

Town of Sudbury

Sudbury Housing Trust

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387

<http://www.sudbury.ma.us>
Housing@town.sudbury.ma.us

Sudbury Housing Trust

Agenda

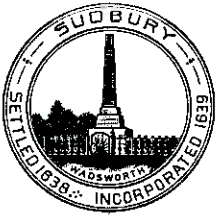
December 5, 2008, 8:00 AM

Silva Conference Room

Flynn Building, 278 Old Sudbury Rd

Announcements

1. Topic: Meetings, Agenda, Minutes
 - a. VOTE: Approve Regular Minutes of 10/24/08
2. Finances, Funding and Grants
 - a. VOTE: Ratify Oct financial transactions as presented
 - b. VOTE: Fund Legal Services provided by Town at \$200/month starting now
 - c. Discuss/Sig: Town Meeting Plans:
 - CPC Proposal for 10% (\$238k)
 - CPC Proposal for \$400,000 for two buy-downs
 - Transfer of two Town-owned parcels – Review feasibility, vote to proceed or not
 - SIGN: Annual Report
 - Accessory Apartment bylaw revisions
3. Legislation and Trust
 - a. Housing Production Plan – should we do one?
 - b. Housing Specialist – review hours/percentage by activity (request from last summer)
4. Active Projects
 - a. FYI, no discussion: Dutton Rd – Four families (of 21) qualified for the lottery on 12/11
 - b. Maynard Rd – Demo complete, review architect concepts drawings, formulate RFP plan.
 - c. Home Preservation – Lottery update
 - d. FYI, no discussion: 40B Project updates
 - Snowberry – Final cost certification reports received, CPA to review
 - Old County Rd – Buy-down closing, \$100k of HOME\$. SHA uncommitted to next unit.
 - Village on rt20 – No update
 - Commons – Owner looking at commercial and other options.
5. Outreach, other, reference
 - a. Offsite holiday gathering 12/19 – can you come?
 - b. Affordable housing tour 12/19 – 9:30 Flynn Parking lot
 - c. 10 Chicago mayors coming to tour our affordable housing 12/11
 - d. Response to anti-40B mailing



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DRAFT

Sudbury Housing Trust

Minutes

October 24, 2008, 8:00 AM

Silva Conference Room

Flynn Building, 278 Old Sudbury Rd

Present: Trustees: Amy Lepak, Michael Fee, Larry O'Brien, Peter Crowe, Lydia Pastuszek, Andrew Kaye, Michael Buoniconti, Daniel Hewett, Joel Guillemette
Staff: Jody Kablack, Beth Rust
Absent: None

1. Topic: Meetings, Agenda, Minutes

Motion duly made and seconded, it was (6-0):

VOTED: To approve the regular minutes of 9/9/08.

2. Finances, Funding and Grants

Motion duly made and seconded, it was (9-0):

VOTED: To Ratify May, June, July, Aug, Sept financial transactions as presented

There was discussion on the proposals to be submitted for the 10/31 deadline to the Community Preservation Committee. It was noted that in this time of financial stress, there may be reduces support by the Town for appropriation. This time may also bring reduced home prices, and offer increased opportunities for home purchases. In the end, the Trust voted to support a request for the buy-down of two homes, assuming a \$200,000 subsidy estimate per house.

Motion duly made and seconded, it was (9-0):

VOTED: To submit two proposals to the Community Preservation Committee for 2009 Town Meeting funding appropriation to the Sudbury Housing Trust, one proposal for the 10% mandated housing allocation, currently estimated at \$238,000, and the second proposal for \$400,000 to further implement the buy-down program including the Home Preservation program.

Motion duly made and seconded, it was (9-0):

The September Small Grant applications were presented for discussion and approval. There were 6 applications submitted. The Trust has budgeted 8 grants in the fiscal year, and has committed 2 already. While this budget amount is an estimate and could be revised, it provides a guidepost to the financial intentions of the Trust. While all applicants met the eligibility criteria, the Trust prioritized the awards based on financial need as stated in the program documents. Four awards were granted to very low income seniors (making less than 50% of the Area Median Income).

Motion duly made and seconded, it was (9-0):

VOTED: To award up to \$3,000 in Small Grants to four of the presented applicants shown as applicant #1, #3, #5, and #6, in the 2008.09 grant cycle to those very low income senior households in accordance with the Small Grant program requirements.



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3. Legislation and Trust

In July 2008, the state organization of DHCD again revised the Local Preference definition removing children and parents of current residents as an allowable component of the definition. Accordingly, this was removed for the Home Preservation marketing and lottery material.

Sudbury prefers to maintain a current local preference definition that conforms to regulation, and in the past the Board of Selectmen has adjusted this definition based on the recommendation of the Sudbury Housing Trust.

With this particular change, however, the Trust would like to further explore reconsideration by DHCD and has directed the Housing Specialist to draft a letter to DHCD recommending reconsideration.

4. Active Projects

Dutton Rd – There was discussion of the successful ground breaking, the enjoyable time at the Cement Mixer, the acknowledgment of the Lucite award, and citation (which will be framed) and general agreement that the project is going well. A Sudbury Housing build day will be scheduled.

Home Preservation –The Trust discussed the property taxes for 20 Maplewood, using the documentation provided. Including the Department of Revenue opinion that the assessment cannot be reduced until July 1, as the value was not reduced until mid-cycle. It is not the intention of the Trust or the Town to cause any undue financial hardship through this program. Currently the owner is paying tax on the older market value of the home prior to the deed restriction.

Motion duly made and seconded, it was (9-0):

VOTED: To reimburse Kim Morgan \$1,250 for property taxes for the 2009 fiscal year which represents the amount of tax assessed above the value of her house, as documented by the Town Assessor office.

5. Executive Session. By roll call vote, the Trust went into Executive Session for the purposes of land negotiations at 9:00 and returned at 9:25.

Sudbury Housing Trust
FY09 Transactions

Date	Post MO	Amount	Balance	Account	Description	Payer/Payee
7/1/08	Jul-08		\$380,364		Carryover	
7/5/08	Jul-08	750,000.00	\$1,130,364	Other	CPA appropriation	
7/10/08	Jul-08	13,750.00	\$1,144,114	Expense	Maynard Rd - P&S void	
6/23/08	Jul-08	(240.00)	\$1,143,874	Expense	Dutton Rd - set pin	Sullivan Connors
7/24/08	Jul-08	600.00	\$1,144,474	Fee	Boxborough - 2	
7/24/08	Jul-08	(675.00)	\$1,143,799	Expense	Maynard Rd - proforma	Kevin Maguire
7/24/08	Jul-08	(440.00)	\$1,143,359	Expense	Maynard Rd - test holes	DJ Morris
7/25/08	Jul-08	(274,000.00)	\$869,359	Expense	Maynard Rd - purchase	Alexander/Fletcher
7/17/08	Jul-08	(279.33)	\$869,080	Salary	7/17 payroll	Sudbury
7/31/08	Jul-08	(1,393.71)	\$867,686	Salary	7/31 payroll	Sudbury
7/31/08	Jul-08	921.15	\$868,608	Interest	July	Sudbury
8/1/08	Aug-08	(1,625.00)	\$866,983	Expense	Maynard Rd - Legal Fees	Denis Sullivan
7/31/08	Aug-08	0.25	\$866,983	Fee	Maynard Rd - interest on deposit	Coldwell Banker
8/1/08	Aug-08	(5,000.00)	\$861,983	Expense	Maynard Rd CRB	CRB
7/24/08	Aug-08	(1,135.00)	\$860,848	Expense	Maynard Rd - septic	Sullivan Connors
7/24/08	Aug-08	600.00	\$861,448	Fee	Boxborough - 3	Town of Boxborough
8/14/08	Aug-08	(1,156.84)	\$860,291	Salary	8/14 payroll	Sudbury
8/14/08	Aug-08	(362.84)	\$859,928	Salary	8/14 payroll	Sudbury
8/31/08	Aug-08	(642.43)	\$859,286	Salary	adjustment for 7/17 payroll	Sudbury
8/31/08	Aug-08	(834.51)	\$858,451	Salary	adjustment for 8/28 payroll	Sudbury
8/31/08	Aug-08	898.51	\$859,350	Interest	august int	Sudbury
9/11/08	Sep-08	(1,077.61)	\$858,272	Salary	9/11 payroll	Sudbury
9/10/08	Sep-08	(75.00)	\$858,197	Expense	Trust recording	Kenny
9/10/08	Sep-08	(50.00)	\$858,147	Expense	CHAPA conference	Rust
9/23/08	Sep-08	1,500.00	\$859,647	Fee	Concord Elm Court - initial	CHDC
9/25/08	Sep-08	(1,197.35)	\$858,450	Salary	9/25 payroll	Sudbury
9/23/08	Oct-08	(350.00)	\$858,100	Expense	HFH Cement Mixer	HFH
9/23/08	Oct-08	(1,275.00)	\$856,825	Expense	05/08 Small grant	Countryside estate
9/30/08	Oct-08	885.80	\$857,711	Interest	sept int	Sudbury
10/1/08	Oct-08	(420.00)	\$857,291	Expense	Dutton Rd - final plans	Sullivan Connors
10/1/08	Oct-08	(2,915.00)	\$854,376	Expense	Maynard Rd - Topo survey and stak	Sullivan Connors
10/9/08	Oct-08	(1,197.35)	\$853,178	Salary	10/9 Payroll	Beth
10/23/08	Oct-08	(96.00)	\$853,082	Expense	Dec 2008 lottery	SamPan news
10/23/08	Oct-08	(1,197.35)	\$851,885	Salary	10/23 payroll	Beth

**Sudbury Housing Trust
Financial Projection
FY09 and FY10**

Description	FY07 Actual	FY08 Actual	FY09			FY10		4 Year Total	Notes
			Current Plan	Actual	Remaining	Comments	Estimate		
Carry Forward	\$0	\$158,864	\$380,364	\$380,364	\$0	Approximate	\$695,464	Approximate	
Revenue-fees - 712543/430000	\$36,738	\$16,328	\$62,369	\$2,700	\$59,669	(budget = 58,389)	\$64,769		\$180,204
HOME Admin	\$1,738	\$1,728	\$1,669	\$0	\$1,669		\$1,669		\$6,804
Meadows	\$28,000	\$0	\$0	\$0	\$0	Complete			\$28,000
VOCR	\$7,000	\$4,000	\$12,000	\$0	\$12,000	3 units	\$23,900	last 5/monitoring fee	\$46,900
Villages	\$0	\$0	\$18,300	\$0	\$18,300	4 of 17, 50% monitoring	\$19,200	6 units	\$37,500
Commons	\$0	\$0	\$0	\$0	\$0	Assume none	\$0	Assume none	\$0
Sudbury Resales	\$0	\$0	\$0	\$0	\$0	2.5% resale fee	\$0		\$0
External Revenue		\$10,600	\$30,400	\$2,700	\$27,700		\$20,000		\$61,000
Other		\$0	\$1,500	\$0	\$1,500		\$0		\$1,500
Concord - Dunbar Way		\$4,000	\$0	\$0	\$0		\$0		\$4,000
Concord - Emerson Annex		\$500	\$0	\$0	\$0		\$0		\$500
Concord - Elm Brook		\$4,000	\$0	\$0	\$0		\$0		\$4,000
Concord CHDC - Elm Court			\$1,500	\$1,500	\$0		\$300		\$1,800
Wayland - 89OxBow			\$6,400	\$0	\$6,400		\$1,280		\$7,680
Wayland - Wayland Commons			\$4,800	\$0	\$4,800		\$960		\$5,760
Wayland - Tripoli Circle			\$0	\$0	\$0		\$960		\$960
Newton - Ellis Heights		\$7,500	\$3,000	\$0	\$3,000		\$0		\$4,800
Boxborough - Codman Hill Rd		\$600	\$1,200	\$1,200	\$0		\$0		\$1,800
Boxborough - Summerfields			\$500	\$0	\$500		\$500		\$1,000
Acton - 442 Mass Av			\$8,000	\$0	\$8,000		\$8,000		\$16,000
Wellesley - Linden Square			\$3,500	\$0	\$3,500		\$3,500		\$7,000
									\$700 per year 2011 - 2014
CPA/Financing - 712549/497000	\$135,000	\$250,000	\$750,000	\$750,000	\$0		\$238,000	Reduced CPA 10%	\$1,373,000
Interest - 712548/482000	\$506	\$16,985	\$20,000	\$2,705	\$17,295		\$15,000		\$52,491
Expense - 712557/522100	-\$11,857	-\$56,030	-\$483,270	-\$274,546	-\$208,724	(budget = -482,550)	-\$871,500		-\$1,422,657
Admin	-\$514	-\$200	-\$600	-\$475	-\$125		-\$300		-\$1,614
Small Grants			-\$24,000	-\$1,275	-\$22,725	8 grants total, 6 approved	-\$27,000	9 grants	-\$51,000
Dutton	-\$7,941	-\$3,979	-\$15,420	-\$660	-\$14,760		\$0		-\$27,340
Other Feasibility (Washbrook, etc)		-\$11,751	-\$25,000	\$0	-\$25,000		-\$25,000		-\$61,751
Project - Home Preservation		-\$22,130	-\$65,000	\$0	-\$65,000	Non-CPC \$\$ of unit#3			-\$87,130
Project - 40B Buydown		\$0	\$0	\$0	\$0		-\$265,000	Villages/Common	-\$265,000
Project - Maynard Rd		-\$14,750	-\$342,750	-\$272,040	-\$70,710	Feas/Land/Demo/Design	-\$542,500	Unit Development	-\$900,000
Lottery/Monitoring Agent Expense	-\$3,402	-\$3,220	-\$10,500	-\$96	-\$10,404		-\$12,000		-\$29,122
Meadows	-\$3,402		-\$3,000	\$0	-\$3,000	Cost Certification			
VOCR		-\$3,095	\$0	\$0	\$0				
Sudbury - Home Preservation			-\$3,500	-\$96	-\$3,404	lottery, inspections			
Boxborough - Codman Hill Rd		-\$125	\$0	\$0	\$0				
Acton - 422 Mass Av			-\$4,000	\$0	-\$4,000				
Newton - Ellis Heights			\$0	\$0	\$0				
Salaries - 712551/511100	-\$1,523	-\$5,783	-\$34,000	-\$9,339	-\$24,661	(budget = -34,000)	-\$40,000		-\$81,306
Capital - 712558/580000	\$0	\$0	\$0	\$0	\$0		\$0		\$0
Contributions - 712548/4831000	\$0	\$0	\$0	\$0	\$0		\$0		\$0
Donations - 712548/483100	\$0	\$0	\$0	\$0	\$0		\$0		\$0
Total	\$158,864	\$380,364	\$695,464	\$851,885	-\$156,421	(budget = -692,183)	\$101,733		



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October 30, 2008

To: Board of Selectmen
From: Beth Rust
Re: Feasibility Testing on Town Owned Small Parcels

To the Board of Selectmen:

Request: I am writing on behalf of the Sudbury Housing Trust, who, at its meeting on 10.24.08, voted to pursue the transfer of two small Town-Owned parcels to the Trust at the 2009 Town Meeting for the purpose of developing affordable housing, in the same manner as the Habitat-Dutton Road project. The Trust requests the approval of the Selectmen for initial analysis. Specifically:

1. The initial step in this process is to perform feasibility testing, including soil testing, septic design, property staking and a preliminary site plan prepared.
2. From there, a conceptual design will be prepared to ensure that the look and feel is compatible with the neighborhood.
3. Community outreach with communication to the abutters would also be an important step in this phase should the testing prove successful.

The results of these items will then be presented to the Board for final approval before the TM warrant is final.

Parcels: These two parcels are located in the Pine Lakes area. They are 5,000 square feet each, and could potentially support a small 2BR or 3BR house. Two experts have opined that both would have suitable soils for septic. They are delineated on the parcel map attached. There are no wetland concerns for these parcels.

The first parcel is on Hudson Road (F04-0124, next to 494 Hudson). The Town took possession of the Hudson Road property in 1977 due to non-payment of taxes, and it has retained its grandfathering zoning status.

The second parcel is on Pinewood Road (F04-0132, next to 25 Pinewood). The Town acquired the parcel in 1932 in a tax taking, and there have been no changes of ownership. If a project went forward, it would require zoning relief from a comprehensive permit as the parcel lost its grandfather zoning protection when the Town took ownership on an abutting parcel in 1950, thus creating a merged parcel. The abutting parcel was later sold in 1975.

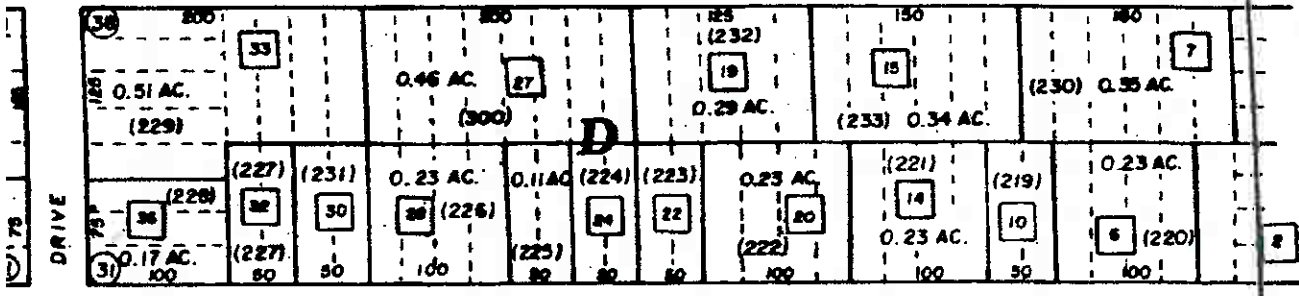
Background: There is some history on these parcels.

Both parcels were included in Article 39 at the 1996 Town Meeting for transfer to the Sudbury Housing Authority, and while the article was supported by the Planning Board, Selectmen, Clergy and LWV, it was ultimately defeated.

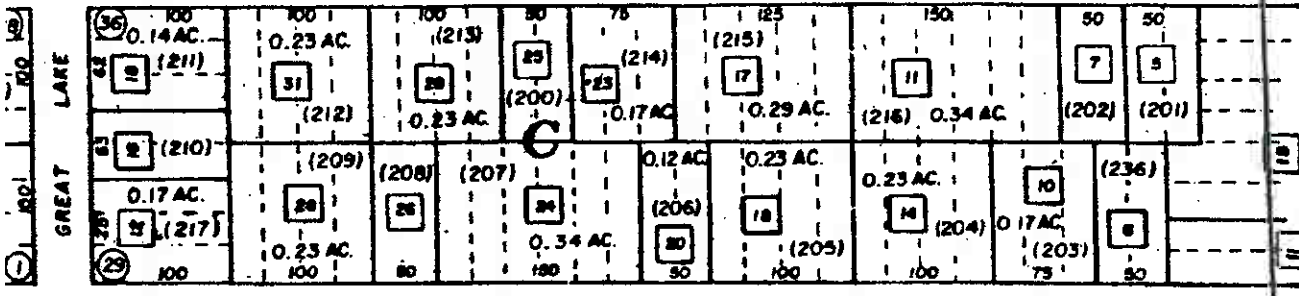
In recent years (2004, 2005) neighbors have indicated interest in purchasing the parcels, though neither progressed to a point of a bona-fide offer. The Town chose to retain the Hudson Road parcel to keep it for affordable housing. Research is being conducted on any offers made on the Pinewood parcel.



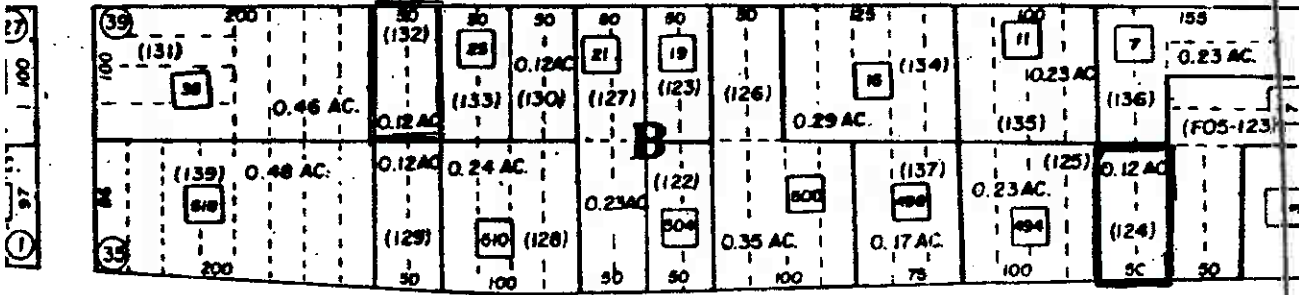
AVENUE (PUBLIC)



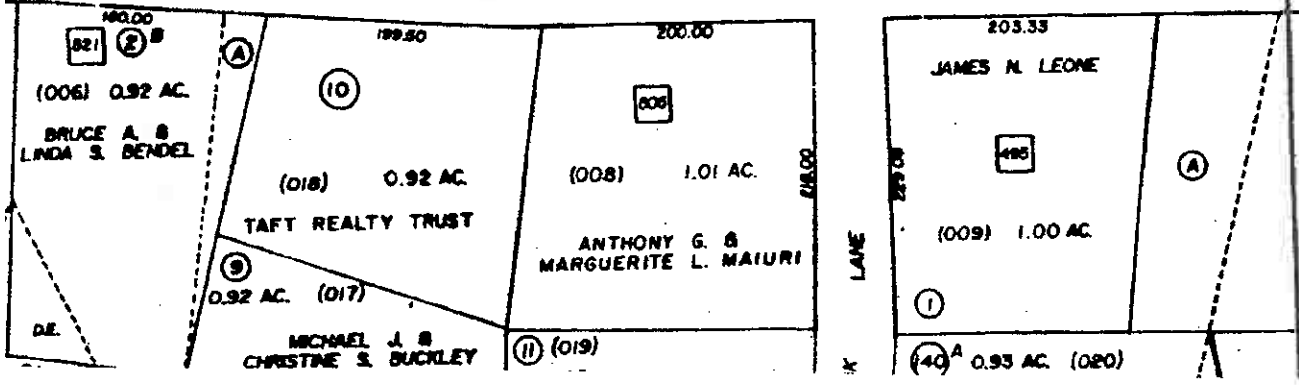
AVENUE (PUBLIC)



AVENUE (PUBLIC)



(PUBLIC) HUDSON ROAD



NOTE: REFER TO SHEET F04-A FOR A LISTING OF LOT NUMBERS & LOT AREAS FOR THE "PINE LAKES" /



TOWN OF SUDBURY

Office of Selectmen

www.sudbury.ma.us

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November 26, 2008

Ms. Beth Rust
Community Housing Specialist
Sudbury, MA 01776

IN BOARD OF SUDBURY SELECTMEN

November 12, 2008

Sudbury Housing Trust - Hudson Road and Pinewood Road

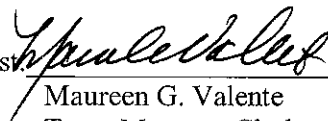
Present: Beth Rust, Community Housing Specialist

Community Housing Specialist Beth Rust summarized the request of the Sudbury Housing Trust (SHT) to pursue transfer of two small Town-owned parcels to the SHT at the 2009 Town Meeting for the purpose of developing affordable housing. SHT is requesting the Board's approval to proceed with initial analysis, including soil testing, a feasibility study, septic design, property staking and preparation of a preliminary site plan. It is hoped that this work will be followed by development of a conceptual design plan to be shared and discussed with abutters and the community. Ms. Rust emphasized that the SHT is concerned that any potential designs for the two small properties remain consistent with the existing streetscapes and aesthetics of the neighborhoods.

Ms. Rust described the two parcels, located in the Pine Lakes area, which are 5,000 square feet each, and could possibly support a small two-bedroom or three-bedroom house. She noted that upon completion of the initial analysis, the information will be presented to the Selectmen for further deliberation.

It was on motion unanimously

VOTED: To authorize the Town Manager to allow the Sudbury Housing Trust and/or its agents to perform engineering feasibility, including right-of-entry and soil disturbance for two Town-owned parcels - one on Hudson Road, and one on Pinewood Road.

Attest: 

Maureen G. Valente
Town Manager-Clerk





ARTICLE XX. Transfer Land off Hudson Road and Pinewood Avenue to the Sudbury Housing Trust

To see if the Town will vote to transfer from the Selectmen to the Sudbury Housing Trust for the construction of a single-family house to be sold to an eligible low or moderate income first-time homeowner, the described parcel of land on Hudson Road containing approximately .12 acre, shown as Parcel 124 on Town Property Map 04, for the construction of one single family house;

Or act on anything relative thereto.

Submitted by the Sudbury Housing Trust.

SUDBURY HOUSING TRUST REPORT:

Respectfully Submitted by the Sudbury Housing Trust:

Michael Fee, Chair

Lydia Pastuszek, Vice-Chair

Michael Buoniconti

Peter Crowe

Joel Guillemette

Daniel Hewett

Andrew Kaye

Amy Lepak

Larry O'Brien

ARTICLE XX. Transfer Land off Pinewood Avenue to the Sudbury Housing Trust

To see if the Town will vote to transfer from the Selectmen to the Sudbury Housing Trust for the construction of a single-family house to be sold to an eligible low or moderate income first-time homeowner, the described land on Pinewood Avenue containing approximately .12 acre, shown as Parcel 132 on Town Property Map 04, for the construction of one single family house;

Or act on anything relative thereto.

Submitted by the Sudbury Housing Trust.

SUDBURY HOUSING TRUST REPORT:

Respectfully Submitted by the Sudbury Housing Trust:

Michael Fee, Chair

Lydia Pastuszek, Vice-Chair

Michael Buoniconti

Peter Crowe

Joel Guillemette

Daniel Hewett

Andrew Kaye

Amy Lepak

Larry O'Brien

Sudbury Housing Trust

The Sudbury Housing Trust was established from the 2006 Town Meeting, when Sudbury voted to accept Massachusetts General Law Chapter 44, Section 55C. The Sudbury Housing Trust was created as a blend of the Massachusetts General Law and our local desire for controlled flexibility. The powers and duties of the Trust allow it to buy and sell real estate, borrow and lend money, develop and hold property, and all with the benefits of being under the Town's municipal structure – insurance coverage, investment management and accounting, and other such administrative functions. The Trust requires Board of Selectmen approval for any real estate transaction, and Town Meeting approval to borrow, mortgage or pledge for amounts greater than the current Trust assets.



The Trust has been active in its second year. The Habitat for Humanity project at the corner of Dutton and Pratts Mill Road project is well underway, and the bi-weekly building volunteers are making great progress. Two families were selected at a lottery held December 11 for the opportunity to become first-time homeowners and partner with Habitat in building their home. The Greater Worcester Habitat for Humanity and the Local Project committees have provided strong overall leadership and management, and the Trust continues to be pleased with this project, and thanks the entire community for its support.

The Trust added two additional units to the Sudbury affordable housing inventory this year through the Home Preservation program. Two older homes were purchased and sold, subject to a deed restriction, to eligible first-time homeowners created from our lottery. The Housing Trust was able to work 'real time' to put offers on the property using their own funds. Both homes were sold to current Sudbury families: one in February 2008, and the other home closed in August. A third home is currently in progress.

In support of the goal to create affordable housing through small scale development, the Sudbury Housing Trust purchased a one-acre parcel of land and is undergoing conceptual architectural design for a small development project of potentially six units of attached housing.

The Sudbury Housing Trust performs lottery and monitoring agent services for 40B projects in Sudbury and other neighboring communities. This allows Sudbury to customize the outreach to the local community, and to be a true local presence during the application process. Through this approach we know who is looking for affordable housing in Sudbury. Almost half are single parents, and almost half have connections to Sudbury; these are residents, town employees and teachers – families in our community.

The Trust implemented a Small Grants program to help seniors and other lower income homeowners fund health and safety repairs in their homes. The Program has three rolling grant periods annually, and has awarded \$17,600 for six grants, and over 80% of the grantees are senior households. The easy-to-submit application can be found on the website.

The Trust ended the Fiscal Year on June 30, 2008 with a balance of ~\$380,000. This was comprised of a \$159,000 carryover amount, revenue of \$266,000 (CPA appropriation and lottery/monitoring fees), expenses of \$56,000 (feasibility and lottery expenses), \$ 17,000 of interest and \$6,000 of salaries. In the 2008 calendar year, the Sudbury affordable housing inventory increased 13 units, to 269, or 4.8% of our housing stock, nine of these are from 40B developments, and 4 from local initiatives (Home Preservation and the Habitat project).

The Board is organized with Michael Fee as Chair, Lydia Pastuszek as Vice-Chair, Larry O'Brien as Selectman representative. In this year, the Trust expanded its at-large membership and Peter Crowe, Andrew Kaye and Amy Lepak are joined by Michael Buoniconti, Joel Guillemette, Daniel Hewett to complete the Board. The Trust is supported by Beth Rust, Clerk and Community Housing Specialist, and Jody Kablack, Director of Planning and Community Development.

Respectfully Submitted by the Sudbury Housing Trust:

Michael Fee, Chair

Lydia Pastuszek, Vice-Chair

Michael Buoniconti

Peter Crowe

Joel Guillemette

Daniel Hewett

Andrew Kaye

Amy Lepak

Larry O'Brien

Accessory Apartments

Proposed Bylaw Changes



What is an accessory apartment?

- ▶ Self-contained dwelling unit, with cooking facilities, bathroom
- ▶ Provides an incidental use to the single family dwelling
- ▶ Meets all requirements of the building code
- ▶ Compliant with the local planning standards and policies concerned with land use, building design, and requirements of the health, safety, convenience and general welfare of the inhabitants of the Town

It is NOT a two-family home

as it is subject to controls related to

- ▶ Use: incidental to single-family dwelling
- ▶ Size: max 1,200 sq ft, less than 30% floor area
- ▶ Occupancy: no more than 4 people
- ▶ Access: side door only, enclosed stairs
- ▶ Ownership: owner-occupied, non-transferable

Home will appear like a single family home from the street

Why change our bylaw ?

- ▶ Recommended in Master Plan and Community Housing Plan, as well as AARP
- ▶ Non-monetary approach to increasing housing options
- ▶ Provides income opportunities for owners of single family homeownership
- ▶ Increases housing choices for smaller households at more affordable rents
- ▶ Provides more diversity in housing stock, contributing to diverse population

Who may benefit?

- ▶ Elderly homeowners seeking to remain in homes
- ▶ Divorced parents with children in Town
- ▶ Small households needing short-term housing
- ▶ Families seeking to care for older parents, or disabled members
- ▶ Homeowners of all ages struggling to pay costs
- ▶ Tenants seeking more affordable living options
- ▶ Retirees concerned about leaving homes vacant as they winter in warmer climates, or travel

In other words, any one of us.

What are the specific changes?

Current Regulation	Proposed Amendment
Tenants must be relatives, persons of low/mod income or domestic employees	Eliminate occupancy restriction
Accessory Dwelling Unit (ADU) must be attached	Allow detached structure providing minimum zoning is met, and <= to 1,200 sq ft and occupies <= 50% of floor area
Five year waiting period after alteration	Eliminate 5 year period, frequently waived.
Low-mod income household requires State approval	Eliminate, overly-restrictive with respect to advertising and long-term property restriction
Owner must reside in principal or accessory dwelling	No Change
Single family exterior appearance; enclosed stairs, side door.	No Change
2 off-street spaces for primary, 1 for ADU	No change
No more than 4 persons	No change
Only one ADU on property	No change
Must meet requirements of Board of Health	No change
Unit cannot be conveyed separately.	No change
No more than 4 persons	No change
Number of ADUs not to exceed 5% of single family residences	No change
Four-year Special Permits with notarized renewal	No change. Develop standard affidavit.
Building inspector may order removal of separate facilities.	No change

How would this be implemented?

- ▶ Planning Board Sponsored
 - Suggestions to reduce size
- ▶ Housing Roundtable review
 - Suggestions to remove detached structures
- ▶ Zoning Board review
 - Suggestions to retain occupancy restrictions
- ▶ Housing Trust review
- ▶ Council on Aging review
- ▶ Board of Selectmen review
- ▶ Town Meeting article

5500. ACCESSORY DWELLING UNITS IN RESIDENCE DISTRICTS.

5510. **Purpose.** The purpose of this bylaw is to increase housing opportunities in Sudbury by allowing the utilization of the existing housing stock to offer different housing styles reflective of a more diverse population, in terms of age, family size and income. The type of housing allowed under this bylaw will enable current residents to remain in their homes, while providing both supplemental income to homeowners and a more affordable housing opportunity to those not capable of affording home ownership. This type of diverse housing is in accordance with the 2001 Master Plan and the 2005 Community Housing Plan and ensures compliance with zoning standards, regulations regarding building design, and requirements of the health, safety, convenience and general welfare of the inhabitants of the Town.

5520. **Conditions and Requirements.** An owner or owners of a single family dwelling in Single Residence District "A", "C" or Wayside Inn Historic Preservation Zone may apply to the Board of Appeals for a Special Permit for the creation and occupancy of an accessory dwelling unit in a single family dwelling or detached accessory structure. Such application shall be accompanied by the application fee established by the Board of Appeals. After such notice and public hearing, and after due consideration of the report of the Board of Health, (and the Historic Districts Commission, where applicable), the Board of Appeals may grant such Special Permit provided that each of the following conditions and requirements is met:

5521. Such accessory dwelling unit shall be occupied by not more than four persons.

5522. The accessory dwelling unit may be built in any single family dwelling provided it is a use incidental to the single family dwelling.

5523. The accessory dwelling unit in a single family dwelling shall contain no more than 1,200 square feet, and shall occupy no more than 30% of the floor area of the single family dwelling and its attached accessory structures. Floor area is defined herein as the actual heated living area and does not include unfinished basements, attics, or storage spaces.

5524. An accessory unit may be built in a detached accessory structure separate from the main dwelling provided: (1) the lot meets the minimum zoning requirement for lot area in the district in which the lot is located, (2) the structure meets the minimum setback requirements in the district in which the structure is located, (3) the accessory dwelling unit occupies no more than 50% of the floor area of the detached structure, and (4) the accessory dwelling unit is not greater than 1,200 square feet.

5525. There shall be no more than one accessory dwelling unit per building lot.

5526. The owner of the dwelling in which the accessory dwelling unit is created shall reside in the dwelling, either in the principal dwelling unit or the accessory dwelling unit. For the purpose of this subsection, the "owner" shall be one or more individuals who constitute a family, who hold title to the dwelling, and for whom the dwelling is the primary residence for voting purposes. If the lot on which the accessory dwelling unit is to be located is owned by the Town of Sudbury or the Sudbury Housing Authority, the owner-occupancy requirement of this subsection shall not be applicable.

5527. Adequate provision shall be made for the disposal of sewage, waste and drainage generated by the occupancy of the accessory dwelling unit in accordance with all requirements of the Board of Health.

5528. The accessory dwelling unit shall be designed so that the appearance of the structure remains that of a single family dwelling, and its associated accessory structures subject further to the following conditions and requirements:

- a. All stairways to upper floors shall be enclosed within the exterior walls of the dwelling.
- b. Any new exterior entrance shall be located on the side or in the rear of the dwelling.

5529. **Off-Street Parking.** There shall be at least two off-street parking spaces for the principal dwelling unit and at least one off-street parking for the accessory dwelling unit. No parking spaces shall be located within the boundary of a street right of way. In no case shall parking spaces which are more than two spaces deep be considered in computing the required parking.

5530. Reports.

5531. In order to ensure compliance, the applicant shall obtain and submit to the Board of Appeals prior to the hearing, a written report of the Board of Health certifying that the conditions of this subsection have been met.

5532. **Planning Board Report.** In connection with an application for a Special Permit under this section, the applicant may consult with the Planning Board prior to the hearing and the Planning Board may submit in writing, prior to the hearing, its recommendations and report to the Board of Appeals.

5540. **Number of Accessory Dwelling Units.** The number of accessory dwelling units permitted under this by-law shall not exceed five percent of the total number of dwelling units existing in the Town at the beginning of the year in which the application was filed.

5550. **Duration of Special Permit.** The Special Permit for an accessory dwelling unit may be issued for the duration of ownership of the principal structure. Such permit shall require the filing by the owner(s) of a sworn affidavit with the Town Clerk, with a copy to the Board of Appeals, certifying such occupancy every four years consistent with the Special Permit. Such permit shall automatically terminate upon the sale, transfer, or other change in ownership of the principal dwelling unit, unless a Special Permit to transfer the unit to a prospective new owner is applied for and granted.

5560. **Other Requirements.**

5561. **No Separate Conveyance.** The ownership of the accessory dwelling unit shall not be conveyed or otherwise transferred separately from the principal dwelling.

5562. **Removal of Separate Facilities.** The Building Inspector may, in addition to other remedies, order removal of the separate kitchen facilities, equipment or fixtures that were made or installed to create such unit, if the unlawful use of such unit is discovered.

5563. **Revocation.** A Special Permit granted hereunder may be revoked by the Board of Appeals for violation of the terms thereof or occupancy of the accessory dwelling unit in violation of the Special Permit or the Zoning By-law.

5564. **Provision of Information.** The applicant for a Special Permit shall file with the Board of Appeals such plans, specifications and other information concerning the unit and its proposed use as the Board may require by general rule or request to the applicant.

5565. **Decommissioning of Accessory Unit.** If an accessory dwelling unit is decommissioned, the owner shall notify the Building Department in order to remove said unit from the Town's inventory.

5566. **Waivers.** On request of the applicant, the Board of Appeals may waive the provisions of sections 5521, 5523, 5524, 5528 of this Bylaw if it finds the request meets the purpose of the bylaw and all the Special Permit criteria of Section 6220 of the Zoning Bylaw have been met.

55780. **Rules and Regulations.** The Board of Appeals may adopt, and from time to time amend, Rules and Regulations to implement the provisions of this subsection, and shall file a copy of said Rules and Regulations with the Town Clerk.

Housing Production Plan – Should we prepare one?

Municipalities that demonstrate significant progress towards their affordable housing production are able to deny a comprehensive permit. This is done through the Planned Production Program regulation at 760 CMR 56.03. Revised guidelines (section II.B) were issued this year for what are now called Housing Production Plans, and include some significant changes to the major parts of the plan:

- Planned Production thresholds are reduced to 0.5% of total housing units for a one year exemption from comprehensive permits; and 1.0% for a two year exemption (down from 0.75% and 1.5% respectively). For Sudbury, 0.5% is 28 units, and 1.0% is 56 units.
- Requirements for Housing Plans are expanded to include additional information, including needs analysis on both regional and projected basis.
- Approval is valid for five (5) years where previously there was no expiration date.
- Municipal approval and local adoption is required.

When a municipality has a certified plan, decisions by the Zoning Board of Appeals (ZBA) to deny or approve with conditions comprehensive permit applications will be deemed "consistent with local needs" under MGL Chapter 40B for a one year period following certification that it has produced .5% of total housing units or two years if it has produced 1.0% of total housing units pursuant to the approved plan. "Consistent with local needs" means that the decision will be upheld by the Housing Appeals Committee (HAC).

The Sudbury 2005 Housing Plan includes many of the plan requirements (housing needs analysis, description of needed housing mix, strategies and action plan) though not a projection of future population and housing need, or a regional perspective. These additional elements alone would necessitate new analysis, effort and combined with the other plan requirements, ultimately a new housing plan is required.

In summary:

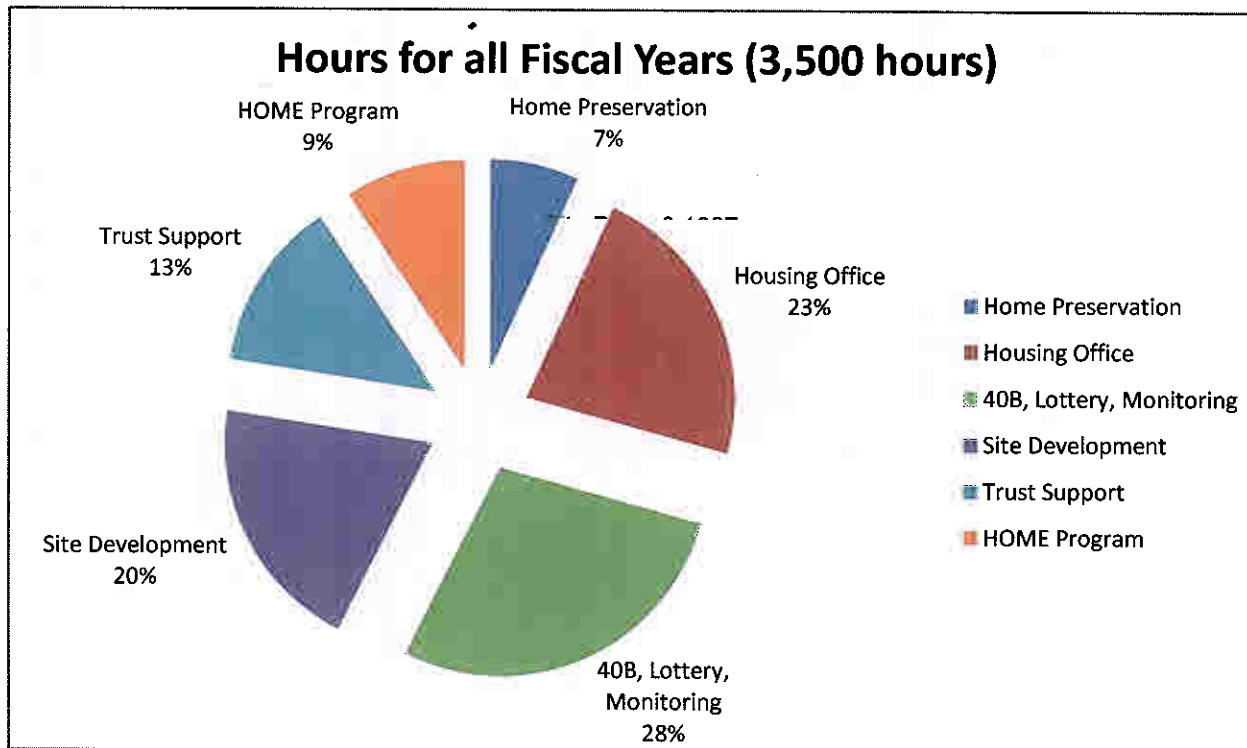
1. **Step 1: Write the plan and have it approved.** The plan must be written and approved before units counted for certification are created.
2. **Step 2: Permit a large project with 28 to 56 affordable units.** This then certifies the plan. 40B units are created when the decision is filed.
3. **Step 3: The next 40B project can be denied** for one or two years.
4. **Step 4: Issue building permits within one year** of the permit decision, or the units will lapse and the plan become uncertified.

Said another way, if Sudbury had an approved plan, and a large housing project was permitted and produced 28 units in one year, or 56 units in two-years, then any **subsequent** 40B project could be denied for up to one or two years after that.

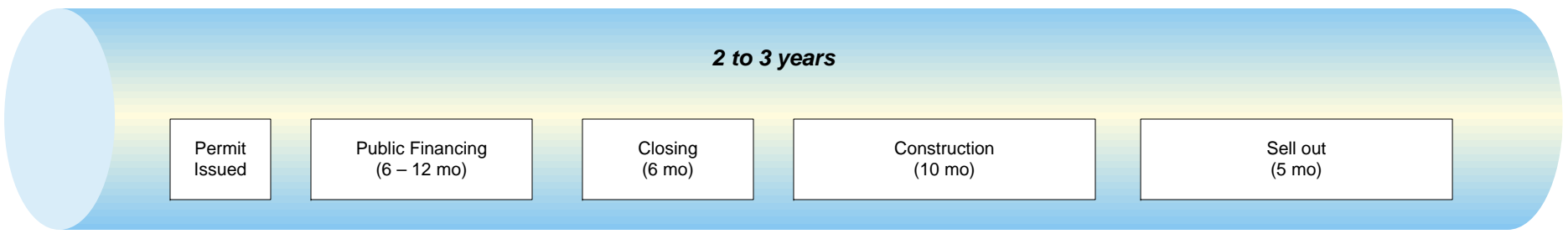
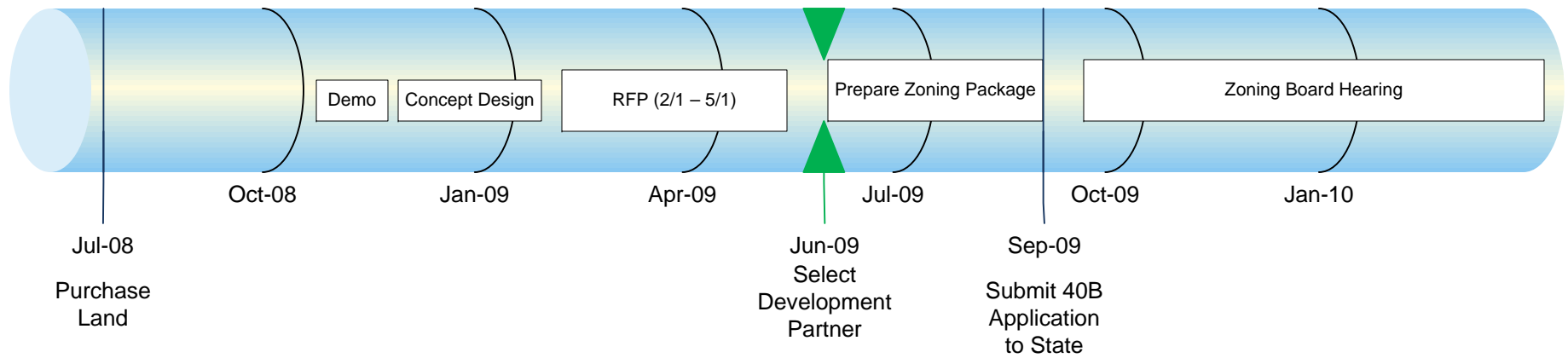
The cost of writing the plan is 70-100 hours of work, and would be a priority project with public process over 6-8 weeks. In the natural course, an updated housing plan will be produced after the new Census data is produced in 2011.

Beth's Hour Recap

Category	Total	FY06, 07, 08	FY09	%	Category
Housing Office	864	581	283	22%	Housing Office
40B, Lottery, Monitoring	1088	963.5	124.5	28%	40B, Lottery, Monitoring
Home Preservation	263	150	113	7%	Home Preservation
Site Development	769	584	185	20%	Site Development
Trust Support	508	419	89	13%	Trust Support
HOME Program	361	311	51	9%	HOME Program
	3852	3007	845	1	



MAYNARD ROAD – PRE-CONSTRUCTION



Sudbury Subsidized Housing Inventory

Project	Inventory Date	SHI Units	SHI %	Type	Address
Carriage Lane		4		Ownership, Private 40B	717-729 Boston Post Rd
SHA Scattered Sites		5		Rental: DHCD Family 705	21 Great Lake Dr (3 br), 8 Oakwood Ave (3 br), 41 Great Rd (4 br), 56 Great Rd (4 br), 11 Ford Rd (4 br)
SHA Scattered Sites		3		Rental: DHCD Family 705	2 Beechwood (4 br), 19 Greenwood (5 br), 9 Richard Ave (2 br)
SHA Scattered Sites		12		Rental: DHCD Family 705	42, 44, 46, 50, 52, 54 Fairbanks Circle (2 br), 48, 56 Fairbanks Circle (3 br), 45 Old Meadow Rd (2 br), 47 Old Meadow Rd (3 br), 62 Pine St (2 br), 64 Pine St (3 br)
10 Landham Rd		1		Rental: Section 8	10 Landham Rd (3 br)
Musketahquid Village		64		Rental: DHCD Senior 667	55 Hudson Rd (1 br)
Longfellow Glen		120		Rental: 40B, Section 8, Family/Senior	655 Boston Post Rd, 50 elderly 1BR, 70 family (58 2BR, 12 3BR)
Orchard Hill		9		Rental: 40B, Elder CHOICE	761 Boston Post Rd
Starting (June 2006)		218	3.9%		
Sudbury Meadows	8.15.06	2		Ownership, Private 40B	1, 8 Snowberry Lane (2BR)
Orchard Hill	6.13.06	36		Rental: 40B, Elder CHOICE	761 Boston Post Rd
Total (June 2007)		256	4.59%		
VOCR	1.31.08	3		Ownership, Private 40B	Units 2 (1/2008), 23 (4/2008), 11 (6/2008)
4 Longfellow	3.3.08	1		Ownership, LIP LAU	3BR
Sudbury Village (RT20)	6.18.08	0		Ownership, Private 40B	Can't count until building permits
Sudbury Common	6.18.08	6		Ownership, Private 40B	All 2BR
Total (June 2008)		266	4.77%		
Maplewood	8.26.08	1		Ownership, LIP LAU	3BR
Habitat	8.14.08	2		Ownership, LIP 40B	1 2BR, 1 3BR
Sudbury Common	1.14.09	-6		Ineligible, >1 year time lapse	40B permit (1/14/08), no building permit. Exploring commercial use
HOME Preservation #3	4.1.09	1		Ownership, LIP LAU	
SHA Relacement Project	6.1.09	6		Rental: DHCD Family 705	Count when 40B permit issued
Villages at Old County Rd	6.30.09	2		2 more units	
Total (FY 2009)		272	4.87%		
Villages at Old County Rd	FY10-FY11	5		Ownership, Private 40B	13
Maynard Rd	FY10	4		Ownership, LIP 40B. 6 units, 4 count	
Woods Walk	FY10	4		DMR Group Home	
Small Parcel development (aka Habitat)	FY10-FY12	3		Ownership, LIP LAU/40B	
Home Preservation/Buy Down	FY10-FY12	5		Ownership, LIP LAU	
Sudbury Village (RT20)	FY10-FY12	13		Ownership, Private 40B	
Melone	FY11	33		Ownership, LIP 40B	
Total Planned		345	5.18%		
Short of 10% (2000 housing Stock)		213			
Short of 10% (2010 estimated housing)		255	5.75%		
1994 Housing Slick		4,951			
2000 Housing Stock		5,582	558		
2010 Estimated Housing Stock		6,000	600		