a group basis rather than on an individual basis. This would enable seniors to "age in place" rather than face the prospect of moving to assisted living facilities or nursing homes. There are also other types of housing and program options that help seniors

reduce the costs of remaining in their homes. They include accessory apartments, home-sharing programs, and reverse mortgages.

Explore Opportunities to Produce Housing in Keeping with Community Character

In keeping with Stoughton's vision and goals, any "production" of new housing should be small scale, in a mixed-use setting, and located in proximity to transit and other infrastructure. It should also take advantage of existing property opportunities and emphasize rehabilitation and reuse over new construction. The recommendations below are designed to produce housing in keeping with these ends.

- **Inventory potentially surplus municipal property, other potentially available public or institutional property, and vacant and underutilized properties**

Use of public property for housing dramatically lowers acquisition and land costs, thus lowering the cost of housing built there. Surplus municipal property provides an opportunity to address a range of local needs. Communities should view this property and their various needs comprehensively and develop a plan to balance the need for housing, open space, and other priorities. With an overall plan, communities can prepare in advance for timely implementation actions.

The town of Stoughton owned a number of small parcels in a subdivision off Park Street as well as several individual parcels also off Park Street. The town may wish to consider a scattered site program to produce in-fill housing in this area. Such a program would begin with some technical assistance to determine feasibility of development, discussion of preferred development criteria, and preparation of a Request for Proposals.

Other property might become available as well, including state, federal, county, or MBTA properties, facilities or land owned by religious organizations, etc. The Archdiocese of Boston recently announced plans to close a number of parishes and sell the properties to raise funds. Saint James in Stoughton is on this list. Although forum participants were averse to housing uses at this site, some change in use is likely to occur here. Residents should begin work now by setting up a committee to monitor the status of closure plans, consider the most desirable reuse options, and negotiate with the Archdiocese in hopes of formulating a reuse plan that meets the town's objectives as well as the goals of the Archdiocese. Many Archdiocese properties in the past have been redeveloped with both market-rate and affordable housing as well as open space and other uses.

There are also privately owned vacant or underutilized sites where housing might be appropriate. Examples might include Gill Machine, Corcoran Shoe, Suburban Insulation, or other sites where industrial uses may no longer appropriate.

Ensure that New Market rate Housing is Compatible with Planning and “Smart Growth” Goals

- **Cluster Development and Transfer of Development Rights (TDR)**

Stoughton’s cluster by-law appears to be limited (in that it only requires 20% open space), and it is also significantly out of date (in that it refers to districts and densities that no longer exist). The first step in improving the design of market subdivisions in natural landscapes would be to update the cluster by-law, perhaps even requiring cluster for subdivisions over a certain acreage or number of lots (as is done in several other communities in the state). Once the cluster by-law is updated, the town could consider more conceptually difficult by-laws such as Transfer of Development Rights (TDR), in which the allowable density from an area the town wants to preserve is moved to an area where the town wishes to promote development.

Explore Regional Strategies

Medium-sized towns like Stoughton are prime candidates for regional approaches to housing. Neighboring towns may have similar needs and be interested in cooperative solutions such as jointly contracting with a “circuit rider” planner or otherwise sharing staff or expertise. Other towns may have some capacity to share. Regional non-profits exist throughout the state and serve every community. For starters, Stoughton might meet with neighboring communities, perhaps through the subregion, to identify capacity and common needs and consider joint approaches.

Recommendations to Achieve Transportation Goals

As was noted earlier, the Town of Stoughton received Equivalent Plan Status for the EO418 transportation element since the town participated in the *Route 138 Corridor Study*, conducted by the Central Transportation Planning Staff in 2002. The study recommended a series of improvements to enhance safety and traffic flow in the Route 138 corridor in Stoughton, Canton and Milton.

The Town has also received a Public Works and Economic Development (PWED) grant to implement traffic and pedestrian improvements in Stoughton Square, one of the areas cited as a major traffic concern during the community forums. Completion of the proposed improvements will also provide public incentives for private redevelopment of the Stoughton downtown area.

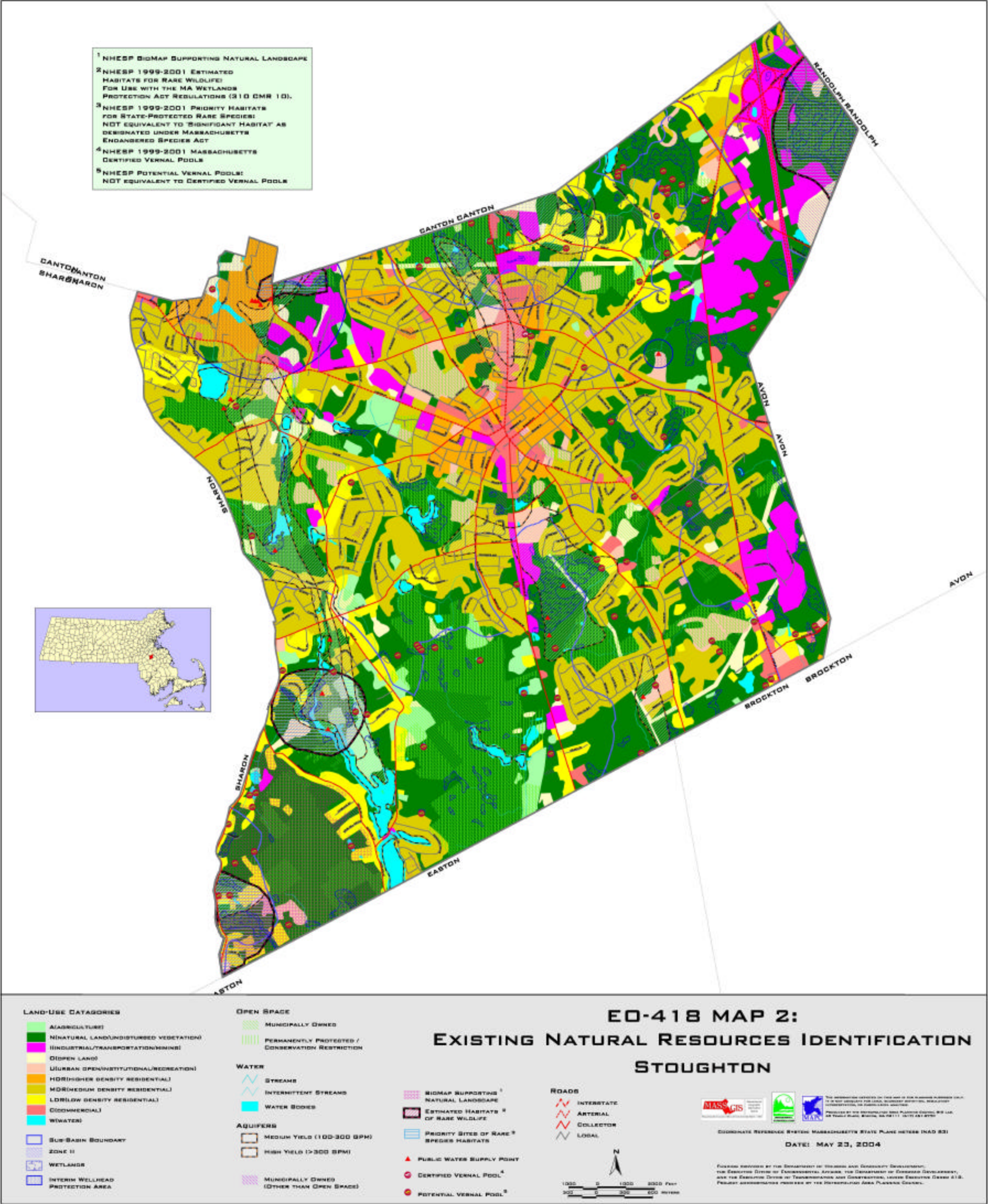
Based upon the input received at the public forums, Stoughton should also concentrate on mitigation efforts to lessen impacts on residential areas of town as the abutting commercial and industrial areas continue to develop. Amending zoning, as recommended above in the Economic Development discussion, will also help to mitigate traffic impacts on residential areas.

Note: 36" by 44" copies of this map have been provided to the Town and are available for viewing at Town Hall.



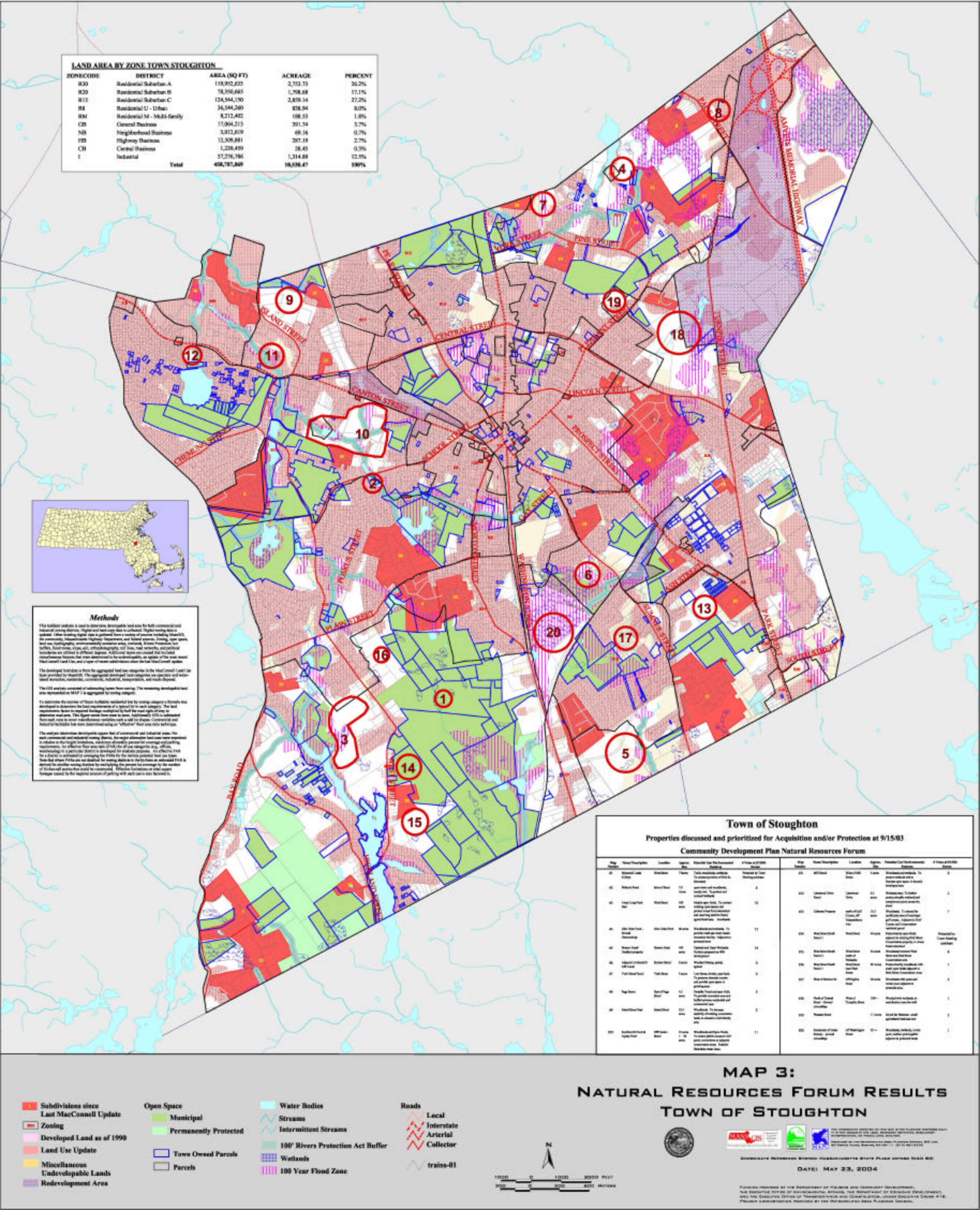
Map 2. Existing Natural Resources Identification

Note: 36” by 44” copies of this map have been provided to the Town and are available for viewing at Town Hall.



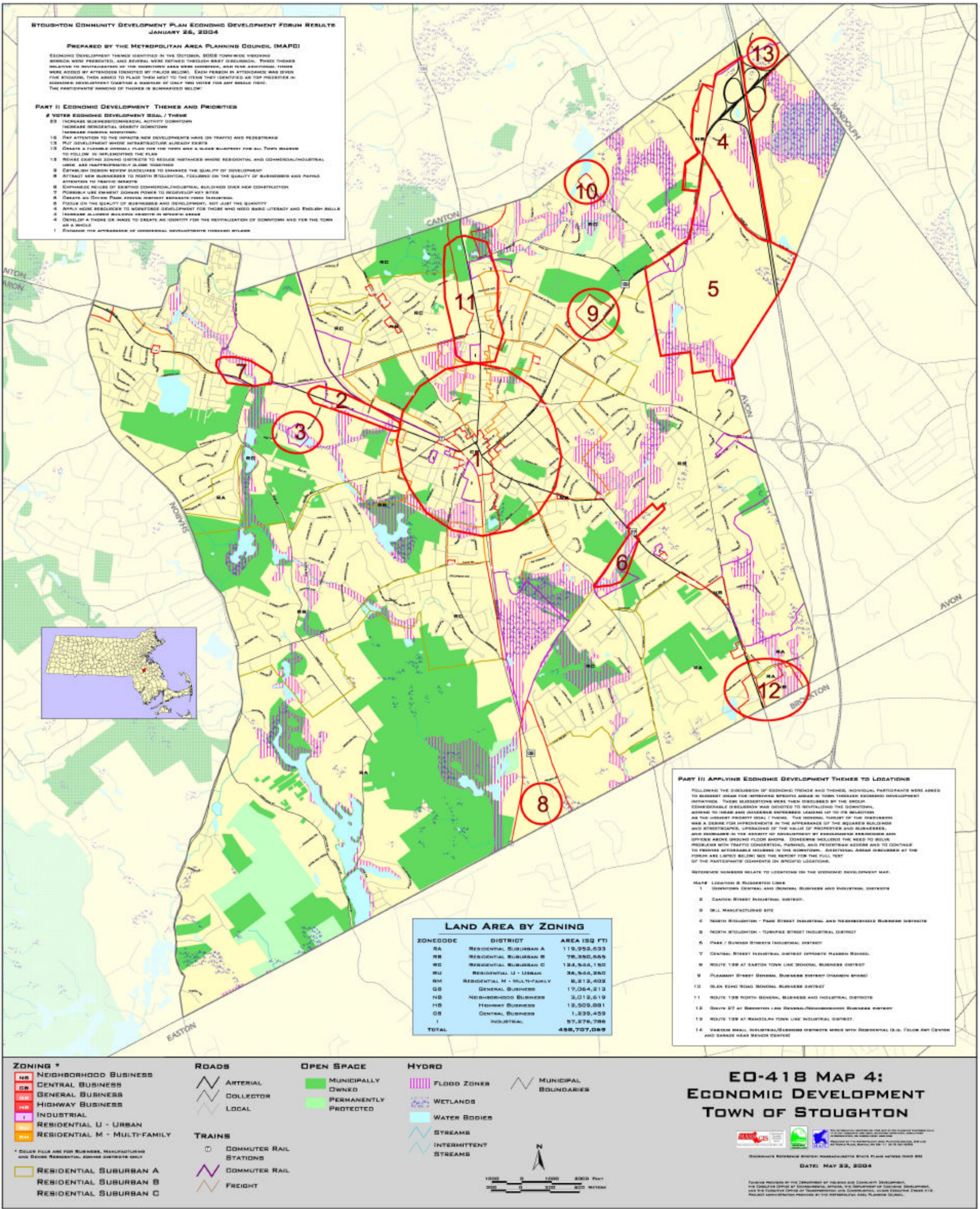
Map 3. Suggested Sites for Open Space and Natural Resource Protection

Note: 36" by 44" copies of this map have been provided to the Town and are available for viewing at Town Hall.



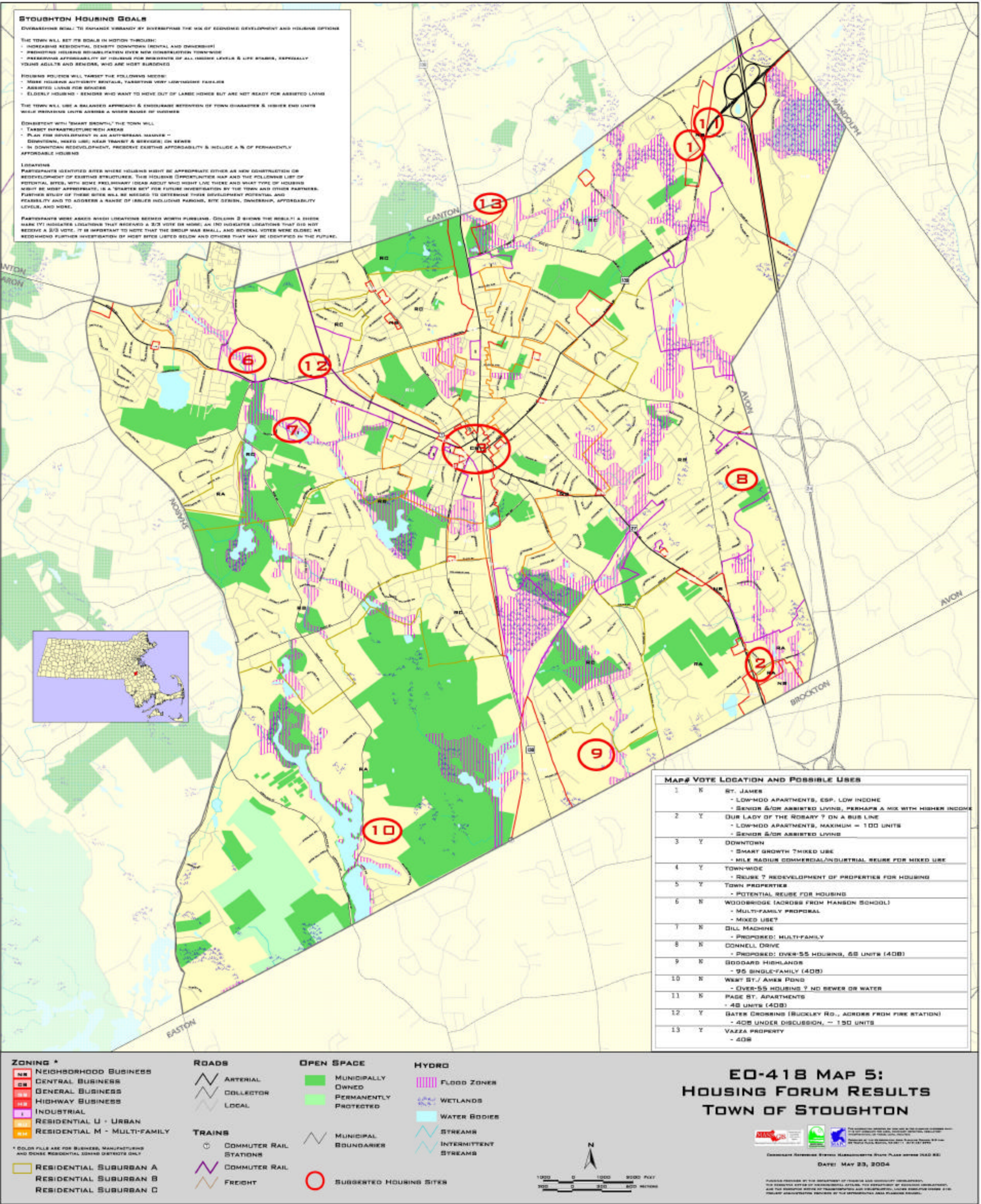
Map 4. Potential Economic Development Opportunities

Note: 36” by 44” copies of this map have been provided to the Town and are available for viewing at Town Hall.



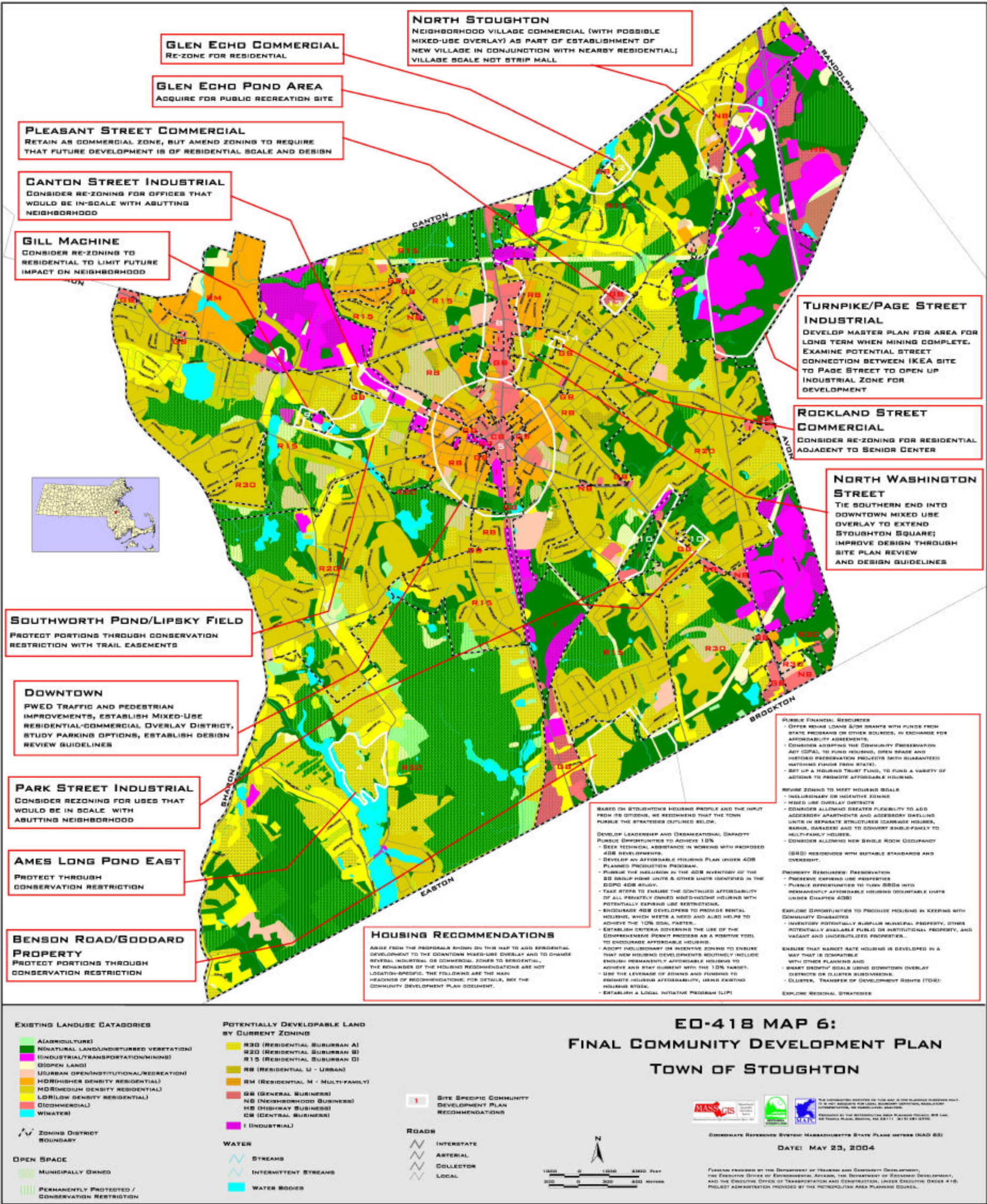
Map 5. Housing Forum Results

Note: 36” by 44” copies of this map have been provided to the Town and are available for viewing at Town Hall.



Map 6. Community Development Plan Map

Note: 36” by 44” copies of this map have been provided to the Town and are available for viewing at Town Hall.



APPENDIX

Appendix I – Results of Public Workshops

Town of Stoughton Visioning Results October 21, 2002 Visioning Workshop

Prepared by Metropolitan Area Planning Council

Subgroup #1 Assets:

- Schools are improving (10)
- Location: close to Boston/culture, ocean, mountains etc. (8)
- Great diversity of people (5)
- Broad Range of housing stock in town (4)
- Open Space (3)
- Elderly Housing and Senior Center (2)
- Strong community relationship (2)
- Great public safety (1)
- Commuter Rail (1)
- Close to major hwy (1)
- Great sports program in town
- Great music program
- Recreation department outstanding

Subgroup #2 Assets:

- Public Safety (8)
- School system (8)
 - Neighborhood Schools
 - Excellent elementary education
- Where we are located (7)
 - Location - 30 min from Boston, Providence
 - Highway access
- Youth sports groups (6)
- Good Library (4)
- Good DPW (4)
- Diversification (3)
- Good industrial areas with good highway access (2)
- Excellent Civic Organizations (1)
- Historical buildings (1)
- Good public transportation (1)
- Merchant co-operations
- Open space programs
- Recreational opportunities

Subgroup #3 Assets:

- Location (11)
- Accessible to public transportation (8)
- Open space (7)
- Schools (5)
- Recreational programs/facilities (4)
- Potential for Economic Development (4)
- Good mix of people - economic & cultural (3)
- Civic organizations (2)
- Rural areas – ponds (2)
- Elderly housing facilities (2)
- Mixed housing (1)
- Historic buildings (1)
- Good major roads - access
- Center (defined)
- Mix of faiths
- Convenient stores

Subgroup #4 Assets:

- Public Safety (Fire & Police) (8)
- School system (8)
- Commuter Rail (6)
- Open space (4)
- People (4)
- Diversity (4)
- Industrial Parks (4)
- Location (3)
- Family ties (2)
- Affordable housing (2)
- Architecture (Town Hall, Clapp Memorial Train Station) (1)
- Ame's Pond (1)
- Music System/Band (1)
- Bird Street Sanctuary
- Net working
- Economic
- Library
- Sports
- JCC

Subgroup #1 Liabilities:

- Inadequate leadership (7)
- Encroachment on wetlands (5)
- Tough intersections; traffic doesn't work, streets congested (5)
- Community leadership not business friendly enough (4)
- The way Government works (3)
- Lessened commitment to education (Finance Decisions) (3)
- No parking downtown (2)
- Lack of communication among boards and depts. (2)
- Housing Inventory - incomplete or inaccurate (2)
- Lack of Master Plan (2)
- Lack of protection of public water supply (2)
- Rte. 139 Reconstruction (sinking) (1)
- Alternative Route to Cobbs Corner (1)
- Town Finance Problem (1)
- Need more street trees (1)
- Truck traffic (1)
- May not be traffic Solution (1)
- Water rates
- Not enough Train parking
- Apathy

Subgroup #2 Liabilities:

- Traffic - poor road intersections (11)
- Need housing for 55+ (6)
- Lack of affordable housing (5)
- Lot size is too big (5)
- Rail extension presents safety issues & impacts open space, also close to school zone (3)
- Mediocre middle and high school (3)
 - rush hour traffic
- Zoning is difficult to conform/comply with (3)
- No downtown parking garage (3)
- Ponds need weed control (3)
- Zoning doesn't protect environment (1)
- Assumption that people can't make difference (1)
- Apathy of the public (1)
- Lack of sidewalk (1)
- Industrial pollution (1)
- Revitalize downtown

- Lack of regulating industrial pollution (well water reliance)
- Expand depth of business areas on Rte. 138

Subgroup #3 Liabilities:

- Lack of youth center (7)
- Apathy (7)
- Heavy industrial use (6)
- Traffic (6)
- Lack of communication - poor distribution of info (5)
- Lack of affordable housing (5)
- Traffic congestion in center (5)
- Visually unappealing (3)
- Too many main roads meeting in center (3)
- Leadership direction (2)
- Crowding in schools (2)
- More cross walks on main roads (2)
- Parking near schools (2)
- Uncontrolled development (1)
- Few street trees (shade) (1)
- No community vision (1)
- Need urban renewal in center (1)
- Limited parking (1)
- No place to congregate (1)
- Minimal cultural activities
- Signage standard
- Speeding
- No sidewalks at Middle School

Subgroup #4 Liabilities:

- Town Government - lack of collaboration & not business friendly (8)
- Stoughton Center (4)
- Traffic (4)
- Water (4)
- Zoning (4)
- Town identity (4)
- No town planner (4)
- No grant writer (4)
- Need more public recreation space (3)
- Reactive vs. proactive (2)
- Need vibrant arts community (2)
- Taxes (2)
- Location (1)
- Lack of business draw tourist draw (1)
- Affordable Housing Needs (1)
- 55+ Housing Needs (1)
- High Density (1)
- Sanitary sewage (1)
- Lack of public involvement/apathy
- Limited tax base
- Email Problems Town Hall
- No solid waste pickup at Condos
- State Aid
- Lack of sidewalks
- Need to pay for band
- Need to pay for bussing
- Need to pay for extra curricular

Subgroup #1 Opportunities:

- Continued improvements in schools (7)
- Opportunities for added open space (7)
- Various groups in town to work better together (5)
- Under use of open space/ conservation land (5)
- Opportunity for light rather than heavy industry (5)
- Creation of a master plan (3)
- Commercial & industrial use/development in N. Stoughton (2)
- Review government structure in town (2)
- Commerce on South of Town (1)
- Center of town beautiful in parts - church green etc.
- Plan to improve traffic

Subgroup #2 Opportunities:

- Expand businesses for industrial growth (North Stoughton) move business base (7)
- Traffic calming (5)
- Straighten out zoning (5)
- Work with the T/parking garage (5)
- Development downtown/townhouses etc. (mixed use) (5)
- Start all over (Stoughton Center) (4)
- Put rail underground/ by pass (3)
- Make biking/walking trails (2)
- Develop plan to encourage citizen input (2)
- Market "No Place for Hate" status (2)
- Construct more athletic fields (1)
- Use Gibbons Elementary School as a model for other elementary schools (1)

Subgroup #3 Opportunities:

- Improve visual appearance (10)
- Programs on conservation land(5)
- Revitalize center (5)
- Save ponds (5)
- Opportunities to protect open space (5)
- Economic development - MWRA water (4)
- Business friendly (4)
- Intersection redesign (4)
- Housing stock turn-over (3)
- Rezone industrial use (3)
- Rezoning in downtown (mixed use) (3)
- Build parking garage downtown (2)
- Convert existing housing to affordable (2)
- Relocating the Post Office (1)
- Use of National Guard Armory (1)
- Underground utilities (1)
- One way streets - traffic flow & parking
- Establish signage standards

Subgroup #4 Opportunities:

- Master Plan Development (9)
- Hire town planner (8)
- Re-instate town grant writer (7)
- Urban Revitalization (7)
- Pride (4)
- Traffic Plan (4)
- Historical preservation/utilization (2)
- Capen Reynolds Farm (2)
- Beautification & streetscape improvements (2)
- Available space at the technology park (2)
- Local initiative plan (L.I.P.) (1)
- Portuguese Festivals (1)
- Awareness of grant opportunities (1)
- McNamara Farm
- Trail Opportunities
- Public involvement
- Potential usage of cable station

ECONOMIC DEVELOPMENT SUBGROUP:

Economic Development Themes from Report Outs from Subgroups:

- Commuter Rail
- Industrial Park - N. Stoughton
- Zoning
- Sewer and Water Costs
- Traffic - Congestion/Intersections
- Stoughton Center
- Urban Revitalization
- Schools
- Location - Region
- Diversity
- Broad Range of Housing
- Community Leadership is not business friendly
- Mixed Use Development
- Office parks
- Opportunity for light rather than heavy industry in North Stoughton
- Accessibility to public Transportation
- Potential for Economic Development
- Town Center Traffic Issue
- Expanding Business
- Redevelop Downtown – tear down & rebuild
- Traffic calming
- Need for "light" commercial in zoned Industrial in residential areas to avoid conflicts
- town grant writer
- town planner

Themes/Actions:

- Explore rezoning of downtown to promote revitalization
- Balance revitalization with conservation of historic flavor
- Explore ways of increasing downtown parking
 - Build parking garage in downtown to promote business - i.e. revitalization
 - Consider service area parking
 - Low/no cost parking
 - Get fire station out of center & put in parking (look at options for reuse of fire station space)
 - Parking for commuter rail is limiting Business & people's willingness to live in town
 - Parking garage - long & short term parking
 - Who's going to pay for parking garage
- Look at controlling the "mix" of businesses in downtown
- Examine possibility of putting overhead utilities underground
- Overall Town Planner
- Get grant writer to save town money & get these plans implemented
- Examine rezoning of industrial in residential areas to create light commercial
- Limit heavy truck traffic in industrial areas.
- Promote office parks & high tech rather than heavy industry
- Develop Zoning items that relate to "site plan review" and "lighting", "signs" design guidelines
- Historic district upgrade physical character of area
- Enforcing agreements made with business developers
- Explore mixed use development in downtown
- Traffic impedes business opportunities in downtown - traffic issue must be examined.
- Rte 24 & 128 traffic congestion affects traffic on local roads in Stoughton.
 - Talk to State about alternative routing for this type of traffic
 - Add traffic controls in Town.
 - Traffic calming in downtown
- Continue to strengthen the school system to strengthen opportunities in Town
- Extend MBTA only to N. Easton at "Savini's"
- Maintain adequate business tax base

OPEN SPACE SUBGROUP:

Open Space Themes from Report outs from Subgroups:

Assets:

- Open space
- Open space
- Open space

Liabilities:

- Quantity, quality, cost of water
- Encroachment on wetlands

Opportunities:

- Added open space
- Other use of the open space
- Improve visual appearance
- Programs on conservation land
- Protect ponds
- New open space

Open Space Themes for Goal Statements:

- Amount of open space should be tied to population
- Need to bring conservation land to regional average
- Clarify protection status of open space
- Use programs to increase awareness of current inventory
- Better use of open space
- Increase improvements of facilities at Capen-Reynolds Farm
- Better signage at facilities
- Monitor use of open space
- Use existing youth groups to assist in monitoring
- Explore cost effectiveness of cutting grant writer's position
- Balancing open space and residential by decreasing lot sizes (within reason)
- Use zoning to protect and define open space
- Use friend groups w/town support
- Codify various Federal, State, and Town Regulations
 - Update current wetlands maps
- Acquisition of Libby Property and other parcels on open space plan
- Continued cooperation with Trust for Public Land
- Need for indoor recreational facility
- Educate public about cost effectiveness of acquiring open space

Open Space Theme Summary for Report Out:

- Educate public about cost effectiveness of acquiring open space
- Acquisition of Libby property and other parcels on open space plan
- Clarify protection status of open space
- Use zoning to protect and define open space

HOUSING SUBGROUP:

Housing Themes from Report outs from Subgroups:

- Conversion of industrial to housing
- Diversity
- Zoning
- Mater Plan - opportunity.
- Broad range of housing
- Elderly housing & Senior Center
- Need housing (55+)
- Lack of affordable housing
- Lot sizes too big
- Need for affordable rental housing for the elderly and the non-elderly
- Developing downtown
- Canton as mixed use model
- Existing affordable vs. what "counts"
- Need definitions
- Relationship between town improvements & housing prices
- What about people who can't afford it?

Themes from Housing Subgroup for inclusion in Goal Statements:

- Identify distribution of housing
 - 1st time buyers
 - elderly
 - rental vs. ownership
 - location
 - downsizing
 - 55+
- Establish numerical goals for elderly & other categories
- Articulated vision
- Role of government vs. private sector - proactive vs. reactive
- Control our destiny
- Preference for conversion & re-use over new development
- Identify appropriate locations
- Mixed use (downtown only? everywhere?)
- Spread out housing mix - no concentration
- Use land swap to achieve more appropriate land use (problems of spot zoning)
- More creative zoning
- Inclusionary zoning
- Incentives
- Regional opportunities

TRANSPORTATION SUBGROUP:

Issues Relating to Transportation in Report Outs from Subgroups and Issues discussed in Transportation Subgroup:

- Intersections
- Commuter Rail
- Traffic
- Urban Revitalization
- Location
- Industrial potential
- Stoughton Center
- Public Transit
- Traffic town center
- Visual improvements
- Zoning - signage by-law
- More secure bike parking at Commuter RR
- Town roads
 - Pedestrian friendly
 - Sidewalks
 - Lights
 - Crosswalks ADA
- More frequent RR to Boston
- Freight trains
- Need more bus routes
- Increase Ridership
- Improve circulation w/in town
- **Increased capacity for handicap & Seniors**
- Feeders to Train Stations
- Public or private opportunities
- Impacts by train
 - Pearl & Central
 - Stoughton Center
- How do we by-pass town center?
- "T" parking
- RR Mitigation
 - Intersections
 - Pedestrian crossings
 - Depressed rail bed
 - Gates
 - Fencing
 - By-Pass Road
 - "T" to work with MHD and Stoughton officials

Themes for Transportation Goal Statements:

- Engage MHD, MBTA, State legislators & local town officials to solve our transportation issues by working together to develop a comprehensive circulation plan;
Circulation plan needs to include:
 - Zoning: siting industrial parks/Highway zoning
 - Mixed use development
 - Affordable housing
 - Infrastructure
 - Parking garage
 - Downtown revitalization
 - Mass transit (BAT)
 - Traffic calming
 - Cross-Walks (signalized)
 - Streetscape improvements
- Improve High Volume Intersections
 - Approach widenings
 - Signalization-Timing changes
 - Signalized Cross-walks
 - Stop bars re-established with Buffer zone to X-walk
 - Sight distance improvements
 - Coordinate with circulation plan
- Develop plan to use North Stoughton to it's maximum potential for industry/business use (Redevelopment authority)
 - Page Street
 - Turnpike Street
 - Metro-South

In Summation:

Stoughton Residents gathered and were asked the following 3 questions. Responses are as noted:

“What Town Would You Like To Look More Like?”

- Wellesley
- Concord
- Stoughton
- Mashpee
- Mansfield
- Easton
- Hingham

Fill in the blank: The Headline on Tomorrow’s Front Page about this Visioning Session Reads: *“Stoughton Residents Gather and Decide _____”*

- Their future
- To create a vision
- To participate in a continuing process

If You Were The Benevolent King or Queen of Stoughton, and could take any action on behalf of the residents based upon the Visioning Session, What Would You Do?

- Attract new business
- Solve traffic problem
- Continue to support schools
- What the whole town looks like is important
- Take over Easton
- Reinstate a grant writer
- Redevelop Stoughton Square
- Make sure of good communication within town
- Have better leadership
- Address Senior and Affordable Housing
- Maintain Open Space
- Strengthen Public Safety Depts.
- Boost our image
- Stoughton.org

Stoughton Natural Resources Forum Results September 15, 2003

Prepared by the
Metropolitan Area Planning Council (MAPC)

This memo summarizes the results of the “Charting Our Future” natural resources forum

hosted by the Stoughton Community Development Planning Committee from 7:00- 9:30 PM, in the Great Hall at Stoughton Town Hall on September 15, 2003.

After a welcome from the Community Development Planning Committee, the meeting continued with an overview of Executive Order 418 process. The was followed by an initial presentation of the EOEA buildout analysis for the Town, as well as the EO418 Land Use and Natural Resources mapping for the Town. Time was set aside for participants to examine the maps and ask questions about the details shown.

Glenn Flierl of the Open Space Committee made a presentation of the properties that were listed in the 1996 Stoughton Open Space and Recreation Plan.

MAPC’s data-rich Stoughton Community profile was distributed, as was information from the Trust for Public Land which details the amounts of open space in Stoughton and its neighboring communities. An additional handout, which was briefly discussed, explained alternative options for protecting lands which have conservation interest for the community.

Natural Resource Goals

The first task of those participating in the Natural Resources Forum was to determine a draft set of Natural Resource Goals to guide the remainder of the Community Development Plan process. The initial list of themes was developed from the Stoughton Visioning session and 1998 Town of Stoughton Open Space and Recreation Plan; brainstorming of additional concepts and clarification of initial concepts occurred at the Forum. After the brainstorming, the participants then prioritized (by each person having a maximum of 6 votes) the importance of the items on the total list of Natural Resource goals.

Themes for Goals Statements for Town of Stoughton Natural Resources Community Development Plan Element which were discussed and voted on at the Natural Resources Forum are listed below. The number after each theme is the number of votes received by that theme when the participants prioritized the concepts at the forum.

- **Increase acreage of conservation land up to regional average, with total amount tied to future population. (0)**

- Protect streams, wetlands and ponds for flood control conservation, wildlife habitat, ground-water recharge and recreation use (18)
- Ensure quality of water supply through protection of open space and other methods to protect watershed areas from impacts of development (15)
- Preserve the natural character of the Town for current and future generations (12)
- Preserve the Historical character of the Town (3)
- Preserve and provide natural environments/recreational facilities that are accessible from existing and new neighborhoods for current and future generations (11)
- Ensure the Town's open space has reasonable accessibility for people with disabilities (1)
- Work with Town Boards and Departments and other recreational organizations to ensure that sufficient land and recreational facilities are available. (0)
- Increase educational awareness of and use of existing conservation land as a conservation resource (2)
- Enhance access to and improve maintenance and policing of Stoughton's open space (2)
- Preserve Wildlife Habitat (5)
- Preserve Agricultural uses (6)
- Preservation of Open Space for health and environmental benefits (cleansing qualities of open space on air and water) (7)
- Connectivity of open space for wildlife and public access (6)
- Preservation of open space to stabilize local real estate taxes (9)
- Preserve open space to lower density where no infrastructure exists. (0)

The following concepts appeared on the initial list, but were removed from the final list of Themes, as they were seen more as methods to achieve the above goals

- Raise awareness of the Stoughton residents of the value and importance of open space and environmental protection
- Use zoning and other regulations to protect open space
- Explore grants, continued cooperation with Trust for Public Land, and other options for cost-effective protection of open space in Stoughton

Specific Locations to Protect

The next task of the participants at the forum was to develop a list (through brainstorming) of the areas within the town that should be protected by

acquisition, zoning or other means, for their natural resource/recreational purposes. For each area suggested, data from the Natural Resources map was added to the list, as well as the proponent's goals. The "Map Number" of the parcels correspond to locations shown on the Map 3 Land Use Suitability Map, which will be provided for use as a base of discussions in the Housing and Economic Development Forums. The initial list of parcels was developed from the 1996 Stoughton Open Space Plan; additions and deletions were made at the forum. Priorities for parcels for protection were determined by voting, with each participant provided 6 "voting dots" to place by his/her priority parcel(s).

Town of Stoughton					
Properties discussed and prioritized for Acquisition and/or Protection at 9/15/03 Community Development Plan Natural Resources Forum					
Map Number	Name/Description	Location	Approx Size	Potential Use/Environmental Features	# Votes at 9/15/03 Forum
#1	Memorial Lands (Libby)	West Street	77acres	Trails, woodlands, wetlands. To connect portions of Bird St. Sanctuary	Protected by Town Meeting purchase
#2	Britton's Pond	School Street	7.8 Acres	open water and woodlands, mostly wet. To protect and connect wetlands	6
#3	Ames Long Pond East	West Street	109 acres	Mostly open fields. To connect existing open spaces and protect Ames Pond watershed and reserving land for future agricultural uses. woodlands	10
#4	Glen Echo Pond - Several Ownerships	Glen Echo Blvd	60 acres	Woodlands and wetlands. To provide multi-use water based recreation facility. Adjacent to protected area	13

#5	Benson Road/ Goddard property	Benson Road	100 acres	Uplands and Open Wetlands. Portions proposed as 40B development	16
#6	Adjacent to Stonehill Gift Lands	Sumner Street	8 acres	Wooded Swamp, ponds, upland	0
#7	York Street Parcel	York Street	9 acres	Low forest, shrubs, open land. To preserve dramatic terrain and provide open space in growing area	0
#8	Page Street	East of Page Street	4.5 acres	Partially Treed and open field. To provide recreation area and buffer between residential and commercial uses	5
#9	Island Street East	Island Street	23.5 acres	Woodlands. To increase usability of existing consrvation lands in extensive multi-family area	3
#10	Southworth Pond & Lipsky Field	Off Canton Street	33 acres + 50 acres	Woodlands and Open Fields. To ensure public access to mill pond, connections to adjacent conservation areas. Possible Harardous waste issue.	11
#11	Mill Brook	West of Mill Street	5 acres	Woodlands and wetlands. To protect wetlands and to increase open space in densely developed area	0

#12	Lakewood Drive Parcel	Lakewood Drive	6.2 acres	Wetlands tract. To further protect sizeable wetland and complement pond across the street.	2
#13	Cohenno Property	north of Golf Course, off Independence Ave	16.3 acres	Woodlands. To extend the useful play area of municipal golf course. Adjacent to Golf Course and Conservation-restricted parcel	7
#14	West Street South Parcel 1	West Street	49 acres	Predominantly open fields adjacent to existing Bird Street Conservation property, in Ames Pond watershed	Protected by Town Meeting purchase
#15	West Street South Parcel 2	West Street north of Palisades Circle	54 acres	Woodlands between West Street and Bird Street Conservation area	8
#16	West Street North Parcel 1	West Street near Plain Street	50 Acres	Predominantly woodlands with small open fields adjacent to Bird Street Conservation Area	1
#17	West of Sumner St.	Off Sophia Road	20 acres	Woodlands with pond and vernal pool; adjacent to protected area.	2
#18	North of Central Street - Several ownerships	West of Turnpike Street	100+-	Wooded with wetlands, in contribution zone for well	1
#19	Pleasant Street		11 Acres	Zoned for Business - small agricultural business now	3

#20	Remainder of Cedar Swamp - several ownerships	off Washington Street	25 +/-	Woodlands, wetlands, vernal pool, medium yield aquifer adjacent to protected lands	1
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Potential Areas for Housing or Economic Development

After identifying the priorities for natural resources/recreational lands for protection, the remaining task for the Natural Resources Forum participants was to develop a preliminary list of areas of the Town where future housing and economic development, including varying densities and types of development, might be appropriate. A few specific parcels/areas were noted, along with a series of concepts that the participants wanted to forward for consideration in the housing and economic development portions of the project. The following is a listing of the sites proposed, along with any specific discussion that occurred. No voting was done to prioritize these parcels/concepts, but there was general concurrence from the participants that these should all be forwarded for additional discussion during the Housing and Economic Development forums

Locations:

- **Route 24 corridor for Commercial and Industrial**
- **Mixed use (retail and residential) in the downtown.**
- **Corcoran Shoe factory parcel for Mixed use (retail and residential)**
- Look for potential for affordable housing on small town-owned lots throughout town
- Concentrate development along major existing highways
- Concentrate development near Train Station (within walking distance to train)

Concepts to include in Economic Development and Housing Component

- Target infrastructure-rich areas
- Seek grants for housing redevelopment that will include restrictions for future affordability (restrictions acceptable for inclusion in Ch 40B count).
- Develop system for obtaining better submittal of plans from developers, which include all details of the site pre-planned prior to meetings with the town
- Need to re-visit zoning
- Plan for development in anti-sprawl manner
- Undertake re-use inventory for under-used or vacant commercial/industrial lands

Stoughton Housing Workshop Results

March 1, 2004

Prepared by the
Metropolitan Area Planning Council (MAPC)

Stoughton Housing Goals

Overarching goal: To enhance vibrancy by diversifying the mix of economic development and housing options

The town will set its goals in motion through:

- increasing residential density downtown (rental and ownership)
- promoting housing rehabilitation over new construction town-wide
- preserving affordability of housing for residents of all income levels & life stages, especially young adults and seniors, who are most burdened

Housing policies will target the following needs:

- More housing authority rentals, targeting very low-income families
- Assisted living for seniors
- Elderly housing – seniors who want to move out of large homes but are not ready for assisted living

The town will use a balanced approach & encourage retention of town character & higher end units while providing units across a wider range of incomes

Consistent with “smart growth,” the town will

- Target infrastructure-rich areas
- Plan for development in an anti-sprawl manner --
 - Downtown, mixed use; near transit & services; on sewer
- In downtown redevelopment, preserve existing affordability & include a % of permanently affordable housing

Locations

Participants identified sites where housing might be appropriate either as new construction or redevelopment of existing structures. The Housing Opportunities map (see xxxxxx) and the following list of potential sites, with some preliminary ideas about who might live there and what type of housing might be most appropriate, is a “starter set” for future investigation by the town and other partners. Further study of these sites will be needed to determine their development potential and feasibility and to address a range of issues including parking, site design, ownership, affordability levels, and more.

Participants were asked which locations seemed worth pursuing. Column 2 shows the result: a check mark (✓) indicates locations that received a 2/3 vote or more; an (X)

indicates locations that did not receive a 2/3 vote. It is important to note that the group was small, and several votes were close; we recommend further investigation of most sites listed below and others that may be identified in the future.

Map #	Vote	Location & Possible Uses
1	X	St. James <ul style="list-style-type: none"> • Low-mod apartments, esp. low income • Senior &/or assisted living, perhaps a mix with higher income
2	✓	Our Lady of the Rosary – on a bus line <ul style="list-style-type: none"> • Low-mod apartments, esp. low; maximum = 100 units • Senior &/or assisted living
3	✓	Downtown <ul style="list-style-type: none"> • Smart growth –mixed use • ½ mile radius commercial/industrial reuse for mixed use
4	✓	Town-wide <ul style="list-style-type: none"> • Reuse – redevelopment of properties for housing
5	✓	Town properties <ul style="list-style-type: none"> • Potential reuse for housing
6	X	Woodbridge (across from Hanson School) <ul style="list-style-type: none"> • Multi-family proposal • Mixed use?
7	X	Gill Machine <ul style="list-style-type: none"> • Proposed: multi-family
8	X	Connell Drive <ul style="list-style-type: none"> • Proposed: over-55 housing, 68 units (40B)
9	X	Goddard Highlands <ul style="list-style-type: none"> • 96 single-family (40B)
10	X	West St./ Ames Pond <ul style="list-style-type: none"> • Over-55 housing – no sewer or water
11	X	Page St. Apartments <ul style="list-style-type: none"> • 48 units (40B)
12	✓	Gates Crossing (Buckley Rd., across from fire station) <ul style="list-style-type: none"> • 40B under discussion, ~ 150 units
13	✓	Vazza property <ul style="list-style-type: none"> • 40B

Preserving and Creating Appropriate Housing

Seizing Opportunities and Overcoming Barriers

Stoughton's ability to preserve and create housing to meet its needs depends on many factors, including available land and buildings, funding and financial resources, staff, public awareness and political will, organizational resources, laws, regulations, policies, and programs.

Certain of these factors work in the town's favor. Forum participants identified the following "enablers" that can help the town achieve its housing goals:

- Temporary housing units are allowed by special permit
- Zoning allows for conversion of large single-family houses to up to 4 units by special permit, but only in some districts
- Resolution of water issue – the town has resolved its water issue by joining the MWRA; although this is not an unlimited source, there is enough to help for now
- Availability of water, sewer, & transportation infrastructure

The following factors present obstacles to achieving the town's housing goals:

- Zoning -- the state Zoning Act makes it difficult to change zoning – uses are grandfathered for 8 years
- Current Zoning By-law is restrictive for development of multi-family or assisted living; needs to be revamped
- Permitting process needs to be clarified/updated
- Lack of available land for residential uses
- Lack of ability to have in-law apartments
- Lack of overall incentives to build houses
- Concern that increased housing will increase costs of schools & services

Taking Strategic Action

Participants identified the following strategies:

- Buy existing housing & restrict it as future affordable units
- Distribute affordable units throughout town
- Address issues of conversion of apartments to condominiums
- Target: youngest, oldest, mid-oldest – rental, condos, & 1st time homebuyers
- Institute inclusionary zoning, requiring (or encouraging) a % affordable housing as part of all developments
- Partner with developers and housing authority on town-owned land
- Review in-law apartment by-law
- Investigate the potential for accessory apartments in other areas
- Provide tax incentives for redevelopment/rehabilitation
- Retain some "showcase" homes to maintain the character of the town; retain large homes
- Consider adopting linkage – Bellingham zoning example
- Encourage transfer of development rights
- Work with realtors on determining the needs of the market
- Fast-track projects that meet the plan & provide housing
- Develop system for obtaining more detailed plans from developers before meetings
- Inventory vacant & underutilized commercial-industrial lands for reuse potential
- Seek grants for redevelopment with future affordability restrictions (@ 40B)

Stoughton Economic Development Forum Results

January 26, 2004

Prepared by the
Metropolitan Area Planning Council (MAPC)

Funded by the Mass. Dept. of Housing and Community Development, Mass. Dept. of Economic Development, MassHighway, and Executive Office of Environmental Affairs

Purpose: The purpose of the meeting was to elicit input from Stoughton residents, landowners, developers, and business community as to the goals, themes, priorities, and locations that should inform the economic development element of the Community Development Plan. MAPC presented background data on the local economy, and guided the discussion.

Outcomes: Outcomes included a prioritized set of economic development themes and a draft map of locations for future economic development initiatives. With this input, MAPC, working with the Town, will recommend strategies and tools for achieving the goals. The results will be coordinated with the goals, themes, and strategies from the other elements in the Community Development Plan for review at a future public meeting on "Putting it all Together."

Introduction and Economic Profile

Terry Schneider of the Stoughton Chamber of Commerce welcomed participants and described the purpose of the meeting within the context of the Town's planning process. He introduced Mark Hunsberger, MAPC's Economic Development Planner, to lead the evening's forum. Mr. Hunsberger reviewed the evening's agenda, then presented information outlining the scope of issues within the field of economic development, and summarizing historical and current data on economic trends in terms of the community's land use, tax base, jobs, and workforce.

Economic Development Themes and Priorities

Economic Development themes identified in the October, 2002 town-wide visioning session were presented, and several were refined through brief discussion. Three themes relating to revitalization of the downtown area were combined, and nine additional theme were added by attendees (denoted by *italics* below). Each person in attendance was given five stickers, then asked to place them next to the items they identified as top priorities in economic development (casting a maximum of only two votes for any single item). The participants' ranking of themes is summarized below:

# Votes	Economic Development Goal / Theme
23	Increase business/commercial activity downtown Increase residential density downtown Increase parking downtown
16	<i>Pay attention to the impacts new developments have on traffic and pedestrians</i>

- 13 Put development where infrastructure already exists
- 13 *Create a flexible overall plan for the town and a clear blueprint for all Town boards to follow in implementing the plan*
- 12 *Revise existing zoning districts to reduce instances where residential and commercial/industrial uses are inappropriately close together*
- 9 Establish design review guidelines to enhance the quality of development
- 8 Attract new businesses to North Stoughton, *focusing on the quality of businesses and paying attention to traffic impacts*
- 8 *Emphasize re-use of existing commercial/industrial buildings over new construction*
- 7 *Possibly use eminent domain power to redevelop key sites*
- 6 Create an Office Park zoning district separate from Industrial
- 6 Focus on the quality of businesses and development, not just the quantity
- 4 *Apply more resources to workforce development for those who need basic literacy and English skills*
- 4 *Increase allowed building heights in specific areas*
- 4 *Develop a theme or image to create an identity for the revitalization of downtown and for the town as a whole*
- 1 Enhance the appearance of commercial developments through bylaws

Part II: Applying Economic Development Themes to Locations

Following the discussion of economic trends and themes, individual participants were asked to suggest ideas for improving specific areas in town through economic development initiatives. These suggestions were then discussed by the group. Considerable discussion was devoted to revitalizing the downtown, adding to ideas and concerns expressed leading up to its selection as the highest priority goal / theme. The general thrust of the discussion was a desire for improvements in the appearance of the square's buildings and streetscapes, upgrading of the value of properties and businesses, and increases in the density of development by encouraging residences and offices above ground floor shops. Concerns included the need to solve problems with traffic congestion, parking, and pedestrian access and to continue to provide affordable housing in the downtown.

Participants' comments on specific locations are summarized below. Reference numbers relate to locations on the draft economic development map.

Map #	Location & Suggested Uses
1	Downtown Central and General Business and Industrial districts <ul style="list-style-type: none"> • Suggestion to coordinate the plan for all the commercial districts

	<p>within a half mile radius of the commuter rail station – the walking distance to this important node.</p> <ul style="list-style-type: none"> • Mixed use development involving residences and offices over retail is an important revitalization element, but needs to have careful design review to ensure that developments are attractive (e.g. via an overlay district requiring a special permit review). It is also important that board members reviewing projects have clear guidelines and the training to apply them appropriately. • Any zoning changes need to create sufficient economic incentive to stimulate property owners to make upgrades. To encourage redevelopment, the increase in allowed density and the size of parcels must be sufficient to support the owner's redevelopment costs as well as fund necessary infrastructure improvements. • The Town should work with developers to make their projects economically feasible. At the same time, the Town should ensure that promises and assurances given in the process of obtaining project approval are fully implemented. • Any increase in development density needs to take into account needed improvements in traffic flow and pedestrian access. Suggestion was made to explore ways to site new projects and/or redesign traffic flows to go around rather than through new development. • Redevelopment must recognize that the downtown currently contains some of the most affordable housing in town. Especially because the downtown offers proximity to both public transportation and basic retail services, residential and mixed use projects should include a minimum percentage of permanently affordable units (e.g. 15%), and elderly/age restricted housing opportunities should be explored. Suggestion was made to explore moderate-income housing in the old mill building near the police station. • The shortage of parking needs to be addressed before new development is added. Alternatives may include better managing Town/business employee parking, sharing of space in MBTA lots at night and on weekends, and/or structured parking on the Town's existing surface lots. • The Corcoran Shoe building has successfully been converted to lively artist studios. With it's proximity to commuter rail, this building and neighboring sites have additional potential for restaurants, housing, etc. • The area around Wyman Street and the Portuguese National Club has successful businesses, but needs overall rehabilitation, perhaps with second floor residences. • An opportunity exists to emphasize the quaintness of downtown with small shops, ethnic restaurants, the movie theater, and other places to gather. Pedestrian access and streetscape improvements would encourage people to walk and linger downtown. PWED grant from
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	<p>State will improve the square's traffic flow, parking, and sidewalks. Construction is set to begin in 2004</p> <ul style="list-style-type: none"> • Suggestion to move the downtown fire station from Freeman Street to a new location serving North Stoughton, for example, near the Armory.
2	<p>Canton Street Industrial district</p> <ul style="list-style-type: none"> • Emerging industrial development (e.g., at the corner of Simpson Street) is not compatible with nearby residences and creates an unattractive image along this important corridor to downtown. • Re-examine zoning to ensure better compatibility between residential and business uses and with the image the town wants to create to revitalize the downtown. Suggestions included rezoning land east of Simpson Street from industrial to residential and/or changing zoning to encourage "less industrial" business uses more visually compatible with nearby residences, such as professional offices in renovated houses or small office buildings with residential design elements. • Land west of Simpson Street has some contamination, but brownfield grants could fund remediation and redevelopment even for certain types of residential use. • Concern that additional development not increase commercial traffic into Stoughton Square.
3	<p>Gill Manufacturing site</p> <p>An article is being prepared for Town meeting to rezone this area for residential use.</p>
4	<p>North Stoughton – Page Street Industrial and Neighborhood Business districts</p> <ul style="list-style-type: none"> • This area was identified in the 1970s plan for redevelopment for commercial / industrial use. Boston Interiors is building an office/showroom/warehouse now. • Town needs to decide whether this area should be devoted to commercial / industrial uses or left with a residential district mixed in. Neighborhood residents are not all in agreement on rezoning, and Town meeting has not passed previous rezoning proposals. • The problem with subsidence along Route 139 limits development potential in the immediate vicinity of the Page Street intersection, at least temporarily.
5	<p>North Stoughton – Turnpike Street Industrial district</p> <ul style="list-style-type: none"> • Part of the street was recently rebuilt, but heavy, high speed truck traffic and the lack of sidewalks makes the street unsafe for pedestrians. Is there an alternative to having the secondary access for the Ikea development add to this traffic? • Suggestion that rezoning the area won't change uses such as contractor yards and gravel operations in the near term, but in 10 years these uses may be looking to relocate and the area can be redeveloped.

	<ul style="list-style-type: none"> It was suggested the Town explore seeking another exit from Route 24, but MassHighway regulations reportedly prohibit construction of another ramp complex in such close proximity to the existing interchanges.
6	Park / Sumner Streets Industrial district Change zoning to encourage residential or office/professional redevelopment compatible with surrounding residential area.
7	Central Street Industrial district opposite Hansen School Site of an old mill and a proposed Chapter 40B affordable housing development. Concern about increased traffic and planned access to Mill Street and Island Street.
8	Route 138 at Easton town line General Business district Concern about appropriateness of further filling/paving in this area given some reported flooding problems following construction of the Roche Brothers plaza in Easton and placement of fill on nearby low areas in Stoughton.
9	Pleasant Street General Business district (Hanson store) Suggestion for commercial development such as offices styled to fit better with nearby residences (e.g. colonial or cape). Alternative suggestion to rezone as residential due to problems with traffic congestion from existing businesses.
10	Glen Echo Road General Business district Re-zone for residential use
11	Route 138 North General Business and Industrial districts Participants were satisfied with the existing businesses and services provided, but dissatisfied with the unattractiveness of the area. Needs aesthetic upgrades, incentives to beautify properties, landscaping, facades, etc.
12	Route 27 at Brockton line General and Neighborhood Business districts Former Service Merchandise site and area across Park Street needs a coordinated plan for redevelopment
13	Route 139 at Randolph town line Industrial district While development of the area is restricted by the presence of wetlands, rezoning to residential would further protect adjacent residences.
14	Various small Industrial/Business districts mixed with Residential (e.g. Felos Art Center and garage near Senior Center) Rezone for eventual redevelopment for appropriate uses that will fit better with surrounding residences.

Appendix II – Bylaws from Other Communities as Examples for Use in Stoughton

Town of Canton Economic Opportunity Overlay District Bylaw

5.6 Canton Center Economic Opportunity District By-law

[Downloaded from Ordinance.Com 2/10/04]

5.61 Purpose of District

There is hereby established a Canton Center Economic Opportunity District (CCEOD) Zoning By-law. The benefits of the Canton Center Economic Opportunity District Zoning By-law shall accrue only to those parcels located entirely within the boundary of the Canton Center Economic Opportunity District.

The Canton Center Economic Opportunity District is established for the accomplishment of the following purposes:

5.61.1 To promote the economic health and stability of the Town by encouraging development and economic investment in the Canton Center Economic Opportunity District that will generate employment and tax revenue.

5.61.2 To provide additional planning flexibility for projects located in the Canton Center Economic Opportunity District, including enhancing the coordination of the project with the environmental and natural features of the development site.

5.61.3 To encourage mixed-use development, including but not limited to, offices, retail shops, and multi-family housing.

5.61.4 To permit and encourage the development of parks and open spaces which would be available for use by the general public.

5.61.5 To permit the use of new development standards which will promote the desired changes in Canton Center.

5.61.6 To provide information on the potential impacts of a proposed development.

(109) 5.6 Inserted ATM 2000 under Article 53

5.61.7 To enable the Special Permit Granting Authority (SPGA) to require adherence to "Site Development and Use Plans" in the granting of a special permit.

5.61.8 Definitions

BUILDING HEIGHT : [Building](#) height shall be measured as set forth in the State [Building](#) Code 780 CMR.

****Webmasters Note:** The previous section 5.61.8 has been added as per Case No. 1642 from town meeting 4/30/01.

5.62 Scope of Authority

The Canton Center Economic Opportunity District shall not restrict the owners rights relative to the underlying zoning districts. However, if the [owner](#) selects to use the CCEOD for development purposes, the development shall conform to the requirements of Section 5.6 Canton Center Economic Opportunity District By-law.

5.63 Special Permit Granting Authority

The Board of Appeals is hereby designated as the Special Permit Granting Authority (SPGA) for all purposes under Section 5.6 Canton Center Economic Opportunity District. All special permit applications shall conform to the standards and criteria of this Section and the Zoning Board of Appeals [Rules](#) and Regulations governing the administration of applications for special permits.

Under Section 5.6 Canton Center Economic Opportunity District, no [building](#) shall be [constructed](#) or externally enlarged, and no use shall be expanded in ground area, or established in an existing [building](#) except in conformity with a Site Development and Use Plan that bears the endorsement of approval by the Board of Appeals. Requirements and Procedures for approval shall be in accordance with Article III. Section 3.0 Site Plan Approval.

Construction or operations under a construction permit or a special permit shall conform to any subsequent amendment of the Zoning By-law, unless the use or construction is commenced within a period of not less than six months after the issuance of the permit and such construction is continued through to completion as continuously and expeditiously as in reasonable.

5.64 Objectives

In addition to the specific criteria contained within this section, the SPGA shall issue a special permit for development within the CCEOD only after consideration of the following:

5.64.1 adequacy of the site in terms of the size of the proposed use(s);

5.64.2 adequacy of the provision of open space, its accessibility to the general public, and/or its association with adjacent or proximate open space areas;

5.64.3 suitability of the site for the proposed uses(s);

5.64.4 Impact on traffic and pedestrian flow and safety;

5.64.5 impact on the visual character of the neighborhood;

5.64.6 adequacy of [utilities](#), including sewage disposal, water supply and storm water drainage;

5.64.7 degree to which the proposed project complies with the goals of the Canton Center Revitalization Plan and the provisions of this section.

5.65 Uses Permitted

Within the Canton Center Economic Opportunity District, the Board of Appeals may issue a special permit for the following uses:

5.65.1 Apartment houses or buildings.

5.65.2 Retail stores and offices including salesrooms and showrooms, consumer service establishments, business and professional offices, executive and administrative offices, banks and other institutions.

5.65.3 All uses allowed by right or by special permit in the underlying zoning district.

No [building](#) or [structure](#) shall be designed, arranged or [constructed](#) and no [building](#), [structure](#) or land shall be used, in whole or in part, for any purpose other than for one or more of the uses herein set forth as permissible by special permit.

5.66 Standards and Criteria

5.66.1 Minimum [Lot](#) Size

A. The minimum [lot](#) size is not less than 10,000 square feet of "buildable [lot](#) area". The [lot](#) must contain the "buildable [lot](#) area" in a single, contiguous site within the boundaries of the Canton Center Economic Opportunity District.

B. No portion of a [way](#) or [street](#), as defined by the by-law may be included in computing the minimum required "buildable [lot](#) area".

5.66.2 [Lot](#) Coverage

No [building](#) shall be [constructed](#) so as to cover, together with any other [building](#) on the [lot](#), more than fifty (50) percent of the "buildable [lot](#) area".

5.66.3 Minimum [Lot](#) Frontage and Access

Lots with over 60,000 S.F. of "buildable [lot](#) area" shall have a minimum frontage of one hundred twenty feet (120) feet and at least one means of ingress/egress. Each means of ingress/egress shall have a continuous frontage or not less than sixty feet.

5.66.4 Density

No [building](#) or [structure](#) shall be designed, arranged or [constructed](#) and no [building](#), [structure](#) or land shall be used, in whole or in part, which exceeds the densities specified below for residential and non-residential uses.

- One [dwelling](#) unit per 2,000 S.F. of "buildable [lot](#) area", plus
- Three thousand (3,000) gross square feet of non-residential floor area per 10,000 S.F. of "buildable [lot](#) area" or portion thereof.

For the purpose of this section, "gross square feet of non-residential floor area" means the total non-residential floor area contained within exterior walls but does not include basement space used for heating and [utilities](#), storage or for automobile parking.

5.66.5 Setbacks and Yard Regulations for Buildings

No [building](#) shall be [constructed](#) so as to be nearer to the line of any [street](#) than the "required setback distance" or nearer to the side lines of its [lot](#) than the "required side yard width" or nearer to the rear line of its [lot](#) than the "required rear yard depth" specified below:

- Required Setback Distance 15 feet
- Required Side Yard Width N/A
- Required Rear Yard Depth 25 feet

A. The required setback distance shall be measured from the nearest exterior line of the [street](#) in question.

B. No storage or display of goods, products, materials or equipment, vending machines or similar commercial devices shall be located nearer to the line of any [street](#) than the permitted setback distance for a [building](#) on the [lot](#).

C. No [lot](#) on which a [building](#) is located shall be reduced or changed in size or shape so that the [building](#) or [lot](#) fails to comply with the "buildable [lot](#) area", frontage, [building](#)

coverage, yard setbacks, or other dimensional provisions of this Section.

5.66.6 Height Regulations

No [building](#) shall be [constructed](#) to exceed forty (40) feet or four stories whichever is lower.

5.66.7 Common Open Land

Each site is encouraged to have Common Open Land for use by the general public. The open space shall have a shape, dimension, character and location suitable to assure its use for park or open space purposes by the general public.

The SPGA may permit a density bonus of one (1) [dwelling](#) per 2,000 S.F. of Common Open Land provided the area in Common Open Land shall equal at least ten (10) percent of the total area within the bounds of the Development and Use Plan.

5.66.8 Parking Requirements

In the Canton Center Economic Opportunity District, there shall be provided and maintained improved off-street automobile parking in connection with the erection, establishment or increase in units or dimensions of buildings, structures and uses, in the following amounts:

A. For [dwelling](#) units one parking space per each bedroom.

B. For retail stores and offices including salesrooms and showrooms, consumer service establishments, public administration buildings, business and professional offices, executive and administrative offices, banks and other financial institutions one parking space for each two hundred fifty (250) square feet of gross floor area. For the purpose of this section, "gross floor area" means the total floor area contained within exterior walls, but does not include basement space used for heating and [utilities](#), storage or for automobile parking.

C. Uses not listed in Section 5.66.8 Parking Requirements, Subsections (A) and (B) shall comply with the parking space requirements of the Zoning By-law Section 4.0 Off-Street Parking.

D. Below grade structured automobile parking shall be permitted within the basements of buildings provided that such "structured basement" automobile parking is exclusively reserved for motor vehicles of residents or employees of the development.

Below grade structured parking may be designed to allow two cars to park in "tandem". In such cases, each of the two "tandem" parking spaces shall be counted as providing a parking spaces for the purpose of meeting the off [street](#) parking requirements of this by-law. "Tandem" parking is defined as two parking spaces placed one behind another in

single file.

E. In the case of mixed uses, the parking spaces required shall be the sum of the requirement for the various individual uses, computed separately in accordance with this section. Parking spaces for one use shall not be considered as providing the required parking spaces for any other use unless it can be clearly demonstrated to the Zoning Board that the need for parking occurs at different times.

F. Whenever, after the date of adoption of this By-law, there is a change in the lawful use of the [premises](#) or in any unit of measurement specified in Section 5.6 Canton Center Economic Opportunity District, which change separately or when combined with previous changes, creates a need for an increase or decrease of more than ten percent (10%) of the number of off-street parking spaces as determined by the provisions of this section, more off-street parking spaces shall, and fewer spaces may, respectively be provided within six months of the basis of the adjusted needs.

G. Off-street automobile parking spaces, to the extent required in this section, may be provided either on the same [lot](#) or [premises](#) with the parking generator or on any [lot](#) or [premises](#) associated therewith a substantial portion of which at least is within three hundred (300) feet of the generator.

H. Off-street parking facilities and connecting drives between such facilities and the [street](#) shall be designed to insure the safety and convenience of persons traveling within or through the parking area, and between the parking facility and the [street](#). The provisions of Section 4.06 Design Standards shall be considered the minimum criteria for evaluating such design.

I. In addition to the requirement for automobile parking spaces there shall also be provided for each [building](#) or group of buildings sufficient off-street loading space to insure that all loading operations take place off the public [way](#). Loading spaces and access drives leading to loading spaces shall be so designed that vehicles to be loaded or unloaded are not required to maneuver in the public [way](#) to enter or leave the designated loading area. The provisions of Section 4.06.6 Loading Areas shall be considered the minimum criteria for evaluating such design.

5.66.9 Signs and Advertising Devices

The provisions of Section 4.1 Signs and Advertising devices is adopted for the [regulation](#) and restriction of bill boards, signs and other advertising devices within the Canton Center Economic Opportunity

Town of Milton – Planned Unit Development Zoning Bylaw

Town Of Milton - Final Zoning as Adopted May 22, 2001

To see whether the Town will vote to amend Chapter 10 of the General Bylaws known as the Zoning Bylaws by adding the following Subsection G to Section III: -

G. Planned Unit Development

In the Milton Village/Central Avenue Business District on a lot of no less than 80,000 square feet of land, exclusive of wetlands, all of which is no less than 50 feet from any residential zoning district in the town a mixed residential and business use may be permitted by a special permit for planned unit development issued by the Planning Board upon such terms and conditions as the Planning Board shall deem to be reasonable and appropriate. In the event that a special permit for planned unit development shall be issued for a lot of land, no use of the lot may be made except as specifically authorized by the special permit. As used in this subsection G the word “lot” shall be deemed to include a combination of adjacent lots in more than one ownership. A special permit for planned unit development shall not lapse following substantial completion of construction but may be modified or amended by the Planning Board.

(1) Purpose

The purpose of this subsection is to permit quality development on large lots in the Milton Village/Central Avenue Business District combining both business and residential uses and providing significant amenities to the public, including meaningful usable open space, additional parking, and an attractive design which takes advantage of natural features and promotes access to and from nearby areas in the Business District.

(2) Uses

- (a) Business uses otherwise permissible in the Business District may be permitted, in conjunction with residential use, by a special permit for planned unit development, except that none of the following uses shall be permitted: drive-through food establishments, used car lots, motor vehicle dealerships, gasoline stations, body shops, motor vehicle repair shops, and sexually oriented businesses.
- (b) Residential use shall be permitted in conjunction with an amount and type of business use, which is deemed reasonable and appropriate by the Planning Board, by a special permit for planned unit development. Such residential use may be authorized as rental or ownership of housing units or both. The number of such housing units shall not exceed one unit per 2,000 square feet of lot area, exclusive of wetlands, provided that this number may be increased in the discretion of the Planning Board as hereafter provided in paragraphs 3,4, 6 and 7 but in no event

shall the number of such housing units exceed one unit per 1,000 square feet of lot area, exclusive of wetlands

(3) Buildings

- (a) In a planned unit development the total gross floor area of all buildings, excluding below-grade basements and parking areas within a building shall not exceed 0.8 times the area of the lot, exclusive of wetlands, provided that this total gross floor area may be increased, in the discretion of the Planning Board, as hereafter provided in paragraphs 3,4,6 and, but in no event shall this total gross floor area be more than 1.6 times the area of the lot, exclusive of wetlands.
- (b) Buildings, exclusive of parking structures used solely for parking, shall not cover in excess of 30% of the lot, exclusive of wetlands. The total coverage of parking structures, which are used solely for parking, together with other buildings, shall not cover in excess of 50% of the lot, exclusive of wetlands. Buildings shall not exceed 65 feet in height or more than six stories, including any above grade parking levels in the building. Height shall be measured from mean finished grade, excluding berms, to the highest point of the building provided that the Planning Board may permit additional height for protrusions of up to eight feet above the roofline, such as elevator shaft housings or chimneys, so long as the appearance of the top of the building remains architecturally coherent and visually attractive. Buildings shall be designed so that there are no blank walls or box-like structures without visual interest and architectural merit. The back and sides of each building shall be given as much architectural care as the front.
- (c) Buildings shall be sited so that foot access by residents to nearby areas in the business district is convenient. Buildings shall be sited so as to take advantage of natural features in the area and the open space in the development without unnecessarily obstructing the natural features and open space from view in nearby areas in the business district. Parking structures shall be designed so that users are not obstructed or discouraged from access to the nearby business district.
- (d) In the event that the Planning Board determines that the design of the buildings, including parking structures, in a planned unit development is of high quality and of attractive appearance on all sides and that the buildings are well sited and meet the foregoing criteria, the Planning Board as part of the special permit for planned unit development may authorize additional housing units and additional gross floor area up to 20% of the maximum permissible

prior to authorization of additional units and of additional gross floor area under this paragraph and paragraphs 4,6, and 7.

(4) Open Space

At least 30% of a lot used for planned unit development shall be used for open space which, whenever possible, shall be accessible to and usable by the public during daylight hours without undue restriction. Open space shall be designed as an integral part of any planned unit development and shall enhance the planned unit development and the area in which the development is located. If the development is near the Neponset River or the MDC bike path, some open space shall enhance public views and access to these resources. Open space shall not include paved streets, sidewalks abutting streets, parking areas or recreational open space not open to the public. Open space may include pedestrian walkways and recreational open space open to the public. In the event that the Planning Board determines that the design of the open space will provide significant public amenities and meets all the criteria set out herein, especially if in meeting those criteria more than the minimum amount of open space is provided, the Planning Board as part of the special permit for planned unit development may authorize additional housing units and additional gross floor area up to 30% of the maximum permissible prior to authorization of additional units and of additional gross floor area under this paragraph and paragraphs 3, 6 and 7.

5) Street Design

Any planned unit development, insofar as possible, shall have safe and convenient access to and egress from a public way with adequate capacity for all anticipated traffic. The streets and driveways in a planned unit development, insofar as possible, shall be designed, so as to provide safe and convenient access and egress for users. Sidewalks and pedestrian walkways shall be designed, insofar as possible, to give pedestrians safe and convenient access to and from the planned unit development and to and from adjacent areas in the nearby business district and to any nearby public amenities including, if applicable, to the trolley station, the MDC bikepath and to the Neponset River.

(6) Parking

A planned unit development shall meet the following minimum parking requirements. In the event that parking is provided in excess of these minimum requirements, the Planning Board as part of the special permit for planned unit development may authorize additional housing units and additional gross floor area up to 30% of the maximum permissible prior to authorization of additional units and additional gross floor area under this paragraph and paragraphs 3,4 and 7. The additional housing units and additional gross floor area shall bear the same

percentage (up to 30%) to such maximum permissible, as the additional number of parking spaces bear to the minimum number of parking spaces required for the development. Such additional parking spaces may be assigned to meet the parking requirements of other nearby business uses for which such parking would be reasonably convenient as determined by the Planning Board. Any such assignment of parking spaces for a nearby business use shall be appropriately restricted so as to be coterminous with the business use to which it has been assigned. Any such parking spaces so assigned shall not be assigned to meet the requirements of any other uses except as parking sharing may be approved.

The minimum parking required in a planned unit development shall be (a) two parking spaces for each residential unit or such greater number as the Planning Board may determine to be reasonably necessary to accommodate residents and a reasonable number of guests in view of the type of development proposed, provided that there need only be one parking space provided for single bedroom or studio units together with an additional guest space for every ten such single bedroom and studio units, and (b) the number of parking spaces specified in Section VII.C for those business uses permitted in a planned unit development provided that the Planning Board, rather than the Board of Appeals, shall make any determinations required under Subsections 5 and 7 as part of the special permit for planned unit development and further provided that the Planning Board, upon a reliable showing of lesser parking need for a particular business use, may reduce the parking requirements for that business use. In determining the minimum amount of parking shared between uses, the Planning Board shall employ the following Parking Sharing Schedule for the uses listed and determine the total number of parking spaces needed for these residential and business uses at various times of day. The highest number of needed spaces so computed for any of these times shall be the requisite minimum amount of parking. Parking sharing with respect to other business uses shall be determined by the Planning Board.

Parking Sharing Schedule

<u>Uses</u>	Weekday			Weekend	
	Night Midnight to 7:00 a.m. (percent)	Day 7:00 a.m. to 5:00 p.m. (percent)	Evening 5:00 p.m. to Midnight (percent)	Day 6:00 a.m. to 6:00 p.m. (percent)	Evening 6:00 p.m. to Midnight (percent)
Residential	100	60	90	80	90
Office	5	100	10	10	5
Service or retail	5	80	60	100	70

Restaurant	10	50	100	50	100
Entertainment	10	40	100	80	100
Day-care	5	100	10	20	5

(7) Additional Business Use

Every planned unit development shall have some business use as well as residential use. In the event that a planned unit development provides for significant business use, including but not limited to service, retail or restaurant use one quarter or more of the ground floor in a principal building or equivalent or, if the ground floor is used for parking, on the principal floor, the Planning Board as part of the special permit for planned unit development may authorize additional housing units and additional gross floor area up to 20% of the maximum permissible prior to authorization of additional units and of additional gross floor area under this paragraph and paragraphs 3,4, and 6.

(8) Site Plan.

An application for a planned unit development shall include a plan meeting the requirements for a site plan specified in Section VIII.D.2 and such other requirements as may be specified by the Planning Board. The plan shall be contained in various sheets, all of which, after approval, shall contain the written approval of the Planning Board and shall be recorded with the Norfolk County Registry of Deeds at the applicant's expense. The plan on record shall be a part of the special permit for planned unit development. The plan shall show the development in all material detail. Any amendments or modifications to the plan shall be approved by the Planning Board and recorded with the Registry of Deeds at the applicant's expense. The application shall also include professional studies calculating the impacts of the development on town services, on traffic in the town, on existing nearby businesses, and on future business development. The applicant shall promptly provide to the Planning Board evidence of recording of each such plan, amendment or modification. When each such recorded document has been returned to the applicant, the applicant shall promptly provide a copy thereof to the Planning Board, which shows the book and page of recording.

(9) Application Review Fees.

When reviewing an application for a special permit for planned unit development, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of the proposed project or because of the project's potential impacts. The Board may require that applicants pay a review fee, consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of an application. In hiring outside consultants, the Board may engage disinterested engineers, planners, lawyers, stenographers, urban designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws,

bylaws, regulations, and other requirements. Expenditures may be made at the direction of the Board and shall be made only in connection with the review of the specific project for which the review fee has been collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the application. At the completion of the Board's review of a project, any excess amount of the review fee, shall be repaid to the applicant. A final report of expenditures shall be made available to the applicant.

(10) Notice, Procedures and Standard for Decision.

The notice and procedural requirements set out in Section IX.B and C and the standard to be used in rendering a decision set out in Section IX.C shall apply to special permits for planned unit development under this subsection.

Town of Framingham- Central Business District Design Standards

FRAMINGHAM PLANNING BOARD

ARTICLE 17: CENTRAL BUSINESS DISTRICT DESIGN STANDARDS

Adopted March 27, 2001

17.1. Procedural History.

On March 27, 2001 the Planning Board held a public hearing, pursuant to G.L. c. 40A, s. 9, to consider proposed regulations governing Central Business District Design Standards. At the close of the public hearing, the Planning Board voted to adopt design standards for the Central Business District, to be considered and applicable in their review of all applications and proposals before the Planning Board that include proposed exterior renovation or new development in the Central Business District. This document constitutes the Planning Board's Central Business District Design Standards.

17.2 Design Standards

Buildings shall be of a design similar or complementary to the architecture in historic Downtown Framingham in terms of scale, massing, roof shape, spacing and exterior materials. These design standards are intended to provide for quality development that maintains a sense of history, human scale and pedestrian-oriented character.

<i>Scale</i>	All structures shall relate well to the pedestrian scale.
<i>Form and Bulk</i>	Facades and roof lines shall be designed to reduce the massing and bulk so that it appears as a group of smaller masses with a distinct vertical orientation.
<i>Façade</i>	Façade materials shall be compatible with the fabric of the district. Traditional materials such as masonry and wood are encouraged for the exterior facades. The architectural vocabulary should include appropriate colors, materials, details, fabric awnings, uniform signage and lighting fixtures. Glass curtain walls and spandrel-glass strip windows shall not be used. The use of blank walls on the front façade(s) (where the building fronts on a street or streets) at the street level shall not be allowed.
<i><u>Façade Easements</u></i>	The Planning Board may require applicants seeking a special permit for use to employ façade easements where development proposals involve demolition or major alteration of existing buildings on the Inventory of Cultural Resources or within the National Register Districts.
<i>Storefronts</i>	Storefront design shall be integrated with the upper floors to be compatible with the overall façade character. Buildings with multiple storefronts shall be unified through the use of architecturally compatible materials.
<i>Roofs & Roof Lines</i>	New construction, including new development above existing buildings, may incorporate any form of flat or pitched roof, but such roofs shall be complementary to the roofs of existing historical structures in the Central Business District. Roof lines shall terminate in a detailed cornice.

<i>Doorways</i>	Exterior doors shall be compatible with the materials, style and color of the building.
<i>Rhythm</i>	Windows and doorways shall be arranged to give the facade a sense of balance and to complement the historic fabric of the National Register Districts.
<i>Service Areas, Utilities and Equipment</i>	Service and loading areas and mechanical equipment and utilities shall be unobtrusive or sufficiently screened and shall incorporate effective techniques for visual and noise buffering from adjacent uses.
<i>Upper Story Stepback</i>	The Planning Board shall require stepbacks of the 5 th and 6 th stories to: <ul style="list-style-type: none"> a) reduce mass and bulk; b) preserve solar access to the active streetscape below; c) provide roof top gardens or other forms of open space, and to d) provide undulating façade rhythm to create architectural interest within the Central Business District.
<i>Parking</i>	Off Street Parking shall be located behind or within buildings, underground or in a parking structure. Parking shall not interrupt pedestrian routes or negatively affect surrounding neighborhoods.
<i>Parking Structures</i>	To the extent reasonably feasible, all parking structures shall meet the following design criteria: <ul style="list-style-type: none"> a) Where parking structures front streets, retail and other non-residential uses shall be encouraged along the ground level frontage to minimize interruptions in pedestrian interest and activity. b) Pedestrian scale elements, awnings, signage and other architectural details and elements (such as openings, sill details, emphasis on vertical proportions) and other architectural features shall be incorporated into the design to establish pedestrian scale at the street. The architectural design shall be compatible with existing historical structures in the Central Business District in terms of style, mass, material, height, roof pitch and other exterior elements. c) Auto entrances shall be located to minimize pedestrian/auto conflicts.
<i>Windows</i>	Ground floor retail, service and restaurant uses, and ground floor lobbies serving other uses, shall have large pane display type windows which may be subdivided into smaller panes. Such windows shall be framed by the surrounding wall and shall not exceed 75% of the total ground level façade area. For all floors above the first floor, the front facade(s) shall contain windows covering at least 15% of the facade surface. Window types should be consistent with the style of the structure and compatible with those found on historic structures in the Central Business District. Snap in divider muntins shall be discouraged in the front façade(s). Storm windows shall not disguise or hide original windows.

Town of Amherst – Farmland Conservation District

3.28 Farmland Conservation (FC) District

3.280 General

The **Farmland Conservation** (FC) District is an overlay district and shall be superimposed on other districts established by this Bylaw. Restrictions and prohibitions of land use in the underlying districts shall remain in full force and shall not be modified by the conditions of the FC District unless superceded by the restrictions and conditions of the FC District.

3.281 Establishment of District

The **Farmland Conservation** (FC) District shall consist of those geographic areas shown as FC District on the Official Zoning Map. This District is configured to include those lands which, by virtue of their soils, acreage, location adjacent to and contiguous with other farmland forming discrete blocks, and lack of protection under existing zoning, comprise the critical farmland areas of the Town of Amherst.

3.282 Purpose

The purposes of the **Farmland Conservation** (FC) District are to:

3.2820 Promote and protect the practice and continued economic viability of farming through conservation of those lands on which farming is most viable, while allowing development of other portions of farm properties for residential and other non farming uses;

3.2821 Maintain an adequate base of agricultural land and activity in Amherst to help ensure the continued economic viability of local farming and thereby contribute to the continued availability of agricultural support services;

3.2822 Preserve the continued economic value of land for farmers and farmland owners by retaining portions of farm properties as developable for residential and other non farm purposes, thereby supporting the continued economic viability of individual farms and farming in Amherst,

3.2823 Preserve the culture and landscape of farming, which help define the character of Amherst.

3.283 Residential Development

3.2830 Residential subdivisions requiring approval under M.G.L. Ch. 41, Subdivision

Control Law, shall be laid out as cluster developments in accordance with the provisions of this section and Section 4.3, Cluster Development, or as open space community developments in accordance with Section 4.5, Open Space Community Development (OSCD), of the Zoning Bylaw.

****Webmasters Note:** The previous subsections, 3.282 through 3.2830, have been amended as per an ordinance approved at a town meeting held on 11/1/01.

3.2831 Cluster developments in the FP District shall conform to the provisions of Sections 3.284 and 3.285 of this bylaw.

For flag lots with frontage located outside the FP District and a majority of lot area within the FP District, the lot area requirements for these lots are as follows:

Minimum lot area 20,000 sq.ft.

Maximum lot area 30,000 sq.ft.

All other dimensional requirements for these lots shall be the same as those specified in Table 3 for Cluster Development flag lots in the R-N District.

3.284 Standards for Planning [Board](#) Site Plan Review (SPR) Approval

The Planning [Board](#) shall grant a Site Plan Review (SPR) Approval for a cluster development in the FC District provided it finds that in addition to meeting the provisions of Sections 11.2 and 11.3, the proposed use conforms to the provisions of Section 3.285, **Farmland Conservation** Development Standards and Section 4.38, Cluster Development Design Standards, of this Bylaw.

3.285 **Farmland Conservation** Development Standards

****Webmasters Note:** The previous subsections, 3.284 and 3.285, have been amended as per an ordinance approved at a town meeting held on 11/1/01.

3.2850 To the maximum practical extent, all buildings and roads shall be located on that portion of the site with soils determined by the permit granting [board](#) to be least suitable for the production of crops and livestock. This provision shall not apply to the location of on-site septic facilities, which must be placed in soils meeting the requirements of the Massachusetts Environmental Code.

1. To assist the permit granting [board](#) in making this determination, copies of the application and site plan shall be transmitted to the Farm Committee, which shall have thirty-five (35) days to report its findings. Upon notification by the permit granting [board](#), the Farm Committee shall assemble an expert panel consisting of professional agronomists, soils scientists and other qualified professionals to

evaluate and report on the suitability of soils, including but not limited to the historical uses thereof, and the overall agricultural viability of the farm property, consistent with the purposes of the bylaw. Failure to report in the allotted time shall constitute approval by the Farm Committee. The permit granting [board](#) may grant at least one extension of this time period in response to a written request from the Farm Committee for such an extension based on a need for additional time resulting from parcel size, project complexity, time of year, or other factors.

2. The permit granting [board](#) may, consistent with its regulations adopted pursuant to M.G.L., Ch. 44, 53G, engage the service of independent professional agronomists, soils scientists, or other qualified consultants at the cost of the [applicant](#), to assist in evaluating a site or project.

****Webmasters Note:** The previous subsection, 3.2850, has been amended as per an update approved at a town meeting held on 10/28/02.

3.2851 Individual or multi-unit community septic systems may be allowed in cluster developments in the FP District where public sanitary service is not reasonably available, subject to [Board](#) of Health approval, conditions and restrictions.

3.2852 Within the common land provided in the Cluster Development, a maximum of 5,000 square feet per dwelling unit shall be set aside as usable open space for active and passive recreation. Upon request of the [applicant](#), the Planning [Board](#) may waive this maximum, where such a change would be consistent with the purposes of this Bylaw. In making their decision, the Planning [Board](#) shall consider whether the maximum feasible amount of common land has been set aside as permanently preserved farmland, while maintaining adequate amounts of usable open space for active and passive recreation for the Cluster Development.

3.2853 Common land set aside as permanently preserved open farmland shall have appropriate contiguous acreage, configuration and access to enable continued viable farmland operations.

3.2854 All roadways, drainage systems and utilities shall be laid out in a manner so as to have the least possible impact on adjacent or on-site agricultural lands or uses.

3.2855 No [building](#) containing dwelling units shall intrude into a minimum 150 foot buffer strip separating residential uses from adjacent or on-site farmland. Said buffer strip may include private property and Common Land. The permit granting [board](#) or authority may reduce this distance requirement where screening, substantial vegetation, land contour or other features of the site are deemed to provide sufficient buffering, and where such a change is consistent with the purposes of this Bylaw. An exception to this distance requirement shall be

permitted for no more than one (1) dwelling unit associated with the management and operation of agricultural uses of the farmland. Said dwelling unit shall be included in the maximum number of lots provided for under Section 4.327.

3.2856 The permit granting [board](#) or authority may approve the use of portions of the 150 foot buffer strip between the residential and farmland portions of a cluster development as usable open space for the recreational use of cluster development residents, provided the [board](#) or authority determines that such use will not impact adversely on adjacent farming activity and is consistent with Section 4.31 of the Zoning Bylaw.

****Webmasters Note:** The previous subsections, 3.2855 and 3.2856, have been amended as per an ordinance approved at a town meeting held on 11/1/01.

3.2857 Every reasonable effort shall be made to maintain views of open agricultural lands from nearby public ways.

3.2858 Each dwelling unit and [structure](#) shall be integrated into the existing landscape through use of [building](#) placement, landform treatment and screening.

3.2859 Applicants are encouraged to site dwelling units and other structures:

1. Within any woodland contained on the parcel;
2. Into woodlands along the edges of field s;
3. In locations where new construction can be visually screened or absorbed into natural vegetative or topographic features;
4. In locations where the greatest number of units can take advantage of solar heating, summer breezes, vegetative wind screens, and other climatic site characteristics that can be utilized through siting and design.

Amesbury Cluster Residential Bylaw

This bylaw may serve as an example for Stoughton to use if Stoughton wants to designate an area of town where the town wants to promote low density or cluster developments to preserve natural resources and/or rural character.

SECTION VI DIMENSIONAL AND DENSITY REGULATIONS

A. Applicability of Dimensional and Density Regulations:

The regulations for each [district](#) pertaining to minimum [lot](#) area, minimum lot frontage, minimum front [yard](#) depth, minimum side [yard](#) depth, minimum rear [yard](#) depth, maximum [height](#) of buildings, maximum [open space](#) shall be specified in each Section and set forth in the Table of Dimensional and Density Regulations, and subject to the further provisions of this section.

B. Table of Dimensional and Density Regulations:

See table below and on accompanying pages plus attached notes, which is declared to be part of this Bylaw.

C. Reduction of Lot Areas:

The lot, [yard](#) areas, and [open space](#) required for any new [building](#) or [use](#) may not include any part of a lot that is required by any other [building](#) or [use](#) to comply with any provision of this Bylaw, nor may these areas include any property of which the ownership has been transferred subsequent to the effective date of this Bylaw, if such property was a part of the area required for compliance with the dimensional regulations applicable to the lot from which such transfer was made.

D. Separation of Lots:

Lots shall not be so separated or transferred in ownership so as not to comply with the provisions of this Bylaw.

E. Accessory Buildings and Structures:

In "R", "C", and "OP " Districts a detached accessory [building](#) or structure shall conform to the following provisions: it shall not occupy more than twenty five (25) percent of the required rear yard it shall be set back from the street line the required front yard distance for the zone in which it is located; it shall not be less than five (5) feet from any other lot line or ten (10) feet from any principal [building](#) or structure; and it shall not exceed twelve (12) feet by sixteen (16) feet in dimension, nor exceed twelve (12) feet in [height](#). Garages or other such accessory structures, whether attached or detached, that exceed the above dimensions shall conform to the front, side, and rear yard setback requirements applicable to the principal [building](#) or structure in the zoning [district](#) where located. In-

ground and aboveground pools shall be located in the rear yard and are subject only to the five (5) foot lot line restrictions as herein stated.

F. Other General Dimensional and Density Provisions:

In addition to the regulations in Items A through E above, the following regulations shall apply:

1. Existing residential uses in a "C" or "I" [District](#) shall be subject to the regulations for the particular type [dwelling](#) as defined in the R-8 [District](#), except that [dwelling](#) units in such districts located over commercial uses in multi-story buildings shall adhere to dimensional and density controls from commercial uses in "C" Districts as appropriate unless the [Special Permit](#) Granting [Authority](#) attaches additional requirements.
2. Except for **Cluster Residential Development** (CRD), Planned Unit [Development](#) (PUD), multifamily residential developments in the Regional Commercial Zoning [District](#) (RCZD), industrial [development](#), [community facilities](#), and public utilities, only one principal [structure](#) shall be permitted on a lot. The minimum lot area required per each individual [dwelling](#) unit, [building](#), and other unit of [use](#) shall be multiplied by the number of units to obtain the minimum lot area required for the total tract of land. Other area regulations shall apply to the tract as a whole.
3. A [corner lot](#) shall have minimum [street](#) yards with depths which shall be the same as the required, front [yard](#) depths for the adjoining lots.
4. At each end of a [through lot](#), there shall be a setback depth required which is equal to the front [yard](#) depth required for the [district](#) in which each [street](#) frontage is located.
5. Projections into required yards or other required open spaces are not permitted except as follows:
 - a. Balconies or bay windows may project up to two (2) feet into a required [yard](#) provided the projection is limited in total length to one half of the [building](#) face.
 - b. Open terraces, steps or stoops may project up to one half the required [yard](#) setback provided they are under four (4) feet in [height](#).
 - c. Steps or stoops over four (4) feet in [height](#), window sills, chimneys, roof eaves, fire escapes, fire towers, storm enclosures, awnings, or similar architectural features may project up to two (2) feet into a required [yard](#).
6. The provisions of this Bylaw governing the [height](#) of buildings shall not apply to chimneys, elevator bulkheads, skylights, ventilators, electronic equipment, elevator

shafts, and other necessary appurtenances usually carried above roof, nor to domes, towers, stacks, or spires, if not used for human occupancy and which occupy not more than 20 percent of the ground floor area of the [building](#); nor to ornamental towers, observation towers, licensed amateur radio station, and other like structures, which do not occupy more than 20 percent of the [lot](#) area; nor to churches or public, agricultural, or institutional buildings or buildings or [private schools](#) not conducted for profit that are primarily used for school purposes, provided the excepted appurtenances are not located within the flight paths of an airport as defined by F.A.A. regulations.

7. The gross floor area in a multifamily [dwelling](#) shall not be less than 450 square feet for one bedroom [dwelling](#) units, 600 square feet for two bedroom units, and 768 square feet for three bedroom or larger units.

8. Where commercial districts (CBD, C or OP) abut a residential [district](#), no [building](#) within those districts shall be within 25 feet of the boundary line of the residential [district](#). In the instance where the industrial districts (IL, IC, I) abut a residential [district](#), no [building](#) within the industrial districts shall be within 50 feet of the boundary line of the residential [district](#).

Further, the required setbacks shall not be devoted to any commercial, parking, or accessory uses, and shall be planted or constructed in accordance with a plan on file with the [Building](#) Inspector entitled "Plan for Screening."

The Amesbury Planning [Board](#), during the Site Plan Review process, shall review and approve or approve with [alteration](#) the Plan for Screening, associated with the commercial or industrial [development](#). No [building](#) permits may be issued until such time as the Planning [Board](#) has approved the Plan for Screening: Except in instances where there is no practical alternative, the Planning [Board](#) shall require vegetative screening, and said vegetative plantings shall be of a density to screen 90 percent of the [development](#) in question from view, along the zoning [district](#) line in question. Further, said vegetative plantings shall be of various evergreen species only.

If the Planning [Board](#) requires fencing, all aspects of said fencing shall be subject to the approval of the Planning [Board](#).

9. Visibility at Intersections: On a [corner lot](#) in any [district](#) no [sign](#); fence, wall, hedge, shrub or other [structure](#) more than three and one half (3 1/2) feet above the established [street](#) grades shall be erected, placed or maintained within the triangular area formed by the intersecting [street](#) lines and a straight line joining said [street](#) lines at points which are twenty-five (25) feet distant from the point of intersection, measured along said [street](#) lines.

10. In Planned Unit [Development](#) (PUD), Central Industrial [Development](#) (ICZD) and Central Business Districts (CBD) Districts shown on the Zoning Map, the provisions of Section VI, Table of Dimensional and Density Regulations, governing

the height, number of stories, and minimum front, side and rear yards of existing buildings or structures shall not apply to the reconstruction, extension, [alteration](#) or enlargement of preexisting, nonconforming buildings or structures as to which the [Board](#) of Appeals has made the finding required by Section IX.B.1, provided, however, that the height of any such reconstruction, extension, [alteration](#), or enlargement shall not exceed the existing height of the highest preexisting, nonconforming buildings or structures on the lot, and further that the minimum front, side and rear yards for any such reconstruction, extension, [alteration](#) or enlargement shall not be less than the preexisting, nonconforming front, side and rear yards of any preexisting, nonconforming buildings or structures on the lot, such existing highest height and preexisting, nonconforming front, side and rear yards to be determined by the [Building](#) Inspector and the Planning [Board](#) through Site Plan Review. A permit issued under this provision shall lapse within two (2) years, excluding the time required to pursue or wait the determination of an appeal from the permit, if a substantial use has not commenced sooner or if construction has not started. The Planning [Board](#) may grant a transferable two year renewable extension, after a public hearing, for good cause, and shall grant an extension if delay has been caused by the need to seek other permits or project financing. Parking facilities, located on a lot in a PUD district shown on the Zoning Map, below the grade of any street adjoining such lot shall not be calculated as part of the maximum height or number of stories for buildings or structures other than for buildings or structures used exclusively for parking facilities.

TABLE OF DIMENSIONAL AND DENSITY REGULATIONS

District	Minimum Lot Area (S. F.)	Minimum lot Frontage (ft.)	Minimum Yards			Maximum Height (ft.)	Maximum Stories (#)	Maximum Building Area (%)	Minimum Open Space (%)
			Front	Side	Rear				
R-8	8,000	80	25	15	30	35	2.5	30	50
R-20	20,000	125	40	20	40	35	2.5	20	50
R-40	40,000	140	40	25	50	35	2.5	15	50
R-80	80,000	200	40	40	80	35	2.5	10	70
CBD	5,000	50	0	5	30	40	4.0	70	10
C	20,000	100	20	15	40	40	4.0	40	30
RCZD ¹	2 Acres	300	20	15	20	35	3.0	40	30
OP	2.5 Acres	200	30	25	40	40	4.0	40	30
I	40,000	125	25	20	40	40	4.0	50	40
IL	10 Acres	125	25	40	40	35	3.0	50	40
IC	40,000	125	25	20	40	40	4.0	50	40
OSC	5 Acres	400	100	50	100	30	2.5	10	80
PUD	5 Acres ²	300	20	35 ³	35	35	3.0	35 ⁴	30 ⁵
ESOD ⁶	40,000	150	20	20	40	35	2.5	40	30
RC ⁷	10 Acres	200	25	25	15	35	2.5	20	70

Wetlands/Floodplain: see Bylaw Section XII

1. Where [development](#) abuts a residential zoning [district](#) line the setback shall be 50 feet, and except for the purposes of a public recreational access pathway, no [impervious surface](#) of any kind shall be permitted in the setback area. The setback

shall be landscaped to visually screen the [development](#) from the view of abutting residential areas. The proposed screening shall also be subject to the Site Plan Review criteria of this Bylaw.

2. In the Planned Unit [Development](#) (PUD) Districts shown on the Zoning Map the minimum [lot](#) area required by Section VI, Table of Dimensional and Density Regulations may be satisfied by combining lots in such districts in common ownership on separate parcels; separated by existing public or private Ways, up to but not exceeding the minimum [lot](#) area required in a PUD [district](#) shown on the Zoning Map, provided, however, that any such separate [lot](#) or portion of a [lot](#) used in satisfying the minimum [lot](#) area requirement is within 300 feet of the property line of the largest [lot](#) used to calculate the minimum [lot](#) area and further provided that existing public and private ways need not constitute boundaries of a [lot](#) for purposes of calculating minimum lot area.

3. Where a PUD abuts a residential [zone](#) the side [yard](#) setback shall be 50 feet:

4. In Planned Unit [Development](#) (PUD) Districts where the [building](#) area of preexisting structures or buildings on a lot exceeds 35% of lot area, the allowable maximum [building](#) area shall be increased by 10% of the [building](#) area of such preexisting structures or buildings, up to a maximum of 40%.

5. The required minimum [open space](#) for the PUD [District](#) shall be subject to all the requirements set forth for usable [open space](#), Section XI.H.16 of this Bylaw.

6. Measured from the centerline of Elm St., the Elm St. Overlay [District](#) exists to protect the integrity of the older historic structures that provide a distinct visual character and identity to this important gateway to Amesbury. See Section X.M., XI.C. and the Amesbury Design Guidelines for a description of design review and application requirements. All uses allowed in the Office Park [District](#) are permissible in the Overlay [District](#), except [Light Manufacturing](#) shall not be allowed. General Retail Sales & [Services](#) and Restaurants (excluding fast food or drive-up restaurants) are permitted by right and one (1) residential unit per floor is allowed by right above the, first floor and additional units may be permitted by Special Permit from the Planning [Board](#): Further, the maximum [building](#) area shall be increased to 50% and minimum [open space](#) reduced to 25% if no direct access from Elm St. is provided to the lot.

7. One [dwelling](#) unit per 435,600 sq. ft (10 acres) is permitted in the RC [district](#). For [cluster residential development](#), as permitted by right in RC, the maximum overall density shall be one [dwelling](#) unit per 80,000 sq. ft. For [cluster residential development](#), the minimum lot size shall be 10,000 sq. ft; and the minimum lot frontage shall be 100 feet. Further, [cluster residential development](#) shall meet the [open space](#) standards of this table, and the [use](#) of the resulting common [open space](#) shall conform with the common [open space](#) requirements of Section XI.D.8 & 9, of this Bylaw.

Falmouth Transfer of Development Rights Bylaw
ARTICLE XXXVI Transfer of Development Rights

[Added ATM 4-1-1985, Art. 60]

Section 240-174. Eligibility.

[Amended STM 10-14-1987, Art. 50; AFTM 11-18-1996, Art. 16, approved 4-30-1997]

Any [lot](#) or lots shown on a plan endorsed by the Planning [Board](#) or duly [recorded](#) at the Registry of Deeds as of April 1, 1995, shall be eligible to apply for a special permit to transfer a portion or all of the development rights on said [lot](#) or lots (hereinafter called "donor lots") to a different location and different zoning district (hereinafter called "receiving district") to be included as part of a subdivision requiring approval under MGL C. 41, the Subdivision Control Law, provided that the following requirements are met:

- A. Each donor [lot](#) or portion thereof complies, in all respects, with the minimum requirements for obtaining a building permit by right or if in the opinion of the Planning [Board](#), is potentially subdividable [lot](#) of land given minimum zoning requirements, subdivision regulations and other pertinent regulations;
- B. The locus of the receiving district contains at least five (5) acres in an RA, RB, RC, AGA or AGB zone and ten (10) acres if an AGAA or RAA zone; and two (2) acres in a Business or LIA zone.
- C. The owner or owners of the donor [lot](#)(s) record at the Registry of Deeds a covenant running in favor of the Town of Falmouth, prohibiting the construction or placement of any [structure](#) on said donor [lot](#)(s).
- D. Town-owned land, approved for this purpose by a two-thirds (2/3) vote of Town Meeting shall be available as a donor or receiving district.

Section 240-175. Donor districts.

Donor districts shall consist of:

- A. [Amended AFTM 11-18-1996, Art. 16, approved 4-30-1997] Any existing building [lot](#) shown on a plan [recorded](#) at the Registry of Deeds, or any contiguous parcel of land of at least five (5) acres which qualifies for or is currently assessed by the Town of Falmouth or the Commonwealth of Massachusetts under the provisions of MGL C. 61A; or
- B. All land within Water Resource Protection Districts as established by Section 240-72.1D of the Zoning Bylaw and all land within Coastal [Pond](#) Overlay Districts as established by Section 240-133B of the Zoning Bylaw. [Amended STM 10-14-1987, Art.

50; AFTM 11-6-1995, Art. 3, approved 12-26-1995]

Section 240-176. Receiving districts.

A. Receiving districts shall consist of all land currently zoned B3, B2, LIA, RC, RB, AGB, RA, AGA, RAA, and AGAA, except that receiving districts shall not be considered to include any land within a mapped Water Resource Protection District as defined, any Land within a mapped water recharge area as referred to in Section 240-113B of this chapter, or any land referred to in Section 240-175 of this chapter.
[Amended STM 10-14-1987, Art. 50]

B. Receiving districts shall be eligible to "accept" donor lots according to the schedule of Section 240-177, provided that the locus of the receiving district is the subject of a subdivision plan requiring Planning [Board](#) approval under the requirements of MGL C. 41 and a special permit under the requirements of Article XXV of this chapter, except that Section 240-124 shall not apply to plans filed under this Article. No **transfer of development rights** shall be approved by the Planning [Board](#) into a receiving district locus not requiring subdivision approval.

C. In transferring development rights into a receiving district, the Planning [Board](#) may allow the minimum frontage, width and area standards of the total subdivision, including transferable [lot](#) rights to be reduced according to the criteria specified in Section 240-123.

Section 240-177. Credits.

A. Lots within donor districts shall be eligible to **transfer their development rights** to receiving districts only in compliance with the following schedule:

Development Rights Credits

Donor Districts	Receiving Districts	Assignable Credit
RC	RB, AGB	1.4
RC	RA, AGA	1.3
RC	RAA, AGAA	1.2
RB, AGB	RB, AGB	1.3
RB, AGB	RA, AGA	1.3
RB, AGB	RAA, AGAA	1.2
RA, AGA	RA, AGA	1.3
RA, AGA	RAA, AGAA	1.2
RAA, AGAA	RAA, AGAA	1.2

Note: Fraction of lots shall not be counted.

Note: Fraction of lots shall not be counted.

Example: Ten (10) lots within an RC donor district are transferred under this chapter to an RB parcel within a receiving district. The RB parcel has suitable acreage under the provisions of Article XXV of this chapter for twenty (20) lots. However, the transfer of ten (10) lots in the RC District to the RB District entitles the RB land owner to a four-lot bonus $[10 \text{ (RC)} \times 1.4 \text{ (assignable credit, Section 240-177)} = 14]$. Thus, the total number of lots possible in the RB receiving district under this section is thirty-four (34):

$10 \times 1.4 = 14$ from RC donor district

+ 20 from RB District

34 total potential lots

B. Business or industrial zoned land may act as a receiving district where the total number of attached dwellings will be equal to the number allowed by Section 240-177 and the number of units permitted by zoning in the donor district. [Added STM 10-14-1987, Art. 50]

Section 240-178. Special permit granting authority.

The special permit granting authority for a **transfer of development rights** special permit shall be the Planning [Board](#). The provisions of MGL C. 40A, Sections 9 and 11 and Article XXXXII of this chapter shall apply to all special permits issued under this Article.

APPENDIX III – COMPREHENSIVE MATRIX OF HOUSING STRATEGIES AND HOUSING RESOURCES

This matrix lists a comprehensive menu of strategy opportunities that the town may wish to refer to in the future. Put a check (✓) in column 3 to indicate whether this strategy is appropriate for your town. Use column 4 to set priorities.

Strategy	Description / Rationale	Fits Town	Priority Level
Leadership, Organizational, Planning, & Administrative Resources			
<ul style="list-style-type: none"> Establish a strong public commitment to housing 	Get strong & visible support from elected leaders		
<ul style="list-style-type: none"> Form a housing committee or housing partnership 	Ideally, impetus should come from interested citizens, with active support of chief elected officials. Committee should be appointed & endorsed by these officials & its mission agreed upon. Staff should be assigned.		
<ul style="list-style-type: none"> Make existing housing committees more effective 	Add members with greater expertise or contacts with key constituencies; provide more official government support; increase publicity. Membership might include lenders, clergy, developers, real estate professionals, business leaders.		
<ul style="list-style-type: none"> Hire a housing professional or designate a staff person responsible for housing 	Staff would assist & guide housing committee, act as liaison to other planning functions, coordinate & lead housing efforts, & enable community to be proactively promote housing		
<ul style="list-style-type: none"> Build coalitions with other groups & partners 	Examples might include chambers & business associations, churches & synagogues, social service & human service providers, & advocates		
<ul style="list-style-type: none"> Develop a proactive housing policy 	Policy establishes commitment & guides action. Should be integrated with other local policies & should inform zoning goals & provisions		
<ul style="list-style-type: none"> Form a housing development non-profit or work with an existing non-profit with skills in housing development, rehabilitation, & financing 	A non-profit would provide access to additional funding sources & provide development expertise		
<ul style="list-style-type: none"> Form a Community Land Trust (CLT) 	A CLT is a member-controlled non-profit that acquires & holds land but sells or rents		

	housing on it to local residents. Reduces cost of housing by removing land costs from housing equation; limits increases in future housing costs. Main advantage: ensures permanent affordability		
Public Information & Outreach			
<ul style="list-style-type: none"> Undertake a public education campaign 	Educate people about what's "affordable," how housing affects local citizens & the region's economy, ability to attract & retain workers		
Financial Resources			
<ul style="list-style-type: none"> Join a consortium to receive an annual allocation of federal HOME funds 	Enables community to have greater control over housing development, more affordable housing resources, & predictable funding to plan. Must be contiguous to consortium member community		
<ul style="list-style-type: none"> Adopt the Community Preservation Act (CPA) 	Provides more locally controlled resources & more partners with resources & expertise; helps community balance housing, open space, historic preservation, & other priorities		
<ul style="list-style-type: none"> Appropriate local funding 	Especially helpful as seed money & to fill gaps		
<ul style="list-style-type: none"> Set up a housing trust fund 	Sources may include inclusionary zoning in-lieu payments, private donations from individuals & businesses, foundation support		
Zoning & Subdivision Laws			
<ul style="list-style-type: none"> Include explicit housing goals 	Goals set the stage for specific provisions		
<ul style="list-style-type: none"> Mixed use zoning, including housing above stores 	Smart Growth		
<ul style="list-style-type: none"> Inclusionary or incentive zoning to require or encourage inclusion of affordable units in new market-rate residential developments 	Promotes community control; scattered, low impact means of achieving & maintaining 10%. Can also provide financial resources for housing or off-site affordable units.		
<ul style="list-style-type: none"> Linkage 	Similar to inclusionary zoning but applies to commercial & industrial development & produces \$ contribution to affordable housing as mitigation. Works best where high commercial tax base. Increases financial resources for housing.		

• Additional density in some residential districts	Promotes greater affordability.		
• Additional density via “adaptive reuse,” allowing smaller units within larger residential structures or converting non-residential structures to residential uses	Makes more efficient use of existing buildings; promotes greater affordability & smart growth		
• Adaptive reuse of accessory structures	Allow conversion of barns, carriage houses, & garages to one or more affordable units		
• Encourage residential uses in underutilized industrial or commercial areas	Encourage more affordable housing		
• Cluster zoning	Promotes a balance of housing & open space; allows more efficient use of site & better protection of critical natural resources		
• Reduce parking requirements, especially for senior housing, housing near transit, & mixed used housing where shared parking possible	Facilitates development of housing and greater affordability		
• Accessory apartments, accompanied by an “amnesty program” for existing units & affordability provisions	Makes more efficient use of existing buildings; promotes affordability. Helps tenant & owner: owner gets added income, potential upkeep assistance. Can be structured with incentives for affordability. Amnesty could also apply to undeclared duplex & multi-family.		
• Infill development	Encourage development of lots in areas where development & infrastructure already exist		
• Overlay districts	A special district, superimposed over regular zoning districts, designed to encourage more flexible planning or accomplish a special purpose such as resource protection or “smart growth”		
• Simplify, streamline regulations & procedures	Can aid production generally or be used as incentive for affordable housing. Incentives could include reduced fees.		
• Revise subdivision laws to make housing less expensive	Adjust dimensional requirements & other design practices where appropriate to reduce unnecessary cost.		
Property Resources - Preservation			
• Take steps to retain expiring use properties as affordable housing	Some privately owned affordable housing is subject to use restrictions that expire, freeing owners from affordability requirements.		

	Communities should research property status & pursue retention strategies.		
<ul style="list-style-type: none"> Enact the “residential exemption” to offer tax incentive for owner occupancy 	At local option, communities may exempt a % of average assessed value of residential parcels from owner-occupants’ bills. Intent is to promote owner occupancy, providing proportionately greater benefit to lower valued homes. Is a disincentive to absentee ownership.		
<ul style="list-style-type: none"> Offer rehab loans &/or grants with funds from state CDBG, HOME consortium, or other sources 	Maintains & improves existing property		
<ul style="list-style-type: none"> Solicit donated or reduced-price property 	May have tax or other benefits for existing owners		
Property Resources - Production			
<ul style="list-style-type: none"> Identify vacant & underutilized properties 			
<ul style="list-style-type: none"> Identify surplus municipal property & develop a reuse plan, including a property inventory, priority list, & implementation steps 	Balance community needs for housing, open space, other priorities; prepares for timely implementation actions. Use of public property for housing dramatically lowers acquisition & land costs		
<ul style="list-style-type: none"> Identify other potentially available public or institutional property 	State, federal, county, MBTA, colleges & universities, religious organizations		
<ul style="list-style-type: none"> Develop a system to track & pursue tax title property 	Encourages property maintenance & improvement, affordable housing opportunities		
<ul style="list-style-type: none"> Local Initiative Program (LIP) 	Local control of progress toward 10%. Could be used with accessory apartments, housing above stores, infill, other housing development alternatives so units count toward 10%. Units must meet affordability requirements & be deed-restricted; residents must be income eligible.		
<ul style="list-style-type: none"> Develop a Planned Production Program 	Local control of progress toward 10%		
Infrastructure Resources			
<ul style="list-style-type: none"> Target sewer or water capacity to promote housing goals 	Communities with limited additional sewer or water capacity can use it as an incentive for housing, affordability, or locational preferences such as “smart growth”		

Regional Strategies			
<ul style="list-style-type: none"> HOME Consortium 	There are four regional HOME Consortia serving MAPC communities. They provide direct access to federal HOME funds, which can be used for first-time homebuyer programs, rental rehab, and acquisition and redevelopment. Communities may join if they about a member community & if existing members choose to expand.		
<ul style="list-style-type: none"> Regional Coalitions 	Regional coalitions advocate for housing, undertake public information/education campaigns, & serve other purposes. The MetroWest Affordable Housing Coalition, formed by clergy, legislators, & others, has over 50 members from 25 community & faith-based organizations, local businesses, etc. They have been raising awareness & stimulating public dialogue about the lack of affordable housing communities & encouraging solutions.		
<ul style="list-style-type: none"> Sharing staff or expertise 	It often makes sense for communities to share resources if they have small staffs or tasks are specialized or intermittent. Models include circuit-riding planners, shared staff, or shared consultants.		
<ul style="list-style-type: none"> Cross-border site planning 	Development plans can often benefit from interlocal cooperation & agreements to share costs & benefits. Examples include the Metropolitan State Hospital site (Waltham, Belmont, & Lexington) & the Weymouth Naval Air Station (Weymouth, Rockland, Abington).		
<ul style="list-style-type: none"> Regional cooperation among non-profits or housing authorities 	Purpose: to eliminate redundancies or fill service delivery gaps. Some local housing authorities provide services to neighboring communities. Example: Hudson Housing Authority provides rental assistance, LIP program resales, & lotteries services to Stow on fee basis. Housing authorities also informally share, equipment, computer technical assistance, etc. Statewide legal & supportive services are available centrally to housing authorities.		
<ul style="list-style-type: none"> Regional non-profits, housing partnerships, land trusts, & housing trust funds 	Community Land Trust of Cape Ann (CLTCA) is a private non-profit to create affordable housing & provide stewardship of		

	land. It retains title to the land, thus keeping the housing permanently affordable. CLTCA has purchased several buildings, rehabbed them, & sold or rented units at affordable prices. There is also a North Shore Housing Trust Fund.		
• Regional funding campaign	Could tap private donations, businesses & business associations, private foundations, religious organizations, etc. for specific clientele or development or for regional trust fund.		
• Housing services consortiums	Some housing support services are provided regionally through regional non-profits, CAP agencies, etc.		
• Potential opportunities under 40B proposed legislation	Option 1 is project-specific; contiguous communities could collaborate to share infrastructure costs associated with housing growth & benefits of housing growth, as reflected in attainment of housing goals. Option 2 is a broader opportunity for contiguous communities to plan proactively & collaborate in addressing regional housing needs. It creates a pilot program for up to 3 housing regions.		

Sources of Information and Assistance

- MAPC, *Local Housing Checklist*, at www.mapc.org
- Citizens' Housing & Planning Association (CHAPA) provides many useful resources, especially *Taking the Initiative: A Guidebook on Creating Local Affordable Housing Strategies*. The *Guidebook* includes a comprehensive catalogue of funding sources (see Appendix B). Visit www.chapa.org or call (617) 742-0820.
- Department of Housing and Community Development, www.state.ma.us/dhcd
- Mass. Housing Partnership (MHP) for project-specific technical assistance, identification & packaging of financial resources, rental financing, homeownership programs, technical publications, examples of local strategies, and more. Visit www.mhp.net or call (617) 338-7686.
- MassHousing is the state affordable housing bank. Lends at below market rates to support rental and homeownership opportunities for low-to-moderate income households in Massachusetts. Call 617.854.1000 or visit www.masshousing.com.
- For information on expiring use properties, contact CEDAC at (617) 727-5944 or www.cedac.org.

APPENDIX IV – HOUSING STRATEGIES: GETTING STARTED

This section outlines a series of strategies along with some information on how to begin to implement them. You are urged to review these with appropriate committees or boards, establish short-term and long-term priorities, and set up a schedule with milestones for completion of tasks.

Planning & Organizational Resources

- **Develop Leadership and Organizational Capacity**

In order to actively guide housing, it is important to establish a strong voice for housing and an organizational framework to pursue plans. The most important first steps are for local leaders to

- make a strong public commitment to housing; and
- establish a housing partnership or housing committee.

The committee should generally be appointed by the Mayor or Board of Selectmen and should include representatives of housing- and planning-related town boards and relevant agencies (planning board, housing authority); representatives of affected groups (e.g., Council on Aging); and local citizens with interest or expertise in housing (developers, lenders, business leaders, clergy). The committee's role could include recommending policy, planning, guiding action, engaging the public, and reporting regularly to the Mayor or Selectmen.

Communities that already have a Housing Partnership may wish to take steps to enhance its effectiveness and “grow” the constituency for housing. The Housing Partnership, for example, might review its role and procedures to identify ways it might be more effective. Questions to ask include: Does it report regularly to the leadership? Does it have an action plan with a timetable and milestones? Does it get adequate publicity for its successes?

Similarly, officials could look for opportunities to promote housing through public events, contacts with the print media and cable television, or displays in public places. They might also review procedures to ensure that relevant departments interact with each other regularly on housing issues, coordinate and cooperate, and give a consistent message.

- **Designate a staff person responsible for housing**

Each community needs a plan to meet its housing needs and a person charged with implementation. Staff support would serve as staff to the housing committee and as liaison to other planning functions, lead the community's housing efforts, and enable it to be more proactive in promoting housing.

- **Form a housing development non-profit**

Much of the affordable housing preserved, rehabilitated, or created in recent years has been done by non-profit developers. They provide expertise in development and financing, have access to a range of funding sources, and provide an added proactive voice for housing. Most non-profits are created independently and are not officially connected with town government. The Housing Corporation of Arlington, WATCH in Waltham, Caritas Communities, Inc., and Habitat for Humanity are varieties of independent non-profits. Some non-profits are created in conjunction with town government and use town staff; the Brookline Improvement Coalition is an example. Some non-profits are subsidiaries of local housing authorities, enabling them to access added funding, operate with fewer restrictions, and broaden their scope to include homeownership and mixed-income or mixed-use projects. Wayland, Manchester, and Needham have used this model.

An alternative would be to partner with an existing non-profit with skills in housing development, rehabilitation, and financing. Massachusetts has an extensive network of nonprofits and many of them can operate outside their “home” base. Community Builders, for example, the largest urban housing developer in the country, operates nationally; on a smaller scale, groups like the Women’s Institute for Housing and Economic Development, Caritas Communities, Inc., and Habitat for Humanity can also develop or rehabilitate housing in many communities. Every community is also served by a regional non-profit; which provides a variety of housing-related services.

For more information, see <http://corp.sec.state.ma.us> and www.mhp.net. For information on regional non-profits, contact the Massachusetts Nonprofit Housing Association.

- **Form a Community Land Trust (CLT)**

A CLT is a member-controlled non-profit that acquires and holds land but sells or rents the housing on it to residents. Founded on the principle that land is a common heritage and not a commodity, the CLT holds title to the land in trust for the community. This technique keeps housing permanently affordable by removing the cost of land from the housing equation and limits the increases in future housing costs. The lease of the land to the homeowner is the legal instrument that allows the trust to control the resale price. Some Community Land Trusts serve multiple purposes, combining affordable housing with open space preservation.

One successful example in the MAPC region is the Community Land Trust of Cape Ann, which has been developing affordable housing since 1990. It has four completed projects, one in progress, and one on the drawing boards. The complexity of the projects has increased with their learning curve. The housing they have produced is very affordable, is addressing the needs of local workers, and is contributing to community revitalization efforts.

For more information about CLTs in general, contact the Institute for Community Economics (ICE) at www.iceclt.org. For information about the Community Land Trust of Cape Ann, visit www.cltca.org.

Public Information & Outreach

- **Undertake a public education campaign**

Many people have misperceptions about what “affordable housing” is, who lives in it, and who cannot afford market-rate housing in the current market. Local governments or citizen groups can undertake a public outreach campaign to educate people about what’s “affordable” and about how housing affects local citizens and the region’s economy.

Many of the materials in your Community Development Plan, including the full set of Powerpoint slides presented at the Housing Forum, are a good start. The local press could publish these materials and supplement them with additional information and human-interest stories of affected citizens. Organizers could also contact local cable for assistance.

Financial Resources

- **Join a consortium to gain access to federal HOME funds**

Many communities that do not have direct access to federal housing funds gain access by joining a consortium with abutting communities. Federal money allows communities to have greater control over housing development and more resources to create and maintain affordable housing. HOME funds can be used for rental housing production or rehabilitation, first-time homebuyer assistance, tenant-based rental assistance, and rehabilitation assistance for homeowners. Funds are relatively flexible; and the predictability of funding allows communities to plan ahead.

As an alternative, communities can apply directly to the state for HOME funds on a competitive basis for rental housing production and rehabilitation programs, first-time homebuyer assistance, and rehabilitation assistance for homeowners.

- **Adopt the Community Preservation Act (CPA)**

To date, 65 Massachusetts communities have adopted CPA, raising over \$55 million. Of this, 42% has been used for housing and has produced at least 260 housing units. Adoption of CPA would provide more locally controlled resources and more partners with resources and expertise. It helps communities balance housing, open space, and other priorities.

For information on local campaigns to adopt CPA and success stories about how funds have been used, visit www.communitypreservation.org and www.tpl.org.

- **Set up a Housing Trust Fund**

This can be done in conjunction with inclusionary or incentive zoning; funds could be generated by allowing developers to pay into a fund instead of creating on-site units. Over time, there may be other sources of funds as well. Funds could be used to write down the interest on rehab loans, provide gap financing for property acquisition, write down mortgage interest, provide downpayment or closing-cost assistance to first-time homebuyers, or for other purposes. Funds generated locally have more flexibility than state or federal funds with specific program requirements

Zoning

- **Allow mixed-use zoning, including housing above stores, as an overlay or as a new zoning district**

Allowing a mix of residential, commercial, and other uses where there is infrastructure to support it is a prime example of “smart growth.” If your community already allows mixed use in some areas, consider extending the concept to other commercial areas or transit-accessible areas. The Lincoln Institute recently published an excellent working paper with examples of how this concept has been used in various types of settings in metro Boston. See James C. O’Connell, *Ahead or Behind the Curve?: Compact Mixed-Use Development in Suburban Boston*, available at www.lincolninst.edu.

Many communities use “overlay” districts to promote mixed use with or without special affordable housing provisions or to accomplish specific purposes such as resource protection or transit-oriented development. An overlay is a district that is superimposed on existing or underlying zoning to add more restrictions, allow more uses or greater flexibility, or add incentives such as density bonuses. Where it is more permissive than the underlying zoning, it is an alternative to the underlying zoning and generally requires a special permit. It is most appropriate where there is a specific goal and the overlay is relatively consistent with the underlying zoning. Where the new concept differs substantially from the old, it may be less confusing to change the underlying zoning rather than go the overlay route.

- **Adopt Inclusionary or Incentive Zoning**

“Inclusionary” zoning requires residential developers to provide for affordable housing. “Incentive” zoning provides that developers seeking special permits may receive some sort of beneficial treatment, such as increased density, in exchange for providing affordable housing. In either case, the law may limit the developer to

producing units within the development or it may allow off-site production or in-lieu payment into a housing fund to support a range of housing programs.

Inclusionary/incentive zoning offers a scattered site, low-impact mechanism for communities to control growth and increase affordable housing in proportion to new market-rate housing. It uses an “internal” subsidy, using the proceeds from the market-rate units to support the affordable units. It does not require additional financial support, and it works especially well in strong markets.

Many communities in Massachusetts have adopted this technique, with varying degrees of success. Communities include Arlington, Belmont, Brookline, Cambridge, Lexington, and Newton. There is considerable difference in the models used. The Newton ordinance is among the oldest, is fairly structured, and promotes housing for those earning low incomes. Lexington, on the other hand, has a policy rather than a by-law, with a series of flexible options including a range of affordability levels. With no land zoned for multi-family housing, the Town uses the policy to guide the Planning Board in determining whether to recommend development-enabling zoning changes to Town Meeting.

In designing a local ordinance, it is probably most useful to look at the most recently adopted laws, since they benefit from the experience of others. Belmont and Arlington are among the most recent, and both by-laws are available on their websites: for Belmont, see Section 6.10 of the Zoning By-law at www.town.belmont.ma.us and for Arlington see Section 11.08 at www.town.arlington.ma.us. In its brief existence, Arlington’s law has been very successful. The Town has six units that are completed and occupied, five that are approved but not yet under construction, and about six to ten in the proposal phase.

For an excellent discussion of the issues involved in formulating a good law, see *Inclusionary Zoning: Guidelines for Cities and Towns*,” prepared by Edith M. Netter, Esq., and appearing on the Massachusetts Housing Partnership website, www.mhp.net. Other relevant documents on the same site are *Inclusionary Zoning: Lessons Learned in Massachusetts* and *Zoning for Housing Affordability*. As with many housing strategies, a good starter discussion also appears in CHAPA’s *Taking the Initiative* (see www.chapa.org).

- **Adopt Linkage**

Linkage is similar to inclusionary zoning but applies to commercial and industrial development and requires either a financial contribution to affordable housing or off-site housing produced through new construction or acquisition and rehabilitation. The basis of linkage is the premise that the new non-residential development causes a direct and measurable need for more affordable housing; thus there must be a documented “link” or “nexus” between the non-residential development and the resultant housing impact.

Boston and Cambridge both have long had highly successful linkage programs. Such programs work best in communities where there is substantial new commercial development with sufficient demand to absorb the added costs of linkage. Where commercial growth is less secure, there may be concern about jeopardizing development revenue by “killing the goose that lays the golden egg.”

If your community wishes to consider linkage, you should first evaluate the strength of the commercial and industrial market to ensure that it can withstand added costs without losing developers to other communities.

- **Increase density in some residential districts**

In the MAPC region, much of the remaining undeveloped residential land is zoned for single-family development, usually at lower densities than existing housing. Often it is farther from town centers, transit, and other services. As a result, future housing is likely to be larger, less diverse, and more expensive than today’s homes. But as baby-boomers age, there will be a need for more smaller-scale, more manageable housing, preferably closer to transit and services.

Many communities are taking steps to allow higher densities in some areas, allowing townhouses, garden apartments, accessory apartments, or more multi-family housing. This is especially appropriate near town centers, near transit, and in “transition” areas between uses.

- **Increase density and housing by means of “adaptive reuse”**

Communities can allow smaller units within larger residential structures or conversion of non-residential structures to residential uses or to a mix of uses, including residential, retail, etc. This technique makes more efficient use of existing buildings, promotes greater affordability and smart growth, and helps revitalize underutilized or distressed properties. Allowing conversion of large residences to smaller units is quite similar to adding accessory apartments (see below). Converting non-residential buildings to housing or to a mix of housing, retail, and perhaps office, is particularly appropriate in communities with considerable older, underutilized property. There are many adaptive reuse “success stories,” such as Woburn’s conversion of the Pilgrim Building to retail with four affordable housing units on two upper floors.

- **Encourage residential uses and phase out industrial uses in some areas**

Residential uses, including more affordable housing, can help revitalize some areas or utilize parcels that are underutilized.

- **Cluster zoning**

Cluster zoning allows more flexible site design than traditional single-family zoning. It allows developers to cluster housing units at greater density in some parts of a site while protecting open space or other natural resources on other parts of the site. Designs respect and work in concert with the natural contours and features of the land. Cluster development makes more efficient use of a site, promotes a balance of housing and open space, improves site design, and offers better protection of critical natural resources

Clusters alone do not necessarily make housing more affordable, but cluster by-laws and ordinances can be designed to encourage inclusion of affordable housing units through use of a density bonus or other benefits.

- **Reduce parking requirements, especially for senior housing, housing near transit, and mixed used housing where shared parking possible**

Parking requirements often act as impediments to development and drive up costs. Sometimes these requirements are unnecessarily onerous, especially when some residents are less likely to have cars and when different users may need parking at different times of day. Seniors and people living near transit may have lower parking need, while mixed-use development may be an opportunity for shared parking.

Communities should review parking requirements for possible reductions.

- **Encourage accessory apartments or other accessory dwelling units (ADUs), accompanied by an “amnesty program” for existing units and affordability provisions**

An accessory apartment is generally a second, subordinate dwelling unit within a single-family house. Accessory units provide rental opportunities for tenants, added income for owners, and more efficient use of space. For older homeowners, tenants may offer additional benefits by assisting with chores or yard work and providing a sense of security.

Other accessory dwelling units (ADUs) may involve the reuse or adaptation of secondary structures – e.g., barns, garages, or carriage houses – on the same lot but in a separate structure. The same general principle applies to the conversion of large, single-family residences to two or more unit structures. In all these variations, units provide similar benefits.

Many communities allow accessory units in some or all residential zoning districts, sometimes by right and sometimes by special permit, usually with some restrictions on size and appearance, and occasionally with provisions to encourage affordable rents, income eligibility of tenants, and inclusion of units in the state’s Chapter 40B Subsidized Housing Inventory.

There are also illegal accessory units that remain “under the radar.” Some communities have taken steps to legalize these units by enacting “amnesty” provisions to encourage code compliance and more affordable housing.

The examples below show how local communities have used these approaches and how they have designed programs to ensure that units “count” toward Chapter 40B.

Lexington: amnesty and encouragement. Lexington set up an amnesty program as part of a larger program to encourage accessory apartments. According to Lexington’s 1983 by-law, the purpose of accessory units is to:

- increase the number of small dwelling units available for rent in the town,
- increase the range of choice of housing accommodations,
- encourage greater diversity of population with particular attention to young adults and senior citizens, and
- encourage a more economic and energy-efficient use of the town's housing supply while maintaining the appearance and character of the town's single-family neighborhoods.

When Lexington passed the by-law, the amnesty provision allowed a two-year period in which to get a certificate of occupancy for a non-conforming second dwelling unit. In 1988, it provided for a way to legalize a dwelling unit in an accessory structure. According to the building commissioner, by June of 1987 the Town had received and reviewed 265 applications, and 234 were determined to be legal units. The remaining 31 were awaiting either special permits, repairs to bring them into compliance with the State Building Code, or additional research to verify their history. Of the 265 units, only 27 would be considered accessory apartments; the others were classified as two-family houses.

Lexington also has fairly lenient rules regarding existing units and creation of new units. Their requirements, for example, limit the accessory unit to two bedrooms but do not specify the number of people who may live in it. They require only one parking space for the accessory unit and specify that only one parking space have direct access to the street.

How Affordable Accessory Apartments can “Count” on the 40B Subsidized Housing Inventory

To encourage local affordable housing initiatives, the state has designed a Local Initiative Program (LIP) setting forth requirements and standards for units that will qualify as low or moderate income housing on the Subsidized Housing Inventory. Under this program, affordable accessory apartments would be considered “Local Initiative Units” or “LIP Only” units and would need to meet State Sanitary Code requirements, be occupied by a household earning no more than 80 percent of the area median income, and be subject to a Use Restriction of at least 15 years. The latter may be revocable upon sale of the principal residence.

Requirements are detailed in state regulations – 760 CMR 45.00 (especially 45.03). They cover the need for local action, income and asset limits, affordability, use restrictions, reporting, and nondiscrimination in tenant and buyer selection.

Barnstable: affordability. Barnstable has a by-law that links accessory dwelling units to affordability and is designed to ensure that the units “count” toward the 40B Subsidized Housing Inventory. It applies to both new and existing accessory units. New units are limited to single units in single-family homes, while existing units may also include more than one unit in a multi-family structure or in a detached structure such as barn, carriage house, or garage. The original by-law was amended to allow construction of new units attached to existing structures as well as conversion of existing structures. The text of the by-law appears in the Appendix at the end of this report.

The intent of the law is to bring unpermitted units into compliance and to encourage the use of existing dwellings to create additional affordable housing. To comply with state law, Barnstable established a local Chapter 40B program which helps owners of accessory units by waiving certain fees, assisting with the process, and identifying funds for rehabilitation. To qualify for amnesty or to receive a permit for new units, properties must meet several criteria and owners must agree to rent to people with incomes under 80% of median, charge affordable rents, and execute a deed restriction to ensure affordability. Barnstable also uses CDBG money for grants to assist with code compliance and to monitor program compliance (i.e., income verifications and rent restrictions).

In the three years of the program, over 60 units have been approved for inclusion in the 40B Inventory. The program is spurring creation of new units, with the greatest interest in the conversion of detached structures.⁹

Scituate: affordability. More recently, Scituate has proposed revisions to its Zoning By-Law to encourage affordable accessory apartments and to ensure that they will “count” on the Chapter 40B Subsidized Housing Inventory consistent with the most recent regulations and guidance from the state’s Department of Housing and Community Development (DHCD). The proposed revisions, drafted by consultant Judi Barrett, appear in the Appendix to this report. They are probably the most up-to-date in terms of consistency with DHCD guidance.

Property Resources - Preservation

- **Take steps to retain expiring use properties as affordable housing**

⁹ Source: Paulette McAuliffe & Kevin Shea, Town of Barnstable.

Affordability in some privately owned, mixed-income developments is governed by use restrictions that allow owners to sell or rent at market rates after a given number of years. There are steps communities can take to extend affordability, beginning by investigating the status of the property and its restrictions and getting technical advice and assistance. The list of expiring use properties and information about maintaining affordability is available at www.chapa.org. Expert guidance is available at CEDAC at (617) 727-5944 or www.cedac.org.

Communities with expiring use properties should consider this issue a priority; it is almost always preferable and more cost-effective to preserve existing affordable housing rather than build new affordable housing. It is especially important for these developments, which are often well-maintained properties housing long-time community residents.

- **Enact the “residential exemption” to offer a tax incentive for owner occupancy**

At local option, communities may exempt a percentage of the average assessed value of residential parcels from owner-occupants’ bills. The intent is to promote owner occupancy, providing proportionately greater benefit to lower valued homes. Is a disincentive to absentee ownership and may promote better property maintenance and repair. This tool is most appropriate in communities with substantial rental stock.

- **Develop a plan for reuse of surplus municipally owned property, including a property inventory, priority list, and implementation steps.**

Use of public property for housing dramatically lowers acquisition and land costs, thus lowering the cost of housing built there. Surplus property provides an opportunity to address a range of local needs. Communities should view this property and their various needs comprehensively and develop a plan to balance the need for housing, open space, and other priorities. With an overall plan, communities can prepare in advance for timely implementation actions.

- **Identify other potentially available public or institutional property as well as privately owned vacant and underutilized properties.**

Types of properties include those owned state, federal, or county governments; authorities and quasi-publics; the MBTA; colleges and universities; and religious organizations.

- **Develop a system to track & pursue tax title property**

Tax title property may offer affordable housing opportunities. The City of Waltham, for example, acquired a tax title property that is being demolished and rebuilt as affordable housing. Communities where such property is likely to exist should develop a system where the assessor, the planner, and other relevant officials share information in the pursuit of affordable housing opportunities.

- **Offer rehab loans &/or grants with funds from state programs, HOME consortia, or other sources**

These programs maintain and improve existing property. For information, contact DHCD at (617) 573-1100 or at www.state.ma.us/dhcd or contact MassHousing at (617) 854-1000. Appendix B of CHAPA's *Taking the Initiative* (see www.chapa.org) includes a comprehensive catalogue of common funding sources. It includes grants, loans, and financing tools for predevelopment activities; affordable homeownership, rental housing, and housing for seniors and special needs; and preservation of existing affordable housing.

- **Strengthen code enforcement**

For communities where property maintenance and absentee ownership are significant issues, more vigorous and consistent code enforcement programs can help improve property. Advanced publicity alone may encourage improvements. It is less heavy handed to temper the “sticks” of code enforcement with the “carrots” of rehab loans or grants, technical assistance, or other types of help and support.

Local Production Initiatives

- **Develop an Affordable Housing Plan under 40B Planned Production Program**

The state provides an option for communities to exercise greater control over housing development based on an Affordable Housing Plan and progress toward achieving the 10% goal. Communities develop a plan pursuant to DHCD guidelines and request certification of compliance by demonstrating that low and moderate income housing has increased by at least $\frac{3}{4}$ of one percent of total year round housing units during the calendar year for which certification is requested. Once they are certified, they may deny comprehensive permit applications for a year; if they have produced 1.5%, they may deny applications for two years.

The plan must include a needs assessment, housing goals, strategies, and a description of use restrictions. Communities may use existing plans in part or in total, but must include a summary document in the appropriate format. *Guidelines for Planned Production Regulation 760 CMR 31.07 (1)(i)* are available at www.mass.gov/dhcd along with samples of local plans that have received certification.

- **Local Initiative Program (LIP)**

The Local Initiative Program (LIP) is a state housing initiative designed to encourage communities to produce low and moderate income housing. The program operates through state regulation (760 CMR 45.00 et. seq.) and agency-issued *Guidelines*.

Communities may produce units eligible for the Chapter 40B subsidized housing inventory through local zoning or other agreement with the developer (see "Local Initiative Units," 760 CMR 45.03). Projects with a minimum of 25% affordable units for households at or below 80% of median income, or 20% of affordable units for households at or below 60% of median income that require the issuance of a Comprehensive Permit are also eligible for inclusion in the inventory through the "Local Initiative General Program" (760 CMR 45.05).

These options offer communities an opportunity to tailor programs to local needs and to get credit toward 40B for housing units meeting the statutory qualifications. In addition to meeting the affordability criteria above, the units must be subject to use restrictions and be sold/rented using affirmative marketing procedures.

The LIP program options could be used to promote accessory apartments, housing above stores, mixed-use development, infill, adaptive reuse, substantial rehabilitation, or other types of housing. The program is especially useful in supporting small, relatively low density, scattered site development consistent with community character as an alternative to large-scale housing development.

Applications and information are available in the 40B section of the DHCD website at www.mass.gov/dhcd .

**TOWN OF BARNSTABLE
ACCESSORY DWELLING UNIT & AMNESTY PROVISIONS**

ARTICLE LXV - Comprehensive Permits for Pre-Existing and Unpermitted Dwelling Units and for New Dwelling Units in Existing Structures.

1.0: Intent and Purpose.

1.1 The intent of this Ordinance is to provide an opportunity to bring into compliance many of the currently unpermitted accessory apartments and apartment units in the Town of Barnstable, as well as to encourage the use of existing dwellings to create additional affordable housing.

1.2 This Ordinance recognizes that although unpermitted and unlawfully occupied, these dwelling units are filling a market demand for housing at rental costs typically below that of units which are and have been, lawfully constructed and occupied.

1.3 It is in the public interest and in concert with its obligations under state law, for the Town of Barnstable to offer a means by which so-called unpermitted and illegal dwelling units can achieve lawful status, but only in the manner described below.

1.4 It is the position of the Town of Barnstable that the most appropriate mechanism for allowing for the conversion of unlawful dwelling units to lawful units is found in GL c.40B, ss. 20-23, the so-called “Comprehensive Permit” program. This provision of state law encourages the development of low and moderate-income rental and owner occupied housing and provides a means for the Board of Appeals to remove local barriers to the creation of affordable housing units. These barriers include any local regulation such as zoning and general ordinances that may be an impediment to affordable housing development.

1.5 The Local Comprehensive Plan states that the town should commit appropriate resources to support affordable housing initiatives. Under this ordinance, the town commits the following resources to support this affordable housing initiative:

- a. Waiver of fees for the inspection and monitoring of the properties identified under this ordinance;
- b. Designation of town staff to assist the property owner in navigating through the process established under this ordinance;
- c. To the extent allowable by law, the negative effect entailed by the deed restriction involved will be reflected in the property tax assessment, and

d. To assist property owners in locating available municipal, state and federal funds for rehabilitating and upgrading the properties identified under this ordinance

1.6 The Local Comprehensive Plan supports, in conjunction with a variety of other strategies, the conversion of existing structures for use as affordable housing.

1.7 Through the creation of a local Chapter 40B program, which uses state and federal subsidies, the town can create a mechanism to utilize existing structures for the creation of affordable housing units that is consistent with the town's identified housing needs.

2.0: Creation of Local Chapter 40B Program:

As part of the town's efforts to create the type of affordable housing that best meets the needs of the town and its residents, the town manager and staff designated by the town manager, shall establish a screening process and criteria for the preexisting and unpermitted units described herein, as well as for new units in existing structures, as part of a local Chapter 40B program which program will provide the state or federal subsidy necessary to establish standing under Chapter 40B for units being created and/or permitted in existing dwellings and structures.

3.0: Amnesty Program

Recognizing that the success of this Ordinance depends, in part, on the admission by real property owners that their property may be in violation of the zoning ordinances of the town, the town hereby establishes the following Amnesty Program:

3.1: The threshold criteria for units being considered as units potentially eligible for the Amnesty Program are:

a) Real property containing a dwelling unit or dwelling units for which there does not exist a validly issued variance, special permit or building permit, does not qualify as a lawful, non-conforming use or structure, for any or all the units, and that was in existence on a lot of record within the Town as of January 1, 2000; or

b) Real property containing a dwelling unit or dwelling units which was in existence as of January 1, 2000 and which has been cited by the Building Department as being in violation of the zoning ordinance and

(c) The property owner has the burden of demonstrating to the Building Commissioner that the criteria in either paragraphs (a) and/or (b) have been satisfied.

d) If any dwelling unit or units identified herein are occupied during the period of time when amnesty is in effect, said unit must be inspected by the entity

designated by the town manager and found to be in conformance with the State Building Code and State Sanitary Code.

3.2: Procedure for Qualifying for Amnesty for Units that Meet Threshold Criteria:

- a) The unit or units must either be a single unit accessory to an owner occupied single family dwelling or one or more units in a multifamily dwelling where there exists a legal multifamily use but one or more units are currently unpermitted;
- b) The unit(s) must receive a site approval letter under the town's local chapter 40B program;
- c) The property owner must agree that if s/he receives a comprehensive permit, the unit or units for which amnesty is sought will be rented to a person or family whose income is 80% or less of the Area Median Income (AMI) of Barnstable-Yarmouth Metropolitan Statistical Area (MSA) and shall further agree that rent (including utilities) shall not exceed the rents established by the Department of Housing and Urban Development (HUD) for a household whose income is 80% or less of the median income of Barnstable-Yarmouth Metropolitan Statistical Area. In the event that utilities are separately metered, the utility allowance established by the Barnstable Housing Authority shall be deducted from HUD's rent level.
- d) The property owner must agree, that if s/he receives a comprehensive permit, that s/he will execute a deed restriction for the unit or units for which amnesty is sought, prepared by the Town of Barnstable, which runs with the property so as to be binding on and enforceable against any person claiming an interest in the property and which restricts the use of one or more units as rental units to a person or family whose income is 80% or less of the median income of Barnstable-Yarmouth Metropolitan Statistical Area (MSA).
- e) Upon receiving the site approval letter under 3.2(b) above, the property owner shall within three (3) months file an application for a comprehensive permit under the local Chapter 40B program with the Barnstable Zoning Board of Appeals.

3.3: Obtaining Amnesty and Duration.

- a) No zoning enforcement shall be undertaken against any property owner who demonstrates that s/he meets the threshold criteria under section 3.1 and further demonstrates that s/he is proceeding in good faith to comply with the procedures under Section 3.2 to obtain a comprehensive permit.
- b) Any protection from zoning enforcement under this ordinance shall terminate when: 1) A written determination is issued under the local Chapter 40B program that the criteria under Section 3.2 and the local Chapter 40B program cannot be

satisfied; or 2) it is determined that the property owner is not proceeding diligently with his/her Chapter 40B application; or 3) the property owner's Chapter 40B application is denied. A person is deemed "not to be proceeding diligently" if s/he does not receive a comprehensive permit within twelve months from the date of issuance of the site approval letter under the local Chapter 40B program.

c) This amnesty program shall be reviewed by the town council no later than October 1, 2003.

4.0: New Accessory Units in Single Family Owner Occupied Dwellings.

For a proposed new unit to be eligible for consideration under the local chapter 40B program, it must be a single unit accessory to an owner occupied single-family dwelling and comply with the following:

- a) The unit(s) must receive a site approval letter under the town's local chapter 40B program;
- b) The property owner must agree that if s/he receives a comprehensive permit, the accessory dwelling unit will be rented to a person or family whose income is 80% or less of the Area Median Income (AMI) of Barnstable-Yarmouth Metropolitan Statistical Area (MSA) and shall further agree that rent (including utilities) shall not exceed the rents established by the Department of Housing and Urban Development (HUD) for a household whose income is 80% or less of the median income of Barnstable-Yarmouth Metropolitan Statistical Area. In the event that utilities are separately metered, the utility allowance established by the Barnstable Housing Authority shall be deducted from HUD's rent level.
- c) The property owner must agree, that if s/he receives a comprehensive permit, that s/he will execute a deed restriction for the unit, prepared by the Town of Barnstable, which runs with the property so as to be binding on and enforceable against any person claiming an interest in the property and which restricts the use of the one unit as a rental unit to a person or family whose income is 80% or less of the median income of Barnstable-Yarmouth Metropolitan Statistical Area (MSA).
- d) Upon receiving the site approval under 4(a) above, the property owner shall file an application for a comprehensive permit under the local Chapter 40B program with the Barnstable Zoning Board of Appeals.

5.0: Quarterly Reporting.

The Town Manager shall report to the Town Council no less than quarterly as to the use of this ordinance, paying particular regard to the level of participation.

Approved by a vote of the Town Council on November 16, 2000, by a rollcall vote of 9 Yes 1 Abstain.

Proposed Scituate Zoning Bylaw Revision – 3/13/04 Annual Town Meeting
REVISE AFFORDABLE ACCESSORY DWELLING PROVISIONS

1. Amend Section 200, Definitions, by adding the following new definitions:

Affordable Accessory Dwelling

An accessory dwelling that is affordable to and occupied by a low- or moderate-income household, meets the definition of low- or moderate-income housing at 760 CMR.30.02, and is eligible for inclusion in the Chapter 40B Subsidized Housing Inventory through the Local Initiative Program.

Low- or Moderate-Income Household

A household with income at or below 80% of area median income, adjusted for household size, for the metropolitan or non-metropolitan area that includes the Town of Scituate as determined annually by the U. S. Department of Housing and Urban Development (HUD).

Local Initiative Program

A program administered by the Massachusetts Department of Housing and Community Development (DHCD) pursuant to 760 CMR 45.00 to develop and implement local housing initiatives that produce low- and moderate-income housing.

Maximum Affordable Rent

Monthly rent, exclusive of utilities, that does not exceed 30% of the monthly income of a household earning 70% of area median income based on household size, except that if the dwelling unit receives a state, federal or local subsidy, the maximum rent may be as allowed by the subsidy program so long as the tenant share of rent does not exceed 30% of the monthly income.

Subsidized Housing Inventory

The Department of Housing and Community Development Subsidized Housing Inventory provided in 760 CMR 31.04.

Qualified Renter

A low or moderate-income household that rents and occupies an affordable accessory dwelling unit.

2. Delete the present Sections 530.5 and 530.6 and replace them with the following:

530.5 Affordable Accessory Dwellings

A. Purpose

The purposes of this bylaw are to encourage accessory dwellings that are affordable to low or moderate-income households and that qualify for inclusion in the Subsidized Housing Inventory under G.L. c.40B, Sections 20-23, as low- or moderate-income housing units.

B. Applicability

An affordable accessory dwelling shall be permitted in the A-1, A-2 and A-3 Residence Districts and the Business District provided that the dwelling complies with the requirements of this bylaw.

C. Relationship to Site Plan Review

An application for an affordable accessory dwelling permit shall be subject to site plan review under Section 730.

D. Basic Requirements for Affordable Accessory Dwellings

The following requirements apply in all zoning districts in which an affordable accessory dwelling is permitted:

1. No more than fifteen new permits for affordable accessory dwellings shall be issued in a single calendar year.
2. The affordable accessory dwelling must comply with low- or moderate-income housing regulations and guidelines of the Local Initiative Program (LIP), 760 CMR 45.00, et seq., in effect on the date of application for a building permit.
3. The affordable accessory dwelling must be rented to and occupied by a qualified renter as defined in Section 200.
4. The monthly rent shall not exceed the maximum affordable rent for a household of appropriate size for the accessory dwelling unit.
5. The affordable accessory dwelling shall be secured by an affordable housing use restriction or a regulatory agreement and declaration of restrictive covenants effective for a minimum of fifteen (15) years, recorded at the Registry of Deeds, in a form that meets the approval requirements of the Local Initiative Program.
6. The owner of the structure with an affordable accessory dwelling shall certify annually to the Scituate Housing Authority or its designee, or another entity determined by the planning board, that the dwelling is occupied by a qualified renter and the rent is

equal to or less than the maximum affordable rent. Failure of the owner to comply shall be deemed a violation of this bylaw and subject to the enforcement provisions of Section 930.

7. The affordable accessory dwelling shall clearly be a subordinate part of the single-family dwelling or business use.
8. Two private off-street parking spaces shall be available for use by occupants of each affordable accessory dwelling.
9. The affordable accessory dwelling must be designed so that the appearance of the building remains unchanged to the maximum extent practical. Unless otherwise required by the Massachusetts Building Code, any new exterior stairs needed to provide primary or secondary means of egress for the affordable accessory dwelling shall be located on the side or rear of the building.
10. The design and size of the affordable accessory dwelling shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health and any other applicable codes
11. The septic system serving the lot shall meet current Title V regulations and shall be reviewed and approved by the board of health.

E. Additional Requirements for Affordable Accessory Dwellings in a Residence District

In addition to the requirements of 530.5 (D), an affordable accessory dwelling permitted in a Residence District must meet the following:

1. The accessory dwelling must be located within the interior of and under the same roof as a single-family home or in a structure attached thereto, except that on conforming lots in Residence A-1 and A-2, the accessory dwelling may be located in a detached structure on the same premises as a single-family home, such as a garage or barn.
2. The lot must conform to the minimum lot area, width and frontage requirements of Section 610.
3. Not more than one affordable accessory dwelling unit shall be permitted in a single-family home or in an attached or detached structure on the same premises.
4. For an affordable accessory dwelling in a single-family home or on the same premises as a single-family home, the owner must occupy one of the units as a permanent legal residence.
5. The living space in an affordable accessory dwelling shall not exceed a maximum of seven hundred and fifty square feet or forty percent of the gross floor area of the

single-family home, whichever is greater, and shall contain no more than two bedrooms. For purposes of this section, the computation of maximum floor area shall be limited to the principal residence and shall exclude the floor area in an attached or detached structure.

F. Additional Requirements for Affordable Accessory Dwellings in a Business District

In addition to the requirements of 530.5 (D), an affordable accessory dwelling permitted in a Business District must meet the following:

1. No more than three affordable accessory dwellings may be permitted created in any one building.
2. The dwelling must be located above the first floor or street level of a structure used principally for businesses, except that one affordable accessory dwelling may be located on the first floor if:
 - a. The primary entrance to the dwelling is on an elevation other than the front elevation facing the street, and
 - b. The dwelling unit has direct access to the parking spaces associated with it, and
 - c. The unit is accessible to persons with disabilities, determined by the building commissioner to meet applicable regulations of the Massachusetts Architectural Access Board for dwelling unit interiors, entrances, accessible routes and parking, and
 - d. The unit is occupied by a qualified renter household with one or more persons with disabilities or a qualified renter household of persons over fifty-five years of age.

G. Affordable Accessory Apartment by Special Permit

1. The planning board may waive the requirements of Section E or Section F above by issuing a special permit for an affordable accessory dwelling. Application for a special permit for an affordable accessory dwelling shall be in accordance with the procedures of Section 530.3.
2. The planning board retains the right to revoke a special permit issued hereunder if the applicant violates any provision of this Bylaw or any condition imposed upon the issuance of the special permit. Revocation may occur only after a hearing held on notice to the applicant.

H. Occupancy Permit

1. No occupancy permit shall be issued for an affordable accessory dwelling until the applicant submits the following documentation to the Planning Board, who shall notify the Building Commissioner that it has been provided:
 - a. A copy of the affordable housing use restriction or regulatory agreement and declaration of restrictive covenants, signed by the owner and the town, the original of which must be filed at the Registry of Deeds.
 - b. A certificate of approval from the Massachusetts Department of Housing and Community Development.
 - c. A notarized affidavit from the owner of the property, verifying that the unit will be occupied by a qualified renter, that the owner will provide annual certification of compliance with this bylaw as required in Section D.6 above, and in the case of an affordable accessory dwelling in a single-family home, that the owner will occupy one of the dwelling units on the premises except in bona fide emergencies.
3. Amend Sections 420.1 and 420.2 as follows below:

Section 420.1 Permitted Uses

Insert after subsection J a new subsection K with the following words, and re-letter the existing subsections K-M as L-N:

- K. Affordable accessory dwelling, subject to Section 530.5

Section 420.2 Uses Permissible by Special Permit

Insert new sections O and P, as follows:

- O. Accessory dwelling, subject to Section 530
P. Affordable accessory dwelling, subject to Section 530.5 G