



Town of Mansfield

Housing Production Plan

June, 2016

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Town of Mansfield

Housing Production Plan

1. EXECUTIVE SUMMARY

Mansfield is a desirable suburban community due to its quality education program, extensive and well-managed municipal services, cultural activities, diverse tax base, and proximity to highways and public transportation. Mansfield is located on the northern edge of Bristol County and contains many old farmlands, wetlands, habitat areas, aquifers, a mix of moderate and dense suburban neighborhoods, an active downtown area, a large industrial park, and numerous commercial businesses ranging in size. The town is bordered by Foxborough on the north; Sharon and Easton on the northeast and east; Norton on the south; and Attleboro, North Attleborough, and Plainville on the southwest, west, and northwest respectively. Mansfield is approximately fourteen (14) miles southwest of Brockton; twenty-six (26) miles south of Boston; nineteen (19) miles northeast of Providence, Rhode Island; and one hundred and ninety-two (192) miles from New York City.

To continue the progress achieved since the last Housing Production Plan (HPP) completed in 2009 and to fully meet the town's affordable housing needs, this Housing Production Plan is undertaken to identify the housing needs of the residents of Mansfield and then to develop a means of meeting such needs. This Housing Production Plan consists of two parts. The first, a Housing Needs Assessment identifies the community's profile, conducts an inventory of the housing characteristics, and evaluates the housing needs of the town's residents while recognizing potential barriers to housing production. The second part of this report includes goals for housing based on those needs and strategies by which the town can meet those goals and identified housing needs in a manner consistent with M.G.L. Chapter 40B and 760 CMR 56.00 regulations. By taking a proactive approach to housing production, Mansfield will be much more likely to achieve both their housing and community planning goals.

PLANNING FOR AFFORDABLE HOUSING

As of December, 2014, the Town of Mansfield has 946 housing units which meet the affordability requirements set forth in M.G.L. Chapter 40B §§ 20 thru 23 and 760 CMR 56.00. This represents 10.8% of their year round housing units, therefore meeting the *Housing Unit Minimum* of the Statutory *Minima* (as defined in 760 CMR 56.03(3)(a)). Achieving the Housing Unit Minimum threshold means that the Town of Mansfield Zoning Board of Appeals has the ability to deny a Comprehensive Permit or approve it with conditions and that the aforementioned decisions can be upheld if appealed by the applicant pursuant to 760 CMR 56.03.

HOUSING NEEDS ASSESSMENT

A Housing Production Plan's Housing Needs Assessment answers two (2) main questions: "Who is here?" and "How is the housing market serving that population?" The data survey for the Housing Needs Assessment portion of Mansfield's Housing Production Plan, conducted in 2016 using U.S. Census Bureau data, real estate market data, and local information, revealed the following main *findings*:

Mansfield has seen rapid population growth since 1990 and its population is growing older.

From 1990 to 2010, Mansfield grew at a rate of 40%, from approximately 16,500 residents to approximately 23,100 residents (2015 population is 23,600). This growth rate is approximately four and a half (4.5) times higher than that of Bristol County and the Commonwealth during the same period. In addition, between 2000 and 2010, Mansfield's median age rose by nearly five (5) years from 33.8 to 38.6. During this same period, the retirement-age population (greater than 64 years old) grew faster than both the working-age population (20 - 64 years old) and the school age population (less than 20 years old).

Mansfield's households types are changing and becoming more affluent.

Between 2000 and 2010, household types became more diverse in terms of its members. Specifically, households headed by a female with no husband present grew at a rate of approximately 18% and households containing only one person grew at a rate of approximately 16%; both rates were nearly two (2) times higher than the Commonwealth's rate during the same period. Meanwhile, 47.2% of households in Mansfield make \$100,000 or more; up from 25% in 1999.

Mansfield's housing stock contains a mix of types and more than half are over 35 years-old.

Approximately 63% of housing units in Mansfield are single-family, detached (1-unit per lot) homes while the remaining 37% of housing units are in structures containing more than one unit. Mansfield has the second highest percentage (Attleboro has the highest) of multi-family units as a percentage of their entire housing stock when compared to its neighboring communities. Moreover, of the 934 units permitted under existing zoning from 2000 to 2014, 563 or 60%, were multi-family units. Fifty-two percent (52%) of residential properties are more than 35 years-old (built before 1980) indicating the need for rehabilitation programs to enable people to stay in stable housing stock.

Mansfield has a stable, high-value housing market; however, a very small percentage of homes are affordable to low-income households.

From 2000 to 2014, Mansfield's median sales price for a single family home was the third highest compared to its neighboring communities and averaged approximately \$53,000 higher than the Commonwealth's average. Mansfield's home sales were very high in the years leading up to the great recession and like many communities, have fluctuated since the market rebound. According to an analysis of single family ownership costs, only 3.8% of houses in Mansfield are affordable to households making less than the Area Median Family Income (AMFI) of \$80,200. Moreover, less than 1% of houses are affordable to low-income households making 80% or less of the AMFI. It should be noted that Mansfield has achieved its Chapter 40B 10% affordable housing goal and continues to produce affordable housing units in order to meet the needs of its residents.

BARRIERS TO HOUSING DEVELOPMENT

Location and amenities

Mansfield's location and amenities have made it an attractive place to live; however, those factors have also created a high-value market environment that is less affordable to the older, younger, and lower-income populations. In particular, the large-lot, low-density R1 zoning district in the far eastern and western portions of town have led to the construction of high-price single-family residences that are not affordable to many of Mansfield's residents.

Municipal services

The town does have municipal water service that is available to the majority of residences; however, the municipal sewer service does not cover the same area and expansion to those areas could be costly. Generally, limited sewer service contributes to higher development costs and can constrain the development of a diversity of types and smaller lot housing.

Zoning impediments

Mansfield adopted an Inclusionary Housing bylaw (2004) to create affordable housing; however, it lacks a modest density bonus incentive for developers that produce extra affordable units. Other zoning issues include the fact that the Accessory Apartments bylaw is too restrictive and the R2 district does not allow two-family dwellings. Adjustments to these zoning bylaws could result in the production of affordable housing units that are eligible for inclusion on the Subsidized Housing Inventory as well as those that are simply affordable to low- and moderate-income households.

Local housing development capacity

Lastly, the Mansfield Housing Corporation struggles with a lack of participation, experience, and expertise, which limits the local production of affordable housing in Mansfield. Additional capacity would allow the MHC to begin to produce affordable housing eligible for inclusion on the Subsidized Housing Inventory as well as those that are simply affordable to low- and moderate-income households. In addition, the MHC can begin to offer extra services (loan programs) to existing low- and moderate-income homeowners to allow them to stay in their homes.

AFFORDABLE HOUSING GOALS & IMPLEMENTATION STRATEGIES

The Town of Mansfield seeks to increase its inventory of affordable housing units at a pace generally consistent with the rate of development of market-rate units. Since the town has met its Chapter 40B goal, it should be possible for Mansfield to maintain the 10% goal through the use of its Inclusionary Housing bylaw and the efforts of the Mansfield Housing Corporation.

The following major **goals** are set forth to create a mix of types of housing sufficient to meet projected demands and preferences in Mansfield in the years ahead. They respond to the needs identified in the Housing Needs Assessment as well as to current constraints.

Goal #1: Continue efforts to strengthen local housing development capacity.

Goal #2: Produce affordable housing units that meet the need of the aging population.

Goal #3: Continue to encourage diversity of housing types in both market rate and subsidized housing.

Goal #4: Take care to locate new housing in a way that maximizes access to services and minimizes impacts on the environment and existing neighborhoods.

Goal #5: Pursue additional funding sources to develop affordable housing.

In order to meet the aforementioned goals, the Town of Mansfield should consider implementing the following **strategies**:

Strategy #1: Strengthen the Mansfield Housing Corporation.

Strategy #2: Implement zoning bylaw amendments.

- a. Inclusionary Housing bylaw - include a modest density bonus for those developments that produce extra affordable units.
- b. Accessory Apartments bylaw - encourage the occupancy of either unit be for a person(s) over fifty-five (55) rather than require it; allow for a smaller existing dwelling unit square footage; either eliminate the restriction on enlargements or extensions or allow modest increases; provide incentives for property owners who create affordable accessory units that are affordable to low- and moderate-income households.
- c. Medium Density Residential District - allow Two-Family Dwellings either by-right or by special permit.

Strategy #3: Encourage “Friendly 40B” developments.

Strategy #4: Pursuing tax-title properties for affordable housing development.

Strategy #5: Establish loan programs that provide local homebuyers and current homeowners with funds that would convert market rate housing to affordable, deed-restricted housing.

Strategy #6: Create a Referral Services Program for Elderly Homeowners.

Strategy #7: Create an Affordable Housing Property Tax Exemption Program.

Strategy #8: Adopt the Community Preservation Act.

Table 1-1: Mansfield HPP Strategy and Action Plan

Strategy No.	Strategy	Who?	When?	How?	Which Goals?	Quantity of Affordable Units
1.	Strengthen the Mansfield Housing Corporation	BOS, HA, PB, MHC	2016 - 2021	Outreach, Collaboration, BOS action	Goal 1, 2, and 3	10-15
2a.	Modify the Inclusionary Housing bylaw	PB, BOS	2016 - 2021	Outreach, Planning, Town Meeting Vote	Goals 2,3, and 4	5-10
2b.	Modify the Accessory Apartments bylaw	PB, BOS	2016 - 2021	Outreach, Planning, Town Meeting Vote	Goals 2,3, and 4	5-10
2c.	Modify the Medium Residential Density District	PB, BOS	2016 - 2021	Outreach, Planning, Town Meeting Vote	Goals 2,3, and 4	5-10
3.	Encourage “Friendly 40B” developments	ZBA, BOS, PB, MHC	2016 - 2021	Outreach to and collaboration with developers, ZBA action	Goals 2,3, and 4	50-100
4.	Pursue tax-title properties for affordable housing development	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	10-15
5.	Establish loan programs that encourage the conversion of market rate housing to affordable housing	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	10-15
6.	Create a Referral Services Program for elderly homeowners	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	5-10
7.	Create an Affordable Housing Property Tax Exemption Program	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	5-10
8.	Adopt the Community Preservation Act	CC, PB, MHC, BOS	2016 - 2021	Outreach, BOS action, Ballot question	Goal 5	20-25
					Total Units by 2021	125-220

2. INTRODUCTION

The Town of Mansfield was first settled in 1658 and was officially incorporated in 1775. Mansfield is located on the northern edge of Bristol County in southeastern Massachusetts. The town is bordered by Foxborough on the north; Sharon and Easton on the northeast and east; Norton on the south; and Attleboro, North Attleborough, and Plainville on the southwest, west, and northwest respectively. Mansfield is approximately fourteen (14) miles southwest of Brockton; twenty-six (26) miles south of Boston; nineteen (19) miles northeast of Providence, Rhode Island; and one hundred and ninety-two (192) miles from New York City.

The town's 20.72 square miles contain many old farmlands, wetlands, habitat areas, aquifers, a mix of moderate and dense suburban neighborhoods, an active downtown area, a large industrial park, and numerous commercial businesses. Natural features such as the Bungay River, the Wading River, the Rumford River, the Canoe River, and several ponds provide recreational opportunities within the town. Mansfield has several transportation options that all contribute to a true multi-modal system. That system includes two (2) interstate highways (I-95 and I-495); two major arterial roadways (Rt. 106 and Rt. 140); an MBTA Commuter Rail station on the Amtrack Northeast Corridor; modest GATRA bus service; a municipal airport; the Mansfield/Norton rail trail; and an extensive sidewalk network.

AFFORDABLE HOUSING PRODUCTION IN MANSFIELD

In the period from 2003 to 2007, Mansfield permitted multiple Chapter 40B housing units and in 2007, Mansfield surpassed the Chapter 40B 10% requirement with the addition of 200 affordable units. Since that time, Mansfield has relied on its Inclusionary Housing bylaw to produce a moderate quantity of affordable units that are eligible for inclusion on the Subsidized Housing Inventory.

The Inclusionary Housing bylaw applies to all developments involving the creation of six (6) or more dwelling units or six (6) or more lots for residential use. In any development subject to the bylaw, the sixth housing unit and every seventh unit thereafter shall be an affordable housing unit. Housing developers are allowed to include the affordable units in their developments, provide equivalent units in another location, donate usable land to the town, or pay a fee in lieu of providing the affordable units. Since the adoption of the Inclusionary Housing bylaw, several affordable units have been created and more are anticipated in the future. For example, the Inclusionary Housing bylaw created thirteen (13) affordable units at the 82-unit North Commons Estates located across the street from the MBTA Commuter Rail Station and the Town's North Common as well as nineteen (19) affordable units in the 130-unit redevelopment of the historic Chocolate Factory (located within walking distance of the MBTA Commuter Rail Station).

In addition, in 2010 and again in 2014, Mansfield town meeting approved two new zoning overlay districts aimed at encouraging mixed-use development in areas that are close to public transportation, economic activity, and that promote bicycle and pedestrian travel. Any mixed use developments with more than six (6) residential units in either the North Main Street Business Overlay District (2010) or the Mansfield Station Revitalization Overlay District (2014) would be subject to the Inclusionary Housing bylaw thus creating affordable housing in particularly favorable areas.

Finally, the Cluster Residential Special Permit (allowed in all residential districts and two industrial districts) has a provision which allows the Planning Board to grant additional density if a certain percentage of the one-family detached dwelling units produced are assured in perpetuity to be affordable to low- and moderate-income households.

3. PLANNING FOR AFFORDABLE HOUSING IN MANSFIELD

WHY DOES MANSFIELD HAVE A HOUSING PRODUCTION PLAN?

This Housing Production Plan consists of two parts. The first, a Housing Needs Assessment, identifies the community's profile, conducts an inventory of its housing characteristics, and evaluates the housing needs of the town's residents while recognizing potential barriers to housing production. The second part of this report includes goals for housing based on identified needs as well as strategies by which the town can meet those goals in a manner consistent with M.G.L. Chapter 40B and 760 CMR 56.00 regulations. By taking a proactive approach to housing production, Mansfield will be much more likely to achieve both its housing and community planning goals.

As of December 2014, the Town of Mansfield has 946 housing units which meet the affordability requirements set forth in M.G.L. Chapter 40B §§ 20 thru 23 and 760 CMR 56.00. This represents 10.8% of their year round housing units, therefore meeting the *Housing Unit Minimum* of the Statutory *Minima* (as defined in 760 CMR 56.03(3)(a)). Achieving the Housing Unit Minimum threshold means that the Town of Mansfield Zoning Board of Appeals has the ability to deny a Comprehensive Permit or approve it with conditions and that the aforementioned decision can be upheld if appealed by the applicant pursuant to 760 CMR 56.03.

Assuming future housing growth, this 10% figure is a moving target and ultimately the required minimum number of year-round units will increase over time. The number of year-round housing units in a community from which the required number of affordable units is calculated by DHCD (10% of year-round housing units) is based on the number of year-round housing units reported in the decennial census, the latest being 2010. Therefore, as additional year-round housing units are constructed through a decade, the subsequent number of year-round housing units reported in the next decennial census increases, as does the corresponding required number of affordable housing units. In addition, loss of current affordable properties from the Subsidized Housing Inventory through expiration of their deed restrictions can accelerate this situation.

For example, affordability restrictions on two large rental properties in Mansfield are set to expire in approximately 12-14 years. Mansfield Meadows (DHCD ID #1811) and the Village at Mansfield Depot I (DHCD ID #1812) together have 320 rental housing units and the affordability restrictions are set to expire in 2028 and 2030 respectively. These two properties changing to market rate units coupled with typical housing growth and a slow growth in affordable housing units production would put Mansfield below the required 10% affordable housing threshold.

As such, Mansfield needs to continue to produce affordable housing units to meet the needs of its residents and to maintain its Chapter 40B 10% requirement. This HPP outlines how Mansfield can continue to do so while meeting other important affordable housing production goals, by way of an assortment of strategies and actions to be undertaken in the next five (5) years.

A. HOUSING UNIT AFFORDABILITY QUALIFICATIONS

Subsidized Housing Inventory (SHI)

The regulations for Chapter 40B, found in 760 CMR 56.00, offer affordability standards to classify housing units according to how expensive they are to occupy. They also classify households according to their ability to pay for housing.

In assessing a community's progress toward the 10% of affordable housing threshold, the state counts a housing unit as affordable if it meets the following criteria:

- It must be part of a "subsidized" development built by a public agency, non-profit, or limited dividend corporation
- At least 25% of the units in the development must be income-restricted to households with incomes at or below the 80% of area median income and have rents or sale prices restricted to affordable levels.
 - Restrictions must run at least 15 years for rehabilitation, 30 years for new rental construction, and in perpetuity for new homeownership construction.
- Development must be subjected to a regulatory agreement and monitored by a public agency or non-profit organization.
- Project sponsors must meet affirmative marketing requirements.

Table 3-1 displays the Chapter 40B Subsidized Housing Inventory (SHI) maintained by the Massachusetts Department of Housing and Community Development (DHCD) for the Town of Mansfield and its neighboring communities.

Table 3-1: DHCD Chapter 40B Subsidized Housing Inventory (SHI), December 2014

Community	2010 Census Year Round Housing Units	Total Development Units	SHI Units	Percent
Attleboro	17,978	1,177	1,177	6.5%
Easton	8,105	629	531	6.6%
Foxborough	6,853	621	611	8.9%
Mansfield	8,725	1,042	946	10.8%
North Attleborough	11,553	308	296	2.6%
Norton	6,707	898	588	8.8%
Plainville	3,459	209	175	5.1%
Sharon	6,413	472	472	7.4%

Certified Housing Production Plans

DHCD has also created a method for measuring a community's progress toward reaching its 10% Chapter 40B goal. If, during a 12-month period, a community produces SHI eligible affordable housing equal to 0.5% or 1% of its year round housing stock, its HPP may be "certified." Certification means that the town's Housing Production Plan has met its regional need for affordable housing for one year (by meeting 0.5% threshold) or two years (by meeting 1%).

If a community has a certified HPP within 15 days of the opening of the local hearing for a 40B Comprehensive Permit, a denial of the permit by the Zoning Board of Appeals (ZBA) may be upheld by the state Housing Appeals Committee. The procedure is as follows. The ZBA shall provide written notice to the Applicant, with a copy to DHCD, that it considers that a denial of the permit or the imposition of conditions or requirements would be "Consistent with Local Needs," the grounds that it believes have been met, and the factual basis for that position, including any necessary supportive documentation. If the Applicant wishes to challenge the ZBA's assertion, it must do so by providing written notice to DHCD, with a copy to the ZBA, within 15 days of its receipt of the ZBA's notice, including any documentation to support its position. DHCD shall review the materials provided by both parties and issue a decision within 30 days of its receipt of all materials. The ZBA shall have the burden of proving satisfaction of the grounds for asserting that a denial or approval with conditions would be consistent with local needs, provided, however, that any failure of DHCD to issue a timely decision shall be deemed a determination in favor of the municipality.

Table 3-2: DHCD SHI Yearly Goals for Mansfield

Community	2010 Census Year Round Housing Units	0.5% Yearly Goal	1.0% Yearly Goal
Mansfield	8,725	44	87

Local Preference Units

It should also be noted that up to 70% of units in an affordable housing development can be set aside as "local or community preference units" in its Affirmative Fair Housing Marketing Plan (AFHMP). Under fair housing laws, an AFHMP is required when marketing and selecting residents for affordable units. The AFHMP must be approved by DHCD and not have the effect of excluding, denying, or delaying participation of groups of persons protected under the fair housing laws. Allowable preference categories can include Mansfield residents; employees of the town, such as teachers, janitors, firefighters, police officers, librarians, town hall employees, employees of businesses located in town, or households with children attending Mansfield schools. Therefore, in lotteries for affordable units, those who meet these local preference criteria will be placed in a separate pool, and the purchasers or tenants of 70% of the affordable units can come from this local preference pool. Those in the local preference pool who are not selected, as well as all other applicants, are placed in an open pool from which the tenants of the remaining units will be drawn.

B. HOUSEHOLD AFFORDABILITY QUALIFICATIONS

The state's affordable housing program also specifies criteria for families to meet in order to qualify for the rental or ownership of a SHI unit. Most housing subsidy programs are targeted to particular income ranges which may vary based on program goals. The income ranges are percentages of the Area Median Family Income (AMFI) adjusted for family size. In 2015, Mansfield's AMFI was \$80,200 for a family of four (Mansfield is within the Taunton-Mansfield-Norton, MA HUD Metro FMR Area; its AMFI determines all income calculations for Mansfield).

Extremely low-income housing is directed to those earning at or below 30% of area median income (AMI) as defined by HUD (\$24,250 for a family of four for the Taunton-Mansfield-Norton, MA HUD Metro FMR Area), very low-income generally refers to those earning at or below 50% of AMI (\$40,100 for a family of four) and low-income refers to those earning at or below 80% of AMI (\$64,150 for a family of four). These income levels are summarized in Table 3-3.

Table 3-3: HUD 2015 Income Limits for Taunton-Mansfield-Norton, MA Metro FMR Area

Persons in Family	Extremely Low (30%) Income Limits	Very Low (50%) Income Limits	Low (80%) Income Limits
1	\$16,850	\$28,100	\$44,950
2	\$19,250	\$32,100	\$51,350
3	\$21,650	\$36,100	\$57,750
4	\$24,250	\$40,100	\$64,150
5	\$28,410	\$43,350	\$69,300
6	\$32,570	\$46,550	\$74,450
7	\$36,730	\$49,750	\$79,550
8	\$40,890	\$52,950	\$84,700

Area Median Family Income: \$80,200

4. HOUSING NEEDS ASSESSMENT

This section examines Mansfield's demographic profile, conducts an inventory of the housing characteristics, and evaluates the housing needs of the town's residents while recognizing potential barriers to housing production. In addition, this section analyzes the current housing market in order to identify who currently lives in town and the housing market activity.

Importantly, this portion of the plan makes an inventory of factors that may be preventing the production of affordable market-rate housing (housing that can be rented or owned for less than or equal to 30% of a household's income) and subsidized housing (rental or ownership housing that is available to eligible low-income households through the use of public or private funding sources). This process is necessary as it remains increasingly difficult for individuals and families to find affordable housing in the private market. Without subsidies and supportive zoning, the private market is less capable of producing housing that is affordable to low- and moderate-income households. As a consequence, it becomes necessary to rely more often on regulatory relief and housing subsidies to attain affordable housing and produce enough units to address existing affordable housing needs and demands.

The Housing Needs Assessment draws from a wide variety of data sources including, but not limited to:

- U.S. Census Bureau decennial census data (1990, 2000, and 2010);
- American Community Survey 5-Year Estimates (2009-2014);
- U.S. Department of Housing and Urban Development (HUD) data;
- HUD Comprehensive Housing Affordability Strategy (CHAS) data (2008-2012);
- Massachusetts Department of Housing and Community Development (DHCD) data;
- Warren Group/Banker and Tradesman data; and,
- Town of Mansfield Assessor's data.

These two sets of findings – the needs assessment and housing barriers – are the context within which a responsive set of strategies can be developed to address housing needs and meet Mansfield's housing production goals. The main Housing Needs Assessment findings are presented on the following pages along with key supporting tables and figures. Supplementary data are available in the Appendix.

A. POPULATION PROFILE

FINDING #1: Mansfield has seen rapid population growth since 1990.

From 1990 to 2010, Mansfield grew at a rate of 40%, from approximately 16,500 residents to approximately 23,100 residents. This growth rate is approximately four and a half (4.5) times higher than that of Bristol County and the Commonwealth during the same period (Figure 4-1 and Table 4-1.). Mansfield's population grew faster than all of its neighboring communities during these 20 years. SRPEDD population projections indicate that Mansfield will continue to grow at a rate consistent with a number of its neighbors (Attleboro, Norton, and Plainville) until 2020; however, projected growth from 2020 to 2030 indicates slower increases in population (See Table 4-2 below). In terms of housing policy, continued population growth will likely indicate ongoing housing development and the construction of additional units in town.

Figure 4-1: Population Growth Rate, 1990-2010
(U.S. Census Bureau)

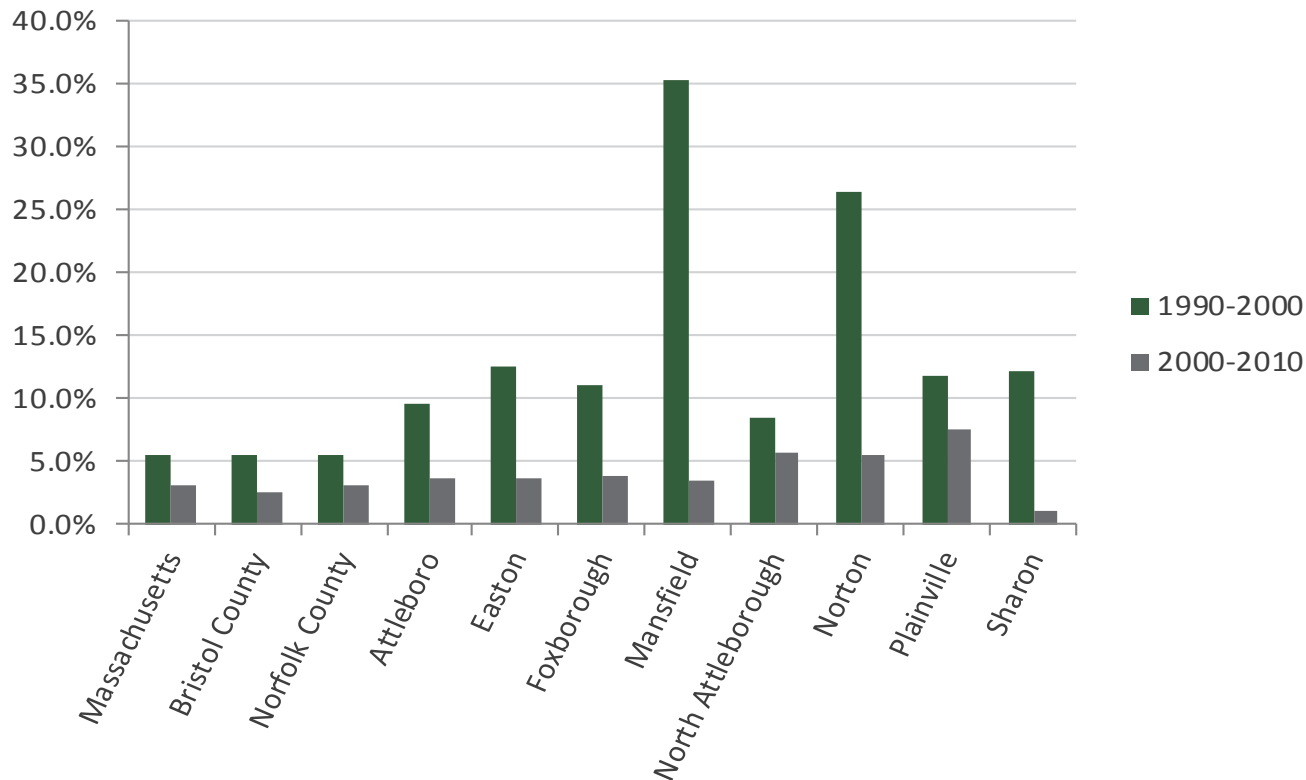


Table 4-1: Total Population Change, 1990-2010
(U.S. Census Bureau)

	1990	2000	2010	1990-2000 Percent Change	2000-2010 Percent Change	1990-2010 Percent Change
Massachusetts	6,016,425	6,349,097	6,547,629	5.5%	3.1%	8.8%
Bristol County	506,325	534,678	548,285	5.6%	2.5%	8.3%
Norfolk County	616,087	650,308	670,850	5.6%	3.2%	8.9%
Attleboro	38,383	42,068	43,593	9.6%	3.6%	13.6%
Easton	19,807	22,299	23,112	12.6%	3.6%	16.7%
Foxborough	14,637	16,246	16,865	11.0%	3.8%	15.2%
Mansfield	16,568	22,414	23,184	35.3%	3.4%	39.9%
North Attleborough	25,038	27,143	28,712	8.4%	5.8%	14.7%
Norton	14,265	18,036	19,031	26.4%	5.5%	33.4%
Plainville	6,871	7,683	8,264	11.8%	7.6%	20.3%
Sharon	15,517	17,408	17,612	12.2%	1.2%	13.5%

Table 4-2: Population Projections
(U.S. Census Bureau, SRPEDD, MassDOT)

	Population Growth			Percent Change	
	2010 Count	2020 Projection	2030 Projection	2010-2020	2020-2030
Attleboro	43,593	46,333	46,766	6.29%	0.93%
Easton	23,112	23,149	23,123	0.16%	-0.11%
Foxborough	16,865	17,078	17,511	1.26%	2.54%
Mansfield	23,184	24,738	26,031	6.70%	5.23%
North Attleborough	28,712	29,539	33,504	2.88%	13.42%
Norton	19,031	20,505	21,101	7.75%	2.91%
Plainville	8,264	8,800	10,728	6.49%	21.91%
Sharon	17,612	17,364	17,595	-1.41%	1.33%

FINDING #2: Mansfield's population is growing older.

Between 2000 and 2010, Mansfield's median age rose by nearly five (5) years from 33.8 to 38.6. During this same period, the retirement-age population (greater than 64 years old) grew at a rate of nearly 34%, approximately ten (10) times faster than the working-age population (20 - 64 years old). The school age population (less than 20 years old) was the only population group to see a reduction (nearly 2%) in the years between 2000 and 2010 (Figure 4-2 and Table 4-3a below). In light of these aging trends, there is likely to be demand for development types and housing units that complement the lifestyles and incomes of retirees and "empty-nesters."

Between 2000 and 2010, the town experienced a 37.8% drop in the under 5 population and a 13.6% drop in the 5 to 9 year-old population; however, both the 10 to 14 year old age group and the 15 to 19 year old age group experienced increases of 19% and 58% respectively.

Figure 4-2: Population Change by Age Group, 2000-2010
(U.S. Census Bureau)



Table 4-3a: Population Change by Age Group, 2000-2010
(U.S. Census Bureau)

	Mansfield				Bristol County				Massachusetts			
	2000	2010	Change	Percent	2000	2010	Change	Percent	2000	2010	Change	Percent
School Age (< 20 years)	7,355	7,235	-120	-1.6%	145,952	138,396	-7,556	-5.2%	1,675,113	1,621,143	-53,970	-3.2%
Working-Age (20-64 years)	13,633	14,041	408	3.0%	313,214	332,010	18,796	6.0%	3,813,822	4,023,762	209,940	5.5%
Retiree (> 64 years)	1,426	1,908	482	33.8%	75,512	77,879	2,367	3.1%	860,162	902,724	42,562	4.9%
Total	22,414	23,184	770	3.4%	534,678	548,285	13,607	2.5%	6,349,097	6,547,629	198,532	3.1%

Table 4-3b: Population Change by Age Group, 2000-2010
(U.S. Census Bureau)

	Mansfield				Bristol County				Massachusetts			
	2000	2010	Change	Percent	2000	2010	Change	Percent	2000	2010	Change	Percent
Under 5 years	2,154	1,339	-815	-37.8%	34,286	31,303	-2,983	-8.7%	397,268	367,087	-30,181	-7.6%
5 to 9 years	2,268	1,959	-309	-13.6%	37,900	33,093	-4,807	-12.7%	430,861	385,687	-45,174	-10.5%
10 to 14 years	1,792	2,132	340	19.0%	37,972	35,314	-2,658	-7.0%	431,247	405,613	-25,634	-5.9%
15 to 19 years	1,142	1,805	664	58.2%	35,794	38,686	2,892	8.1%	415,737	462,756	47,019	11.3%
20 to 24 years	859	1,061	202	23.5%	31,455	36,235	4,780	15.2%	404,279	475,668	71,389	17.7%
25 to 34 years	3,559	2,238	-1,321	-37.1%	74,590	64,671	-9,919	-13.3%	926,788	845,141	-81,647	-8.8%
35 to 44 years	4,979	3,796	-1,183	-23.8%	88,267	77,447	-10,820	-12.3%	1,062,995	887,149	-175,846	-16.5%
45 to 54 years	2,912	4,472	1,560	53.6%	72,297	86,447	14,150	19.6%	873,353	1,012,435	139,082	15.9%
55 to 59 years	812	1,395	583	71.8%	26,767	35,927	9,160	34.2%	310,002	432,822	122,820	39.6%
60 to 64 years	512	1,079	567	110.7%	19,838	31,283	11,445	57.7%	236,405	370,547	134,142	56.7%
65 to 74 years	741	1,028	287	38.7%	36,688	39,155	2,467	6.7%	427,830	456,460	28,630	6.7%
75 to 84 years	524	599	75	14.3%	28,833	25,782	-3,051	-10.6%	315,640	301,065	-14,575	-4.6%
85 years and over	161	281	120	74.5%	9,991	12,942	2,951	29.5%	116,692	145,199	28,507	24.4%
Total	10,172	11,608	1,436	14.1%	534,678	548,285	13,607	2.5%	6,349,097	6,547,629	198,532	3.1%

Median Age	33.8	38.6	4.8	-	36.7	39.8	3.1	-	36.5	39.1	2.6	-
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FINDING #3: Mansfield's households are becoming more varied in character.

Between 2000 and 2010, household types became more diverse in terms of its members. Specifically, households headed by a female with no husband present grew at a rate of approximately 18% and households containing only one person grew at a rate of approximately 16%; both rates were nearly two (2) times higher than the Commonwealth's rate during the same period. Additionally, the overall aging trend, previously revealed in population figures, is mirrored in the significant 33% rise in households with individuals 65 years old and older – a rate four (4) times higher than that of the Commonwealth. Mansfield's predominant household type is a married-couple family (nearly 60% of all households) with average family size at 3.32 members. Figure 4-3 and Table 4-4 below display the household type changes in Mansfield from 2000 to 2010.

Figure 4-3: Changes in Household Types, 2000-2010
(U.S. Census Bureau)

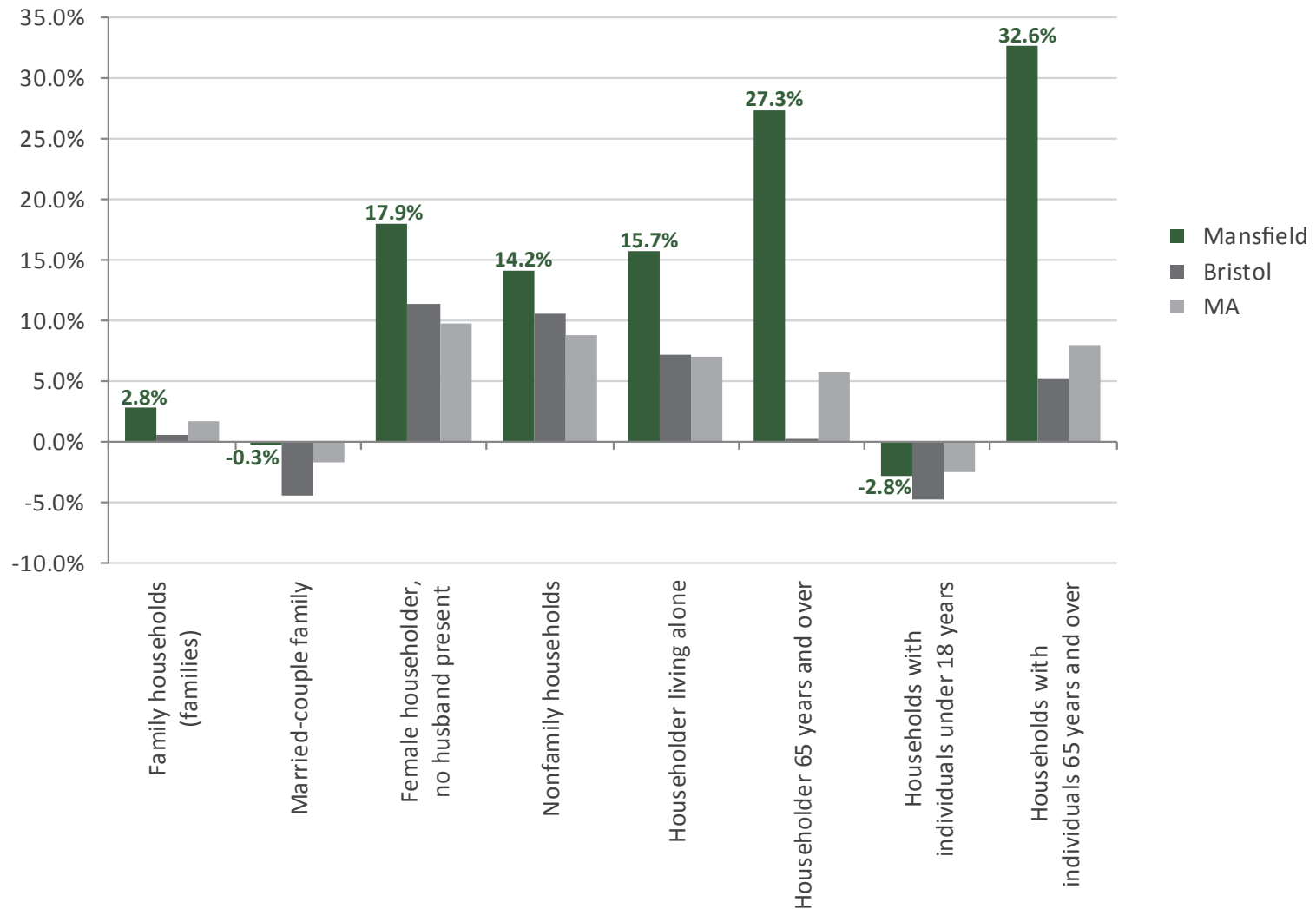


Table 4-4: Household Type Trends, 2000-2010
(U.S. Census Bureau)

	Mansfield					Bristol County	Massachusetts
	2000		2010		2000-2010 Percent Change	2000-2010 Percent Change	2000-2010 Percent Change
Family households	5,859	73.8%	6,021	71.7%	2.8%	0.5%	1.7%
With own children under 18 years	3,547	44.7%	3,442	41.0%	-3.0%	-6.8%	-3.8%
Married-couple family	4,937	62.2%	4,923	58.6%	-0.3%	-4.5%	-1.6%
With own children under 18 years	3,025	38.1%	2,840	33.8%	-6.1%	-13.4%	-8.4%
Female householder, no husband present	703	8.9%	829	9.9%	17.9%	11.3%	9.8%
With own children under 18 years	412	5.2%	480	5.7%	16.5%	5.8%	6.0%
Nonfamily households	2,083	26.2%	2,378	28.3%	14.2%	10.6%	8.8%
Householder living alone	1,672	21.1%	1,934	23.0%	15.7%	7.2%	7.0%
Householder 65 years and over	465	5.9%	592	7.0%	27.3%	0.3%	5.8%
Households with individuals under 18 years	3,689	46.4%	3,585	42.7%	-2.8%	-4.8%	-2.5%
Households with individuals 65 years and over	1,108	14.0%	1,469	17.5%	32.6%	5.3%	8.0%
Average household size	2.82	-	2.76	-	-2.1%	-1.6%	-1.2%
Average family size	3.34	-	3.32	-	-0.6%	-0.6%	-1.0%
Total households	7,942	100%	8,399	100%	5.8%	3.7%	4.2%

FINDING #4: Mansfield's households have become more affluent.

Mansfield is a relatively affluent community – the proportion of households making \$100,000 or more is 47.2%, compared to 25.6% in Bristol County and 33.2% in the Commonwealth. Similarly, the proportion of households making less than \$25,000 is 9.4%, whereas it is much higher in Bristol County and Massachusetts, at 24.0% and 20.0% respectively.

This equates to about 770 households with extremely low incomes (less than 30% of the HUD Area Median Family Income of \$80,200). Moreover, approximately 22%, or about 1,800 of Mansfield households have incomes less than \$64,150, which is 80% of the Area Median Family Income and which defines a low-income household according to the US Department of Housing and Urban Development (HUD) and the Massachusetts Department of Housing and Community Development (DHCD).

The needs of these low-income households can often be overlooked in affluent communities; this HPP seeks to focus the town's attention on the needs of its low- and moderate-income citizens.

Figure 4-4: Household Income Distribution, 2014
(U.S. Census Bureau; American Community Survey 5-Year Estimates (2010-2014))

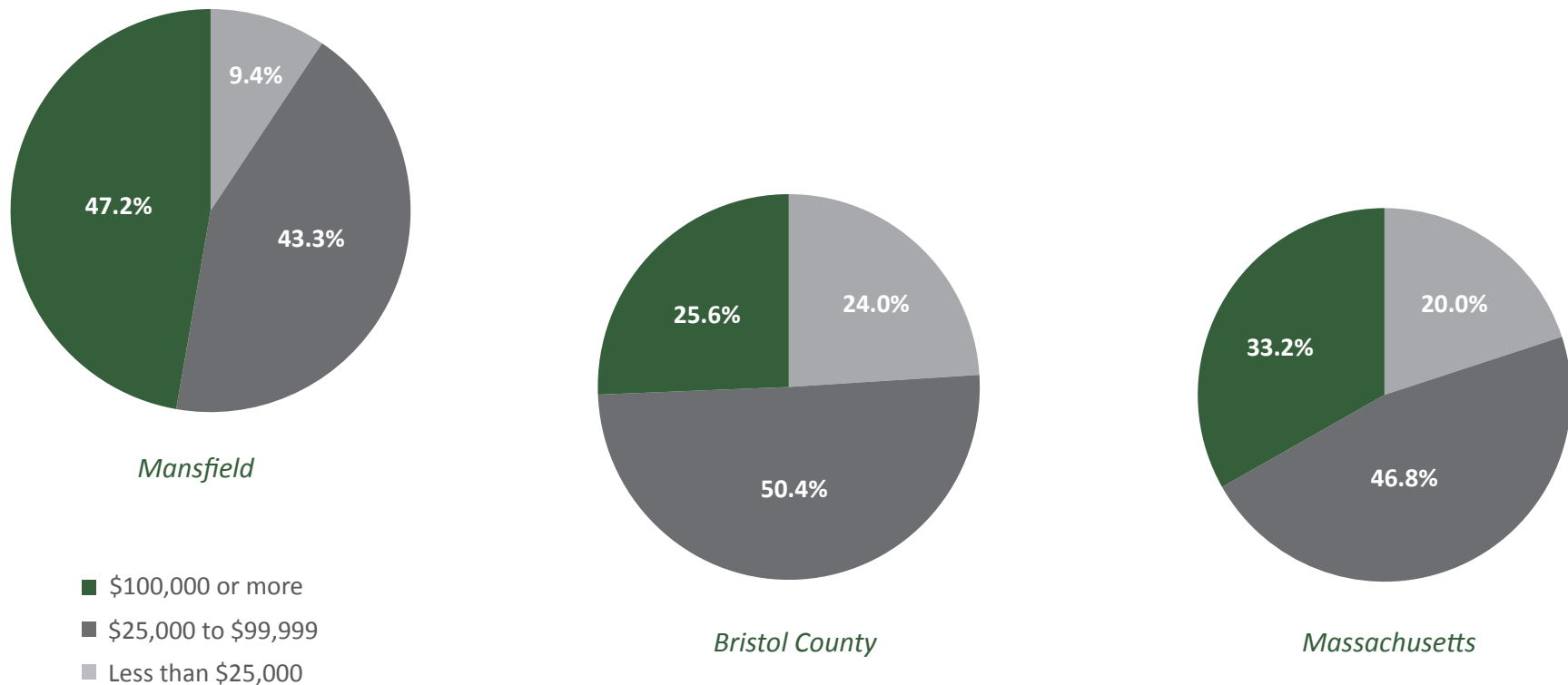


Table 4-5a: Household Income Distribution, 2014

(U.S. Census Bureau; American Community Survey 5-Year Estimates (2010-2104))

	Mansfield	Bristol County	Massachusetts
Less than \$10,000	1.8%	6.5%	6.1%
\$10,000 to \$14,999	2.6%	7.0%	5.2%
\$15,000 to \$24,999	5.0%	10.5%	8.7%
\$25,000 to \$34,999	5.6%	9.1%	7.8%
\$35,000 to \$49,999	7.1%	12.2%	10.5%
\$50,000 to \$74,999	16.2%	16.5%	15.8%
\$75,000 to \$99,999	14.4%	12.6%	12.7%
\$100,000 to \$149,999	20.1%	15.3%	16.8%
\$150,000 to \$199,999	14.7%	6.2%	7.9%
\$200,000 or more	12.4%	4.1%	8.5%
Total	100.0%	100.0%	100.0%
Total Households	8,223	211,001	2,538,485
Median household income (dollars)	\$93,082	\$55,957	\$67,846

Table 4-5b: Household Income Distribution, 2014

(U.S. Census Bureau; American Community Survey 5-Year Estimates (2010-2014))

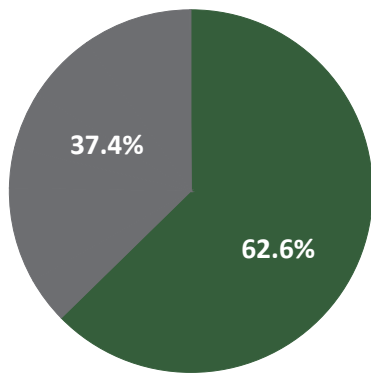
	Mansfield	Bristol County	Massachusetts
Less than \$25,000	9.4%	24.0%	20.0%
\$25,000 to \$99,999	43.3%	50.4%	46.8%
\$100,000 or more	47.2%	25.6%	33.2%
Total	100.0%	100.0%	100.0%
Total Households	8,223	211,001	2,538,485
Median household income (dollars)	\$93,082	\$55,957	\$67,846

B. HOUSING MARKET ANALYSIS

FINDING #5: Mansfield's housing stock contains a mix of single-family and multi-family units.

Approximately 63% of housing units in Mansfield are single-family, detached (1-unit per lot) homes while the remaining 37% of housing units are in structures containing more than one unit (see Table 4-7). Moreover, of the 934 units permitted under existing zoning from 2000 to 2014, 563 or 60%, were multi-family units. During that same time period, no other neighboring community approached the amount of multi-family units that were permitted by Mansfield; in fact, all of the communities permitted more single-family units than multi-family units. Mansfield was the only community to permit more multi-family units than single-family units. In light of these statistics and the socioeconomic trends in town, there will continue to be a need for modest multi-family units that can serve different household types and do so in a manner that is financially attractive to the development community.

Figure 4-5: Mansfield Housing Types, 2000-2014



Source: U.S. Census Bureau;
ACS 5-Year Estimates (2010-2014)

Figure 4-6: Mansfield Housing Permits, 2000-2014
(SRPEDD)

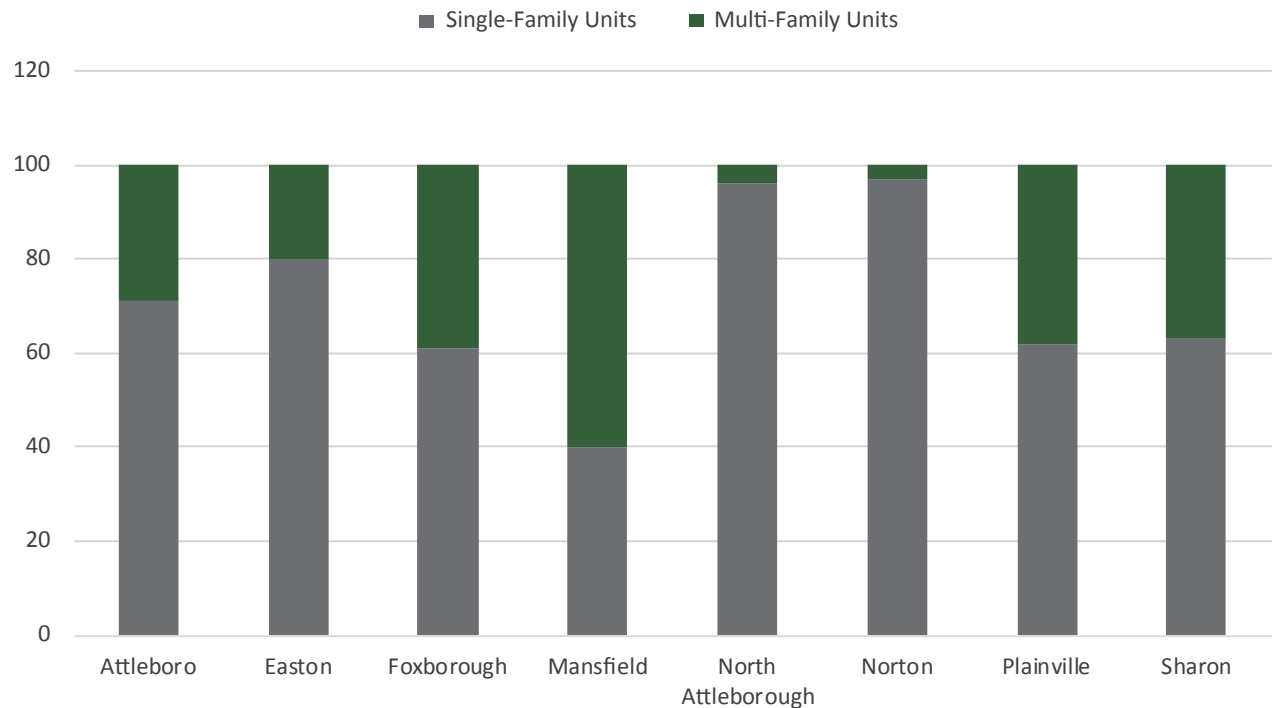


Table 4-6: Total Units Permitted, 2000-2014
(SRPEDD)

		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Attleboro	Total Units	220	132	150	165	166	106	113	80	49	46	48	51	49	62	86
	SF Units	180	81	98	144	126	90	38	44	34	34	46	35	33	40	52
	MF Units	40	51	52	21	40	16	75	36	15	12	2	16	16	22	34
Easton	Total Units	59	73	110	34	81	4	12	44	17	32	26	28	48	97	98
	SF Units	59	73	110	34	81	4	42	34	13	24	24	26	37	39	24
	MF Units	0	0	0	0	0	0	0	10	4	8	2	0	11	58	74
Foxborough	Total Units	44	28	39	42	54	29	63	23	275	24	21	24	38	27	31
	SF Units	44	28	33	36	28	29	63	23	17	24	21	24	38	27	27
	MF Units	0	0	6	6	26	0	0	0	258	0	0	0	0	0	4
Mansfield	Total Units	87	47	80	28	88	160	58	211	15	12	14	47	37	30	20
	SF Units	59	42	45	26	33	30	16	9	6	12	10	16	21	30	16
	MF Units	28	5	35	2	55	130	42	202	9	0	4	31	16	0	4
North Attleborough	Total Units	97	130	121	107	116	113	45	32	17	24	23	18	21	6	41
	SF Units	92	126	121	107	116	113	43	25	17	24	23	16	21	6	29
	MF Units	5	4	0	0	0	0	2	7	0	0	0	1	0	0	12
Norton	Total Units	85	44	169	93	79	89	41	57	29	21	20	11	18	17	20
	SF Units	85	42	167	93	79	89	41	51	29	15	20	11	12	17	20
	MF Units	0	2	2	0	0	0	0	6	0	6	0	0	6	0	0
Plainville	Total Units	42	49	48	12	71	89	23	38	12	21	14	6	124	1	27
	SF Units	42	49	48	12	38	50	19	38	6	15	14	6	4	1	13
	MF Units	0	0	0	0	33	36	4	0	6	6	0	0	120	0	14
Sharon	Total Units	22	25	16	9	16	18	8	139	29	12	17	19	32	21	16
	SF Units	22	25	16	9	16	18	8	15	5	12	17	19	32	21	16
	MF Units	0	0	0	0	0	0	0	124	24	0	0	0	0	0	0

FINDING #6: More than half of Mansfield’s housing stock is over 35 years-old; therefore, rehabilitation programs may be needed to keep residents in safe, affordable housing.

Fifty-two percent (52%) of residential properties are more than 35 years-old (built before 1980). In the absence of consistent maintenance, the relative age of this housing stock can indicate reduced quality and value. If older housing units have reduced values and are thereby more “affordable” to low and moderate income households, rehabilitation programs may be appropriate to enable people to stay in stable housing stock. The age of housing also has impacts on energy usage and home financing. Programs to support necessary home improvements may be needed, including energy efficiency, “de-leading,” and septic repairs for units occupied by low-and moderate-income households, particularly older residents living on fixed incomes.

Figure 4-7: Percent by Year Built of Residential Structures
(U.S. Census Bureau; American Community Survey 5-Year Estimates (2010-2014))

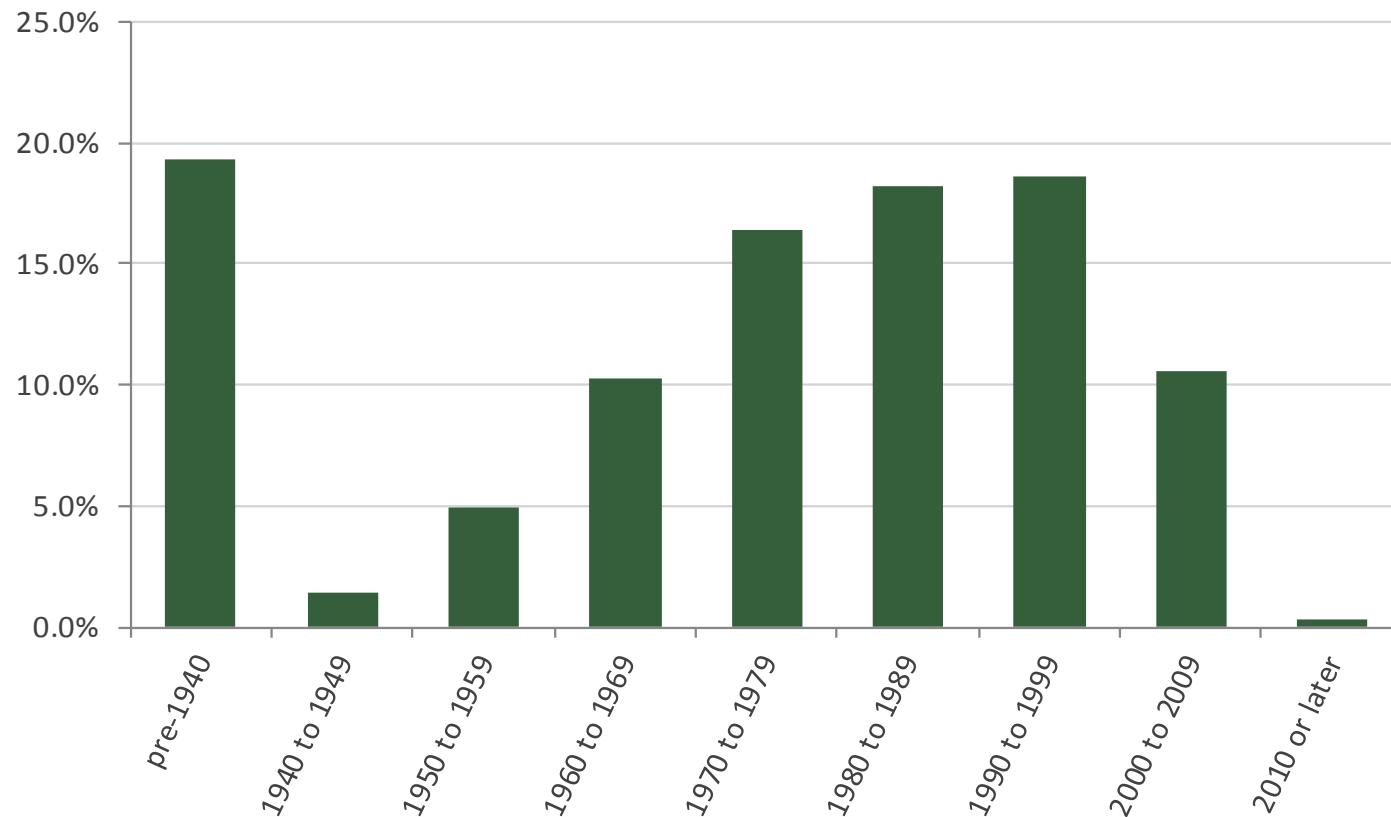


Table 4-7: Housing Types, Mansfield, 2000-2014
(US Census Bureau; ACS 5-Year Estimates (2010-2014))

	2000		2014		2000-2014 Percent Change
1-unit, detached	5,255	64.7%	5,343	62.6%	1.7%
1-unit, attached	241	3.0%	353	4.1%	46.5%
2 units	544	6.7%	721	8.5%	32.5%
3 or 4 units	307	3.8%	310	3.6%	1.0%
5 to 9 units	449	5.5%	436	5.1%	-2.9%
10 to 19 units	565	7.0%	536	6.3%	-5.1%
20 or more units	759	9.3%	822	9.6%	8.3%
Mobile Home	0	0.0%	0	0.0%	0.0%
Boat, RV, van, etc.	0	0.0%	10	0.1%	N/A
Total	8,120	100.0%	8,521	100.0%	4.9%

Table 4-8: Year-Built of Residential Structure, Mansfield, 2014
(US Census Bureau; ACS 5-Year Estimates (2010-2014))

Time Period	Count	Percent
pre-1940	1,643	19.3%
1940 to 1949	122	1.4%
1950 to 1959	419	4.9%
1960 to 1969	881	10.3%
1970 to 1979	1,402	16.4%
1980 to 1989	1,555	18.2%
1990 to 1999	1,584	18.6%
2000 to 2009	901	10.6%
2010 or later	24	0.3%
Total	8,531	100.0%

FINDING #7: Mansfield's housing units are predominately owner-occupied.

Approximately 72% of the 8,399 occupied housing units in Mansfield are owner-occupied. This compares to approximately 62% in both Bristol County and Massachusetts. Approximately two-thirds of these homeowners are 45 years-old or older. However, there are almost as many renters as owners who are older and who are younger than 45 years-old. In addition, one person households had the largest increases in all of the household size categories for both owner-occupied and renter-occupied housing units from 2000 - 2010 (see Table 4-10 below). These statistics, combined with the population trends, indicate the likely presence of a market for a variety of rental units across all age groups and household sizes.

Figure 4-8: Housing Occupancy and Tenure, 2010
(U.S. Census Bureau)

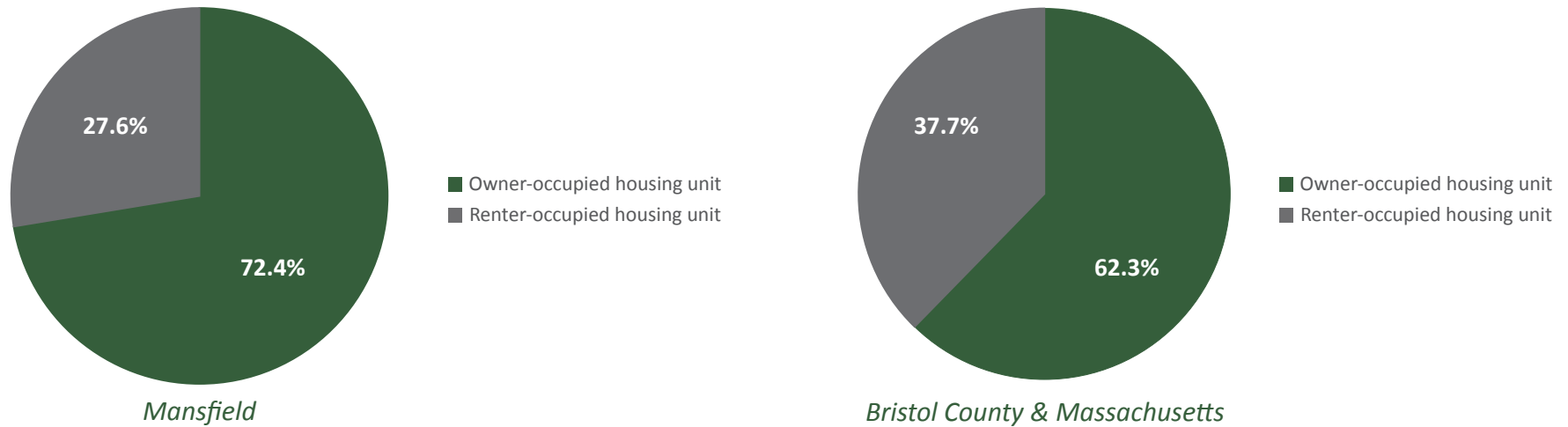


Figure 4-9: Housing Unit Tenure by Age, Mansfield
(U.S. Census Bureau)

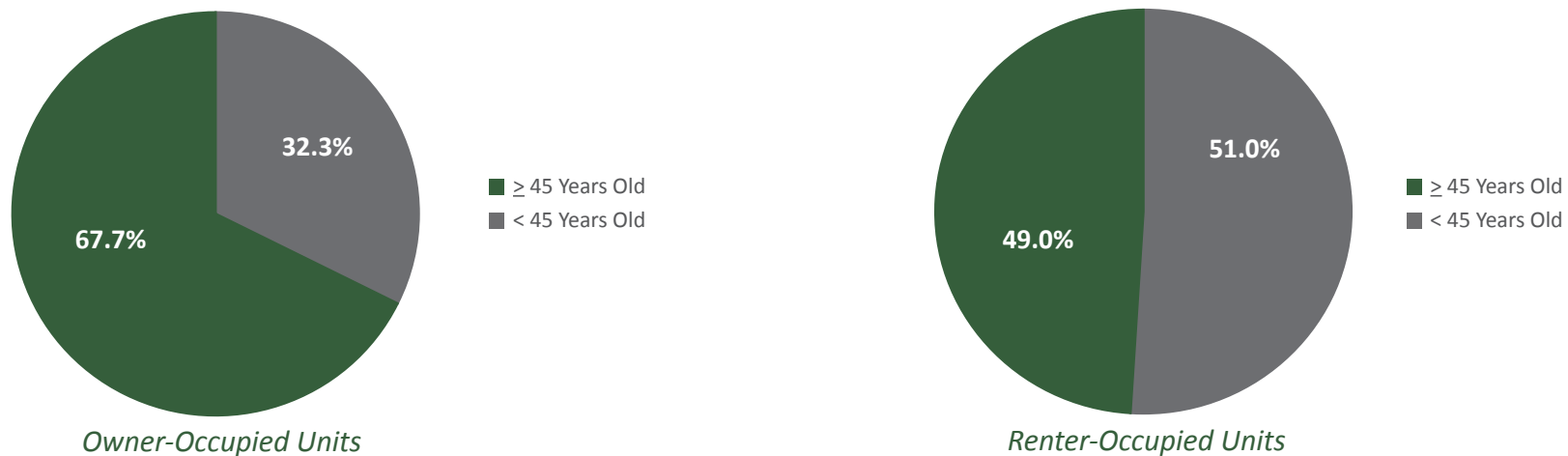


Table 4-9: Housing Unit Tenure by Age, Mansfield, 2010
(US Census Bureau)

	Owner-occupied housing units		Renter-occupied housing units	
15 to 24 years	22	0.4%	150	6.5%
25 to 34 years	413	6.8%	557	24.1%
35 to 44 years	1,532	25.2%	474	20.5%
45 to 54 years	2,047	33.7%	474	20.5%
55 to 64 years	1,183	19.4%	302	13.0%
65 years and over	886	14.6%	359	15.5%
Total	6,083	100.0%	2,316	100.0%

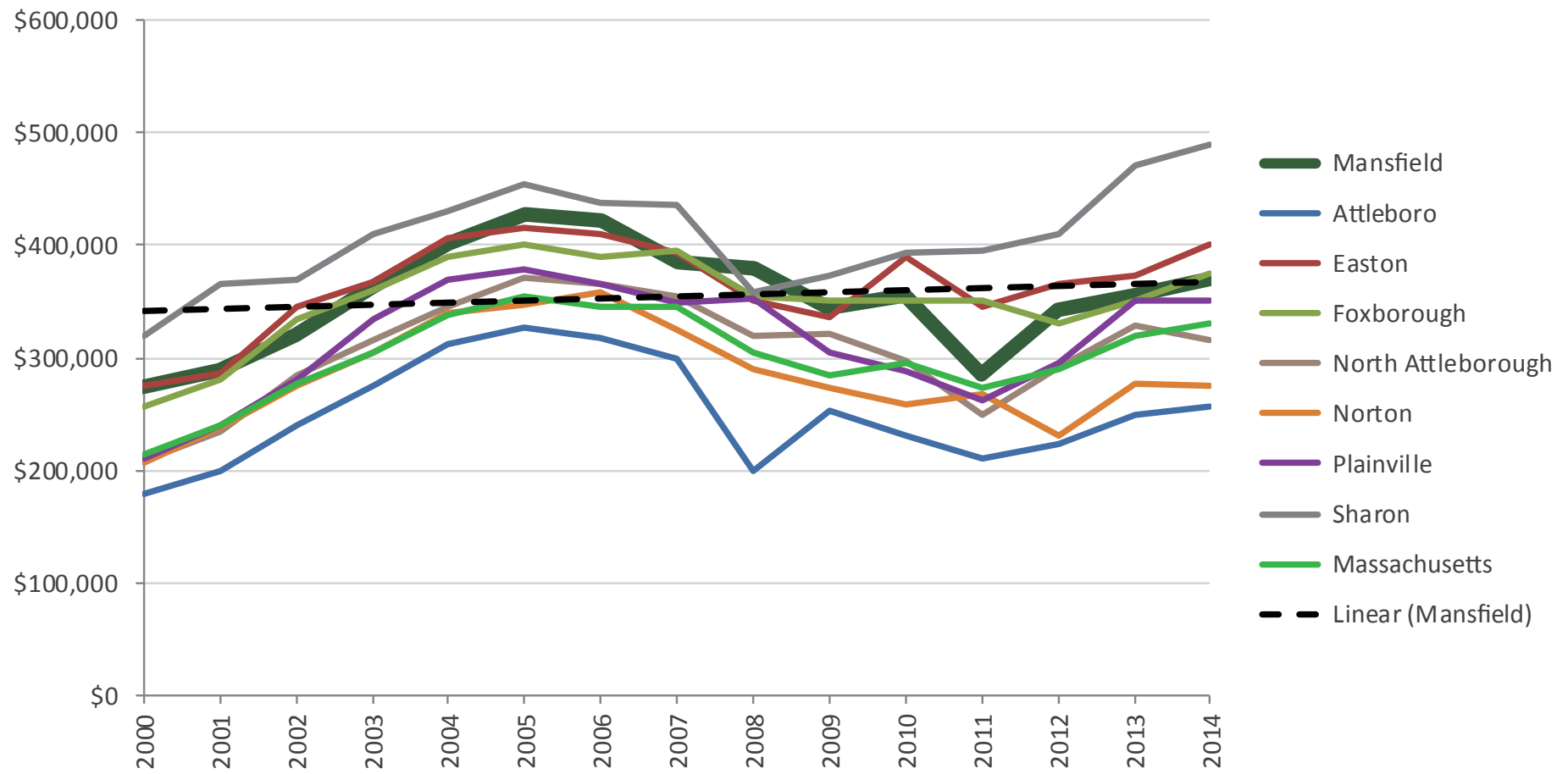
Table 4-10: Housing Tenure by Household Size, 2000-2010
(US Census Bureau)

	2000		2010		2000-2010 Percent Change
	Count	Percent	Count	Percent	
Owner-occupied housing units	5,700	-	6,083	-	6.7%
1-person household	712	12.5%	862	14.2%	21.1%
2-person household	1,463	25.7%	1,610	26.5%	10.0%
3-person household	1,146	20.1%	1,169	19.2%	2.0%
4-person household	1,502	26.4%	1,550	25.5%	3.2%
5-person household	647	11.4%	637	10.5%	-1.5%
6-person household	175	3.1%	189	3.1%	8.0%
7-person household	55	1.0%	66	1.1%	20.0%
Renter-occupied housing unit	2,242	-	2,316	-	3.3%
1-person household	960	42.8%	1,072	46.3%	11.7%
2-person household	674	30.1%	648	28.0%	-3.9%
3-person household	293	13.1%	309	13.3%	5.5%
4-person household	208	9.3%	196	8.5%	-5.8%
5-person household	76	3.4%	69	3.0%	-9.2%
6-person household	25	1.1%	17	0.7%	-32.0%
7-person household	6	0.3%	5	0.2%	-16.7%

FINDING #8: Mansfield has a stable, high-value housing market in terms of sales prices and volumes.

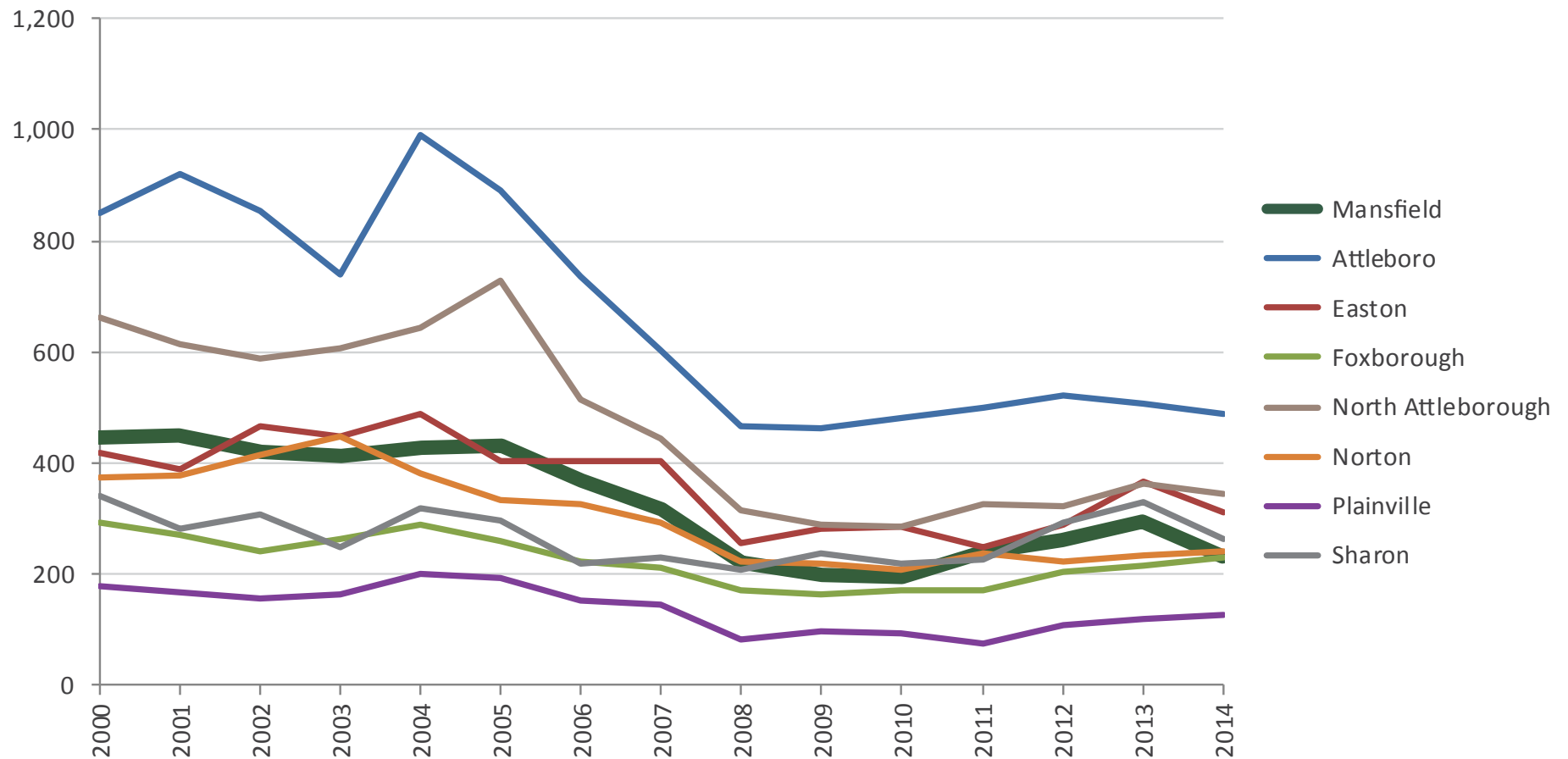
From 2000 to 2014, Mansfield's median sales price for a single family home was the third highest when compared to its neighboring communities. Only Sharon and Easton had median sales prices that were higher than Mansfield's during that period. In fact, Mansfield's median sales price averaged approximately \$53,000 higher than the MA average from 2000 to 2014 (see Table A-3 in the Appendix). Mansfield's home sales were very high (3rd to 4th highest when compared to neighboring communities) in the years leading up to the great recession and the housing market collapse; however, the market has been slow to rebound to its previous standing since that time. Mansfield's home sales during the market rebound have fluctuated slightly (averaging approximately 250 sales per year) which ranks 5th to 6th among neighboring communities. The higher median sales prices combined with the changing demographics could account for the reduced number of home sales.

Figure 4-10: Median Sales Price of Single Family Homes, 2000-2014
(Warren Group/Banker and Tradesman)



Home sales during the same period have been fairly steady. Moreover, vacancy rates in 2000 were at 0.3%, according to the U.S. Census, indicating a very tight market. (In general, rates below 5% indicate high competition for housing stock). Vacancy was at 1% in 2010, indicating a continued tight market, even after the housing crash in 2006-2008. In summary, Mansfield is a stable and high-value market, particularly in relation to the area median family income (\$80,200) and measures of affordability.

Figure 4-11: Trends in Home Sales (All Types), 2000-2014
(Warren Group/Banker and Tradesman)



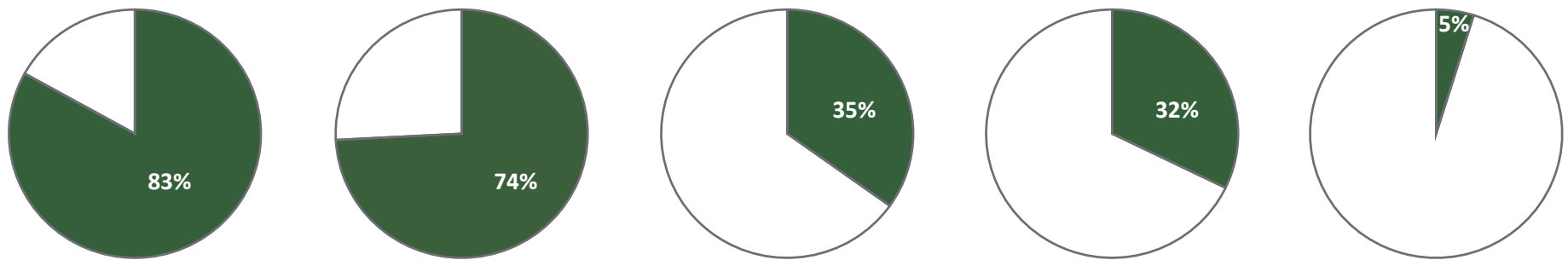
C. HOUSING AFFORDABILITY AND COST BURDEN

FINDING #9: Many of Mansfield's owners and renters are experiencing housing cost burden.

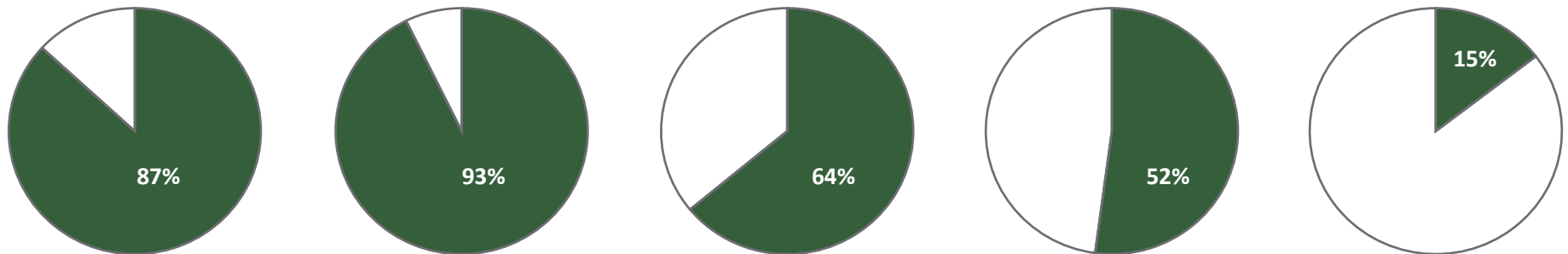
Several different measures of housing cost burden, including the HUD Comprehensive Housing Affordability Strategy (CHAS) data and a Housing Affordability Gap Analysis, indicate that significant proportions of households are experiencing this hardship. According to an analysis of single-family ownership costs, only 3.8% of houses in Mansfield are affordable to households making less than the HUD Area Median Family Income (AMFI) of \$80,200 (see Figure 4-14). Moreover, less than 1% of houses are affordable to low-income households making 80% or less of the AMFI. These measures all indicate a need for more affordable housing – both in terms of market rate housing and subsidized housing.

Figure 4-12: Households Experiencing Housing Cost Burden by Income
HUD Comprehensive Housing Affordability Strategy (CHAS), 2012

Renters



Owners



Household Income
≤ 30% AMFI

Household Income
> 30% to ≤ 50% AMFI

Household Income
> 50% to ≤ 80% AMFI

Household Income
> 80% to ≤ 100% AMFI

Household Income
> 100% AMFI

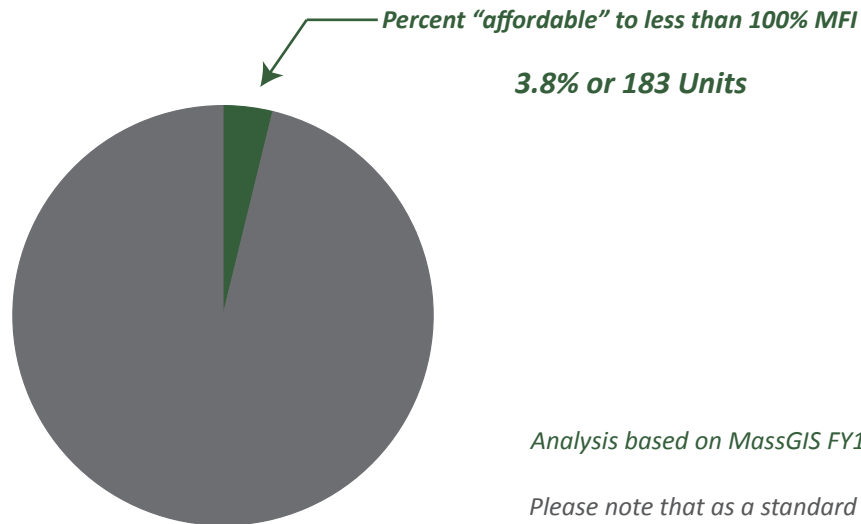
Figure 4-13: Mansfield Housing Affordability Gap, 2000-2014
(Warren Group/Banker and Tradesman, HUD)

		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
A	HUD MFI	\$65,500	\$70,000	\$74,200	\$80,800	\$82,600	\$82,600	\$76,200	\$79,300	\$79,300	\$84,600	\$82,900	\$87,400	\$88,600	\$77,500	\$82,900
B	"Affordable Price" (A x 3)	\$196,500	\$210,000	\$222,600	\$242,400	\$247,800	\$247,800	\$228,600	\$237,900	\$237,900	\$253,800	\$248,700	\$262,200	\$265,800	\$232,500	\$248,700
C	Median Sales Price	\$275,000	\$289,950	\$319,950	\$363,750	\$402,000	\$427,450	\$422,000	\$385,000	\$380,000	\$345,000	\$355,000	\$285,000	\$342,400	\$354,900	\$370,000
D	"Affordability Gap" (C - B)	\$78,500	\$79,950	\$97,350	\$121,350	\$154,200	\$179,650	\$193,400	\$147,100	\$142,100	\$91,200	\$106,300	\$22,800	\$76,600	\$122,400	\$121,300



Figure 4-14: Approximate Cost of Single Family (SF) Ownership Units in Mansfield, 2015

A	B	C	D	E
Income Range Relative to Area MFI (\$80,200)	Family Income Range	Family Income Range x3 (method for determining approximate maximum value of "affordable housing)	Number of SF Units "affordable" to families in this income range	Percent of SF Units "affordable" to families in this income range
	$A \times \$80,200$ (AMFI)	$B \times 3$	<i>Number of SFHs valued in range C</i>	$D \div 5,383$
Less than 50% MFI	< \$40,100	< \$120,300	0	0.0%
50% - 80% MFI	\$40,100 to \$64,159	\$120,300 to \$192,479	22	0.4%
80% - 100% MFI	\$64,160 to \$80,199	\$192,480 to \$240,599	183	3.4%
100% - 120% MFI	\$80,200 to \$96,239	\$240,600 to \$288,719	791	14.7%
more than 120% MFI	≥ \$96,240	≥ \$288,720	4,387	81.5%
			5,383	100.0%



Analysis based on MassGIS FY13 Level 3 Parcel Data and HUD Data

Please note that as a standard practice, assessed value is assumed to be approximately 93% of potential sale price. This adjustment was not incorporated into this analysis, indicating that the cost values here are low estimates.

5. BARRIERS TO HOUSING DEVELOPMENT

Overarching demographic, socioeconomic, and real estate market trends account for many of the nine (9) findings. However, they may also point to several barriers to affordable housing that also contribute to characteristics identified in the Housing Needs Assessment:

BARRIER #1: Mansfield's large-lot, low-density Natural Resource and Scenic Residential (R1) zoning has led to the construction of high-priced single-family residences.

The town's Natural Resource and Scenic Residential (R1) zoning district has a minimum lot size per unit of 60,000 square feet (or 1.38 acres). This district covers nearly 46% of the town's land area and influences the shape and character of a good percentage of the development in town. While very large-lot zoning (upwards of 200,000 square feet per unit) can sometimes be used as a land conservation technique, this mid-sized lot (60,000 square feet per unit) zoning often leads to suburban sprawl. It also contributes to the construction of large single-family units that, due in part to their property's embedded land costs, are unaffordable to low-to moderate-income families.

BARRIER #2: Mansfield's location and amenities have created a high cost market environment making it unaffordable to the older and younger populations.

Mansfield's geographic location (twenty-six (26) miles south of Boston and nineteen (19) miles northeast of Providence, Rhode Island) along with its highway and rail access has made the town very attractive to households who work in the major metropolitan areas of Boston and Providence. In addition, the inter-regional highway network (State Route 106 and State Route 140) further provide Mansfield an advantage over its neighboring communities. Mansfield residents benefit from a quality educational system, cultural events, and extensive and well-managed municipal services which are supported by a diverse tax base. Communities, like Mansfield, attract a wide range of individuals and therefore the housing supply must be diverse enough to meet the demand.

BARRIER #3: Mansfield's sewer system does not cover the entire community.

There are substantial residential areas that do not have municipal sewer in Mansfield. The Natural Resource and Scenic Residential (R1) district in West Mansfield (approximately 1,800 single family homes) and portions of East Mansfield (approximately 1,500 single family homes) are the larger areas in town which do not have sewer service and expansion to those areas could be costly. In 2014, the towns of Mansfield, Foxborough, and Norton formed a regional wastewater district in order to expand the current treatment plant, upgrade its treatment process, and ultimately provide more capacity to each community. Generally, limited sewer service contributes to higher development costs and can constrain the development of a diversity of types and smaller lot housing.

BARRIER #4: Mansfield does not have adequate bus service.

Mansfield currently has GATRA bus service that connects the MBTA commuter rail station in downtown to Wheaton College in Norton along North Main Street. In addition, GATRA provides demand response bus service for Mansfield residents who are 60 years or older and for people with disabilities. All Mansfield residents can use the “Mansfield T Connector” - a curb-side transportation service to and from the rail station and residences. This service is open to Mansfield residents only and is sponsored by GATRA. The lack of regular fixed-route bus service in a community like Mansfield limits those who lack other forms of transportation to walking or biking to their destinations. The amount of multi-family housing rental units indicates that there may be a potential need for regular public transit in Mansfield.

BARRIER #5: Local housing non-profit has lack of experience developing affordable housing.

In 2004, Mansfield increased local capacity to produce affordable housing by forming the Mansfield Housing Corporation. This local non-profit development corporation continues to struggle to develop affordable housing in Mansfield due to a number of factors, such as limited board members and a lack of experience and expertise. In order for Mansfield to continue to maintain and add to the stock of affordable housing in town, the Mansfield Housing Corporation must be able to take the lead role.

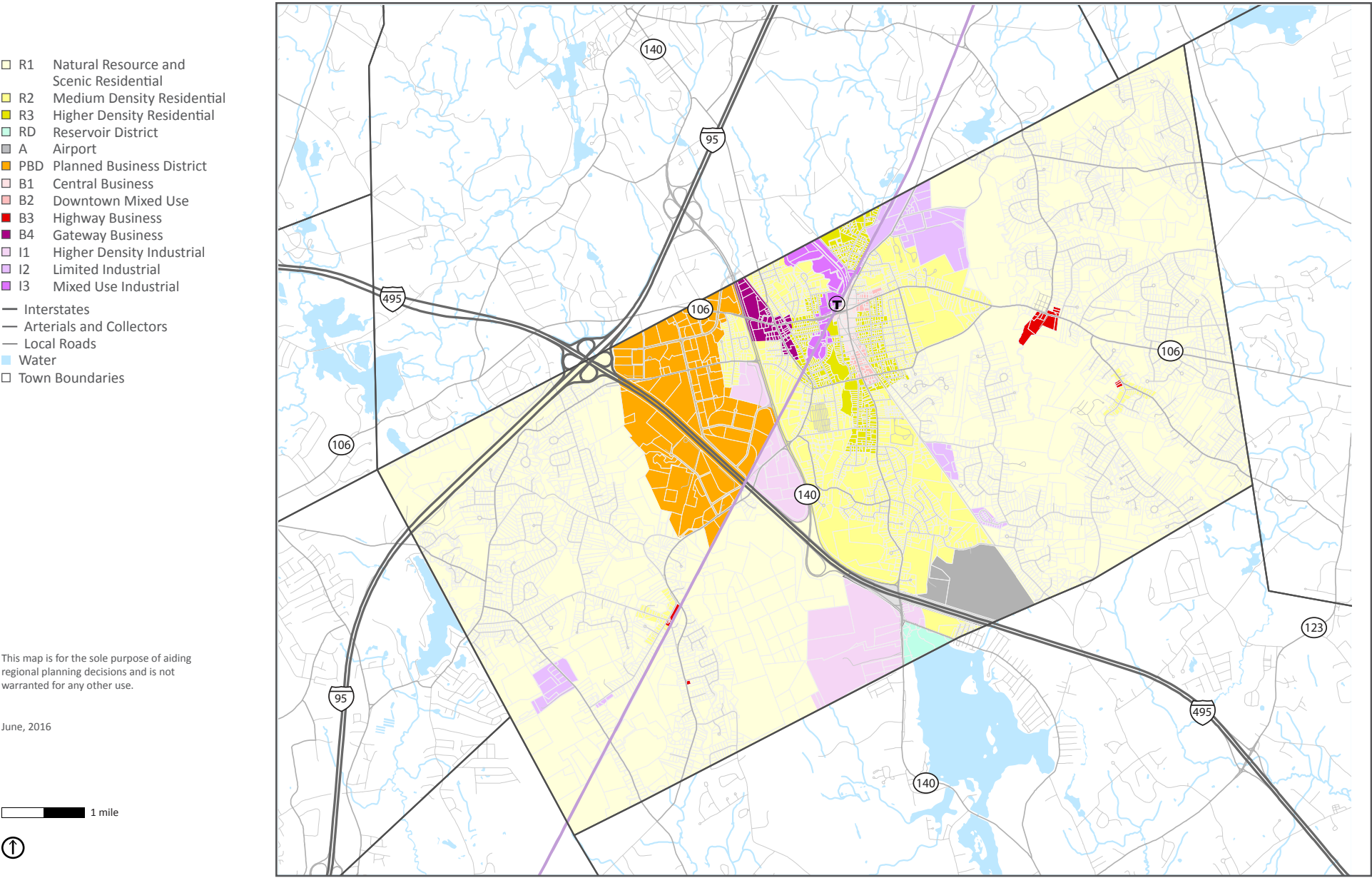
BARRIER #6: Accessory Apartment bylaw is too restrictive and does not encourage affordable housing units.

Mansfield has done an exemplary job at creating zoning bylaws and districts that allow for the production of affordable housing. For example, the Inclusionary Housing bylaw produces a small number of affordable units and both the North Main Street Business Overlay District and the Mansfield Station Revitalization Overlay District encourage mixed-use in the Downtown area as well as near the train station. However, the Accessory Apartments-Special Permit Use bylaw includes several restrictive items such as: (1) a requirement that at least one of the two units shall be occupied by a person(s) at least fifty-five (55) year of age or older (2) the gross floor area of the dwelling shall have been at least 2,000 square feet as of January 1, 1989 (3) and, that no enlargements or extensions of the dwelling are permitted except for minimal additions necessary to comply with building safety or health codes. Lastly, the accessory apartment-special permit bylaw does not provide any incentives to property owners to create an accessory apartment that is rented to low-income households.

BARRIER #7: Two-Family Dwellings are not allowed in the Medium Density Residential (R2) District

The Medium Density Residential (R2) District generally surrounds the High Density Residential (R3) District and the Business Districts (Central Business - B1, Downtown Mixed Use - B2, Gateway Business - B4) located within the central part of the town. It creates a natural progression of allowed uses and densities from the denser R3, B1, and B2 districts to the lower density R1 district. The majority of this district has municipal water and municipal sewer service and has a range of current lot sizes; however, two-family dwellings are not currently allowed in the Medium Density Residential (R2) District.

Figure 4-15: Town of Mansfield Zoning Map



6. AFFORDABLE HOUSING GOALS AND STRATEGIES

When taken together, the nine (9) Housing Needs Assessment Findings and the seven (7) Barriers to affordable housing, introduced above, point to the need for housing types that meet the needs of smaller households, households with retirement-age residents, and low- to moderate-income households. In Mansfield's high-value housing market, changing some of the current public policy initiatives will likely be necessary in order to overcome barriers and thereby produce housing types that are affordable to low- and moderate-income families while still being profitable to the private development community.

A. AFFORDABLE HOUSING GOALS THAT ADDRESS NEEDS AND OVERCOME BARRIERS

Mansfield's Affordable Housing Production Goals include the following:

GOAL #1: Continue efforts to strengthen local housing development capacity.

The Mansfield Housing Corporation needs continued assistance in order to ensure it can achieve its mission. This assistance can come in many forms and will need to be ongoing so that Mansfield can continue to meet the 10% threshold of Chapter 40B.

GOAL #2: Produce affordable housing units that meet the needs of the aging population.

Produce diverse housing types to allow for housing choices for older Mansfield residents that will meet desires expressed by the town and many of the demographic and socioeconomic trends.

GOAL #3: Continue to encourage diversity of housing types in both market rate and subsidized housing.

A healthy mix of housing types provides options for current and future residents of Mansfield. As the population ages, residents won't have to find housing choices in another community because alternatives are available in the community in which they live and the younger population can continue to remain in town.

GOAL #4: Take care to locate new housing in a way that maximizes access to services and minimizes impacts on the environment and existing neighborhoods.

Identifying locations where the residents of new housing will have access to amenities and services is important. Similarly, these same locations should minimize any potential adverse impacts on Mansfield's environmental resources and existing neighborhoods while ensuring a reduction in travel expenses for lower income households.

GOAL #5: Pursue additional funding sources.

Mansfield should explore adopting the Community Preservation Act and direct the required 10% of funds to the Mansfield Housing Corporation for affordable housing development.

B. AFFORDABLE HOUSING IMPLEMENTATION STRATEGIES TO ACHIEVE HOUSING GOALS

In order to meet the aforementioned goals, the Town of Mansfield should consider implementing the following strategies:

STRATEGY #1: Strengthen the Mansfield Housing Corporation.

In order for the Mansfield Housing Corporation to successfully develop affordable housing on a consistent basis it requires thoughtful consideration of the following:

- a. Changing the required board members from a minimum of seven (7) and maximum of eleven (11) to a minimum of five (5) and a maximum of nine (9).
- b. Hiring a consultant or a housing specialist to manage the “day-to-day” operations while the board members maintain approval authority.
- c. Joining an existing regional housing group to take advantage of their experience and expertise.

STRATEGY #2: Implement zoning bylaw amendments.

The following zoning bylaw amendments could be considered by the Town of Mansfield in an effort to build upon the past zoning implementation successes and encourage more affordable housing development:

- a. Modifying the Inclusionary Housing bylaw to include a modest density bonus for those developments that produce extra affordable units.
- b. Modifying the Accessory Apartments bylaw to encourage the occupancy of either unit be for a person(s) over fifty-five rather than require it; allow for a smaller existing dwelling unit square footage (now at 2,000 sq. ft.); either eliminate the restriction on enlargements or extensions or allow modest increases; and provide incentives for property owners who create affordable accessory units that are affordable to low- and moderate-income households.
- c. Modifying the Medium Density Residential (R2) District to allow Two-Family Dwellings either by-right or by special permit.

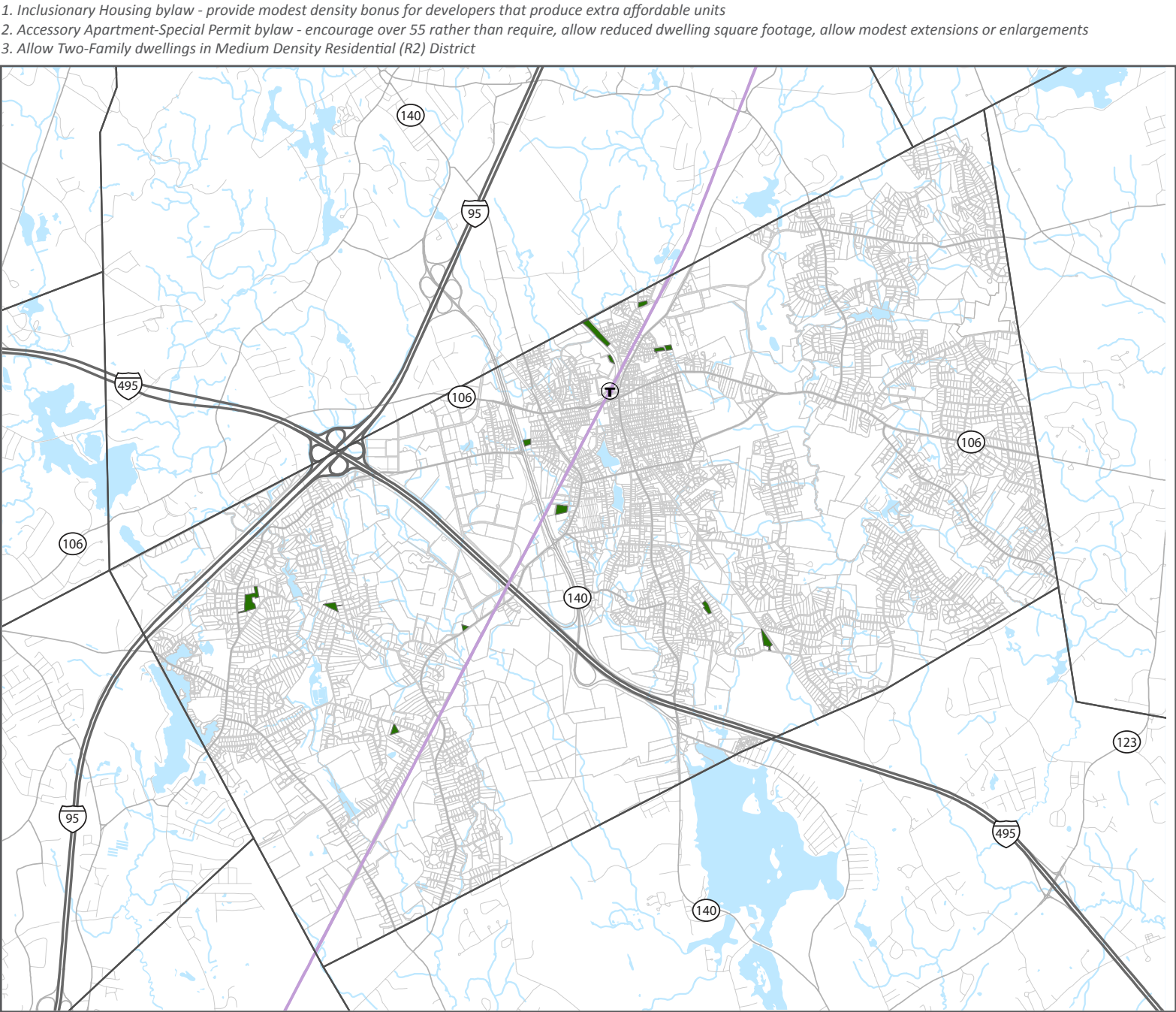
STRATEGY #3: Encourage “Friendly 40B” developments.

The town can use this HPP and any future documents (such as Zoning Board of Appeals Rules and Regulations for 40B Comprehensive Permits) to proactively seek 40B housing developments in town. By working collaboratively with respected affordable housing developers, Mansfield can influence the location (to sites identified in this HPP) and character of these developments and thereby produce positive outcomes. The town can provide descriptions or visual design guidelines that direct development to preferred site design and building construction outcomes that complement the town. Additionally, several Town-owned properties (depicted in Figure 4-16 and described in Table C-1) present opportunities for affordable housing development.

STRATEGY #4: Pursuing tax-title properties for affordable housing development.

The term “tax-title property” refers to property foreclosed on by the town for failure to pay taxes. Some of these properties may include land that would be suitable for development and may therefore present opportunities to either transfer the land to the Mansfield Housing Corporation or the Mansfield Housing Authority or to sell for it for additional revenue. The MHC could work with the Town Treasurer to identify those available properties.

Figure 4-16: Housing Action Map



STRATEGY #5: Establish loan programs that provide local homebuyers and current homeowners with funds that would convert market-rate housing to affordable, deed-restricted housing.

A homebuyer assistance program would provide subsidies to low- and moderate-income homebuyers who convert existing market rate homes to affordable homes. Similarly, a homeowner rehabilitation program would provide funds to low- and moderate-income homeowners who would convert their existing market-rate home to an affordable home. These homes would have a permanent affordability deed restriction as a result of program participation. Because these types of programs are fairly common and are recognized by the state, the affordable units qualify for the Subsidized Housing Inventory (SHI) through the Local Initiative Program (LIP) as Local Action Units (LAUs).

STRATEGY #6: Create a Referral Services Program for Elderly Homeowners.

Provide referral services to elderly homeowners with low- and moderate-incomes to enable them to stay in their homes. This program would identify elderly homeowners who may be eligible for grants or other financial assistance through other currently funded programs. Outreach will be designed to maximize citizen awareness of the availability of this referral service.

STRATEGY #7: Create an Affordable Housing Property Tax Exemption Program.

The affordable housing property tax exemption program would provide a property tax exemption to owners of housing units that are rented on a year-round basis to low-income households at rents (including utilities) not exceeding the HUD income limits for low-income households. This incentive could be accompanied by an agreement with the property owner to grant the town a “right of first refusal” to purchase their home at below market value at the time of sale, thereby converting the market-rate unit to an affordable unit.

STRATEGY #8: Adopt the Community Preservation Act.

The Community Preservation Act (CPA) is a tool that helps communities preserve open space and historic sites, develop outdoor recreational facilities, and create affordable housing by allowing communities to create a local Community Preservation Fund from monies raised locally through the imposition of a surcharge of not more than 3% of the tax levy against real property. Numerous examples of the CPA-funded affordable housing projects exist throughout the Commonwealth.

Table 4-11: Mansfield HPP Strategy and Action Plan

Strategy No.	Strategy	Who?	When?	How?	Which Goals?	Quantity of Affordable Units
1.	Strengthen the Mansfield Housing Corporation	BOS, HA, PB, MHC	2016 - 2021	Outreach, Collaboration, BOS action	Goal 1, 2, and 3	10-15
2a.	Modify the Inclusionary Housing bylaw	PB, BOS	2016 - 2021	Outreach, Planning, Town Meeting Vote	Goals 2,3, and 4	5-10
2b.	Modify the Accessory Apartments bylaw	PB, BOS	2016 - 2021	Outreach, Planning, Town Meeting Vote	Goals 2,3, and 4	5-10
2c.	Modify the Medium Residential Density District	PB, BOS	2016 - 2021	Outreach, Planning, Town Meeting Vote	Goals 2,3, and 4	5-10
3.	Encourage “Friendly 40B” developments	ZBA, BOS, PB, MHC	2016 - 2021	Outreach to and collaboration with developers, ZBA action	Goals 2,3, and 4	50-100
4.	Pursue tax-title properties for affordable housing development	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	10-15
5.	Establish loan programs that encourage the conversion of market rate housing to affordable housing	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	10-15
6.	Create a Referral Services Program for elderly homeowners	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	5-10
7.	Create an Affordable Housing Property Tax Exemption Program	MHC, PB, BOS	2016 - 2021	MHC & PB research, BOS action	Goals 2,3, and 4	5-10
8.	Adopt the Community Preservation Act	CC, PB, MHC, BOS	2016 - 2021	Outreach, BOS action, Ballot question	Goal 5	20-25
					Total Units by 2021	125-220

C. ACTION PLAN

Mansfield needs to continue to produce affordable housing units to meet the needs of its residents and to maintain its Chapter 40B 10% requirement. By taking a proactive approach to housing production, Mansfield will be much more likely to achieve both its housing and community planning goals.

ACTIONS FOR STRATEGY #1: Strengthen the Mansfield Housing Corporation.

The Mansfield Housing Corporation continues to struggle to develop affordable housing in Mansfield due to a number of factors such as limited board members and a lack of experience and expertise. In the event that the MHC continues to not meet the minimum number of members requirement, the Mansfield Board of Selectmen should consider reducing that requirement. In addition, the Mansfield Housing Corporation should actively search out opportunities for training and/or partnerships that would allow for the current members to expand their knowledge of producing affordable housing. The Mansfield Housing Authority and the Mansfield Planning Board should work closely with the MHC to ensure that existing expertise is shared on a continuing basis. Lastly, the Mansfield Housing Corporation should investigate the potential of hiring a consultant or housing specialist to manage the “day-to-day” operations while the board members maintain approval authority and/or either forming or joining a regional housing group to take advantage outside expertise and knowledge.

ACTIONS FOR STRATEGY #2: Implement zoning bylaw amendments.

The Mansfield Planning & Development Director can prepare the amendments to the existing bylaws. Public outreach and civic engagement will be key to both the process of amending the bylaws and passing them at Town Meeting. Project research should pay particular attention to clearly identifying specific types of housing (using examples) that the new bylaw will enable and incentivize. The Planning Board should collaborate with the Board of Selectmen in order to secure its support for Town Meeting vote.

ACTIONS FOR STRATEGY 3: Encourage “Friendly 40B” developments.

The Mansfield Housing Corporation, Planning Board, Zoning Board of Appeals, and the Board of Selectmen can reach out to well-known and respected affordable housing developers. The Boards can provide the developers with this HPP document as a guide for the type, location, and populations to serve with 40B developments in town. By working collaboratively and proactively with affordable housing developers, Mansfield can influence the location and character of these developments and thereby produce positive outcomes. This work can be undertaken on an ongoing basis.

ACTIONS FOR STRATEGY #4: Pursuing tax-title properties for affordable housing development.

The Mansfield Town Treasurer/Collector can assist the MHC and the Planning Board with research needed to identify and map tax-title properties to determine their suitability for rehabilitation or for sale to generate revenue. There are two methods that the Town can use to dispose of tax-title (and other Town-owned property): transfer by Town Meeting, with approval by the Board of Selectmen, or through sale at public auction. In the framework of a public auction, it would be beneficial for the Board of Selectmen to authorize the Town Treasurer to auction specified parcels for “affordable housing purposes” – this strategy would narrow competition for the designated properties.

ACTIONS FOR STRATEGY #5: Establish loan programs that assist local homebuyers and homeowners with funds that would convert market rate housing to affordable, deed-restricted housing.

and

ACTIONS FOR STRATEGY #6: Create a Referral Services Program for Elderly Homeowners.

and

ACTIONS FOR STRATEGY #7: Create and Affordable Housing Property Tax Exemption Program.

These strategies will require the sponsorship of the Mansfield Housing Corporation. The funds for these programs could come from the Housing Trust or from state and federal grant programs. Support from the Housing Authority, Board of Selectmen, and the Planning Board will be important.

ACTIONS FOR STRATEGY #7: Adopt the Community Preservation Act.

The Mansfield Housing Corporation should join with the Conservation Commission, the Historical Commission, the Recreation Committee, and any other town environmental preservation groups and cultural groups to initiate the public outreach campaign to gauge the community's level of support. This joint effort will represent broad municipal support and if resident support is demonstrated, the Board of Selectmen would need to approve it for Town Meeting vote and then the community would need to approve a ballot question.

APPENDIX A: SUPPLEMENTAL DATA

Table A-1: Household Projections
(US Census Bureau, SRPEDD, MassDOT)

	Household Growth			Percent Change	
	2010 Count	2020 Projection	2030 Projection	2010-2020	2020-2030
Attleboro	16,884	17,903	18,900	6.04%	5.57%
Easton	7,865	8,445	8,777	7.37%	3.93%
Foxborough	6,504	7,005	7,423	7.70%	5.97%
Mansfield	8,399	8,432	8,755	0.39%	3.83%
North Attleborough	10,943	11,476	12,003	4.87%	4.59%
Norton	6,416	6,612	6,833	3.05%	3.34%
Plainville	3,303	3,554	3,821	7.60%	7.51%
Sharon	6,219	6,686	7,073	7.51%	5.79%

Table A-2: Housing Occupancy and Tenure, 2000-2010
(US Census Bureau)

	Mansfield					Bristol	MA
	2000		2010		2000-2010 Percent Change	2000-2010 Percent Change	2000-2010 Percent Change
Housing Tenure	Count	Percent	Count	Percent			
Occupied housing units	7,942	100.0%	8,399	100.0%	5.8%	3.7%	4.2%
Owner-occupied housing units	5,700	71.8%	6,083	72.4%	6.7%	5.0%	5.2%
Average household size of owner-occupied unit	3.12	-	3.06	-	-	-	-
Renter-occupied housing units	2,242	28.2%	2,316	27.6%	3.3%	1.6%	2.6%
Average household size of renter-occupied unit	2.05	-	1.97	-	-	-	-
Housing Occupancy	Count	Percent	Count	Percent			
Total housing units	8,120	100.0%	8,746	100.0%	7.7%	6.3%	7.1%
Occupied housing units	7,942	97.8%	8,399	96.0%	5.8%	3.7%	4.2%
Vacant housing units	178	2.2%	347	4.0%	94.9%	52.3%	46.4%
For seasonal, recreational, or occasional use	37	0.5%	21	0.2%	-43.2%	30.7%	23.3%
Homeowner vacancy rate (percent)	0.3	-	1.0	-	-	-	-
Rental vacancy rate (percent)	2.9	-	6.6	-	-	-	-

Table A-3: Median Sales Price of Single Family Homes, 2000-2014
(Warren Group/Banker and Tradesman)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Attleboro	\$179,900	\$200,000	\$240,000	\$275,000	\$312,750	\$327,400	\$318,000	\$300,000	\$200,000	\$252,500	\$231,000	\$210,475	\$224,000	\$248,500	\$256,500
Easton	\$275,000	\$285,900	\$345,000	\$368,000	\$407,000	\$415,125	\$410,000	\$399,750	\$350,000	\$337,000	\$390,000	\$345,000	\$365,000	\$373,000	\$400,000
Foxborough	\$257,500	\$279,950	\$335,000	\$360,000	\$390,000	\$399,900	\$389,900	\$395,000	\$354,000	\$350,000	\$351,000	\$350,000	\$330,000	\$350,100	\$375,000
Mansfield	\$275,000	\$289,950	\$319,950	\$363,750	\$402,000	\$427,450	\$422,000	385,000\$	\$380,000	\$345,000	\$355,000	\$285,000	\$342,400	\$354,900	\$370,000
North Attleborough	\$208,500	\$235,000	\$284,000	\$315,000	\$345,700	\$370,386	\$364,750	\$355,000	\$320,000	\$321,500	\$297,000	\$250,000	\$292,000	\$328,750	\$316,500
Norton	\$207,000	\$237,500	\$274,450	\$305,000	\$339,800	\$346,500	\$357,700	\$325,000	\$290,000	\$272,500	\$259,000	\$268,000	\$230,000	\$276,500	\$275,000
Plainville	\$210,000	\$240,300	\$280,000	\$335,000	\$368,950	\$379,000	\$366,450	\$349,500	\$352,500	\$304,000	\$287,500	\$263,000	\$295,900	\$350,000	\$351,000
Sharon	\$320,000	\$365,770	\$370,000	\$410,000	\$430,250	\$455,000	\$437,500	\$435,000	\$358,500	\$372,450	\$392,900	\$395,250	\$409,500	\$469,950	\$488,425
SRPEDD	\$177,000	\$215,000	\$240,000	\$279,900	\$319,900	\$340,000	\$335,625	\$325,000	\$280,000	\$260,000	\$255,000	\$233,960	\$248,250	\$266,750	\$275,000
MA	\$215,000	\$239,325	\$276,500	\$305,000	\$337,500	\$355,000	\$345,000	\$345,500	\$305,000	\$285,000	\$295,000	\$273,000	\$290,000	\$320,000	\$330,000

Table A-4: Trends in Home Sales (All Types), 2000-2014
(Warren Group/Banker and Tradesman)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Attleboro	849	921	854	739	989	891	737	603	467	461	483	500	521	506	489
Easton	418	390	466	449	487	404	403	402	255	283	286	248	288	366	310
Foxborough	292	272	241	263	290	259	222	212	170	163	170	171	206	217	230
Mansfield	445	451	422	413	428	431	370	316	220	200	196	241	263	293	233
North Attleborough	663	614	588	606	644	727	515	444	314	291	284	327	324	363	343
Norton	375	376	416	447	381	332	327	292	223	218	208	239	224	234	240
Plainville	178	168	156	163	200	195	154	144	82	96	94	75	107	120	127
Sharon	342	281	307	248	320	298	220	229	209	237	220	228	294	331	265
Total	3,562	3,473	3,450	3,328	3,739	3,537	2,948	2,642	1,940	1,949	1,941	2,029	2,227	2,430	2,237

APPENDIX B: SUBSIDIZED HOUSING INVENTORY

Table B-1: Subsidized Housing Inventory, Mansfield, 2014
(DHCD)

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	40B Comp. Permit?	Subsidizing Agency
1804	N/A	Eddy St.	Rental	10	Perp.	No	DHCD
1805	N/A	Cedar Court/Wilson Place	Rental	29	Perp.	No	DHCD
1806	N/A	Bicentennial Ct.	Rental	60	Perp.	No	DHCD
1807	N/A	15 Park St.	Rental	42	Perp.	No	DHCD
1808	Road to Responsibility	651 South Main St.	Rental	8	Perp.	No	DHCD
1809	N/A	Dean St, West St, Pineneedle Ln, Brook St	Rental	5	Perp.	No	DHCD
1810	N/A	Hawthorne Ct.	Rental	8	Perp.	No	DHCD
1811	Mansfield Meadows	12 Bonney Lane	Rental	170	7/1/2028	No	DHCD/MassHousing
1812	Village at Mansfield Depot I	53-54 Francis Ave	Rental	150	2030	No	DHCD
1813	Village at Mansfield Depot II	22,25,27,29,31 Francis Ave	Rental	95	Perp.	Yes	DHCD
3726	Copeland Crossing	Chauncy Street (Rt 106) and Copeland Drive	Rental	42	Perp.	Yes	DHCD
4352	DDS Group Homes	Confidential	Rental	42	Perp.	No	DHCD
4654	Bay Brook Village	Branch Street (Jakes Way)	Ownership	7	Perp.	Yes	MassHousing
6504	The Village at Cedar Heights	10 Connors Avenue	Rental	66	Perp.	Yes	MHP
8153	Fairfield Green	West Street	Rental	200	Perp.	Yes	MassHousing
8728	The Condominiums at Lincoln Place	270 North Main St	Ownership	2	Perp.	No	HUD
8837	Rumford Ave	Rumford Ave	Ownership	2	Perp.	No	HUD
9770	North Main Street	North Main Street	Ownership	1	Perp.	No	DHCD
9771	Spring Street Mill	68 Spring Street	Rental	3	Perp.	No	DHCD
9772	214 Rumford Avenue	214 Rumford Avenue	Rental	4	Perp.	No	DHCD

Total SHI Units **946***
Census 2010 Year Round Housing Units **8,725**
Percent Subsidized **10.8%**

* Note: Thirteen (13) affordable units in “North Common Estates”, directly across the street from the MBTA Commuter Rail Station (Approved in 2015) and nineteen (19) affordable units at the “Chocolate Factory”, approximately 1/4 mile from the MBTA Commuter Rail Station (Approved in 2016), will be added once DHCD updates the SHI list.

APPENDIX C: TOWN-OWNED PROPERTIES AND AFFORDABLE HOUSING ACTION SITES

Table C-1: Town-Owned Properties

Parcel ID	Site Address	Owner	Total Acres	Zoning	Notes
1-102	Pine Street	Town of Mansfield	6.33	R1	Vacant Parcel; Candidate for Development
5-18	Tremont Street	Town of Mansfield	2.10	R1	Vacant Parcel; Candidate for Development
3-78	Balcom Street	Town of Mansfield	1.60	R2	Vacant Parcel - Tax Title Property; Candidate for Development
10-25	School Street	Town of Mansfield	0.75	PBD	Vacant Parcel; Candidate for Sale - Profit to MHC
20-7	West Street Rear	Town of Mansfield	1.23	R1	Vacant Parcel; Candidate for Development
18-231	Howe Street Rear	Town of Mansfield	1.20	I3	Vacant Parcel; Candidate for Sale - Profit to MHC
19-210	35 County Street	Town of Mansfield	5.10	I3	Hatheway-Patterson Site; Candidate for Sale - Profit to MHC
19-192	North Main Street	Town of Mansfield	1.30	R3	Vacant Parcel; Candidate for Multiple Two-Family Dwellings
22-268	Shields Street	Town of Mansfield	1.20	R2	Vacant Parcel; Candidate for Development
26-13	School Street	Town of Mansfield	3.00	R2	Vacant Parcel; Candidate for Development
30-31	Hope Street	Town of Mansfield	1.00	R2	Vacant Parcel; Candidate for Development
34-292	33 Angelina Lane	Town of Mansfield	1.40	R2	Vacant Parcel - Tax Title Property; Candidate for Development
34-415	Fruit Street	Town of Mansfield	2.83	R2	Vacant Parcel; Candidate for Development

APPENDIX D: CHAPTER 40B AND AFFORDABLE HOUSING GUIDANCE MATERIALS

(As developed by SRPEDD from M.G.L. Chapter 40B, 760 CMR 56.00, and DHCD guidance materials)

Overview of programs through which SHI units can be created

Municipalities have various options for producing housing units that qualify for the Subsidized Housing Inventory. In addition to developer-initiated Comprehensive Permits (“40Bs”) which may override local zoning, towns can produce SHI units through the Local Initiative Program (LIP), a state housing program established in 1989 to give cities and towns more flexibility. Under this program, the required subsidy is comprised of local action and/or technical assistance provided for the creation, maintenance, and preservation of Low or Moderate Income Housing. LIP initiatives include “friendly 40Bs” and Local Action Units.

Local Action Units (LAU) reflect a program component that gives communities the opportunity to include housing units on the SHI that are being built without a Comprehensive Permit but that meet LIP criteria and are suitable for inclusion in the SHI. Such units must be built pursuant to a local action such as a zoning provision, a condition of a variance or special permit issued by the planning board or zoning board of appeals, an agreement between the town and a developer to convert and rehabilitate municipal buildings into housing, the donation of municipally-owned land, or the use of local funds to develop or write down housing units.

Subsidized Housing Inventory

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00, especially 760 CMR 56.03

For information about the Subsidized Housing Inventory refer to GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory, section II.A.1-7.

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

Measuring Progress toward Local Affordable Housing Goals [760 CMR 56.03]

The Department of Housing and Community Development (DHCD) maintains the Subsidized Housing Inventory (SHI) to measure a municipality’s stock of SHI Eligible Housing. The SHI includes housing units that are:

1. Developed through the issuance of a Comprehensive Permit
2. Developed under G.L. c. 40A, c. 40R
3. Developed by other statutes, regulations, and programs, so long as the units are subject to:
 - d. A Use Restriction
 - e. An Affirmative Fair Marketing Plan
 - f. They satisfy the requirements of guidelines issued by DHCD.

Timeframe for Eligibility

1. A unit becomes eligible for the Subsidized Housing Inventory at the earliest of the following:
 - a. For Comprehensive Permit, zoning approval under G.L. c. 40A, 40R plan
 - i. When the permit or approval is filed with the municipal clerk, or
 - ii. On the date when the last appeal by the Zoning Board of Appeals is fully resolved.
 - b. When the building permit is issued.
 - c. When the occupancy permit is issued.
 - d. When the unit is occupied by an Income Eligible Household
 - e. Time Lapses - Unit becomes ineligible for the SHI:
 - i. If more than 1 year lapses before the issuance of a building permit. Unit is eligible again when building permit is issued.
 - ii. If more than 18 months elapse between issuance of the building permits and issuance of certificate of occupancy (CO). Unit is eligible again when CO is issued.
 - f. If a Comprehensive Permit or zoning approval permits the project to be phased, the entire project remains eligible for the SHI so long as the phasing schedule set forth in the permit approval is adhered to and not more than one year elapses from the date of issuance of the permit, if:
 - i. each phase includes 150 units or more
 - ii. each phase contains the same proportion of SHI Eligible Housing units as the overall project, and
 - iii. the projected average time period between the start of successive phases does not exceed 15 months
2. If construction authorized by a Comprehensive Permit has not begun within three years of the date on which the permit becomes final, except for good cause, the permit shall lapse. [760 CMR 56.05(12)(c)]
 - i. This time period is tolled for the time period of any appeals
 - ii. The ZBA may set a later date for lapse of the permit
 - iii. The ZBA may extend the date for the lapse of a permit.

Application to Include Units on the SHI

1. The community requests units to be included at any time by submitting a “Requesting New Units Form” with supporting documentation.
2. Rehabilitation units: the party administering the grant locally submits the necessary information using the “Housing Rehab Units Only Form”.
3. Requests to include new units or corrections are submitted by the municipality, a developer, or a member of the public to:

Department of Housing and Community Development
Office of General Counsel
100 Cambridge Street, Suite 300
Boston, MA 02114-2524
Attention: Subsidized Housing Inventory

4. Every two years, the municipality must submit a statement certified by the Chief Executive Officer to DHCD as to the number of SHI Eligible Housing units other than those within a Project subject to a Comprehensive Permit..
5. DHCD updates the SHI every 2 years or more frequently if information is provided by the municipality and verified by the Department.

Project Eligibility Criteria

1. To be eligible to submit an application, the Applicant and the project, at a minimum:
 - a. The Applicant is a public agency, a non-profit organization, or a Limited Dividend Organization
 - b. The project receives a subsidy either receiving funding through one of the many State and Federal Eligible Subsidy Programs that administered through a Subsidizing Agency.
 - i. If the federal or local programs are not administered through a Subsidizing Agency, the project must generally receive a Project Eligibility Letter through DHCD's Local Initiative Program (LIP) or receive LIP Local Action Unit (LAU) approval.
 - c. The Applicant controls the site.
2. The dwelling unit must be affordable to a household whose income does not exceed 80% of the AMI (Subsidizing Agency may lower this threshold).
3. Housing Costs are generally established by the housing program. If there are none, then the following apply:
 - a. Rental: monthly housing costs (including utilities) shall not exceed 30% of monthly income for a household earning 80% of area median income, adjusted for HH size. [Note: if trash pick-up is not included then must include a trash allowance; if utilities are metered separately, they may be paid by the tenant and rent amount reduced to so reflect]
 - b. Assisted Living Facility – same as rental housing
 - c. Homeownership
 - i. Down payment: minimum 3% (1.5% of buyer's funds)
 - ii. Mortgage: 30-year for not more than 97% of purchase price with fixed interest rate, not more than 2 points above current MassHousing interest rate.
 - iii. Monthly housing costs (principal, interest, property taxes, hazard insurance, condo/homeowner association fees): not to exceed 38% of monthly income for a house hold earning 80% of area median income, adjusted for household size.
 - d. Continuing Care Retirement Communities – same as homeownership units.
4. Use Restriction
 - a. Runs with land; recorded at Registry of Deeds or Land Court
 - b. Identifies Subsidizing Agency, monitoring agent
 - c. Restricts occupancy of restricted unit to Income Eligible Households.
5. Affirmative Fair Housing Marketing and Resident Selection Plan
6. Project must be in compliance with the Bedroom Mix Policy

Household Eligibility

A household is deemed an Income Eligible Household if:

1. Household of one or more persons income does not exceed 80% of the AMI (or lower per Subsidizing Agency), adjusted for household size.
2. A Subsidizing Agency may limit household assets limited as follows, or in their absence:
 - a. Age-Restricted Homeownership units: not to exceed \$275,000 (includes dwelling to be sold)
 - b. Non-Age Restricted Homeownership units: not to exceed \$75,000
 - c. Rental Units: the greater of the two
 - i. Income derived from the assets
 - ii. Imputation of value calculated in a manner consistent with HUD requirements in place at time of marketing
 - d. If items are sold for less than market value, full market value shall be used.

Eligible Units within a Project

1. Rental & Assisted Living Facility (ALF)
 - a. General: if at least 25% of units are restricted to Income Eligible Households earning 80% or less of AMI or, at least 20% of units are restricted to households earning 50% or less of AMI, then all of the units in the rental development are eligible for the SHI. If fewer, then only the restricted units will be eligible.
 - b. Accessory Apartments: are eligible if they meet the requirements of the LIP.
 - c. Tenants who become over-income: If there are no provisions in the affordability restriction, then the change in income shall not affect the treatment of the Project or the unit provided that either (1) the tenant's income does not exceed 140% of the maximum allowable income, or (2) the owner rents the next available unit as an affordable unit to an eligible tenant pursuant to the terms.
2. Homeownership: Only the units that meet the eligibility requirements are eligible.
3. Continuing Care Retirement Communities – Independent living units: only those that meet the requirements are eligible for inclusion in the SHI.
4. Group Homes as reported to DHCD by DMH and DDS shall be eligible to be included.
5. Housing Rehabilitation Units rehabilitated through a program funded through CDBG or HOME are eligible.

Comprehensive Permit Information Sheet

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00.

For Comprehensive Permit guidance refer to GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory : <http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

Summary of the Process

[For complete information see 760 CMR 56.04-06]

STEP ONE: Application for Determination of Project Eligibility [760 CMR 56.04(2)]

The Applicant submits an application for Project Eligibility to the Subsidizing Agency, with a copy to the Chief Executive Officer of the municipality and written notice to the Department of Housing and Community Development (DHCD), which shall include:

- a. the name and address of the Applicant;
- b. the address of the site and site description;
- c. a locus map identifying the site within a plan of the neighborhood, accompanied by photographs of the surrounding buildings and features that provide an understanding of the physical context of the site;
- d. a tabulation of proposed buildings with the approximate number, size (number of bedrooms, floor area), and type (ownership or rental) of housing units proposed;
- e. the name of the housing program under which Project Eligibility is sought;
- f. relevant details of the particular Project if not mandated by the housing program (including percentage of units for low or moderate income households, income eligibility standards, the duration of restrictions requiring Low or Moderate Income Housing, and the limited dividend status of the Applicant);
- g. conceptual design drawings of the site plan and exterior elevations of the proposed buildings, along with a summary showing the approximate percentage of the tract to be occupied by buildings, by parking and other paved vehicular areas, and by open areas, the approximate number of parking spaces, and the ratio of parking spaces to housing units;
- h. a narrative description of the approach to building massing, the relationships to adjacent properties, and the proposed exterior building materials;
- i. a tabular analysis comparing existing zoning requirements to the Waivers requested for the Project; and
- j. evidence of control of the site.

STEP TWO: Review and Comment Process. [760 CMR 56.04(3)]

- a. Upon receipt of the application, the Subsidizing Agency provides written notice to the Chief Executive Officer of the municipality where the Project is located
- b. 30-day review period of Project begins with written notice to municipality.
- c. The Subsidizing Agency shall conduct a site visit, which Local Boards may attend.
- d. Local Boards and other interested parties submit written comments to Subsidizing Agency.
- e. The Subsidizing Agency issues a determination of Project Eligibility after the 30-day review period.

STEP THREE: Findings in Determination. [760 CMR 56.04(4)]

After the 30-day review period, the Subsidizing Agency will make a determination of Project Eligibility based upon its review of the application, and taking into account information received during the site visit and from written comments. Copies of the written determination of Project Eligibility will be provided to the Department, the Chief Executive Officer of the municipality, and the Board.

Issuance of a determination of Project Eligibility shall be considered by the Zoning Board of Appeals (ZBA) or the Housing Appeals Committee (HAC) to be conclusive evidence that the Project and the Applicant have satisfied the project eligibility requirements of 760 CMR 56.04(1).

STEP FOUR: Applicant Files an Application with the Local Zoning Board of Appeals [760 CMR 56.05(2)]

The applicant files a Comprehensive Permit Application and a complete description of the proposed project with the municipality's ZBA.

STEP FIVE: Conduct of Zoning Board of Appeals Hearing. [760 CMR 56.05(3)-(4)]

- a. The ZBA has seven days, after the receipt of a complete application, sends a notice of the application and a copy of the list of Waivers required by 760 CMR 56.05(2)(h) and invite the Local Boards to participate in the hearings.
- b. The Board shall open a hearing within 30 days of its receipt of a complete application, and it shall thereafter pursue the hearing diligently.
- c. A hearing shall not extend beyond 180 days from the date of opening the hearing, presuming that the Applicant has made timely submissions of materials in response to reasonable requests of the Board that are consistent with its powers under 760 CMR 56.05, except with the written consent of the Applicant.
- d. If the Board wishes to deny an application on one or more of the grounds set forth in 760 CMR 56.03(1), it must do so in accordance with the procedure set forth in 760 CMR 56.03(8), or it shall be deemed to have waived its rights.
- e. A Board may stay the commencement of a hearing if three (3) or more Comprehensive Permit applications are concurrently undergoing hearings before the Board, and the total number of housing units in those pending Projects exceeds the numerical threshold for a large project within that municipality, as set forth in 760 CMR 56.03(6).

Consultant Review

[760 CMR 56.05(5)]

- a. If, after receiving an application, the Board determines that in order to review that application it requires technical advice in such areas as civil engineering, transportation, environmental resources, design review of buildings and site, and (in accordance with 760 CMR 56.05(6)) review of financial statements that is unavailable from municipal employees, it may employ outside consultants. Whenever possible it shall work cooperatively with the Applicant to identify appropriate consultants and scopes of work and to negotiate payment of part or all of consultant fees by the Applicant. Alternatively, the Board may, by majority vote, require that the Applicant pay a reasonable review fee in accordance with 760 CMR 56.05(b) for the employment of outside consultants chosen by the Board alone. The Board should not impose unreasonable or unnecessary time or cost burdens on an Applicant. Legal fees for general representation of the Board or other Local Boards shall not be imposed on the Applicant.
- b. A review fee may be imposed only if:
 1. the work of the consultant consists of review of studies prepared on behalf of the Applicant, and not of independent studies on behalf of the Board;
 2. the work is in connection with the Applicant's specific Project; and
 3. all written results and reports are made part of the record before the Board.
 4. a review fee may only be imposed in compliance with applicable law and the Board's rules.

Review of Financial Statements

[760 CMR 56.05(6)]

- a. A Board may request to review the pro forma or other financial statements for a Project only after the following preconditions have been met:
 1. Other consultant review has been completed;
 2. The Applicant has had an opportunity to modify its original proposal to address issues raised;
 3. the Board has had an opportunity to propose conditions to mitigate the Project's impacts and to consider requested Waivers; and
 4. The Applicant has indicated that it does not agree to the proposed condition(s) or Waiver denial(s) because they would render the Project uneconomic. A Board may not conduct review of a pro forma in order to see whether a Project would still be economic if the number of dwelling units were reduced, unless such reduction is justified by a valid health, safety, environmental, design, open space, planning, or other local concern that directly results from the size of a project on a particular site, consistent with 760 CMR 56.07(3).

- b. If the Applicant does not agree to some or all of the proposed permit conditions or Waiver denials because they would render the Project Uneconomic, the Board may ask the Applicant to submit its pro forma, in form satisfactory to the Subsidizing Agency, and revised as necessary to reflect the additional cost of meeting these conditions and/or denials. The revised pro forma may be subjected to the same consultant review as any other technical information submitted to the Board, in accordance with 760 CMR 56.05(5) and the Board's rules.

The Board may then use this information to decide whether to adopt or modify its originally proposed conditions and/or denials. Pro forma review should conform to recognized real estate and affordable housing industry standards, consistent with the policies of the Subsidizing Agency and guidelines adopted by the Department.

- c. Related financial issues, including related-party transactions, the estimated sales price or rental rates of market-rate units, and land acquisition costs, shall be addressed in accordance with the Department's guidelines. Disagreements between the Applicant and the Board's consultant should be resolved in accordance with the Department's guidelines. The Subsidizing Agency has the sole responsibility to establish and enforce reasonable profit and distribution limitations on the Applicant, as set forth in 760 CMR 56.04(8).

Waivers from Local Requirements and Regulations

[760 CMR 56.05(7)]

The Applicant may request Waivers, solely from the "as-of-right" requirements of the zoning district where the project site is located , as listed in its application or as may subsequently arise during the hearing, and the Board shall grant such Waivers as are Consistent with Local Needs and are required to permit the construction and operation of the Project.

If a Project does not request a subdivision approval, waivers from subdivision requirements are not required (although a Board may look to subdivision standards, such as requirements for road construction, as a basis for required project conditions, in which case the Applicant can seek Waivers from such requirements).

STEP SIX Board Decisions. [760 CMR 56.05(8)]

- a. Forty-five days after the close of the public hearing, the Board shall render a decision, based on a majority vote of the Board, taking into consideration the recommendations of Local Boards.
- b. The Board shall file its decision within 14 days in the office of the city or town clerk, and it shall forward a copy of any Comprehensive Permit to the Applicant or its designated representative and to DHCD when it is filed.

- c. The Board may:
 - 1. approve a Comprehensive Permit on the terms and conditions set forth in the application;
 - 2. approve a Comprehensive Permit with conditions with respect to height, site plan, size, shape or building materials that address matters of Local Concern; or
 - 3. deny a Comprehensive Permit as not Consistent with Local Needs if the Board finds that there are no conditions that will adequately address Local Concerns.
- d. Uneconomic Conditions. The Board shall not issue any order or impose any condition that would cause the building or operation of the Project to be Uneconomic, including a requirement imposed by the Board on the Applicant:
 - 1. to incur costs of public infrastructure or improvements off the project site that:
 - a. are not generally imposed by a Local Board on unsubsidized housing;
 - b. address a pre-existing condition affecting the municipality generally; or
 - c. are disproportionate to the impacts reasonably attributable to the Project; or
 - 2. to reduce the number of units for reasons other than evidence of Local Concerns within the purview of the Board (see 760 CMR 56.05(4)(e); see also 760 CMR 56.07(3)(c – h) regarding evidence that would be heard by the Committee on an appeal), such as design, engineering, or environmental deficiencies that directly result from the impact of a Project on a particular site.

If a proposed nonresidential element of a Project is not allowed by-right under applicable provisions of the current municipal zoning code, a condition shall not be considered Uneconomic if it would modify or remove such nonresidential element.

STEP SEVEN Appeals from Board Decisions [760 CMR 56.05(9)]

- a. If the Board approves the Comprehensive Permit, any person aggrieved may appeal within the time period and to the court provided in M.G.L. c.40A, §17.
- b. If the Board denies the Comprehensive Permit or approves the permit with unacceptable conditions or requirements, the Applicant may appeal to the Housing Appeals Committee as provided in M.G.L. c.40B, §22 and 760 CMR 56.06.
- c. If the Board takes action adverse to the Applicant under 760 CMR 56.03(8), 760 CMR 56.05(11), or a similar provision of 760 CMR 56.00, or otherwise violates or fails to implement M.G.L. c.40B, §§20 through 23, the Applicant may appeal to the Housing Appeals Committee as provided in M.G.L. c.40B, §22 and 760 CMR 56.06.

For Procedural Regulations for Appeals to the Housing Appeals Committee see 760 CMR 56.06.

Local Initiative Program (LIP): Local Action Units

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00.

For LIP LOCAL ACTION UNIT guidance refer to GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory, section VI.

Local Initiative Program (LIP):

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

LIP is a state housing program established in 1989 to give cities and towns more flexibility.

The subsidy for this program is technical assistance and services provided to municipalities and developers for the creation, maintenance and preservation of Low or Moderate Income Housing.

There are two means of creating affordable housing under LIP:

1. Local Initiative Projects “Friendly 40B”: go through the Comprehensive Permit process
2. Local Action Units: developed through local zoning, such as Inclusionary Zoning bylaws, or permit issue process.

Units developed through LIP are eligible for SHI

DHCD reviews for:

1. Consistency with State Sustainable Development Principles
2. Consistency with Local Housing Needs
 - a. LIP approval for age-restricted housing needs to show actual need and marketability within the municipality.
 - b. Do other age-restricted units, created with a Comp Permit, unbuilt or unsold? Are the proposed age-restricted units, in context with other housing efforts, unresponsive to needs for family housing?

Local Action Units

Housing units that are built without a Comprehensive Permit but meet LIP criteria and are suitable for inclusion in LIP.

1. Built pursuant to a local action and not developed with a comprehensive permit:
 - a. Zoning-based approval
 - i. Inclusionary Zoning, Accessory Apartment Bylaw meeting the LAU criteria
 - ii. Condition of a variance or special permit; agreement between town and a Developer to convert and rehabilitate municipal buildings into housing;
 - b. Substantial municipal financial assistance: Funds raised, appropriated, administered by city or town.
 - c. Provision of land or buildings that are owned or acquired by the city or town and conveyed at a substantial discount from their fair market value.
 - i. donation of municipally-owned land
 - ii. use of local funds to develop or write down housing units
2. Must meet the following criteria
 - a. Resulted from city or town action or approval
 - b. Meet requirements for SHI eligibility
 - i. Have a subsidy
 - ii. Affordable to households with household income that does not exceed 80% of the AMI
 - iii. Meet the Household Assets limitations
 - iv. Meet Housing Costs limits
 1. Rental: 30% of Household income
 2. Ownership: 3% of purchase price as down payment and monthly housing costs not to exceed 38% of monthly income
 - v. Units having a use restriction restricting occupancy to Income Eligible Household having a lower percentage of AMI than 80%.
 - vi. Project is in compliance with the Bedroom Mix Policy and affordable units subject to an Affirmative Fair Marketing and Resident Selection Plan.
3. The community is strongly encouraged to meet with DHCD LIP staff to discuss project prior to submitting an application

Process

STEP ONE. Discuss the Local Action Unit projects with DHCD LIP staff prior to submitting an application.

STEP TWO. File a MEPA Environmental Notification Form, for new construction only.

STEP THREE. Complete a Regulatory Agreement for Ownership Developments, or a Regulatory Agreement or Rental Developments, or a HOME Covenant/Deed Restriction

STEP FOUR. Application

www.mass.gov/dhcd (search “LIP Local Action Unit application”)

Submit a complete, signed copy of the Local Initiative Program Application for Local Action Units to DHCD, attention LIP Program Coordinator; including:

- a. Documentation of the municipal action
- b. Submit a copy of the Regulatory Agreement for Ownership or Rental Developments or the HOME covenant/deed restriction, redlined to reflect any proposed changes.
- c. MEPA environmental notification form (ENF) for new construction only
- d. Affirmative Fair Marketing and Lottery Plan.

STEP FIVE. DHCD expects to review and process the application within 60 days. To receive LAU approval, DHCD reviews for location action or approval. LAUs cannot be developed with a Comprehensive Permit.

Lessons Learned

Maximum LIP maximum rents are calculated at what is affordable to a household earning 80% of the area median family income adjusted for household size. E.g.:

2 BR unit	Household size = (#BR +1) = 3	80% of AMFI = \$58,000 Monthly Income = \$4,875
		Max Rent (30% of monthly income) = \$1,462

Accessory Apartments

In order for Accessory Apartments to be added to the Subsidized Housing Inventory, they must receive Local Action Unit (LAU) approval:

- Resulted from city or town action or approval
 - Subject to a recorded use restriction approved by DHCD, that has a term of not less than 15 years
 - Meet the requirements for LIP units, with the exception of receiving a Comprehensive Permit.
1. Municipality adopts an Accessory Apartment zoning bylaw or ordinance that permits the creation of accessory apartments that are affordable to Income Eligible Households.
 - a. Submit a draft to DHCD for compliance review prior to local approval – DHCD’s review will be limited to noting any provisions that might conflict with LIP requirements.
 - b. Units to be submitted to DHCD will have received zoning approval under the bylaw or ordinance.
 - c. There shall be no provisions that conflict with the LIP requirements
 - i. Allowing affordable accessory dwelling units to be rented to family members.
 - ii. Allowing affordable accessory apartments to be rented to households earning more than 80% of AMI
 - iii. A requirement that all accessory dwelling units shall be restricted to residents of the municipality
 - iv. Any provision in conflict with applicable fair housing laws.
 2. Complete a Local Initiative Program Application for Accessory Apartments.
 - a. Letter of Support signed by the Chief Executive Officer
 - b. An Affirmative Fair Housing Marketing Plan
 - c. Designation of a Local Project Administrator (LPA) for all accessory apartments – responsible for oversight of all accessory apartments
 - i. Local Official
 - ii. Local Housing Partnership board member or staff member
 - iii. Director of an area housing non-profit organization
 - iv. Another appropriate person meeting DHCD approval
 - d. Schedule of maximum rent for each accessory apartment
 - e. Proposed tenant application form and plan for processing of applications
 - f. Plan for annual verification of tenants’ income
 3. Submit a letter of support from the local housing partnership, if any.
 4. Meet the Local Action Requirements:
 - a. Municipality has a local zoning bylaw or ordinance that permits the creation of accessory apartments.
 - b. Received approval under the bylaw

5. Tenant Eligibility
 - a. Family Members Prohibited
 - b. Household income shall not exceed 80% of the AMI adjusted for actual household size, as determined by HUD. Limits may be lower.
 - i. Certification of income eligibility made by the Local Project Administrator (documentation may include recent tax returns, pay stubs, affidavits, etc.). Any post-occupancy changes must be reported to the owner and the LPA.
6. Affirmative Fair Housing Marketing
 - a. Affirmative Fair Housing and Marketing and Resident Selection Plan
 - i. Outreach
 - ii. Minimum Advertising Period – 60 days
 - iii. Wait List: “Ready Renters List”
 - b. Annual Data Collection: the LPA shall collect data annually regarding the number of minority households renting accessory apartments.
 - c. DHCD may suspend/revoke the eligibility of units if a Failure to Apply Good Faith Efforts is found.
 - d. Tenant Selection
 - i. Owner gives written notice to LPA that a unit is available and requests referral of applicants.
 - ii. Within 5 business days, the LPA refers the top appropriately-sized household(s), no more than 3 at a time.
 - iii. The owner meets the referred applicant(s) and show the unit. The referred applicant has a minimum of 10 business days to view the unit. Owner may select one of the applicants or request additional referrals. Non-selected applicants return to the top of the Ready Renters List.
 - iv. Owner enters into a 1-year lease with selected applicant.
 - v. Upon request of the LPA, the owner shall specify in writing a substantial nondiscriminatory reason for having rejected an applicant.

Local Initiative Program Comprehensive Permits (“Friendly 40B”)

For Regulatory Authority see: G.L. C 40B, s. 20-23 and 760 CMR 56.00.

For LIP Comprehensive Permit guidance refer to GUIDELINES: G.L. C 40B Comprehensive Permit Projects; Subsidized Housing Inventory, section VI.

Local Initiative Program (LIP):

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

Local Initiative Project – means a Project for which the project eligibility application is submitted by the Chief Executive Officer of the municipality under 760 CMR 56.04(2) to the Department of Housing and Community Development, in accordance with the Department’s Local Initiative Program (“LIP”).

<http://www.mass.gov/hed/economic/eohed/dhcd/legal/regs/760-cmr-56.html>

LIP is a state housing program established in 1989 to give cities and towns more flexibility.

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There are two means of creating affordable housing under LIP:

1. Local Initiative Projects “Friendly 40B”: go through the Comprehensive Permit process
2. Local Action Units: developed through local zoning, such as Inclusionary Zoning bylaws, or permit issue process.

Units developed through LIP are eligible for SHI

DHCD reviews for:

1. Consistency with State Sustainable Development Principles
2. Consistency with Local Housing Needs
 - a. LIP approval for age-restricted housing needs to show actual need and marketability within the municipality.
 - b. Are other age-restricted units, created with a Comp Permit, unbuilt or unsold? Are the proposed age-restricted units, in context with other housing efforts, unresponsive to needs for family housing?

Comprehensive Permit Projects: Summary of the Process

[For complete information see GUIDELINES, section VI]

STEP ONE: Project must meet requirements of 40B

STEP TWO: Receive written support of Chief Executive Officer

STEP THREE: Complete Local Initiative Program Application for Comprehensive Permit Projects as Word Fillable Form [*LIP Guidelines* pg. VI – 3]:
<http://www.mass.gov/hed/housing/affordable-own/local-initiative-program-lip.html>

Include:

- a. Letter of support signed by the Chief Executive Officer of the municipality.
- b. Signed letter of interest from a construction lender.
- c. Site plan showing contours of the site and the footprint of all proposed buildings, roads, parking and other improvements.
- d. Front and rear elevations for each building and sample floor plans for each unit type

- e. Description of proposed units by size, type, number of bedrooms, location within the project, and proposed rents or sales prices.

APPLICATION FEE: \$1,500 per project plus an additional \$20 per unit with checks payable to Department of Housing and Community Development. [Reduced by one-half for non-profit developers; waived for public agencies and municipalities.] Application fee is refunded if the application is not accepted or is rejected. One-half of the fee is refunded if application not approved.

STEP FOUR: Determination of Project Eligibility. [GUIDANCE, p. VI-9]

Upon receipt of the application, DHCD reviews the LIP Comprehensive Permit Application.

- a. The Determination of Project Eligibility is a prerequisite to application for a Comprehensive Permit for the Project from the municipality's Zoning Board of Appeals.
- b. DHCD makes the following findings in order to issue a Determination of Project Eligibility.
 - 1. The application meets the requirements specified in 760 CMR 56.04(4).
 - 2. The proposed project appears generally eligible under the requirements of the LIP, subject to final program review and approval.
 - 3. The proposed site plan is appropriate in the context of the surrounding area and taking into account previous municipal action to meet affordable housing needs, and the housing design is appropriate for the site.
 - 4. The proposed project appears financially feasible in the context of the local housing market.
 - 5. The initial pro forma for the project appears financially feasible on the basis of estimated development costs and revenues.
 - 6. The applicant is a public agency, a non-profit organization, or a Limited Dividend Organization.
 - 7. The applicant controls the site.
 - 8. For age-restricted housing, that the market study demonstrates need and marketability within the municipality.
- c. A Determination of Project Eligibility will be effective for two years from date of issuance unless otherwise stated therein.

STEP FIVE Comprehensive Permit Application and Zoning Board of Appeals Hearing

See G.L.C. 40B COMPREHENSIVE PERMIT INFORMATION SHEET, starting with STEP FOUR.

STEP SIX Regulatory Agreement and Use Restrictions

The Regulatory Agreement memorializes the rights and responsibilities of the parties and provides for monitoring of the project throughout the term of affordability. DHCD has model regulatory agreements for ownership and rental projects and a model Local Initiative Program Affordable Housing Deed Rider.

- a. The Developer forwards a copy of the final Comprehensive Permit to the LIP staff at DHCD.
- b. DHCD prepares a Regulatory Agreement, which also serves as the final written approval for the Project.
- c. A Regulatory Agreement for each project will be executed by DHCD, the municipality, and the Developer.
- d. The Regulatory Agreement is filed with the Registry District of the Land Court.
- e. The term of affordability for the Project generally should be the longest period permitted by law (in perpetuity).