

# Background Materials February 26, 2024– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 2/23/24

**Cable Access Channel 15** –The Cable Studio has indicated that this meeting will be live streamed on Channel 15.

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<https://www.southhadley.org/1274/Agenda-Background-Materials>

### AGENDA ITEM #1 Open Comment Period

This 10-minute period is set aside for the public to offer comments on items not on the posted agenda, in accordance with the adopted policy, as amended 9/11/23, posted on the Town of South Hadley Planning and Conservation Department webpage here:

<https://www.southhadley.org/DocumentCenter/View/11705/Policy-on-Open-Comment-Period---As-Adopted-2023-09-11>

**Action Needed:** Allow members of the public to offer comments to the Board.

### AGENDA ITEM #2 Minutes

Planning and Conservation Coordinator Colleen Canning will forward minutes separately.

**Action Needed:** Vote to approve the minutes.

### AGENDA ITEM #3 Correspondence

Correspondence are attached.

**Action Needed:** No action needed.

### 6:30 Public Hearing - AGENDA ITEM #4 Special Permit for Expansion or Alteration of Non-Conforming Structure – 299 N Main Street

Application materials: [N Main St \(299\) - Nonconforming Structure | South Hadley, MA - Official Website](#)

The subject property is a single-family dwelling known as Assessor's Map 24, Parcel 56, and located in the Residential A-2 zoning district, located on the corner of N. Main Street and Waite Avenue. The structure is a pre-existing non-conforming building due to encroachment into the front setback on Waite Avenue. The building is 14' from the property line, and the dimensional requirement for the RA2 district is 25' (see Sheet 8 of 10).

The applicant seeks to construct an addition on the rear of the property (fronting Waite Avenue) inclusive of a new garage and activity room on the basement level, and a master bedroom, expanded living room, renovated garage space into a playroom, and new deck on the first floor. The setback for the addition would remain in line with the existing building. The existing driveway on N. Main Street would be eliminated, and relocated to Waite Avenue at the new garage.

Per 255-7 (B), Preexisting nonconforming structures or uses may be changed, extended or altered only upon approval of a special permit for such purpose by the Planning Board acting as the special permit granting authority, provided that the Planning Board shall find that such change, extension or alteration will not be substantially more detrimental than the existing nonconforming use to the neighborhood in which it is located.





**Recommended Motion:** Move to find that the proposed alteration of the single-family dwelling will not be substantially more detrimental than the existing nonconforming structure to the neighborhood in which it is located.

**Action Needed:** Conduct the public hearing and vote on the applicant's request.

#### **AGENDA ITEM #5 Request for Release of Performance Guarantee – Ethan Circle Subdivision**

A Definitive Subdivision Plan for a 6-lot subdivision was approved by the Planning Board in 2016. At that time, a cash performance guarantee was submitted to the Town in the amount of \$123,877. As construction of the subdivision progressed, partial releases of the performance guarantee were made in August 2017 (\$70,357) and March 2020 (\$33,520). Construction of the roadway and the stormwater system are finally fully completed with the project in compliance with both the Conservation Commission's Order of Conditions #288-0429 and the Definitive Subdivision Approval issued by the Planning Board. The current balance in the performance guarantee account is \$20,875 (plus any interest).

An as-built plan was submitted in January 2021, and certified the road and utilities were constructed as specified by the following entities:

- Chris Bouchard, DPW (1/25/2021) - "Viv and John have looked at the plans and have no comments at this time. Chris"
- Mark Aiken, FD2 Water Dept.(1/28/2021) "Thanks Richard The revised as-built plan is acceptable to us Thank You. "
- Mark Gilmore, SHED (1/26/2021) "Richard, the as built plan is acceptable to SHELD."

However, at that time the Homeowner's Association was not functioning and therefore no entity was maintaining the stormwater management system and submitting any annual reporting. At that time, I requested that the performance guarantee continued to held until the project was fully in compliance with all requirements of the Stormwater Management Permit and Order of Conditions. Thereafter, the property owners slowly achieved agreement amongst themselves and initiated a functioning HOA. Then in September 2023,during what was to be the final site inspection, Conservation Administrator Cornell identified that the property owner at 5 Ethan Circle had filled in the majority of the detention pond to increase the size of their level lawn area. An Enforcement Order was issued and in summary, the detention basin was fully restored to the original specifications, and certified by a professional engineer and surveyor as such. On February 7, 2024, the Conservation Commission issued Certificate of Compliance for the Order of Conditions #288-0429 which closes that out. The HOA also submitted a Stormwater Annual Report in December 2023. The Stormwater Management Permit remains in effect in perpetuity and the Homeowner's Association will be responsible for the Operation and Maintenance Plan implementation for the system outside of the roadway right-of way.

**Recommended Motion:** Move to release the full balance of the Ethan Circle performance guarantee, inclusive of any interest.

**Action Needed:** Consider the request to release the performance guarantee.

## AGENDA ITEM #6 Discussion on Flexible Development Bylaw and Associated Bylaw Amendments

The Board began discussion of these bylaw amendments on 1/22/24. A detailed report summarizing the comprehensive bylaw amendment package is attached to this report. All proposed bylaw amendments are online [here](#):

<https://southhadley.org/1318/ProposedDraft-Bylaws>

Town Counsel has reviewed the proposed bylaws and provided guidance for some changes that we will discuss. Revised versions of 255-31 Flexible Development and the Use Regulations Schedule are now posted to the website based on her comments.

There was discussion on considering lowering the acreage threshold in the Flexible Development Bylaw from five acres to three acres. To help us envision what increased density might look like, I've uploaded some density studies from other communities provided through MassPlanners. Most are for multifamily developments but thought they were worth sharing for this exploratory discussion (scroll to bottom of page at link below).

[Proposed/Draft Bylaws | South Hadley, MA - Official Website](#)

**Action Needed:** Continue discussion on amendments to Flexible Development Bylaw and associated bylaws.

## AGENDA ITEM #7

### Planning & Conservation Department Report on Planning Projects and Development Updates

#### **A. Route 202/33 Corridor Rezoning Project – Advisory Committee**

In response to the Request for Proposals for a consultant to develop rezoning recommendations and design guidelines for the Routes 202 and 33 corridor, we have received proposals from three firms. Those proposals are under review by Town staff (Assistant Town Administrator, Highway Superintendent, and Director of Planning and Conservation) and a recommendation will be made to the Town Administrator for awarding a contract. In the meantime, I am working to set up the project Advisory Committee.

The project Advisory Committee will consist of the following members, to be appointed by the Town Administrator:

Business owner within the study area (1)

Residential property owner within the corridor (1)

Resident at large (2) - each representing Town Meeting Precincts other than the corridor (corridor spans A, C and E)

Planning Board Member (1)

Planning Director

Advertisement for committee members is being posted through the Town website and social media, as well as the Town Reminder. To apply, complete the application form here: [Form Center • Application for Appointment to Board, Commis \(southhadley.org\)](#) In the field “Other” write in “Route 202/33 Corridor Re-Zoning Advisory Committee”. **Applications are due Wednesday, March 13<sup>th</sup> by 3pm.**

Planning Board Member – One (1) Planning Board member will serve on the five member advisory committee. The Board needs to identify this member tonight.

#### Advisory Committee Roles and Responsibilities

The Advisory Committee will work with the project consultant and Director of Planning and Conservation to review and comment on analyses, draft re-zoning recommendations and draft design guidelines. Committee members are expected to participate in the following meetings and public engagement activities between April 1, 2024 thru May 1, 2025:

- Attend Advisory Committee meetings (6 to 8) – virtual and in person
- Review and comment on draft materials as developed by project consultant
- Attend public workshops (two in person, one virtual)
- Attend Planning Board public hearing (up to 4)

A summary of the project and scope of work is online [here: Route-202--33-Corridor-Re-Zoning-Project-Description \(southhadley.org\)](#)

**B. Zoning Amendment Petition – Business A-1 Zoning District – Public Hearing 3/4/2024 at 7pm**

The Board will hold a Public Hearing on this zoning amendment petition on March 4, 2024 at 7pm via Zoom. A petition for a zoning amendment has been submitted to the Selectboard by the owner of 506 Granby Road, Himanshu Patel, and referred to the Planning Board for review at their 1/16/24 meeting. The amendment seeks to amend the Business A-1 zoning district to allow multifamily residential uses as part of a mixed-use development. This proposed amendment was the subject of an informational meeting with the Planning Board held on November 13, 2023.

The process for a Zoning Bylaw amendment is outlined in [MGL c.40A sec.5: General Law - Part I, Title VII, Chapter 40A, Section 5 \(malegislature.gov\)](http://malegislature.gov)

**C. Next Planning Board Meetings and Other Important Dates**

*Planning Board typically meets the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month.*

3/4/24 – 7:00pm	Special PB Meeting – Bus A-1 Zoning Amendment Public Hearing
3/11/24 – PB Mtg	500 Granby Road Illuminated Sign Permit
3/25/24 – PB Mtg	
4/8/24 – PB Mtg	
4/22/24 – PB Mtg	
5/6 – PB Mtg	
5/8/24	Annual Town Meeting
5/20 – PB Mtg	
6/10/24 – PB Mtg	
6/24/24 – PB Mtg	

**Regulation and Bylaw Amendment Schedule - January 5, 2024**

<b>Meeting Date</b>	<b>Topic</b>	<b>Discussion/ Hearing</b>
February 26	Flexible Development Bylaw Multifamily Bylaw Amendment – Common Open Space Multifamily Bylaw Amendment – Common Driveway Common Driveways Bylaw – New (associate with Multifamily Developments)	Discussion
March 4	<ul style="list-style-type: none"> <li>Bus A-1 Zoning Amendment – Landowner Petition</li> </ul>	Public Hearing
March 11	Flexible Development Bylaw Multifamily Bylaw Amendment – Common Open Space Multifamily Bylaw Amendment – Common Driveway Common Driveways Bylaw – New (associate with Multifamily Developments)	Discussion
March 25	Multifamily Bylaw Amendments	Public Hearing
	Common Driveway Bylaw – New Common Open Space Bylaw - New	
	Flexible Development Bylaw Amendment	
April 8	Sign Bylaw Amendment <ul style="list-style-type: none"> <li>Board Review</li> <li>Public Hearing (August)</li> </ul>	Send to Fall Town Meeting for adoption
April 22	Agricultural Uses Amendments <ul style="list-style-type: none"> <li>Board Review</li> <li>Public Hearing (August)</li> </ul>	Send to Fall Town Meeting for adoption
May 8th	Annual Town Meeting	
May 1 <sup>st</sup> mtg	Subdivision Regulations - Article VIII – Pre-Endorsement, Endorsement, Performance Guarantees, and Implementation of Definitive Plan 360-33 thru 360-43  Subdivision Regulations Appendices	Discussion
May 2 <sup>nd</sup> mtg		
June 10	Subdivision Regulations Amendment	Public Hearing
June 24	Subdivision Regulations Amendment - Adoption	
July 8 & 22	Common Driveway <i>Regulations</i> – New <ul style="list-style-type: none"> <li>Board Review</li> <li>Planning Board Hearing</li> </ul> Planning Board adoption only (after adoption of Common Driveway <i>Bylaw</i> by Town Meeting)	Discussion Public Hearing
August	Sign Bylaw Amendments Public Hearing Agricultural Uses Amendments Public Hearing	Public Hearing

## **Process Notes**

Updated Subdivision Regulations should not be adopted by the Planning Board until Town Meeting has adopted zoning amendments for Flexible Development Bylaw and Multifamily Bylaw, and a new Common Driveway Bylaw.

After Common Driveway Bylaw adopted, the Planning Board needs to develop and adopt Common Driveway Regulations which will include the design standards for common driveways.

**AGENDA ITEM #8** Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

No additional business has been submitted to me as of the date of this notice.

## ROUTE 202/33 RE-ZONING PROJECT

### ADVISORY COMMITTEE MEMBERS WANTED

**\*\* Applications are due Wednesday, March 13<sup>th</sup> by 3pm \*\***

The Advisory Committee will consist of the following members, to be appointed by the Town Administrator:

Business owner within the study area (1)

Residential property owner within the corridor (1)

Resident at large (2) - each representing Town Meeting Precincts other than the corridor (corridor spans A, C and E)

Planning Board Member (1)

To apply, complete the application form here:

<https://www.southhadley.org/FormCenter/Selectboard-4/Application-for-Appointment-to-Board-Com-44> In the field “Other” write in “Route 202/33 Corridor Re-Zoning Advisory Committee”.

The Advisory Committee will work with the project consultant and Director of Planning and Conservation to review and comment on analyses, draft re-zoning recommendations and draft design guidelines. Committee members are expected to participate in the following meetings and public engagement activities between April 1, 2024 thru May 1, 2025:

- Attend Advisory Committee meetings (6 to 8) – virtual and in person
- Review and comment on draft materials as developed by project consultant
- Attend public workshops (two in person, one virtual)
- Attend Planning Board public hearing (up to 4)

A summary of the project and scope of work is online on the Planning Board webpage:

<https://southhadley.org/1400/Route-202-33-Corridor-Re-Zoning>

Questions: [acapra@southhadleyma.gov](mailto:acapra@southhadleyma.gov) | (413) 538-5017 x6128

**SOUTH HADLEY PLANNING BOARD  
LIST OF CORRESPONDENCES  
FEBRUARY 26, 2024 REGULAR MEETING**

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**Letters & Memos**

- Presentation regarding the proposed ‘Housing Affordability Act’ from the Executive Office of Housing and Livable Communities (EOHLC) as shared to the Pioneer Valley Planning Commission and local representative, Brad Hutchison. (attached)
- Email from Martha Terry, 25 Brainard Street, with invitation to a hybrid meeting of the Town Meeting Review Committee. (attached)

**Legal Notices**

*Amherst*

- Notice from the Amherst Planning Board for filing the following decisions: 1) Site Plan Review to remove 1993 addition at the Jones Library, 43 Amity Street; 2) Special Permit to continue and enlarge non-conforming structure at the Jones Library, 43 Amity Street; and 3) Special Permit to extinguish previous special permit issued to the Jones Library, 43 Amity Street.
- Notice from the Amherst Planning Board for a public hearing on March 6 to consider an application for Site Plan Review to redevelop a mixed-use building at 45 and 55 South Pleasant Street.
- Notice from the Amherst Zoning Board of Appeals for filing decision of approval for ‘Gabe’s Underground’ restaurant and nightclub located at 23-25 North Pleasant Street.
- Notice from the Amherst Zoning Board of Appeals for hearings on February 22 to consider the following: 1) Variance to reduce lot area per unit for development at the corner of University Drive and Amity Street; and 2) Special Permit to allow construction of a single family home on a flag lot at 386A Shays Street.

*Chicopee*

- Notice from the Chicopee Planning Board for public hearings on March 14 to consider the following: 1) Waiver from frontage to allow existing 3 family home to remain on reduced lot at 19 Beaumont Ave; 2) Preliminary Plan for a pre-engineered metal building and associated site improvements at 21 Robbins Road; 3) Zone Change from Residential A to Business A for parking lot, new construction, restaurant, commercial kitchen, and housing at 0 and 22 Grove Ave; 4) Definitive Site Plan with waivers for a proposed construction services facility at New Ludlow and Ludlow Road.
- Notice from the Chicopee Zoning Board of Appeals for public hearings on March 13 to consider the following: 1) Variance from parking setbacks to create additional parking for Fire Station #5 at 580 Chicopee Street; 2) Variance from frontage to allow existing 3-family house to remain on reduce lot at 19 Beaumont Ave; 3) Variance to allow reduced parking stall dimensions, reduce pavement setbacks, and increase of 3-bedroom units at 10 Southwick Street; and 4) Variance to reduce pavement setback to create additional parking at 400 East Main Street.

*Granby*

- 

*Hadley*

- Notice from the Hadley Planning Board for a public hearing on March 19 to consider amendments to the Zoning Bylaw relating to Solar Energy Systems.

*Holyoke*



# The Affordable Homes Act

Filed: 10/18/2023



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# Context | Massachusetts faces a significant demand for more affordably-priced housing



- Massachusetts housing **supply has failed to keep up with demand**
  - Currently only 1.6% of housing units are available for sale or rent
- **The Commonwealth needs 200,000 new homes** created between 2020 and 2030 to accommodate population growth and achieve a healthy vacancy rate<sup>1</sup>
- Housing costs are **particularly acute for low-income households**
  - 64% of renters earning less than ~\$35,000 per year (>200,000 households) spend *half* their income on housing<sup>2</sup>
- Massachusetts' stock of 43,000 public housing units is at risk due to deferred maintenance
  - HLC has **documented a backlog of at least \$4B in capital repairs**
- **Homeownership is increasingly out of reach**, especially for Black and Brown communities
  - Black and Latinx homeownership rate is *half* of homeownership rates for Whites
- Clean Energy and **Climate Plan calls for 35% reduction in residential building energy use** by 2030

1) MassDOT, UMDI, Metropolitan Area Planning Council Housing Demand Projections, 2023 (forthcoming) 2) National Low Income Housing Coalition

# MA Affordable Homes Act is a historic investment in housing that will meaningfully impact housing supply compared to recent years



- The Affordable Homes Act, a comprehensive package of spending, policy, and programmatic actions, is the **largest housing investment in MA history and prioritizes the most vulnerable households**
  - Proposed investment (\$4.12B) is more than 2X greater than the next largest Housing Bond Bill
  - Up to 80% of funds will benefit low-income households, with up to 50% of proposed spending benefitting Extremely Low-Income households or residents with disabilities
- AHA includes **numerous bold policy initiatives that support the Healey-Driscoll Administration’s goals of affordable and abundant housing:**
  - ADUs by-right
  - Local Option Transfer Fee
  - Public Land Disposition
  - Tenant protections (e.g., Office of Fair Housing, eviction record sealing)
- AHA will fund or enable **40,000+ homes** that otherwise wouldn’t be built
  - Funds or enables ~22,000 new homes for low-income households, including 4,000+ homes for ELI households
  - Funds or enables 12,000+ new homes for middle-income households
- AHA will **preserve, rehab, improve, or support an additional 27,000+ units**
  - 12,000+ low-income homes will be modernized, made more resilient, more energy efficient, and safer
  - Funds accessibility improvements for ~4,500 homes and streamlines accessibility improvements
  - Supports the decarbonization of ~3,000 public housing units



## Capital Authorizations

- **\$4B in capital authorizations** to support public housing, existing housing production & preservation programs, & new initiatives

## Tax Credits

- Tax credits like **CITC** & new **Homeownership Production Tax Credit** to increase housing production and development

## Policy Initiatives

- **Legislation & executive orders** to reduce barriers to housing production & preservation, strengthen protections for tenants, provide new tools for local communities, and develop new housing policies for seniors and those with the lowest incomes

# Capital Authorization Highlights



- **\$1.6B for Public Housing**
  - Including \$1,335M for public housing capital improvements, \$150M dedicated for decarbonization, \$100M for public housing redevelopment projects, and \$15M for accessibility upgrades for persons with disabilities
- **\$275M for Sustainable and Green Housing Initiatives and Innovative Housing Proposals, which includes the following:**
  - Climate Resilient Affordable Housing
  - Office Conversions
  - Acquisition of Naturally Occurring Affordable Housing
  - Social Housing Demonstration Program
- **\$100M for Commonwealth Builder to build affordable homeownership opportunities**
- **New capital resource to support the clean up of public land to prepare it for housing development**
- **\$100M for Middle-Income Housing to support middle-income housing production**
- **\$50M to support new Momentum Fund, a permanent, revolving fund to accelerate development of mixed-income multifamily housing**
- **Directs all our investments to prioritize and incorporate the state's climate & decarbonization goals**

# Capital Authorization Recommendation – Summary (\$ millions)



Authorization Name	2018 Bond Bill	Other Auth.	Proposal	Description
HousingWorks	325	178	955	Funds expansion associated with the new HousingWorks brand
Housing Acquisition, Rehabilitation, and Development	500	55	1,100	Creates flexibility to fund programs that address the housing shortage by producing or preserving affordable housing
Vulnerable Populations	280	0	385	Creates flexibility to fund programs that target specific housing needs, including for persons with disabilities
Public Housing	650	0	1,600	Funding level would help address Public Housing deferred maintenance backlog, including \$150M for decarbonization & \$15M for accessibility upgrades for persons with disabilities
Non-HLC	45	0	80	Funds authorization for clean up of state-owned land by A&F and support to build early ed. & childcare
<b>Total</b>	<b>1,800</b>	<b>233</b>	<b>4,120</b>	

# Capital Authorization Recommendation – Detail I of II (\$ millions)



	Authorization Name	2018 Bond Bill	Proposal	Description
Housing Works	Housing Stabilization and Investment Fund	275	425	Consolidates the Housing Stabilization Fund and the Community Investment and Preservation Fund; supports preservation, new construction, and rehabilitation projects
	Sustainable and Green Housing Initiatives	50	275	Consolidates the existing Transit Oriented Housing Program and the Climate Resilient Housing Program; <b>New:</b> adds language to create a new, innovative program to accelerate / unlock new housing (e.g., social housing demonstration, office conversions, modular homes, etc.)
	HousingWorks Infrastructure Program	0	175	<b>New:</b> funds municipal infrastructure projects to encourage denser housing development
	Community Planning Grants	0	25	Makes grants to municipalities for planning and zoning initiatives that support housing
	Housing Choice Grant Program	0	35	Provides payments to municipalities that receive a Housing Choice designation through high housing production and/or demonstration of best practices
	Smart Growth / 40R	0	20	Provides incentive payments to municipalities who adopt smart growth housing districts, as stipulated in MGL 40R
Development	Middle-Income Housing Fund	100	100	For the Workforce Housing Fund administered by MassHousing; funds housing development for households earning up to 120% AMI
	CommonWealth Builder	0	100	<b>New:</b> Creates a permanent capital resource for an existing MassHousing program recently supported via ARPA funding; program spurs the construction of affordable single-family homes (for HHs 70-120% AMI) in Gateway Cities and other similar markets
	Affordable Housing Trust Fund	400	800	Provides resources to create or preserve affordable housing for households whose incomes are not more than 110% of area median income; includes up to \$50M for MassDreams
	Momentum Fund	0	50	<b>New:</b> capitalizes a permanent, revolving fund (administered by MassHousing and seeded through state and private investment) to accelerate development of mixed-income multifamily housing
	Neighborhood Stabilization	0	50	Funds the acquisition, rehabilitation, and sale of distressed properties.

# Capital Authorization Recommendation – Detail II of II (\$ millions)



	Authorization Name	2018 Bond Bill	Proposal	Description
Vulnerable Populations	Community Based Housing	55	55	An initiative to support appropriate housing for people with disabilities who are not clients of DMH or DDS
	Housing Innovations Fund	100	200	Supports innovative and alternative forms of rental housing including single person occupancy (SPO) units, transitional and permanent housing for people experiencing homelessness, housing for seniors and veterans, and transitional units for persons recovering from substance abuse
	MA Rehab. Home Modification Program	60	60	Provides funding to modify homes of individuals or families with disabilities or seniors so that they may maintain residency or return home from institutional settings
	Facilities Consolidation Fund	65	70	Supports the development of appropriate community-based housing for Department of Mental Health and Department of Developmental Services clients
Public Housing	Public Housing General	600	1,500	Supports the repair, rehabilitation, and modernization of over 43,000 public housing units across the Commonwealth; <b>New:</b> includes \$150M for a fund to decarbonize the public housing stock, \$15M for accessibility upgrades.
	Public Housing Mixed Inc. Housing Demonstration	100	100	Supports Local Housing Authorities (LHAs) who partner with developers to add mixed-income developments on LHA land, leveraging funds to maintain and preserve public housing while increasing the overall housing supply
Other Agencies	Early Education and Out of School Time Grants	45	50	Offers grants to help build early education and out of school time program facilities that serve low-income children. These grants are typically included in Housing Bond Bills
	State Surplus Property Disposition	0	30	<b>New:</b> authorization to support efforts to utilize state surplus land to address housing and other critical needs. Sites with existing, obsolete structures such as former hospitals or prisons may need costly demolition or environmental remediation
<b>Total</b>		<b>1,800</b>	<b>4,120</b>	



Along with the expansion of State Low Income Housing Tax Credit and Housing Development Incentive Program included in the Legislature's Tax Relief Bill, the Administration is considering inclusion of two further tax credit investments:

- **Community Investment Tax Credit Program (CITC)**
  - The Healey-Driscoll Administration is proposing to **make the credit permanent** and increase it from **\$12M to \$15M per year** to support the work of Community Development Corporations
- **Homeownership Tax Credit**
  - Authorizes MassHousing, in consultation with HLC, to award up to **\$10M in tax credits to produce homes affordable to first-time homebuyers** earning not more than 120% AMI

# Policy Recommendations – Summary (I/II)



	Policy	Description
<b>Reducing Barriers to Production and Preservation</b>	Statewide Housing Plan	Adds to EOHLC’s authorizing statute a requirement to prepare a statewide housing plan every 5 years, conducting regional outreach following robust data analysis
	Accessory Dwelling Units As-Of-Right	Allows ADUs to be built by-right in all municipalities in single family zoning districts
	Inclusionary Zoning by Simple Majority	Adds inclusionary zoning ordinances and bylaws to the list of zoning changes municipalities can pass by a simple majority instead of a 2/3 super majority vote of city/town legislative body
	Surplus Public Land Disposition Reforms	Creates paths to streamlined disposition of land under the control of a state agency or quasi for housing purposes
	Public Housing Reforms	Reforms several Public Housing requirements <sup>1</sup> to support a healthy housing production and preservation environment, while ensuring tenants’ rights are protected
<b>Commissions for Further Study</b>	Commission on Making MA an Age-Friendly State	Creates a commission to recommend policy, programs, financial and other investments to expand the supply of sustainable, broadly affordable supportive senior housing and address other elder care issues
	Commission on Extremely Low Income (ELI) Housing	Creates a commission to recommend policy, programs, and other investments to expand the supply of housing that is affordable to ELI households

1. Including revisions to replacement value for Public Housing for MAAB, allowing LHAs to borrow against formula funding allocations to do larger capital projects, enhancing support for LHAs to undertake capital projects, ensuring resident protections in redeveloped housing authority projects, and various administrative reforms

# Policy Recommendations – Summary (II/II)



	Policy	Description
Tenant Protections & Fair Housing	Office of Fair Housing	Establishes office within HLC with explicit focus on fair housing as an essential element of HLC’s mission and establishes a trust fund for enforcement initiatives, fair housing testing, education, and outreach.
	Eviction Record Sealing	Provides a process for tenants to petition the court to seal an eviction record for: (i) no-fault evictions: after conclusion of the case; (ii) solely non-payment evictions: no other eviction action within past 3 years and judgment for underlying eviction has been satisfied; and (iii) all other fault evictions: 7 years from conclusion of the matter and 3 years without any other eviction case filed against the tenant. Also prohibits consumer reporting agencies from disclosing information in a sealed eviction record
	Supportive Housing Pool Fund	Creates a flexible supportive housing pool program to provide critical assistance for supportive housing by funding staffing, case management, service coordination and other tenancy-related services not funded through other sources.
Supporting Local Initiatives	Local Option Real Estate Transfer Fee	Allows municipalities and regional affordable housing commissions to adopt a transfer fee of 0.5%–2%, paid by the seller of real property, on portion of sale over \$1M or the county median home sales price, whichever is greater; fee used for affordable housing development
	Seasonal Communities Designation	Creates framework for designating communities with substantial seasonal variations in employment and housing needs, as a critical initial step to developing programs targeting seasonal communities; creates a Seasonal Communities Coordinating Council to provide recommendations to EOHLC regarding regulations governing designation of municipalities as seasonal communities
	Receivership Reforms	Amends the state’s receivership statute to permit courts to expeditiously approve the sale of vacant properties in receivership to a nonprofit for the fair market value of the property “as is” if the entity will rehabilitate and sell affordably to an income-eligible first-time homebuyer

# Complementary Executive Orders



Executive Order	Description
Housing Advisory Council & State Housing Plan	Calls for immediate working group to develop a statewide housing plan and creates an advisory council to oversee and advise the development of the plan
Unlocking Housing Production Commission	Creates a commission to identify major barriers to housing production and recommend policy, programs, and other investments to improve the development environment and expand the supply of housing
Identifying Surplus Public Land for Housing	Calls on state and public agencies (including public colleges and universities, MassDOT, and the MBTA) to immediately examine their inventory of real estate interests to determine what property may be considered surplus and available for housing development

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## Fwd: message

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**Colleen Canning** <ccanning@southhadleyma.gov>  
To: Colleen Canning <ccanning@southhadleyma.gov>

Fri, Feb 23, 2024 at 1:49 PM

----- Forwarded message -----

From: **Martha Terry** <marthatterry25@gmail.com>  
Date: Wed, Feb 14, 2024 at 3:10 PM  
Subject: message  
To: Anne Capra <acapra@southhadleyma.gov>

Hi Anne

Please share the following information with the Planning Board members and Associate.

The Town Meeting Review Committee is meeting hybrid.

**HYBRID TOWN MEETING REVIEW COMMITTEE  
THURSDAY, FEBRUARY 15, 2024**

**LARGE CONFERENCE ROOM, SENIOR CENTER – 6:30 P.M.**

I do hope that the Planning Board reconsiders the opportunity to start meeting in a hybrid manner.

Thank you for the time and consideration.

Martha Terry