

TOWN OF WESTON

Policies and Preferences for Affordable Housing

Introduction

This working paper contains a set of draft policies that are intended to serve as guidance for affordable housing developers and Town boards that have a role in development review. The policies are also intended to inform Town voters about the general approach and criteria that may be used by the Trustees of a Housing Trust for affordable housing, if such an independent legal entity is created by vote at a Weston Town meeting. The draft policies were vetted, modified, and tentatively approved by the Weston Housing Partnership in a series of meetings commencing in March 2009 and continuing into 2010.

Background. Weston is an exceptionally beautiful town. It is also one of the Commonwealth's most expensive towns to live in, with land values and home prices exceeding those of many nearby towns. The pressures on Weston's housing market are intensified by its location along two of Greater Boston's most important highways – Route 128 and the Massachusetts Turnpike – which also play a role in Weston's desirability. Many of the obstacles to affordable housing in Weston seem comparable to the barriers found in other high-end suburbs around Boston. However, many of these affluent suburbs communities have somewhat greater social and economic diversity.

Weston has taken steps to address affordable housing needs. Over time, Weston has created 140 units of affordable housing, mainly for senior housing. (Appendix A.) In 2004, the Town commissioned a needs analysis, focusing on municipal employees and the families of METCO students attending the Weston Public Schools. Four years later, the Metropolitan Area Planning Council (MAPC) prepared a housing study, *Weston Affordable Housing: Present and Future*, which identified several barriers that will continue to impede efforts to create affordable housing units in Weston:

- The lack of “construction-ready” land and the extraordinarily high cost of land;
- Low-density development regulations;
- Lack of local development capacity; and
- Difficulty in siting septic systems that will comply with Title V.

In 2009, the Town established the Weston Housing Partnership, to establish a strategic plan for preserving and increasing affordable housing in Weston, to prepare for the establishment of a Weston Affordable Housing Trust Fund, and to suggest priorities and criteria for use by such a Housing Trust. The task for the volunteer Housing Partnership is to strategize to overcome the physical, market, and regulatory barriers noted in MAPC's study. The creation of policy will be a first step toward the stated goal. Increasing the supply of affordable housing will require local commitment,

leadership, thoughtful public education, and patience. This applies in all communities, including those with long-standing track records in affordable housing development.

Proposed Policies. The Partnership has initiated steps to formulate and document policies that describe its view of what Weston would like to see in affordable housing developments. This includes where developments should be located, how it should be designed to fit within Weston’s physical and cultural landscape, and what types of needs it should address. The “Policies and Preferences” that appear on the following pages speak to qualities considered essential for the success of any affordable housing development; from one-unit to multi-unit projects, and qualities considered advantageous, but not necessarily essential. The main purpose of the policies is to convey a consistent message to developers and guide the work of Town boards that have roles to play in development review and permitting. Many of the criteria described below could serve as tradeoffs in negotiations with developers.

The Policies and Preferences appear first in narrative form and second, in a chart designed to function as a checklist and evaluation tool (Appendix B). The chart subdivides the policies into more finely-tuned categories and identifies the types of projects to which they apply, e.g., many policies that relate to multi-unit developments are not germane to single-unit developments. To transform the Policies and Preferences from a working paper to a formal policy statement for the Town, this document needs to be reviewed, discussed, and modified as necessary, and ultimately adopted by the Housing Partnership, the Board of Selectmen, and the Planning Board, and other relevant Town committees.

These Policies and Preferences will then be offered to the town residents as context if a vote at town meeting is requested for the creation of a Housing Trust, as a legal entity intended to attract and provide financial support for the construction and maintenance of affordable housing in Weston.

Policies and Preferences

Location

Policies. Weston encourages the reuse of existing houses and buildings for affordable and mixed-income housing. This redevelopment and reuse are preferred, as much of the Town is already developed, preservation of undisturbed open space is a priority, and affordable housing options should be distributed throughout the Town. General areas which have been identified as possible sites for accommodating a variety of housing options include land that is in, or within, one-half mile of the following: the Town center (including affordable units in mixed-use buildings), the commuter rail stations, or the public schools and other municipal facilities. Established areas along the town’s major roadways are also deemed preferential.

Affordability and Housing Needs

Policies. Weston has a significant shortage of units that are both affordable and appropriate for senior citizens and families. The Town encourages developments that address these specific local needs. All affordable units must be protected by a perpetual affordable housing deed restriction accepted by the Weston Board of Selectmen and approved by the Department of Housing and Community Development (DHCD) under M.G.L. c. 184, §§ 31-32.

While at least 25 percent of the units in a Chapter 40B comprehensive permit development must be affordable, Weston encourages developers to provide more affordable units whenever possible. An increase in density may be considered in order to achieve this end. Weston would want the following types of households to have priority access to the additional affordable units that exceed the 25 percent minimum, to the extent permitted by law:

- Low- and moderate-income households;
- Senior citizens;
- Municipal employees; and
- METCO families.

Additional Preferences. A development that provides a wider range of affordability will be considered more responsive to the Town's housing needs. "Wider range of affordability" means the inclusion of units for "subsidized" households with very low incomes – below 50 percent of Area Median Income (AMI) – and units for "moderate income" households, that do not qualify under Chapter 40B income limits, but are nonetheless priced out of Weston's housing market. These households typically have incomes between 80 and 120 percent of the Boston statistical area median income (AMI), as defined by Housing and Urban Development (HUD).

Density

Policies. Affordable housing should be developed at a moderate density and in buildings that will blend harmoniously and unobtrusively with surrounding neighborhoods. In Weston, "moderate density" means that on any given site, the average or gross density will not exceed four dwelling units per acre, and new buildings will not exceed three stories in height. However, the Town will consider higher density housing in the town center and near the train stations, or in an adaptive reuse development. Example: If given the choice between a higher-density development in a preferred location and a development of four units per acre elsewhere, the Town would look more favorably on the higher-density development, unless the project failed to address many other policies described in these guidelines.

Site Planning and Design

Architectural and site design choices are critical to the success of affordable housing proposals. A development that closely adheres to the Town's design policies and preferences is more likely to receive a favorable review. A development that is out of character with surrounding areas, and designed without sufficient regard for its impacts on neighboring properties, will be discouraged, and will likely not receive Town support.

Policies. The Planning Board's review of site plan applications is guided by standards set forth in Section XI (F) of the Weston Zoning Bylaw. These standards matter because they address a development's physical, operational, and aesthetic compatibility with surrounding land uses, and help to ensure public safety. Developments that include affordable housing, whether proposed under a Comprehensive Permit or another permitting mechanism, should comply with the Town's site plan standards. In addition, the following factors need to be addressed in a developer's submission to the Town:

- Minimize land disturbance;
- Choose building designs that are similar to single-family homes, and substantially consistent with the principles described in *Preserving Weston's Rural Character*¹;
- Minimize massing and bulk;
- Design for safety, considering safety to the occupants both within the structure (building layout) and on the exterior (site layout);
- Utilize stormwater management during, and post construction. Use best management practices wherever possible.

Additional Preferences: Moderate affordable workforce housing, in addition to traditional affordable housing: tiered eligibility

Weston would like to see several preferences addressed in proposals for affordable housing. The Town understands that some of the following preferences will not apply in all cases. However, developers should respond to as many of these preferences as possible, and note those which are either irrelevant or infeasible.

- Provide accessible or adaptable units. (Multi-family developments may be required to provide accessible housing under the Massachusetts Architectural Access Board's regulations, the State Building Code, or both.)
- Locate parking on the side or rear of buildings.
- Design for walk ability by providing sidewalks or informal pathways, or both.

¹ *Preserving Weston's Rural Character*, photographs and text by Pamela W. Fox, prepared for the Weston Planning Board, November 1998

- Design for a sense of community. Consider building and site layouts that encourage communication and interaction among residents of the development (e.g., common space within buildings, or common facilities, open space, or recreation areas).
- Protect historic resources by designing projects to avoid adverse impacts on structures with historic or architectural significance.
- Employ “green” development practices, considering both buildings and the site.
- Address sustainability in the design, construction, and operations/maintenance of the project.
- Conserve water and protect natural vegetation with:
 - Landscaping consisting of low-water-use plantings
 - Landscaping consisting only of non-invasive species
 - Stormwater management during and post construction, use BMPs wherever possible
 - Outdoor irrigation system that conserves water and relies on a private well
 - On- and off-site impacts during construction.

Some developments – especially if they involve new construction on vacant land – may be able to protect open space by design. In these cases, clustered buildings and compact building forms could help to achieve an average density of four units per acre, and still leave much of the site undisturbed. Furthermore, developers should try to respond to the following open space preferences:

- Preserve at least 40 percent of the site as common open space;
- Design common open space so that it will be accessible to all residents of the development
- Comply with the Town’s minimum setback requirements

Additional Benefits to the Town

Policies. Like any other development submitted for review and approval by the Town, developments that include affordable housing may be required to provide mitigation (e.g.: traffic and/or infrastructure) at a level appropriate to the size and location of the project. Developers will also be expected to pay the reasonable cost of peer review services deemed necessary (e.g.: traffic or infrastructure).

Affirmative Marketing and Local Preference

Policies. Weston wants to ensure that affordable housing meets local housing needs, and also creates opportunities for new people to move into the community. Affirmative marketing plans, a lottery process, and monitoring for rental (long term) and

homeownership units must be designed, and should provide a significant inclusionary role for the Town. Developers shall retain a competent, experienced lottery consultant acceptable to the Town, in order to insure compliance with all fair housing and marketing requirements, in addition to qualifying applicants. To the maximum extent permitted by law, at least 50 percent of the affordable units in a development should be offered, on a priority basis, to Weston residents or people with direct ties to the Town, including:

- An individual or family legally residing in the Town of Weston;
- A household with at least one person employed by the Town of Weston
- A family with a child attending the Weston Public Schools under the METCO Program.
- A person with disabilities (or a household with a family member with a disability);
- Single parent families
- Military personnel

Further Preferences. Weston will also encourage developers to provide other public benefits in addition to affordable housing, such as:

- Preservation and reuse of existing structures;
- Pedestrian amenities;
- Contribution to address capital improvement needs directly related to the project; and/or
- Contribution to Town's affordable housing fund.

APPENDIX A
WESTON AFFORDABLE HOUSING 3-10

According to the Weston Census data of 2008/9:

<u>Age</u>	<u>Number</u>	<u>Percent</u>
0-17 yrs	2909	24%
18-34	2278	19%
35-59	3937	33%
60 +	2751	23%

Total: **11,876 residents**

Presumption: All of the individuals aged 0-17 live with an adult. Many in the age category 18-34 are not homeowners, so to get a 'ball park' family percentage (added 0-17 + 35-59 + ½ 35-59 age categories)= approximately 70%

Weston Affordable Housing Data: Total Housing Units = **3,828**
 Total Affordable Units = **140 or 3.5%**

<u>Designation</u>	<u>Number</u>		<u>Type</u>
Family	24	(17%)	3 Rental 21 Ownership
55+	116	(83%)	113 Rental 3 Ownership
	<u>140*</u>		

[Rental units: 115, or 82% Ownership units: 26, or 18%]

DHCD credits Weston with 3.5% affordable housing. The State goal is 10%.

Weston has 83% of their affordable units reserved for approximately 25% of the population (55+), and 16% affordable for 75% of population (family)

<u>Community</u>	<u>Percent Affordable Units</u>	<u>Population Density</u>	<u>Approved Housing Plan</u>
Weston	3.5	686/sq mi	No
Wellesley	5.5	2,867/sq mi	No
Waltham	7.4	1,838/sq mi	No
Lincoln	10.5	412/ sq mi	Yes
Wayland	3.2	865/sq mi	Yes
Newton	7.6	4,550/sq mi	No
Natick	7.4	1,980/sq mi	No
<i>State Average</i>	<i>9.6</i>		

Weston's tear down average is approximately 30 homes per year. Approximately 75% of new homes constructed are a result of tear downs.

According to 2007 US Census, the median income in Middlesex County is \$88,100.

The average home price in Weston is \$1.3 million.

Appendix B: Project Review Checklist

POLICY/PREFERENCE	Policy Applies (Y/N)			
	Single-family dwelling or group home	Group Home	Small projects (≤ 8 Units)	Larger projects
LOCATION				
Site is in or within ½ mile of the town center, the commuter rail stations, municipal facilities, or public schools	N	N	Y	N
Site is in another preferred location (the town's major roadway corridors)	N	Y	Y	Y
Site is already developed and involves reuse of an existing building	N	Y	Y	Y
BUILDING & LANDSCAPE DESIGN CONSIDERATIONS				
Building designs substantially consistent with principles described in "Preserving Weston's Rural Character," Vol. 2	Y	Y	Y	Y
Building(s) are very similar to single-family homes	Y	Y	Y	N
Massing and bulk are minimized	Y	Y	Y	Y
Project designed for safety, both interior (building layout) and exterior (site)	Y	Y	Y	Y
Includes accessible or adaptable units	N	Y	Y	Y
Side and/or rear parking	N	Y	Y	Y
Walkability: sidewalks, internal pathways	N	Y	Y	Y
Design reinforces sense of community; encourages communication, interaction	N	Y	Y	Y
No adverse impact on historic/architectural significance	Y	Y	Y	Y
Building and site employ green features (design, construction, operations/maintenance)	N	N	Y	Y
OPEN SPACE & NATURAL RESOURCES				
Preserves at least 40 percent of the site as open space	N	N	Y	Y
Open space is accessible to all residents of the development	N	N	Y	Y
Adheres to town's minimum setback requirements	Y	Y	Y	Y
Landscaping composed of low-water-use plantings	N	N	Y	Y
Landscaping composed only of non-invasive species	N	N	Y	Y
Outdoor irrigation system designed to conserve water, relies on private wells	N	N	Y	Y
SITE PLAN STANDARDS				
Substantially conforms to ZBL Section XI(F), Standards and Criteria	Y	Y	Y	Y
Minimizes land disturbance	Y	Y	Y	Y
Minimizes construction impacts	Y	Y	Y	Y
DENSITY AND SCALE				
Density does not exceed an average of four units per acre, except that:	N	N	Y	Y
Near the town center, in the vicinity of the train stations, or for projects involving redevelopment and reuse of existing buildings, more than four units per acre will be considered	N	N	Y	Y
For new construction, building height does not exceed three stories	Y	Y	Y	Y

POLICY/PREFERENCE	Policy Applies (Y/N)			
	Single-family dwelling or group home	Group Home	Small projects (≤ 8 Units)	Larger projects
HOUSING DIVERSITY				
Project increases the types of housing options available to one or more of the following groups:				
Seniors	Y	Y	Y	Y
Families	Y	Y	Y	Y
People with disabilities	Y	Y	Y	Y
PUBLIC BENEFITS				
Project provides public benefits in addition to affordable housing, such as:				
Adequate funding for town boards to obtain project review assistance from independent consultants	N	N	Y	Y
Preservation and reuse of existing structures	Y	Y	Y	Y
Pedestrian amenities	N	N	Y	Y
Traffic mitigation	N	N	Y	Y
Contribution to a local capital improvements project appropriate to the scale of proposed development	N	N	Y	Y
Contribution to Town's affordable housing fund	N	N	Y	Y
HOUSING AFFORDABILITY				
Percentage of Affordable Units				
Development provides 25% or more affordable units	N	N	Y	Y
To the extent allowed by law, affordable units over the 25% minimum will be offered on a priority basis to:				
Low- and moderate-income households	N	N	Y	Y
Seniors	N	N	Y	Y
Municipal employees	N	N	Y	Y
METCO families	N	N	Y	Y
People with disabilities	N	N	Y	Y
Veterans	N	N	Y	Y
Income Targets				
One or more units priced for households at/below 70% area median income (AMI)	High priority	High priority	High priority	High priority
Includes any units priced for households at or below 50% AMI	N/A	High priority	N/A	Priority
Includes any units priced for households with incomes between 81-120% AMI	Priority	Priority	Priority	Priority
Term of Affordability				
Use restriction will be perpetual	Y	N/A	Y	Y
FAIR HOUSING & LOCAL PREFERENCE				
Local Preference Units				
Offers up to 50% local preference units	Y	Y	Y	Y
Affirmative Marketing Experience				
Team includes town-approved consultant/organization with prior affordable housing lottery experience	Y	Y	Y	Y
Town will have a significant role in affirmative marketing, lottery process	Y	Y	Y	Y