

**HOUSING CHALLENGES IN THE CITY OF WALTHAM  
AD-HOC COMMITTEE ON AFFORDABLE HOUSING REPORT**

Committee Members  
Councillor Thomas Stanley, Chairman  
Councillor Jonathan Paz  
Councillor Carlos Vidal  
Housing Director Robert Waters  
Assistant Planner James LaCrosse  
Executive Director of WATCH Daria Gere  
Former CPC Chair Attorney Diana Young

Submitted December 28, 2020

# **HOUSING CHALLENGES IN THE CITY OF WALTHAM**

## **AD-HOC COMMITTEE ON AFFORDABLE HOUSING REPORT**

### **Housing Challenges in Waltham**

Housing is an important part of what makes Waltham a strong community and is an essential part of Waltham's future wellbeing. Supplying homes that are affordable for long-time Waltham residents, young families, seniors, veterans and local workers is an important part of maintaining the stability and diversity of our community.

The city has made great strides as exemplified in the 2020 Emergency Housing Assistance Report which was positively recognized by the Secretary of MA Executive Office of Housing & Economic Development. The city now endeavors to expand and build on that progress by developing a municipal housing agenda that includes multiple strategies that work towards preserving and increasing the city's diverse housing stock. To that end in January 2020, City Council President Paul Brasco at the suggestion of Councillor Tom Stanley, formed this Ad-Hoc Committee on Affordable Housing to assess the current 2020 status of housing in the city, to identify resources relative to housing at the local and state level and to make suggestions for consideration of the Mayor and the City Council in developing long-term solutions for Waltham.

The Covid-19 pandemic and the resulting economic crisis have added both new urgency and added difficulty to addressing the housing problems in Waltham. The city stepped up for Waltham residents to enhance the extraordinary state efforts. The Committee has incorporated many of those challenges still ongoing in this document. This report should not be considered the end but rather the beginning of work to provide more affordable housing.

### **AD-hoc Committee on Housing: Goals and Process**

- The work of the Committee included:
- Acknowledging actions taken in the city to address affordable housing.
- Identifying needs / challenges.
- Identifying possible solutions.
- Recommending areas of consensus.
- Submitting a report on the above.

To accomplish these goals, the committee cataloged relevant reports, data and documentation; reviewed the City's existing policies, engaged with housing advocates, City and state officials and subject matter experts; and researched potential improvements to the City's existing policies. The committee requested and received pertinent background materials:

- A list of housing inventory in the City.

- A list of the various programs run by WATCH (Waltham Alliance to Create Housing), as well as any pertinent additional programs
- A list of housing issues that have been addressed through the Community Preservation Committee.
- A list of housing initiatives / programs offered by the State.
- Waltham Housing information: Current funds available in the CPC Housing fund and current funds available in the Waltham Housing Trust Fund.

The Committee met ten times between February and December 2020 to discuss current housing issues, review data and receive information. During this process, the Committee conducted interviews with the following individuals:

- Robert Waters- Waltham Housing Director
- Christopher T. Norris – Executive Director, Metro Housing of Boston
- Eric Shupin – Director of Public Policy, Citizens Housing & Planning Association
- Michael Kennealy – MA Secretary of the Executive Office of Housing & Economic Development
- John Gollinger - Executive Director, Waltham Housing Authority
- Bill Forte - Waltham Building Department Director
- Jennifer Van Campen - Executive Director, Metro West Collaborative Development

### **Waltham’s Housing Status: 2020**

Housing Director Robert Waters highlighted the following areas:

- Waltham’s Emergency Housing Assistance Program.
- Inclusionary zoning ordinance has created 128 units.
- The current Waltham Municipal Affordable Housing Trust fund balance is \$1,542,937.22.
- CDBG Rehab loans; \$4.2 million in CDBG funds.
- HOME down payment assistance loans; \$6.3 million in HOME funds.
- HOME developed units: 32.
- CPC funding has provided \$2 million in voucher funding.
- CPC had \$2.4 million in available funds as of 9/14/2020.

Director Daria Gere gave a history of WATCH’s affordable housing and tenant advocacy dating back to 1988. Ms. Gere’s presentation noted the agency is currently advocating for development of affordable housing in the vacant Waltham Armory building.

Attorney Diana Young provided two documents to the committee. The first document listed all the CPA housing projects that have been approved by the CPC, a list of nine projects totaling \$6,235,800. The second presentation item was a chart comparing inclusionary zoning rules in Waltham and other large surrounding communities.

Assistant Planning Director James Lacrosse provided the committee with Census information specific to the City of Waltham.

Chairman Tom Stanley provided the committee with two documents.

- Councilor Order # 33005 - RFP Comprehensive Zoning Ordinance.
- The Zoning Advisory Committee report dated August 2015.

### **Waltham's Housing Action Record**

Actions taken by the City to address affordable housing as of June 2020 submitted by Waltham Housing Department:

- Inclusionary Zoning Ordinance has created 128 units; Originally 10% of the developed units were affordable to households at or below 80% of area median income (AMI). In recent years, the City Council increased the inclusionary zoning percentage for 10% to 15% and then from 15% to 20%. Currently, of the 20% of affordable units, 5 percentage points are dedicated to households at or below 50% of AMI with the remaining 15percentage points available to households with incomes up to 80% of AMI.
- The City has recently encouraged and received 60% units from developers of 40B projects within the City.
- Waltham Housing Partnership was originally created to promote affordable housing within the City in the 1980s. This effort has now evolved into the Municipal Housing Trust. Trust members continue to work on affordable housing opportunities in Waltham. Most recently the development of 19 affordable elderly rental units at the Nahum Hardy School and 3 affordable homeownership condominiums at the Banks School. The current Trust balance is \$1,542,937.22.
- The creation of the Housing Office provided a focus on affordable housing through the administration of federal funding. The CDBG Housing Rehabilitation Program and HOME Down Payment Assistance along with the creation of affordable units with local non-profits (WATCH, SMOC, and others). All of these programs assisted households at 80% of AMI or below to help Waltham citizens sustain their housing or purchase their housing and as well as provides affordable rental housing. Federal funds are also utilized for capital projects within the Waltham Housing Authority.
- CDBG Rehabilitation loans: \$4.2 million in CDBG funds

- HOME Down Payment Assistance loans: \$6.3 million in HOME funds
- HOME/CDBG Housing Authority Capital projects: \$6.2 Million in HOME and CDBG funds
- HOME developed units: 32
- HOME TBRA provides Security Deposit and First month's rent payments to households at or below 60% of AMI. Security Deposit funding expended to date: \$423,996.
- HOME TBRA Full rental assistance is provided to Waltham Homeless and near homeless individuals that are referred by the Community Day Center, MHSA, and the Council on Aging. The Housing office works in cooperation with social service agencies to place chronically homeless individuals into a permanent housing placement with a bridge into public housing. Thirty-six (36) homeless individuals have been assisted through this program to date. Funding expended: \$840,000.
- Creation of the Community Preservation Committee. CPC funding has provided \$1,827,800 to the Waltham Housing Authority for capital projects that sustain these affordable units within the City adding to funding by the State and Federal Government. The CPC Committee has also provided the Housing Authority with over \$2 million for the very successful Local Voucher Program and an additional \$850,000 to create affordable elderly units within the Leland Home. The CPC currently had approximately \$2.4 million in available funds as of September 14, 2020. This amount was before the City allocated the FY2021 CPA surcharge and before the partial state match received in November.
- Emergency assistance funds. The City of Waltham has funded emergency assistance with CDBG funds, Housing Trust funds, and CPC funds along with the recent allocations from the Mayor and City Council due to COVID-19.

## **Waltham's Housing Challenges**

After reviewing all of the data and information collected and presented, the Committee has identified several key factors that impede progress in creating more affordable housing:

- Waltham needs more permanent affordable housing to meet the demands of the coming decade
- Inadequate funding resources to achieve current housing needs and new initiatives
- Lack of racially and economically diverse neighborhoods.
- Need to prevent increased evictions caused by the economic stresses created by the pandemic crisis.
- Rising costs of home ownership make it harder for seniors to maintain residences in the city.

- Current zoning laws restrict Waltham’s ability to create more affordable housing. Specifically needing action to remove zoning restrictions that inhibit progress: the Fernald property; the Governor’s Housing Choice Initiative and accessory housing.
- Many apartments in the city are illegal because they do not conform to restriction ordinances. They are often unsafe because they are not inspected and up to building code standards.
- Demand for senior housing units in the city is high. Waiting lists for Waltham senior housing take years.

## **AD-hoc Housing Committee Recommendations**

Waltham’s goal is to expand on the City’s considerable housing efforts by developing a long-term plan utilizing multiple strategies to achieve effective affordable housing policy to address housing issues now and into the future.

Given the current health and economic stresses created by the national pandemic, the City needs a two-part strategy with one part meeting the current housing emergency caused by the general shortage of affordable housing and the eviction risks caused by the COVID-19 pandemic and the other part providing permanent affordable housing.

This report offers a beginning point to accomplish that goal. After considering the information and data collected and reviewed, the Committee makes the following suggestions to the Waltham City Council and to Mayor McCarthy for their consideration and potential action.

- Fund the mayor’s affordable housing initiative in her Fernald Master Plan.
- Make any necessary zone changes to allow the affordable housing proposed in the Fernald Master Plan.
- If the Fernald Marquardt Building is not used for a new Police Station, approve the mayor’s proposal for Veteran Housing at this building as proposed in the Fernald Master Plan.
- Approve the Community Preservation Committee’s recommendation to fund the Armory Project. Help fund long term projects that will create permanent affordable housing. These projects are best done through non-profit community development corporations (CDCs) as they can tap private loans, federal and state low-income housing tax credits (LIHTC), and historic tax credits (HTC).
- If the Governor’s Housing Choice bill is approved, adopt the downtown housing provision changing a super majority vote to a majority vote of the council.

- Appropriate another round of \$300,000 for the successful Emergency Assistance Program for renters facing eviction due to COVID-19.
- Post pandemic, allocate 5% of annual building permit fees to the Municipal Housing Trust Fund. Based on the last ten years, this would dedicate roughly \$340,000 annually to the MHTF.
- Post pandemic, adopt the Community Impact Fee (3%) on short term rentals (not hotels). By state law, 35% of this fee must be spent on affordable housing and/or public infrastructure. Council should take a step further, as permissible by law, to make 100% of the Community Impact Fees apply to affordable housing.
- Adopt Accessory zoning ordinances to remove apartment restrictions (i.e.: in-law apartment limitations) to legalize currently illegal apartments within residences and bring them up to building and safety code requirements. This would give amnesty to current residential apartment owners who bring their properties up to code and expand the number of affordable apartments or rooms available to the general public.
- Require developers of large properties to analyze the impact of their projects on fair housing (whether a new housing development alleviates or adds to efforts to build racially and economically integrated neighborhoods) and require large scale developers to create plans which advance housing accessibility.
- Create a new voucher program that provides several years of vouchers for households with incomes below 60% of area median income (AMI), Note that the administration of the last voucher program was slowed as the Waltham Housing Authority (WHA) lost a skilled and knowledgeable employee to illness just after the lottery took place.
- Require affordable housing funded from the Municipal Housing Trust Fund to have permanent affordability restrictions. Any property funded with Community Preservation funds will have permanent restrictions. If funds come from Waltham's Municipal Housing Trust Fund, and those funds have not come from through the Community Preservation Committee, there is no legal requirement for a permanent restriction, but it is important that such restrictions be put in place for any units built with the Trust's funds.
- Support the conversion of the Armory and look at some of the historic buildings at Fernald to determine suitability for housing. Consideration of affordable housing at Fernald should be part of an overall community-based plan for the property. It would be helpful if Waltham would welcome housing investments at these sites by assisting the proponents in using the simplified processes of Chapter 40B.
- Look for opportunities to create new Senior Housing for local residents.
- Require landlords to provide tenant's rights information before evicting.

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## APPENDIX 1 – Affordable Housing Units in Waltham

### Waltham Housing Authority Leased Units

#### WALTHAM HOUSING AUTHORITY PUBLIC HOUSING UNITS AND RENTAL ASSISTANCE VOUCHERS

##### FEDERAL SUBSIDIZED HOUSING All Elderly/Disabled

Name	Address	#Units	Date	Code
School St.	231-237 School St	16	1966	13-1
Lower Pond	56-62 Pond St.	24	1966	13-1
Lawless Apts.	94-120 Pond St.	47	1967	13-2
Cedar St.	100 Cedar St.	22	1969	13-4
Dale St.	46-48 Dale St.	36	1971	13-6
Clark Apts.	48 Pine St.	120	1978	13-7
Total Federal Units		265		

##### STATE SUBSIDIZED UNITS Family Units

Name	Address	#Units	Date	Code
Prospect Terrace	Prospect Hill Road, Dermody, 140 (8-H) Hansen Rds	1949	200-1	
Chesterbrook Gardens	853-859 Lexington St Brookway Rd., Chester Lane Brookway Ct., 5 Brookway Rd.	100( 6-H) 1(H)	1951 1991	200-2 200/689
Dana Court	20-24 Lowell St., 7-13 Gardner St	32	1954	200-3
Bright St.	113-119 Bright St.	4	1982	705—2
Gorman's Ct.	20 Gorman's Ct.	4	1982	705-2

South St.	288-298 South St.	6	1988	705-2
New Grove	326-340 Grove St.	8	1991	705-3
Marguerite Ave.	35-45 Marguerite Ave.	2(H)	1995	
Total		297		

STATE SUBSIDIZED  
Elderly/Disabled

Name	Address	#Units	Date	Code
Carey Ct.	269-279 School St.	24	1956	667-1
Beaverbrook Apts.	298-324 Grove St.	60	1959	667-2
Myrtle St	75-85 Myrtle St.	24	1962	667-3
Whalen Apts.	82-86 Orange St.	32	1966	667-4
Winchester/Crane. Apartments	101 Prospect St.	59	1982	667-8
Congregate Housing	300 South St.	20	1988	667-9
Total:		219		

Developmentally Disabled Group Homes

Name	Address	#Units	Date	Code
Banks St	37 Banks St.	6	1977	667-7
Townsend St.	15 Townsend St.	8	1982	689-1
Hammond St.	146-148 Hammond St.	8	1987	689-2
South St.	284 South St.	6	1988	689-3
Total State Units		545		

FEDERAL SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

450 Vouchers for privately leased units.

STATE MRVP LEASING (effective 05-08-2008)

AHVP (Assisted Housing Voucher Program) 4 vouchers

DMH Group Homes- 23 vouchers

MRVP- 8 vouchers

## APPENDIX 2 - Affordable Housing Resources:

The following organizations develop and manage affordable rental housing in Waltham. They may have units available at this time or you may ask to add your name to a waiting list for units that become available in the future. Application procedures vary according to the organization that manages the specific affordable housing unit(s).

### Apartments for Rent:

- The Ridge is located at 55 Ridge Lane, Waltham, MA for leasing information call 781-996-4706 or [visit their website HERE](#)
- Currents on the Charles, 36 River Street, Waltham, MA call 1-877-813-0056 for leasing information or [visit their website HERE](#)
- The Watch Factory Lofts located at 185 Crescent Street, for leasing information call 1-888-560-8592. For more information [go to their website HERE](#)
- Citizens for Affordable Housing in Newton Development Organization, Inc. (CAN-DO) CAN-DO is a community-based non-profit developer of affordable housing for individuals and families with low and moderate incomes. Founded in 1994, CAN-DO has developed and currently manages a number of affordable housing units, which serve a diverse population. [Visit their website for more info](#)
- Waltham Housing Authority (WHA) The WHA owns numerous rental housing units within the City. Some are in larger developments and some are within scattered sites around the City. There are units for lower income families, seniors, and persons with disabilities. In addition, the WHA has rent subsidy programs. The wait list for most of these units is 3-5 years. [Visit their website for more info](#)

### Regional Resources

- Action for Boston Community Development  
Action for Boston Community Development is Boston's antipoverty agency, serving more than 100,000 low-income Greater Boston residents through its city-wide network of neighborhood-based organizations. ABCD provides innovative, timely programs that promote upward mobility and a higher quality of life for people and communities. ABCD also provides foreclosure prevention assistance for families and individuals in Newton. 617-348-6000  
[www.bostonabcd.org](http://www.bostonabcd.org)
- Boston Redevelopment Authority (BRA)  
The BRA is committed to creating affordable homeownership and rental opportunities in the City of Boston. The BRA aims to alleviate the impacts of market rate housing on the supply and costs of housing for low- and moderate-income households. Housing is made affordable to all incomes, ages, and households by reducing the rent or purchase price to below market values, thus reducing monthly rent and mortgage payments and requiring lower down payments.  
<http://ci.boston.ma.us/bra/affordhousing/AH.asp>
- Citizens Housing and Planning Association (CHAPA)  
CHAPA is the non-profit umbrella organization for affordable housing and community

development activities throughout Massachusetts. The CHAPA website lists many of the affordable housing lotteries throughout the state.

[www.chapa.org/?=lotteries](http://www.chapa.org/?=lotteries)

- Habitat for Humanity  
Habitat for Humanity Greater Boston is a Christian-based non-profit organization dedicated to building decent, affordable homes in partnership with very low-income families.  
<http://www.habitatboston.com>
- Massachusetts Affordable Housing Alliance  
The Massachusetts Affordable Housing Alliance, is a non-profit housing organization that offers services for first time homebuyers, such as home buying workshops, credit counseling, budget counseling, etc. It also has an online searchable database of all affordable home ownership opportunities in the state.  
[www.MassAffordableHomes.org](http://www.MassAffordableHomes.org).
- Massachusetts Department of Housing and Community Development (DHCD)  
The Department of Housing and Community Development supports the production of affordable rental housing, including units for persons with special needs, and the construction or rehabilitation of affordable homes and condominiums for purchase by income-eligible first-time homebuyers. [DHCD website](#)
- Mass Access The Mass Accessible Housing Registry helps people with disabilities find rental housing in Massachusetts, primarily accessible and barrier-free housing. The database tracks accessible and affordable apartments throughout the state and maintains information about their availability.  
Go to [Mass Access Website](#) and click on the region you are looking in to find accessible housing in your area.
- MassHousing  
is one of the leading providers of affordable housing resources in Massachusetts. The agency also partners with an extensive network of approved lenders to deliver its home mortgage programs to first-time home buyers. <https://www.masshousing.com/portal/server.pt/community/home/217>
- Massachusetts Housing Partnership (MHP)  
The Massachusetts Housing Partnership (MHP) is a statewide public non-profit affordable housing organization that works in concert with the Governor and the state Department of Housing and Community Development to help increase the supply of affordable housing in Massachusetts. The MHP is a quasi-public agency that provides permanent mortgages for low-to moderate-income first-time homebuyers. <http://www.mhp.net/one-mortgage/why-one>
- Metropolitan Housing Boston (MHB)  
MBHP's mission is to ensure that the region's low- and moderate-income individuals and families have choice and mobility in finding and retaining decent affordable housing. To achieve this mission, MBHP works collaboratively with a broad array of service providers and neighborhood-based organizations.  
MBHP also provides foreclosure prevention assistance to families and individuals in Newton.  
<http://www.metrohousingboston.org>

### **APPENDIX 3 - Committee Interviews and Presentations:**

***Presenter:***

**Christopher T. Norris – Executive Director, Metro Housing of Boston.**

Sept. 28, 2020

Mr. Norris presented his thoughts on the current housing crisis many are facing today in Massachusetts. Mr. Norris indicated that the State has recently doubled funding on many of the Housing programs in an attempt to meet the increasing demands stemming from the COVID-19 pandemic.

Mr. Norris mentioned that in less than three weeks, the current eviction moratorium is about to expire. He anticipates that between 20,000 and 60,000 eviction petitions will be filed if the moratorium is not extended. Mr. Norris spoke about rental assistance programs, and emergency assistance programs that are currently being utilized by many families. Mr. Norris spoke about the States RAFT program. This program usually requires \$3 million to support all the housing needs. This year the program has already spent \$6 million to date.

Committee member Diana Young asked about permanent housing solutions, and the section eight program. Mr. Norris said local public housing facilities are currently serving the majority of the low-income housing needs. Mr. Norris said the Federal section eight program also provides assistance.

Chairman Stanley asked about the RAFT program specifically for Waltham residents. Mr. Norris said last year this program served 35 Waltham families. Mr. Norris said this year over 153 families have requested assistance. Mr. Norris noted that the RAFT program was originally set up as a short term “stop gap” program. It was never intended to solve the housing issues of today. Chairman Stanley asked if many communities were using their CPC program to assist with the housing shortage. Mr. Norris said he wasn’t very familiar with CPC program throughout the State.

Committee member Diana Young asked which communities Waltham could learn from. Mr. Norris said he would look at what Boston, Cambridge, and Somerville are doing.

***Presenter:***

**Eric Shupin – Waltham Director of Public Policy, Citizens Housing & Planning Association.**

Oct 13, 2020

Mr. Shupin presented his thoughts on the current housing crisis many are facing today in Massachusetts. Mr. Shupin shared with the committee a slide show presentation. The presentation consisted of the following topics;

- Discussion about what is CHAPA – Citizens Housing and Planning Association. Mr. Shupin gave a brief overview of what CHAPA does.
- The COVID-19 Housing Crisis; 45,000 households having trouble covering their rent. Estimated that an additional 40 million dollars is needed to help households pay rent due to the COVID impact.

- An estimated 60,000 families face eviction for being behind on their rent.
- Emergency Rental Assistance Program – 3 programs.  
RAFT – State program, income eligibility <50% AMI, \$10,000 max benefit.
- ERMA – State program, <50-80% AMI, \$4,000 max benefit.  
Waltham Emergency Program, <100% AMI, \$5,400 max benefit.

Mr. Shupin also discussed with the committee the Governor’s proposed eviction diversion initiative. Chairman Stanley noted that Mr. Shupin’s slide show presentation will be on the City’s Housing committee website for all to view.

Committee member Diana Young asked if someone could use more than one program. Mr. Shupin said that due to COVID the answer is yes. Ms. Young also asked about undocumented people. Mr. Shupin said the programs do not ask for a social security number. Mr. Waters explained Waltham’s current rental assistance program.

***Presenter:***

**Michael Kennealy – Secretary of MA Executive Office of Housing & Economic Development.**

Oct 26,2020

Secretary Kennealy praised the efforts Waltham has been making to address the housing issue. He cited special recognition of Waltham’s Emergency Housing Assistance Report which was prepared by Robert Waters, Waltham Housing Supervisor.

Secretary Kennealy presented his thoughts on the current housing crisis many are facing today in Massachusetts. Secretary Kennealy shared with the committee a slide show presentation titled “Partnership for Growth.”

*Partnership for Growth Pillars:* 1. Respond to the housing crisis. 2. Build vibrant communities.3. Support business competitiveness. 4. Train a skilled workforce.

Secretary Kennealy shared the five economic development plan principles. 1. Equitable Opportunities. 2. Environment, 3. Regional Strategies, 4. Accessible Government, 5. Infrastructure.

Chairman Stanley asked if the Governor’s \$100 million eviction division program was going to be enough to support all the needs. Secretary Kennealy said he hopes it will be enough but his office will continue to monitor, and are prepared to asked for more assistance if needed.

Member Daria Gere applauded the new the 211 program. Ms. Gere asked about the RAFT process and how the court mediation program was going to work. Secretary Kennealy said they are trying to add more resources to assist with both programs.

Member Diana Young asked about gateway cities and workforce housing. Councillor Jonathan Paz asked if there were any efforts underway to stabilize rent increases. Secretary Kennealy said the

strategy is to create more affordable housing. Councillor Paz said the State is not doing enough to stop mass evictions. Secretary Kennealy said funding was added as part of this bill to assist individuals with eviction mediation.



**APPENDIX 4 – CPC investments in Waltham Affordable Housing and Other Potential Uses of CPC Housing funds.**

CPA Housing Projects

Waltham Projects - The following is a list of the CPA housing projects that have been approved to date:

<u>Project Description</u>	<u>Year</u>	<u>Amount</u>
Housing Authority 101 Prospect roof replacement*	2012	\$ 849,000
The Leland Home roof replacement*	2013	\$ 27,000
Rental Voucher program run by WHA	2015	\$ 2,001,500
The Leland Home Voucher program	2018	\$ 800,000
WHA design & engineering for two roof projects	2018	\$ 100,000
WHA roof replacement at Beaverbrook Apartments	2019	\$ 910,800
WHA roof replacement at Prospect Terrace	2019	\$ 517,500
Feasibility study - converting the Armory to housing	2019	\$ 30,000
Emergency Housing Assistance	2020	\$ 1,000,000
<b>TOTAL</b>		<b>\$ 6,235,800</b>
*Note that these were classified as historic preservation projects.		

It is important to note that Waltham’s projects have preserved existing housing and without that preservation, some affordable units would have been lost. Other projects have helped some low-income residents afford their rent. Despite a desire to do so, CPA funds have yet to produce any permanent affordable housing. Proposals have been made but were unable to pass legal hurdles.

Here are some of the ways other communities have used CPA funds to create affordable housing:

- Using CPA funds to “purchase” restrictions on affordable units that had restrictions that were lapsing. This allowed time-limited affordable housing restrictions to become permanent. Query whether the Ridge, the Mill Apartments or affordable units that were part of special permit approvals have restrictions that are less than permanent? Paying to extend restrictions from temporary to permanent was done in places like Amhurst and Stow.
- Creating partnerships with Community Development Corporations (CDCs) to add CPA funds to other CDC acquired funds to build affordable units. Northborough provided \$700,000 in CPA funds and leased the land to the CDC that built 4 unit of housing. This type of arrangement would require that the units have permanent affordable housing restrictions.
- The Town of Goshen used a CPA grant, an MHP grant and some favorable town rules through 40B to produce 10 units of affordable housing. MHP is the Massachusetts Housing Partnership and is a non-profit that works closely with the Governor and the Department of Community Development (DHCD).

- Many communities have used CPA funds to partner with Habitat for Humanity to build affordable housing. Much of the work is done by volunteers and prospective owners.
- Williamstown converted an old mill to both affordable and market-rate units. The project used CPA funds, Massachusetts affordable housing tax credits, and federal historic preservation tax credits. Note that the CPA funds and the Housing credits were only available for the affordable units, but the historic credits were available for the market-rate units, as well.

These examples are but a few of the ways communities are using CPA funds to create affordable housing. Note that there are a number of other housing projects described on the Community Preservation Coalition website. <https://www.communitypreservation.org/success-stories/home>. The Coalition is a non-profit support organization for all 176 cities and towns that have adopted the Community Preservation Act. It is a treasure trove of information and support for ideas.

## APPENDIX 5 – Inclusionary Zoning in Neighboring Communities

Inclusionary Zoning Rules - Various Communities				
Communities	Percent Set Aside - 2014	Percent Set Aside - 2020	Applicable to how many units?	Additional information
Arlington	15%	15%	6 or more units	Rents can not exceed 30% of income of 60% of median income (AMI). Costs of ownership units cannot exceed 30% of income of 70% AMI.
Belmont	10% - 15%	10% -15%	10% for 1-12 Units/ 12% for 13-40 Units/ 15% for 41+ Units	Special rules for Oakley Smart Growth overlay district: 20% of owner occupied units and 25% of rental units must be affordable. Any projects for the elderly or disabled must be 25% affordable. Affordable units must have restrictions of at least 30 years
Boston	13% if onsite units/ 15% is offsite units	13% if onsite units/ 15% is offsite units	10 or more units on units owned or financed by the City or needing zonign relief.	Payment allowed as a substitute for units. Affordability definition varies by zone or district from 70% of AMI to 100% of AMI.
Brookline	15% (must include 15% of all bedrooms)	15% (must include 15% of all bedrooms)	6 or more units	Payment allowed as a substitute for units. Can place affordabe units offsite.
Cambridge	15%	20%	All projects are covered.	The percentage applies to the area of the units, not the number of units. Payment allowed as a substitute for affordable housing square footage.
Lexington	10%	10%		Lexington's housing stock is 11.1% affordable.
Newton	15%	15%	Any development requiring a special permit.	Payment allowed as a substitute for units. Units can be offsite in special circumstances. Considering a new approach to income levels for affordable units.
Somerville	12.50%	17.5% - 20%	6-7 Units - one unit 8-17 Units - 17.7% 18+ Units - 20%	Rents can be at 50 - 110% of AMI, depending on zone. Ownershio is a 80 - 140% of AMI.
Waltham	5% if given to WHA control, or 10%	15%	8 or more units	1/3 of affordable units (5% points) must be for households with incomes below 50% of AMI. The rest can be up to 80% if AMI. Payment in lieu of units is allowed.
Watertown	12.50%	12.5% - 15%	6 -19 units - 12.5% 20+ units - 20%	For 20 or more units - 5% points of the 20% is at 65% AMI or less, the rest is limited to 80% of AMI.Payment in lieu of units is allowed for 6-10 unit developments.

## **APPENDIX 6 – WATCH History**

### **WATCH's History in relation to Affordable Housing and Tenant Advocacy**

1988

- WATCH assists in delaying the mass eviction and then helps to relocate 235 evicted tenants at Golden Maple Lodge.
- WATCH researches local banks to see if they are giving loans to residents in low- and moderate-income neighborhoods as required by the Community Reinvestment Act (CRA) and enlists the FDIC to order Sterling bank to comply with the Act.

1991

- WATCH advocates for the City Council to pass the Inclusionary Zoning Ordinance to require developments meeting certain criteria to include affordable units or contribute a fee to the City's Affordable Housing Trust Fund.

1992

- WATCH highlights affordable housing needs in Waltham with the South Waltham initiative. Works with Tenants United for Fair Housing to pressure Federal Savings Bank to fix up distressed properties.

1993

- WATCH fights to get affordable housing added to the plans to develop the former Met State Hospital.
- WATCH develops its first affordable housing project at 18 Myrtle Street.

1995

- WATCH launches its Waltham Involves Neighbors/ Waltham Improves Neighborhoods initiative which would result, over the next four years, in five properties being renovated to create eleven more units of affordable housing. With these projects, WATCH mobilizes over \$5.2 million in investment in Waltham neighborhoods.
- WATCH organizes citizen demands around Cronin's Landing development.

1997

- WATCH supports creation of the Housing Department in City Hall.
- WATCH organizes tenants at 144 Moody Street to form a tenants' association to negotiate new leases, moderate rent increases, and ensure building repairs.

1998

- WATCH organizes residents at Northgate Heights to mitigate rent increase and provide a moving allowance for tenants facing a \$350/month rent increase.

1999 -2000

- WATCH succeeds in securing the addition of a line item for affordable housing in the City budget.
- WATCH wins improvements to strengthen Waltham's Inclusionary Zoning Ordinance.
- WATCH renovates and sells a three-bedroom home at 52-54 Charles Street and builds three two-family homes in an abandoned lot across the street. All are sold to low-income families.

2001-2003

- WATCH organizes residents of Charles/Fenton Neighborhoods to address safety concerns.

- WATCH organizes tenants at Gardencrest Apartments to form a tenant organization that reaches an agreement with owners to cap rent increases at no more than 5% for four years.

2004-2005

- WATCH buys the Young Building on the corner of Moody and Maple Streets, space for three offices and seven affordable housing units.
- WATCH develops four homes in Belmont; three are affordable to low-income first-time home buyers.
- With partners Waltham Land Trust and the League of Women Voters, WATCH forms the Fernald Working Group to involve the community in advancing a smart growth reuse plan for the Fernald State School site.
- WATCH partners with Waltham Land Trust to win passage of the Community Preservation Act.

2006

- WATCH's Affordable Housing Committee focuses efforts to turn surplus school buildings into affordable housing, especially the Banks School.

2007

- WATCH organizes tenants at Prospect Hill Terrace to successfully advocate for the Housing Authority to convert two vacant apartments into a community center. WATCH helps form tenant associations at Prospect Hill Terrace and Chesterbrook Gardens.
- WATCH forms the Housing Clinic to provide free one-on-one assistance at a twice-weekly walk-in clinic. Tenants get help applying for food stamps, public housing, and affordable housing lotteries; learn their rights in an eviction; and receive referrals for legal support.

2008

- WATCH organizes public housing tenants to obtain agreement with the Mayor to appoint an active tenant to the Housing Authority Board.

2010

- With the depressed housing market, the WATCH Board of Directors makes a strategic decision to move from developing housing to organizing for affordable housing. WATCH develops the "Community Housing Principles of Affordable Housing," as a guiding document.
- WATCH organizes Waltham voters to vote against a state-wide ballot measure that would eliminate the Massachusetts Affordable Housing Law.
- Along with Watertown Community Housing, Belmont Housing Trust, and Lexington Housing Partnership, WATCH forms Metro West Collaborative Development (MWCD) to create affordable housing in the region, in collaboration with the community and local CDCs.

2011

- WATCH's organizing at Whelan Public Housing Development results in a vote for a new tenants' association, allowing tenants to have a formal voice in the Waltham Housing Authority.

2014

- WATCH introduces a \$3 million proposal for a local rental voucher program to the Waltham Community Preservation Committee.

2016

- WATCH wins passage of a \$2 million local rental voucher program, administered by the Waltham Housing Authority.

2017

- WATCH hires a Housing Clinic Coordinator and expands to assist 500 low-income households a year with resources, help with applications, referrals, and advocacy.
- WATCH begins a three-year contract with the Waltham Housing Authority to support lease compliance and financial independency goals for local voucher recipients.

2018

- Waltham Public Schools initiates an annual contract with WATCH to support at-risk and homeless students and their families.
- WATCH submits a proposal to the CPC for a landlord incentive bill (keeping rents affordable), which is studied by a subcommittee and tabled for the time being.

2019

- WATCH advocates for the successful passage of an increase in the Inclusionary Zoning Law from 10% to 15%, with the additional 5% serving residents at 50% Area Median Income.
- WATCH receives approval of a CPC proposal to spend \$30,000 on a feasibility study to determine if the vacant Waltham Armory is a suitable site for affordable housing.
- Affordable Housing Development
- WATCH has developed 34 units of affordable housing, with 20 to 40 year deed restrictions, through the federal HOME program.
- Examples of WATCH projects proposed in the past that did not move forward due to lack of municipal support:
- WATCH worked hand-in-hand with the City Council to move an RFP forward to develop the Banks School for affordable housing. When WATCH was the sole bidder interested in responding to the RFP, WATCH's bid was rejected and the city proceeded to develop the property itself.
- WATCH attempted to buy the privately owned Gardencrest development when it came up for sale. WATCH was the high bidder but was rejected by the owners. The new corporate owners began a process of upgrading the apartments and pricing out the low-income residents.
- WATCH proposed to develop the Waltham Armory as affordable housing and was opposed by the Veterans' community that wanted a memorial or museum there. The property was sold under the DCAMM fast-track auction policy to a developer who has left it vacant for some 15 years.
- WATCH proposed a 34-unit project at 462 Main Street. After initial concern by neighbors and a protracted campaign, WATCH won over community residents. The City of Waltham did not sign off on WATCH's DHCD funding request.

## **APPENDIX 7 - Waltham Emergency Tenant Assistance Fund Report**



ROBERT J. WATERS JR.  
HOUSING SUPERVISOR

CITY OF WALTHAM  
HOUSING DEPARTMENT

25 LEXINGTON STREET, FLOOR 2A  
WALTHAM, MASSACHUSETTS 02452  
Phone 781-314-3380  
Fax 781-314-3385

September 14, 2020

Ms. CathyAnn Harris, Chair  
Economic and Community Development Committee  
Waltham City Council  
610 Main Street  
Waltham, MA 02452

Dear Councillor Harris;

Pursuant to the Committee's request I am herewith providing the Committee with a report on the funds provided by the City for the Waltham Emergency Tenant Assistance Fund.

The initial funding for the program was approved by the City Council and signed by the Mayor on March 23, 2020. (Council Order # 34771)

The program opened on March 25<sup>th</sup>.

263 paper applications were submitted via mail or by email  
197 Households were assisted with a one month rent payment  
Rent payments varied from \$800.00 up to \$2200.00. The average rent was \$1700.00.

91 applications were not funded due to the following:  
Not Waltham residents  
Applications submitted after the deadline  
Did not provide complete applications

Every household that applied was contacted by the Housing Department beginning on March 25, 2020. Housing Office staff worked on site at 25 Lexington Street during the day, at home at night and on weekends. Every applicant was either called, emailed or sent US mail to assist residents with providing complete information so they could be assisted. Spanish speaking applicants were contact by staff and were assisted by phone, email and US Mail in Spanish.

First payments went out on April 17 and continued through May 15 as applicants were provided additional time to completed their applications.

Due to overwhelming demand an additional funding requested and was approved for the program



(Council order 34795). The intention was to use these funds as a bridge to the pending CPC funds.

The initial funding from the CPC to the Emergency Rental Assistance Program was approved by the City Council and signed by the Mayor on April 14, 2020. (Council Order # 34786)

The Program re-opened on May 10th and closed on May 25<sup>th</sup>.

During this open application period 314 applications were received via the online application, paper application by email or US mail.

246 Household were assisted with rent payments for up to three months' of rent based on bedroom size. A one bedroom was \$1200 per month (maximum payment of \$3,600), a 2 bedroom was \$1500 per month (maximum payment was \$4,500) and a three bedroom was \$1800 per month (maximum payment was \$5,400).

Applicants who received funding in the first round were only eligible for two months of CPC assistance.

The average payments were for \$4,500.00

The first payments were made on June 5 and payments continued until Jun 29<sup>th</sup> directly to landlords.

Housing staff worked diligently to contact applicants so they could provide the information we needed to process a payment to their landlords. The Housing Department and the Mayor worked continuously through the COVID shutdown to assist as many eligible households as we could.

In total 443 applications were processed for rent payments.

Household Race and ethnicity:

391 White households  
239 of the White households identified as Hispanic  
6 Asian households  
32 Black/African American households  
14 households did not identify

Household Income:

127 households reported 0 income due to Covid  
129 households reported income between 50% of AMI and 80% of AMI  
185 households reported income below 50% of AMI  
2 Households reported income between 80-100% of AMI  
(111 of assisted households reported they collect unemployment benefits)

Housing staff provided information to every applicant about additional resources they could apply for and or seek out RAFT funding and Mass.gov mortgage assistance resources, Healthy Waltham and Food Pantries in the area.

The CPC funding allocation required that \$200,000.00 be set-aside to assist applicants at or below 50% of AMI.

**Seventy (70) percent of eligible applicants to the Emergency Rental Assistance Program were at or below 50% of the Area Median Income (AMI).**

Lastly, during this period the Housing Office worked in cooperation with Mass Housing, DHCD, and the Community Preservation Coalition to design a program that was consistent with CPC and State guidelines. **The Waltham Emergency Assistance Program and has become a model for the State.** DHCD refers many other communities in the Commonwealth to the Waltham Housing Office for assistance and guidance in implementing their own programs.

I am extremely proud of the Work the Housing Staff has completed during this difficult period for the Citizens of Waltham in need.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Waters, Jr.", written in a cursive style.

Robert J. Waters, Jr.  
Housing Supervisor

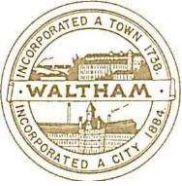
## **COMMONWEALTH OF MASSACHUSETTS: FY2021/HOUSING**

The FY21 House budget builds on our annual commitment to providing quality housing for all citizens of the Commonwealth at a time where these investments are critically important.

- \$135 million for the **Massachusetts Rental Voucher Program (MRVP)**, which works to maintain stability for families and individuals who are at risk of being homeless.
  
- \$80 million for the **public housing operating subsidy**
  - This subsidy supports more than 50,000 state public housing units. LHAs have done a wonderful job keeping their residents healthy with increased cleaning and safety protocols during this pandemic.
  
- \$50 million for **Residential Assistance for Families in Transition (RAFT)**, which provides families and individuals with temporary assistance to obtain or retain housing.
  - This program is the core component of the Administration's Eviction Diversion Initiative.
  
- \$4.1 million for **Housing Consumer Education Centers**
  - Nine member agencies statewide offer housing assistance, services, and information to low and moderate income residents. These centers are on the front lines of this pandemic, connecting residents with rental assistance and services they need to stay securely housed.
  
- \$3.89 million for the **Home and Healthy For Good Program**, which places chronically homeless individuals into permanent housing with supportive services.
  
- \$8.1 million for **Alternative Housing Voucher Program**, which provides rental assistance vouchers to non-elderly residents with disabilities.
  
- \$1.5 million for **Tenancy Preservation Program (TPP)**, which acts as a neutral third party between a landlord and tenants facing eviction and helps preserve tenancies at the housing court

## APPENDIX 8 – The Mayor’s Fernald Master Plan

**FERNALD SCHOOL PROPERTY REUSE MASTER PLAN**



City of Waltham  
Jeannette A. McCarthy  
Mayor  
November 22, 2017

RECORDED  
2017 NOV 22 A 10: 01  
CITY OF WALTHAM  
CITY CLERK'S OFFICE

TO: Waltham City Council

RE: Recommended Master Plan for Fernald Property (190 acres)

Dear Councillors:

The Fernald Reuse Committee, the City Council's Fernald Use Committee and the Mayor held numerous neighborhood and public meetings on Fernald, including several site views.

During the 1-1/2 years of Fernald Reuse Committee meetings, the Commonwealth hired a real estate firm (Jones Lang LaSalle) and a planning firm (Sasaki Associates) to look at the whole site and develop a plan. Various maps were developed with proposed uses for the site.

A full Feasibility Study was performed by the School Department's architect and its subcontractors on the 50 acre non-CPA portion of the site.

The Recreation Board and its current and former Recreation Directors held public meetings on potential open space and recreation uses/activities on Fernald.

Neighbors, citizens and groups have made numerous suggestions for reuse of the site.

Years ago, the City Council had a veterans group come into the City Council and do a

presentation for veterans housing at Fernald. The City Council also suggested moving the City's Consolidated Public Works Department to Fernald and building a new municipal cemetery on the Fernald site.

The City Council made no decisions on the School Committee's requests for 50 acres; 75 usable acres; or the whole property; or on the Mayor's recommendation for 25 CPA acres and 25 non-CPA acres for school use.

On numerous occasions, I have asked the City Council to decide what uses they would like to see at Fernald and where they would like them on the site.

In July 2017, the City Council made two decisions regarding Fernald: restoration of the wetland, and establishment of the Western Greenway through the property.

The City Council approved the Mayor's funding requests for asbestos abatement and demolition of 20 non-contributing buildings. City Departments have installed guard rails along the front of the property and down Cherry Lane, the main entrance on Trapelo Road.

Jersey barriers were also installed. Yet, the break-ins continue, even with police presence.

Over the years, the City's Planning Department and IT Department prepared various site maps, including topography, wetlands areas, buildings, year built, etc. Enclosed is a Site Map depicting 5 parcels - 1, 2A, 2B, 3A and 3B.

#### PARCEL 1

Pursuant to Massachusetts General Laws Chapter 40, Section 15A, I respectfully request: The City Council transfer the care, custody and control of Parcel 1 to the City's Recreation Department for open space and recreation.

The City Council transfer the care, custody and control of the Cardinal Cottage, Baldwin Cottage and Trapelo Cottage to the Housing Division of the City's Planning Department for affordable housing.

The City Council transfer the care, custody and control of the Chapel to the City's Cemetery Commission and CPW Department for use in conjunction with a cemetery.

The City Council transfer the care, custody and control of the Marquadt Building to the City's Veterans Services Department for affordable housing for veterans.

The City Council transfer the care, custody and control of Howe Hall, the Administration Building and Hillside Building to the City's Recreation Department for community uses.

#### MISCELLANEOUS

I respectfully request the City Council support the demolition of the Greene, Shriver and Kelly Hall buildings.

I respectfully request that the City Council support the creation of a museum on Parcel 1, as Fernald is the oldest institution for the developmentally disabled in the Western Hemisphere.

Please enact zoning to allow for the use of the above said buildings for the purposes indicated.

#### PARCELS 2A and 2B

I respectfully request that the City Council support Requests for Information (RFIs) for Parcel 2A and 2B to see if there is any interest from the public in reuse of existing buildings and land.

#### PARCEL 3A

Pursuant to Massachusetts General Laws Chapter 40, Section 15A, I respectfully request: The City Council transfer the care, custody and control of the West Building to the Waltham Historical Commission.

I respectfully request that the City Council support Requests for Information (RFIs) for Parcel 3A to see if there is any interest from the public in reuse of the existing buildings and land.

A Feasibility Study of this parcel was done by the School Department's architects and its contract vendors.

#### PARCEL 3B

Pursuant to Massachusetts General Laws Chapter 40, Section 15A, I respectfully request: The City Council transfer the care, custody and control of Parcel 3B to the City's Consolidated Public Works Department and Cemetery Commission for public works and ~~emete~~uses.

I respectfully request the City Council transfer shared care, custody and control of Howe Library to the City's Historical Commission and Library Trustees.

A Feasibility Study of this parcel was done by the School Department's architects and its contract vendors.

Please enact zoning to allow for the use of the above said building and land for the purposes indicated.

Each Department can then proceed with the customary procurement processes to complete the above projects.

As each area is completed, citizens will be able to enjoy the land and buildings.

The various City Departments are available to answer any questions you may have.

Sincerely,  
Jeannette A. McCarthy

## Pertinent Internet Links

### **2020 Housing Committee Meeting Minutes | Waltham MA**

<https://www.city.waltham.ma.us/node/107426/minutes/2020>

### **Fernald Property Master Plan**

<https://www.city.waltham.ma.us/sites/g/files/vyh1if1386/f/uploads/ferald.pdf>

### **Affordable Housing Resources**

<https://www.city.waltham.ma.us/housing-department/pages/affordable-housing-resources>

### **Actions taken on Affordable Housing by City**

[https://www.city.waltham.ma.us/sites/g/files/vyh1if1386/f/uploads/actions\\_taken\\_by\\_city\\_to\\_address\\_affordable\\_housing.pdf](https://www.city.waltham.ma.us/sites/g/files/vyh1if1386/f/uploads/actions_taken_by_city_to_address_affordable_housing.pdf)

### **Boston Globe Editorial: Boston is setting an example on fair housing. Will other communities follow?**

The City of Boston has taken steps to reverse patterns of housing discrimination, but its initiatives won't be enough without regional support.

It's an old story, but no less infuriating than ever: Greater Boston doesn't have enough affordable housing, and most of the communities in the region have made the problem worse through restrictive zoning and persistent NIMBYism. The biggest exception has been the City of Boston itself, which boasts a greater share of subsidized, affordable housing than nearly any large US city. Now the city is taking another step that ought to pressure, or maybe even shame, its laggard neighbors into action.

Last week, the Boston City Council passed a new housing rule, formally approved by the Boston Planning and Development Agency on Thursday, that will require developers of large properties in the city to analyze the impact of their projects on fair housing — that is, whether a new apartment building or condo complex will help or hinder efforts to build racially and economically integrated neighborhoods — and make plans to ensure that their developments advance housing accessibility. If the city's whiter, wealthier suburbs can't follow suit, you have to wonder — what are they afraid of?



Boston's new measure is known as Affirmatively Furthering Fair Housing, or AFFH, and is based on an Obama-era federal rule that sought to strengthen the 1968 Fair Housing Act by requiring jurisdictions to assess their patterns of segregation and housing discrimination and offer solutions to address them. The Trump administration initially delayed implementing the rule, and eventually repealed it when the president used it as part of his fear-mongering reelection campaign, baselessly claiming — with blaring dog whistles — that it would “destroy” the suburbs.

But Boston has carried on with its task to affirmatively further fair housing and officially adopted the Obama administration's rule into its zoning code, even though it's no longer federally required. Now, large-scale developers in the city will be required to assess the impact their projects will have on housing discrimination and displacement, much as they do for traffic or the environment, and, crucially, offer solutions to minimize harm and advance fair housing.

Surrounding municipalities and the Legislature should take note. Boston shouldn't be the only place people in need of housing assistance can turn to. If apartment developers in Boston can be held to fair housing expectations, so can builders of large-lot suburban McMansions. In fact, without a broader AFFH framework that is applicable to the entire region, Boston's new requirements are likely to fail, and not because the city's new rule doesn't go far enough, but because demand for subsidized housing is just that high.

Building more affordable housing in the areas around the city would effectively act as a pressure relief valve, easing the demand in Boston while fulfilling the goals of the Fair Housing Act by desegregating the region. If communities don't step up on their own, Beacon Hill could pass its own version of the Obama-era AFFH rule and require that other jurisdictions do what Boston is now doing: Assess their patterns of housing discrimination and come up with tangible plans to reverse them. Though the incoming Biden administration is likely to reinstate the rule at the federal level, a state-focused approach would be insulated from the next political gyration in Washington.

There are also other measures the Legislature can take to support the City of Boston in its effort to advance fair housing standards. Because Massachusetts' home rule law limits local governments' power over their own affairs, especially when it comes to taxation, Boston has been constrained in finding ways to increase its affordable housing funds. For instance, the city submitted a home rule petition over a year ago asking Beacon Hill to grant it the ability to adjust its linkage formula — which is used to determine the fees large-scale developers have

to pay into a fund for affordable housing and job training — but the legislation has yet to pass. On issues like this one, what, exactly, are legislators waiting for?

Segregation in America never came to an end, and in some places it even got worse. Now, the pandemic has hit communities of color particularly hard, putting them at risk of facing even more housing discrimination. But the coronavirus, and the housing crisis it has fueled, has also provided the country with an opportunity to reimagine its zoning codes and fair housing standards. Boston has started to seize that opportunity, and it's now time for the state to follow suit.

*Editorials represent the views of the Boston Globe Editorial Board. Follow us on Twitter at @GlobeOpinion.*

[https://edition.pagesuite.com/popovers/dynamic\\_article\\_popover.aspx?artguid=46a79070-87b6-4877-b82e-58b6c2a9733e&appid=1165](https://edition.pagesuite.com/popovers/dynamic_article_popover.aspx?artguid=46a79070-87b6-4877-b82e-58b6c2a9733e&appid=1165)

September 29, 2020

The Honorable Theodore C. Speliotis, Chair  
House Committee on Bills in the Third Reading  
Massachusetts House of Representatives  
State House Room 20  
Boston, MA 02133

Dear Chair Speliotis,

Hope this note finds you well. I write today to urge favorable action on House Bill 2645, *An Act relative to property tax exemptions for rental properties in the town of Lincoln deed restricted as affordable housing*. H.2645 received a favorable from the Joint Committee on Revenue on the Joint Rule 10 deadline and was referred to the House Committee on Bills in the Third Reading on September 14, 2020. The bill represents an innovative effort made by the Town of Lincoln to diversify their housing stock and increase the number of high-quality, affordable housing units in the community.

Accessory units, also known as accessory apartments, guest apartments, in-law apartments, family apartments or secondary units, provide supplementary housing that can be integrated into existing single-family neighborhoods to provide a lower-priced housing alternative with practically zero negative impact on the character of the neighborhood. They not only improve the affordability of housing for both homeowners and renters at all stages of their lives, but they also help maximize the use of existing public infrastructure and services and reduce development pressure on open space and farmlands. Maintaining or increasing the number of people per household unit as well as the number of households per lot in existing residential areas reduces the costs for municipalities to extend utilities and services. Municipalities also gain additional tax revenue from accessory apartments as a result of improvements to the existing stock in addition to saving money via enhancements made to moderately priced housing stock that do not require local funding.

The Town of Lincoln maintains a diverse housing program, providing rental and ownership opportunities in a variety of settings and locations throughout the community. Even though Lincoln currently exceeds the 10% threshold under Chapter 40B, local officials are actively working to ensure that the Town exceeds this position when the 2020 census is confirmed. Moreover, Lincoln possesses most of the conditions needed to create high-quality, successful accessory units: available housing stock, preservation goals, aging demographics, entry-level job growth, supportive neighborhoods, and supportive local public policies. The Town's Housing Commission recognized these factors and proposed the affordable accessory apartment zoning bylaw which was overwhelmingly approved by the Lincoln voters at the March 25<sup>th</sup>, 2017 Town Meeting. Coupled with Lincoln's property tax exemption, the accessory apartment zoning bylaw is intended to incentivize owners of accessory apartments to rent their apartments in a manner that would satisfy the Department of Housing and Community Development's (DHCD) criteria for including of these units within the Town's subsidized housing inventory.

Last session, the Joint Committee on Revenue amended this legislation by adding a sunset clause, requiring the legislature to review the Town's program every three years. The Lincoln Housing Commission opposed this amendment and would like for the House and Senate to pass H.2645 without substantive changes this session. The Revenue Committee thankfully honored this request on the Joint Rule 10 deadline. I now respectfully ask that you consider releasing H.2645 with a favorable recommendation so that it may continue along the legislative process.

As always, thank you very much for your time and attention on this matter. Please feel free to contact my office with any concerns you may have.

Sincerely,



Thomas M. Stanley  
9<sup>th</sup> Middlesex

**HOUSE . . . . . No. 2645**

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**The Commonwealth of Massachusetts**

\_\_\_\_\_

PRESENTED BY:

***Thomas M. Stanley***

\_\_\_\_\_

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to property tax exemptions for rental properties in the town of Lincoln deed restricted as affordable housing.

\_\_\_\_\_

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>

**HOUSE . . . . . No. 2645**

---

By Mr. Stanley of Waltham, a petition (accompanied by bill, House, No. 2645) of Thomas M. Stanley and Michael J. Barrett (by vote of the town) that the town of Lincoln be authorized to establish property tax exemptions for certain affordable accessory apartments. Revenue. [Local Approval Received.]

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3693 OF 2017-2018.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
—————

An Act relative to property tax exemptions for rental properties in the town of Lincoln deed restricted as affordable housing.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           WHEREAS, the Town desires to increase the number of rental housing units in Lincoln  
2 that are affordable;

3           THEREFORE, the Town's representatives in the General Court are instructed to file a  
4 home rule petition for a special act entitled, "An Act Relative to Property Tax Exemptions for  
5 Rental Properties in the Town of Lincoln Deed Restricted as Affordable Housing" to read as  
6 follows:

7           SECTION 1. Notwithstanding the provisions of any general or special law to the  
8 contrary, upon the approval by the Attorney General of the Town of Lincoln's Affordable

9 Accessory Apartment Bylaw, the proportional value of affordable accessory dwelling units  
10 created under said by-law that are subject to an affordable housing deed restriction shall be  
11 exempt from taxation under Chapter 59 of the General Laws.

12 SECTION 2. Such exemption shall be equal to the tax otherwise owed on the property  
13 based on the assessed value of the entire property, including any accessory dwelling units  
14 multiplied by the square feet of the living space of all accessory dwelling units on the property  
15 that are restricted to occupancy by low or moderate income households, divided by the total  
16 square feet of all structures on the property. For purposes of determining the assessed value of  
17 the entire property, if by income approach to value, such assessment shall assume that all  
18 housing units are rented at fair market value.

19 SECTION 3. The date of determination as the qualifying factors required by this act shall  
20 be September first of each year.

21 SECTION 4. This act shall take effect upon its passage.