



# **CITY OF NEWTON**

## **HOUSING AND COMMUNITY DEVELOPMENT**

### **PROGRAM AND THE**

#### **WESTMETRO HOME CONSORTIUM**

*Fiscal Year 2009 (FFY08) Annual Action Plan  
of the FY06-10 Consolidated Strategy and Plan*

*For Submission to the Department of Housing and Urban Development  
May 15, 2008*





# Fifth Program Year Action Plan

SF 424			
Date Submitted: May 15, 2009	Applicant Identifier: B-09-MC-25-0019	<b>Type of Submission</b>	
Date Received by state	State Identifier	<b>Application</b>	<b>Pre-application</b>
Date Received by HUD	Federal Identifier	<input type="checkbox"/> Construction	<input type="checkbox"/> Construction
		<input checked="" type="checkbox"/> Non Construction	<input checked="" type="checkbox"/> Non Construction
<b>Applicant Information</b>			
City of Newton		UOG Code: MA251650 NEWTON	
1000 Commonwealth Avenue		Organizational DUNS: 076576826	
		Organizational Unit: Housing and Community Development Division	
Newton	Massachusetts	Department: Planning and Development Department	
02459	USA		
<b>Employer Identification Number (EIN):</b>		County: Middlesex	
46001404		Program Year Start Date: July 2009	
<b>Applicant Type:</b>		<b>Specify Other Type if necessary:</b>	
Local Government: City		N/A	
<b>Program Funding</b>		<b>U.S. Department of Housing and Urban Development</b>	
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
<b>Community Development Block Grant</b>		14.218 Entitlement Grant	
CDBG Project Titles: Various; See document		Description of Areas Affected by CDBG Project(s): City of Newton, MA	
CDBG Grant Amount: \$2,446,034	Additional HUD Grant(s) Leveraged: \$1,805,285	Describe: Continuum of Care funds, HOME, ESG	
Additional Federal Funds Leveraged: \$0		Additional State Funds Leveraged: \$0	
Locally Leveraged Funds: \$3,327,020 (CPA, private lenders, grants, City funds)		Grantee Funds Leveraged: \$0	
Anticipated Program Income: \$192,500		Other (Describe) \$0	
Total Funds Leveraged for CDBG-based Project(s): \$5,324,805			
<b>Home Investment Partnerships Program</b>		14.239 HOME	
HOME Project Titles: Various; See document		Description of Areas Affected by HOME Project(s): Bedford, Belmont, Brookline, Framingham, Lexington, Lincoln, Natick, Needham, Newton, Sudbury, Waltham and Watertown, MA	
HOME Grant Amount: \$2,279,312	Additional HUD Grant(s) Leveraged: \$2,254,000	Describe: CDBG and ADDI	
Additional Federal Funds Leveraged: \$5,720,000		Additional State Funds Leveraged: \$16,315,000 (CPA, DHCD, MassHousing, etc.)	
Locally Leveraged Funds: \$3,690,000 (private lenders, housing trusts, housing authorities)		Grantee Funds Leveraged: \$5,405,500	

Anticipated Program Income: \$		Other (Describe) \$2,457,500 (LIHTC, HOME match)	
Total Funds Leveraged for HOME-based Project(s): \$47,969,862			
<b>American Dream Downpayment Initiative</b>		14.239 HOME	
ADDI Project Titles:		Description of Areas Affected by ADDI Project(s)	
ADDI Grant Amount - \$0	Additional HUD Grant(s) Leveraged - \$	Describe	
Additional Federal Funds Leveraged - \$0		Additional State Funds Leveraged - \$0	
Locally Leveraged Funds _ \$0		Grantee Funds Leveraged - \$0	
Anticipated Program Income - \$0		Other (Describe) - \$0	
Total Funds Leveraged for ADDI-based Project(s) - \$0			
<b>Emergency Shelter Grants Program</b>		14.231 ESG	
ESG Project Titles: Various; See document		Description of Areas Affected by ESG Project(s): Newton, MA	
ESG Grant Amount: \$98,985	Additional HUD Grant(s) Leveraged: \$3,951,755	Describe: Continuum of Care funds, CDBG, HOME	
Additional Federal Funds Leveraged-\$0		Additional State Funds Leveraged-\$0	
Locally Leveraged Funds-\$0		Grantee Funds Leveraged-\$0	
Anticipated Program Income-\$0		Other (Describe)-\$98,985 in agency match from various sources	
Total Funds Leveraged for ESG-based Project(s)-\$4,050,740			
Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?	
Applicant Districts	Project Districts		
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input type="checkbox"/> Yes	This application was made available to the state EO 12372 process for review on DATE
		<input checked="" type="checkbox"/> No	Program is not covered by EO 12372
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	Program has not been selected by the state for review
Person to be contacted regarding this application			
Stephen	D.	Gartrell	
Associate Director for Housing and Community Development	617-796-1140 phone	617-796-1142 fax	
<a href="mailto:sgartrell@newtonma.gov">sgartrell@newtonma.gov</a>	<a href="http://www.ci.newton.ma.us">http://www.ci.newton.ma.us</a>	Other contact: Kathleen Cahill	
Signature of Authorized Representative			Date Signed

**Fiscal Year 2009 Annual Action Plan  
Table of Contents**

**Part I. Narratives**

Standard Form 424

Executive Summary..... 1

General Questions ..... 4

Managing the Process ..... 10

Citizen Participation ..... 12

Institutional Structure..... 13

Monitoring..... 14

Lead Paint ..... 16

Specific Housing Objectives ..... 17

Needs of Public Housing ..... 45

Barriers to Affordable Housing..... 46

HOME/ADDI ..... 59

Specific Homeless Prevention Elements ..... 65

Community Development ..... 68

Antipoverty Strategy ..... 68

Non-homeless Special Needs ..... 70

Impediments to Fair Housing ..... 70

**Part II. FY09 Proposed Projects**

FY09 Proposed Projects Summary..... 85

Proposed Project Sheets..... 92

Certifications

## Executive Summary

### Program Year 4 Action Plan Executive Summary:

The FY09 Annual Action Plan comprises the fourth year of the FY06-10 Consolidated Plan for the City of Newton Community Development Block Grant (CDBG) and Emergency Shelter Grants (ESG) programs and for the WestMetro HOME Consortium HOME Investment Partnerships (HOME) and American Dream Downpayment Initiative (ADDI) programs. The Consolidated Plan was prepared to describe the use of federal resources for housing and community development activities in Newton and housing activities in the 11 other HOME Consortium communities—the towns of Bedford, Belmont, Brookline, Framingham, Lexington, Lincoln, Natick, Needham, Sudbury and Watertown and the city of Waltham.

The action plan, which is the result of a citizen-driven collaborative planning process, details how the City of Newton and the members of the WestMetro HOME Consortium will allocate the aforementioned federal funds for the period of July 1, 2008 through June 30, 2009. The action plan provides details to citizens, public and private agencies, and other interested parties on the program activities that are planned in response to the priority needs identified in the Consolidated Plan. The City of Newton and the WestMetro HOME Consortium communities are required to submit this planning document to the U.S. Department of Housing and Urban Development (HUD) to remain eligible for CDBG, ESG, HOME and ADDI funding.

In terms of the activities funded by HUD, all HOME funds received by the Consortium are utilized to fund activities that build, buy and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people. All ADDI funding is used to assist low- and moderate-income first-time homebuyers. In addition, 100 percent of the ESG funding received by the City of Newton is allocated to activities designed to help improve the quality of existing emergency shelters for the homeless, to meet the costs of operating shelters, to provide essential social services to homeless individuals or to help prevent homelessness.

The CDBG program, which was designed to be adapted to local needs, is a more flexible program, and funding can be used for a wider range of activities, including the provision of decent housing, a suitable living environment and expanding economic opportunities for low- and moderate-income persons. The funds, however, must be used to benefit low- and moderate-income Newton residents. The following information represents the City of Newton's CDBG funding priorities for FY09 based on the goals and priorities outlined in the Consolidated Plan:

Affordable housing activities-55 percent  
Public services-15 percent  
Public facilities including access improvements -11 percent  
Economic development- less than 1 percent  
Administration-19 percent

The following housing and community development activities are based on data analysis, citizen input and other information collected for the Consolidated Plan. Activities funded with CDBG, HOME, ADDI and ESG funding must address a minimum of one of the following priorities. Each priority is followed by the proposed activity that will be undertaken to address it.

## **FY09 NEWTON COMMUNITY DEVELOPMENT ACTIVITIES:**

### Public Facilities Improvements

Priority #1: Parks/open space improvements

- Improve the amenities of Farlow and Chaffin Parks (Newton Corner)
- Improve the quality and age-diversity of equipment at Charlesbank Park (Newton Corner)
- Redesign the traffic island (formerly known as Lowell Park) for active/passive recreational use (Newtonville)
- Improve the amenities and accessibility of Magni-Colleti Park

### Public Services

Priority #1: Elder services

- Fund programs that provide elders with the resources to remain independent
- Fund programs that offer elders needed health care and mental health care resources
- Fund integrative services for isolated elders, linguistic minorities and immigrants

Priority #2: Adolescent services

- Fund outreach and crisis intervention services
- Fund therapeutic social/recreational programs
- Fund substance abuse prevention and treatment programs

Priority #3: Children's services

- Fund affordable childcare services
- Fund childcare that includes nurturing relationships with adults and with support for racial, ethnic, cultural, and gender sensitivity

Priority #4: Adult/family services

- Fund case management for multi-problem families
- Fund substance abuse treatment services
- Fund services for survivors of domestic violence

Priority #5: Services for people with disabilities

- Fund job training and employment services
- Fund services that increase access to community resources
- Fund social/cultural/recreational services for people with developmental disabilities

## **FY09 WESTMETRO HOME CONSORTIUM PRIORITIES**

### BEDFORD

Priority #1: Create new rental opportunities affordable to very low-, low- and moderate-income families.

- Continue to support rental projects that target a variety of income groups.

Priority #2: Create affordable homeownership activities for first-time homebuyers.

- Continue to support homeownership projects that provide affordable units for first-time homebuyers.

Priority #3: Create affordable housing options for households who are homeless, near homeless or have special needs.

- Continue to support projects such as the single room occupancy development for homeless veterans and 447 Concord Road, both of which offer housing for formerly homeless people and people with special needs.

## BELMONT

During FY09, the Town of Belmont will continue to implement three of the priorities identified in the Town's *FY06 – FY10 Consolidated Plan and Strategy*:

- 1) develop affordable rental housing;
- 2) provide assistance to elderly homeowners; and
- 3) provide assistance to non-elderly people with special needs.

The Town will make great strides toward realizing these goals with the construction of Waverley Woods, Freedom Commons at Belmont Hill, and the redevelopment of Metropolitan State Hospital (Met State). Waverley Woods, part of the re-use of McLean Hospital, will consist of 40 units of family rental housing affordable to households with incomes at or below 60 percent of area median income and will include three fully handicapped-accessible units. Freedom Commons, also part of the re-use of McLean Hospital, will consist of 482 assisted housing units, 30 of which will be affordable to households with incomes not exceeding 120 percent of median. The redevelopment of Met State will include 300 units of rental housing, of which one-third of the affordable units will be made available to Belmont residents (approximately 20 units). While these projects move forward, the Town will meet with potential developers, apply for additional state and/or federal housing funds, and look for other opportunities to increase the amount of affordable housing in Town.

## BROOKLINE

Priority #1: Twenty low-income households will have access to affordable rental units and sixteen moderate-income households will have access to affordable homeownership units through the redevelopment of the St. Aidan's Church for the purposes of creating decent affordable housing.

- Construction and marketing of the 36 affordable units

Priority #2: Fifteen low- and moderate-income households will have access to affordable rental units through a nonprofit's acquisition and redevelopment of an existing building for the purposes of creating decent affordable housing.

- Continue working with nonprofit affordable housing developers to seek opportunities for new projects within Brookline.

Priority #3: Three low- or moderate- income households will have access to homeownership via loans from the Town's Homebuyer Assistance Program for the purpose of providing decent affordable housing.

- Continue to assist low- and moderate-income households to purchase homes in Brookline through Brookline's Homebuyer Assistance Program.

Priority #4: Six low- and moderate-income households will have access to homeownership, for the purposes of decent affordable housing in mixed-income developments, as part of the Town's inclusionary zoning by-law.

- Continue to work with private developers subject to the Town's inclusionary zoning by-law to craft affordable housing agreements which include affordable units in market rate developments.

## FRAMINGHAM

Priority #1: Assist four moderate-income or below homebuyers with the purchase of a home in Framingham.

- Allocate \$172,216 in FY09 HOME funds to assist up to 4 moderate-income or below homebuyers in the purchase of an affordable home through a range of down payment, closing cost, buydown or other permissible subsidies.

Priority #2: Provide for the moderate rehabilitation of 3-5 affordable owner-occupied and/or related rental households, as applicable, for cost-burdened and severely cost-burdened and other moderate-income or below individuals in Framingham, with and without disabilities, including large and small households and elderly households.

- Use \$114,729 in FY'09 HOME funding to undertake moderate rehabilitation of owner-occupied housing through technical support and financial assistance through grants and/or low-interest loans.

Priority #3: develop, over time, effective collaborations with experienced community housing development organizations (CHDO) to meet the housing needs of low and moderate income individuals and households.

- Set aside \$57,389 in FY'09 home funds to engage in collaborations with community housing development organizations

#### LEXINGTON

Priority #1: Broaden opportunities for producing affordable housing in Lexington

- Purchase Affordable Housing Deed Restrictions
- Affordable Housing Strategy
- Homebuyer/Homeowner Assistance Programs
- LexHAB Project Support
- Lexington Center
- Conversion of Non-residential to Residential

#### LINCOLN

Priority #1: Increase affordable and accessible rental opportunities and affordable homeownership opportunities through new development

Proposed activities:

- Development through the New England Deaconess project of 30 units of senior rental properties with eight units as affordable
- Monitor the development of Minuteman Commons, 32 units, over 55 housing in North Lincoln which includes six affordable units with an option to buy down two additional units
- Work with the Lincoln Foundation in fundraising efforts for affordable housing.

Priority #2: Increase affordable rental opportunities and affordable homeownership opportunities in existing housing stock

Proposed activities:

- Work with the Lincoln Affordable Housing Trust Fund and HOME funds to buy down condo units.
- Work with the Lincoln Affordable Housing Trust Fund and HOME funds to buy down condo units as possible rental opportunities.

#### NATICK



- Priority #1: Provide housing opportunities for those at the entry level of homeownership, “empty nesters,” young families and other households in the “lower-middle” income range that are priced out of the market, elder residents, and those requiring housing assistance and rental housing units.
- Priority #2: Utilize limited funds to facilitate creation and or perpetuation of affordable units for eligible individuals and families.

#### NEEDHAM

- Priority #1: Better organize and plan for affordable housing production
- Pursue housing in the Town Center through the Downtown Study where Needham will develop a comprehensive plan
  - Initiate components of Affordable Housing Plan
- Priority #2: Use public properties to serve housing needs
- Support efforts to expand the High Rock Estates project to Yurick Road
  - Provide for housing development on selected parcels of Town-owned land
  - Explore transit-area redevelopment and adaptive reuse
- Priority #3: Help lower-income households gain better housing.
- Help develop an Individual Development Account (IDA) program

#### NEWTON

- Priority #1: Increase the overall supply of a variety of affordable housing options and reduce the housing cost burden of extremely low-, low- and moderate-income persons, including special needs populations
- Develop strategies and implementation schedules that begin addressing the housing recommendations listed in the City’s Comprehensive Plan (2007) and in the Fair Housing Action Plan, scheduled to be finalized in 2008. Inherent in the recommendations in both plans is the recognition that barriers to affordable housing need to be challenged through changes in policies, programs, regulations and the allocation of resources, among other actions.
  - Continue to partner with Community Living Network in Administering the Accessory Apartment Incentive Program, if the Newton Board of Aldermen vote to reallocate the program funds and approve a one-year extension.
  - Continue to implement the 15 percent inclusionary zoning ordinance and seek to have the proposed 2007 revisions and clarifications to the ordinance approved. Continue to modify and adapt the Guidelines for Inclusionary Housing Plans as necessary.
  - Continue to build working partnerships between the City, nonprofit organizations, for-profit housing developers and service providers
  - Continue to provide CDBG and HOME funding to affordable housing developments
  - Continue to administer the first-time homebuyer programs
  - Continue the Newton Housing Rehabilitation Fund programs
  - Continue to allocate funds to the One-to-Four Family Purchase Rehabilitation Program
- Priority #2: Create homeownership opportunities for low-, moderate-, and middle-income residents
- Continue to support and actively market the first-time homebuyer programs and encourage prospective first-time homebuyers to consider applying for funds under the ADDI program
- Priority #3: Create rental opportunities for low- and moderate-income residents
- Continue to allocate funds to the One-to-Four Family Purchase Rehabilitation Program with the expectation that at least two units will be

assisted during FY09.

Priority #4: Support existing emergency shelter, transitional housing and permanent supportive housing facilities for homeless individuals and families and continue to support prevention programs for individuals and families at-risk of homelessness

- Continue to provide operating support to emergency shelter and transitional housing facilities using CDBG and ESG funds
- Continue to use CDBG, Continuum of Care and other financial resources to create more units of permanent affordable housing to enable residents to become self-sufficient
- Continue to provide operating support to homelessness prevention programs to help people at-risk of homelessness remain housed

Priority #5: Enhance and expand local support for affordable housing and maximize the effectiveness of local resources through collaboration, partnerships, education/outreach and more efficient institutional processes (e.g. approval and permitting of affordable housing projects)

- Continue to support the One-to-Four Family Purchase Rehabilitation Program
- Identify additional ways to streamline the approval and permitting process for small-scale residential developments
- Enable the Fair Housing Task Force and other stakeholders to update the Analysis to Impediments to Fair Housing Choice and complete the Fair Housing Action Plan (originally scheduled to be completed in 2007).
- Implement the Fair Housing Initiatives Program grant

#### SUDBURY

Priority #1: Increase homeownership opportunities for first-time buyers, especially those who now live or work in Sudbury.

- Buy-down of existing housing units
- Assist first-time homebuyers with financing
- Develop parcels of Town-owned property
- Strengthen the Sudbury Housing Trust

Priority #2: Increase rental opportunities for all income levels, ages, special needs and Sudbury workers through reuse and redevelopment of existing housing stock and new development which harmonizes with existing development and the landscape.

- Designation of affordable rental units to the Sudbury Housing Authority in new Chapter 40B developments
- Rebuild older single family rental units as new duplex rental units

Priority #3: Provide housing assistance to the residents of Sudbury as an expansion of Town municipal services.

- Administer affordable housing lotteries and monitor affordable housing units for adherence to deed restrictions
- Provide a central focal point for all housing information in Sudbury

#### WALTHAM

Priority #1: Five low- to moderate-income households will have access to decent, affordable homeownership through Waltham's Down Payment Assistance Program

- Continue to administer the Down Payment Assistance Program, which offers assistance to low- and moderate-income applicants with an interest-free, deferred loan payable on sale or transfer of the property

- Priority #2: Seven low- and moderate-income households will have access to homeownership for the purpose of decent, affordable housing in mixed-income developments as part of the City's Inclusionary Zoning By-law
- The Housing Division will work with private developers on projects that will produce affordable homeownership units in perpetuity
- Priority #3: Seven low- to moderate-income eligible households will have access to decent, affordable rental units through nonprofit acquisitions.
- The City of Waltham's Housing Division will continue to encourage nonprofit developers with the acquisition and rehabilitation of affordable rental units
- Priority #4: Address barriers to fair housing choice
- Continue membership in the Boston Fair Housing Neighbors Network and the WestMetro HOME Consortium
  - Support the 128 Business Council in running bus shuttles to connect businesses along the Route 128/Interstate 95 corridor to downtown Waltham
  - Continue to attend and offer trainings from the Fair Housing Center of Boston through The City of Newton's Fair Housing Grant which relates to housing discrimination in the City of Waltham.
  - businesses along the Route 128/Interstate 95 corridor to downtown Waltham

#### WATERTOWN

- Priority #1: Increase the number of affordable rental and homeowner units for low- and moderate-income households.
- Continue to fund first-time homebuyers program.
  - Continue to negotiate with developers for the provision of affordable units within proposed residential developments.
  - Provide HOME funds to the Affordable Housing Development Fund for an as-of-yet unspecified affordable housing development.
  - Provide operating expenses to the local CHDO.
- Priority #2: Preserve existing affordable units in small structures through rehabilitation, de-leading, expanding accessible housing and helping the elderly stay in their homes.
- Seek to fund a housing rehabilitation program.
  - Continue to participate in the "Get the Lead Out" program.

The City of Newton and the members of the WestMetro HOME Consortium have been successful at meeting the goals and objectives laid out in the action plans during past years.

In terms of the citizen participation process, meetings were held in each individual HOME Consortium community to solicit feedback and public input on the planned uses of federal funding. Summaries of the proposed plan were published in each community's local newspaper. The City of Newton then held a public hearing on March 3, 2008, to present its plan for allocating its CDBG, ESG and HOME allocations. The draft plan was also posted on the City's website to solicit comments and feedback. No comments were received.

## General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

The City of Newton does not have any areas of low-income families and/or racial/minority concentration, nor do any of the WestMetro HOME Consortium communities, with the exception of Framingham (see Framingham section of this Annual Action Plan). HOME and ADDI projects undertaken by the WestMetro HOME Consortium communities during FY09 will directly benefit low- and moderate-income residents of the 12 member communities.

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.

In terms of Newton's CDBG and ESG grants, housing rehabilitation, housing development, architectural access and public service projects will directly benefit low- and moderate-income people and will be carried out on a citywide basis. Economic development projects may also be undertaken throughout the city and will require the creation of jobs for low- and moderate-income people or will directly benefit a low- and moderate-income owner of a microenterprise.

Since Newton does not have any areas of low-income or minority concentration, neighborhood improvement projects are carried out in four target neighborhoods, including portions of the villages of Newton Corner, Newtonville, Nonantum and West Newton. These target neighborhoods are composed of the block groups in Newton with the highest concentrations of low- and moderate-income people. Funds for neighborhood improvement projects are distributed among the target neighborhoods on a rotating basis, with one neighborhood receiving funds each year. During FY09, funds will be used in the Nonantum target neighborhood.

Both direct benefit and area benefit activities are consistent with the Newton Housing and Community Development Program's goals of maintaining Newton's and the HOME Consortium's economic diversity and improving the physical, social, economic and housing environments for low- and moderate-income residents.

3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

The primary obstacle to meeting underserved needs in Newton and the 11 other HOME Consortium communities is the lack of sufficient funding. During the needs assessment process conducted for the FY06-10 Consolidated Plan, a large number of needs were identified. Unfortunately, the amount of CDBG and ESG funding allocated to Newton and HOME funding allocated to the Consortium communities cannot begin to address all of the identified needs. In the coming fiscal year, staff will continue to explore creative ways to leverage additional funding to address underserved needs. Solutions will continue to be sought to maximize the effectiveness of the federal funds and to address the greatest number of needs.

4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

In FY09, Newton and the WestMetro HOME Consortium communities expect to receive the funding amounts shown below:

**FY09 FEDERAL FUNDING AMOUNTS:**

Community Development Block Grant (CDBG)	\$2,223,223
HOME Investment Partnerships Program (HOME)*	\$2,037,052
HOME American Dream Downpayment Initiative (ADDI)*	\$14,221
Emergency Shelter Grants (ESG)	\$99,264
Total	\$4,373,897

\*HOME and ADDI funds are distributed among the 12 WestMetro HOME Consortium members.

**FY09 ADDITIONAL RESOURCES ANTICIPATED TO BE AVAILABLE:**

**I. CDBG LEVERAGED FUNDS**

- a. \$1,175,200 (Additional HUD grants—HOME, ESG, ADDI, Continuum of Care)
- b. \$300,000 (Additional State funds leveraged—CPA, MHIC, etc.)
- c. \$1,000,000 (Locally leveraged funds—CPA, local lenders, grants, City funds)
- d. \$469,877 (Anticipated program income)

**TOTAL LEVERAGED FUNDS: \$2,945,077**

**TOTAL CDBG FUNDING: \$5,168,300**

**II. HOME LEVERAGED FUNDS**

- a. \$602,000 (Additional HUD grants—CDBG, ADDI, Continuum of Care)
- b. \$1,883,000 (Additional Federal funds)
- c. \$26,600,000 (Additional State funds—CPA, DHCD, MassHousing, MHP, etc.)
- d. \$8,450,000 (Locally leveraged funds—private lenders, housing trusts, housing authorities)
- e. \$15,519,000 (Grantee leveraged funds)
- f. \$100,000 (Anticipated program income)
- g. \$9,375,000 (HOME match, LIHTC)

**TOTAL LEVERAGED FUNDS: \$67,326,500**

**TOTAL HOME FUNDING: \$69,363,655**

**III. ESG LEVERAGED FUNDS**

- a. \$1,123,000 (Additional HUD grants—Continuum of Care, HOME, CDBG)
- b. \$1,600,000 (Sub-grantee matching funds from FEMA, Massachusetts Department of Transitional Assistance, Massachusetts Department of Social Services, City of Newton [non-ESG funds], fundraising, Project Bread)

**TOTAL LEVERAGED FUNDS: \$2,723,000**

**TOTAL ESG FUNDING: \$2,822,264**

One hundred percent of CDBG funds will be used for activities that benefit Newton’s low- and moderate-income residents.

## Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.

The lead agency responsible for overseeing the development of the FY06-10 Consolidated Plan and the FY09 Annual Action Plan is the Housing and Community Development Division (the Division) of the City of Newton's Planning and Development Department. In addition to serving as the lead agency for the City of Newton's CDBG and ESG consolidated planning process, the Division also serves as the lead entity for the HOME portion of the Consolidated Plan for the WestMetro HOME Consortium. The HOME Consortium consists of the towns of Bedford, Belmont, Brookline, Framingham, Lexington, Lincoln, Natick, Needham, Sudbury and Watertown, and the cities of Newton and Waltham. Brookline, Framingham and Waltham are also CDBG grantees. The information below identifies the major public agency in each Consortium community that will be responsible for administering programs covered by the Plan.

### HOME CONSORTIUM COMMUNITY: RESPONSIBLE ENTITY

Bedford: Town Administrator's Office

Belmont: Planning and Zoning Division of the Office of Community Development

Brookline: Planning and Community Development Department

Framingham: Planning and Economic Development Department

Lexington: Planning Department

Lincoln: Planning Board

Natick: Community Development Department

Needham: Planning Board

Newton: Housing and Community Development Division of the Planning and Development Department

Sudbury: Planning Board

Waltham: Housing and Planning Departments

Watertown: Department of Community Development and Planning

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

Work on the FY09 Annual Action Plan began in November 2007 as staff began to develop a schedule for implementation. Throughout the next two months, staff met with advisory committees, city and town staff, housing trust members and planning board members to review the FY09 needs, objectives and strategies laid out in the FY06-10 Consolidated Plan. In January 2008, staff in Newton and the other 11 members of the WestMetro HOME Consortium began drafting their FY09 plans and presenting the drafts to the relevant entities in their cities and towns.

In Newton, during the development of the plan, staff coordinated with other City departments, including the Parks and Recreation Department and the Department of Public Works, specifically in terms of neighborhood and accessibility improvement projects. Staff from these departments were invited and encouraged to attend advisory committee meetings during the development of the plan.

On a regional level, Newton maintains contact with municipalities within the region through its involvement in the WestMetro HOME Consortium. Through this forum, Division staff is able to share in regional planning activities that relate to affordable housing development. Besides individual contact between Newton and members staff, the Consortium also holds meetings on an approximately bimonthly basis. This offers members an opportunity to raise and resolve particular issues, to discuss new programs and projects and to develop both a local and a regional outlook on affordable housing development.

3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

The City of Newton is an active member of the Citizens' Housing and Planning Association (CHAPA), a nonprofit umbrella organization for affordable housing and community development activities throughout Massachusetts and is a member of the Boston Metropolitan Planning Organization (MPO), which is composed of seven agencies, seven municipalities and a public advisory committee that collectively carry out the federally mandated "continuing, comprehensive and cooperative transportation planning process for the region." Housing and Community Development staff is also active both nationally and regionally as members of the National Community Development Association (NCDA), a national nonprofit organization composed of more than 550 local governments across the country that administer federally-supported community and economic development, housing and human service programs, including the CDBG, ESG and HOME programs.

Division staff is also actively involved with a number of collaborative efforts that include representatives of agencies and organizations outside of Newton. Throughout the year, collaborative groups such as the Human Service Providers Network and the Brookline-Newton-Watertown Homelessness Consortium meet to discuss issues and needs in Newton and the surrounding communities. Housing and Community Development Division staff takes the lead in coordinating these meetings.

The City of Newton is committed to promoting and improving coordination between public and assisted housing providers and private and government health, mental health and service agencies. Evidence of this commitment is apparent from the numerous advisory committee meetings held and the ongoing communication with the staffs of other City departments and other jurisdictions undertaken as both part of the development of the Consolidated Plan and the Annual Action Plan and as a regular component of Newton's housing and community development program. The specific actions to be undertaken during the next year to increase coordination are described in the following paragraphs.

The Housing and Community Development Division of the Newton Planning and Development Department is the primary City entity responsible for coordination efforts. As such, for the past seven years, Division staff has planned, organized and promoted a bimonthly Human Service Providers Network meeting for CDBG and ESG grantees and local non-grantee agencies. The meetings are held five times a year with an average attendance of 30 people from 25 different agencies.

Human Service Providers Network meetings increase the level of information available to providers concerning social problems and promote the sharing of ideas and strategies between them. The goal is to encourage providers to not only be in communication with each other but to also encourage them to find new ways to work cooperatively to provide services. Whereas providers in some communities complain of increased competitiveness in the face of shrinking public funds available for services, Division staff has found that when agencies interact and communicate, the intensity of the competitiveness is lessened. Providers Network meetings will continue to be held during FY09 to enhance coordination efforts.

Another major coordination effort led by Division staff is the Brookline-Newton-Watertown Homelessness Consortium, which is composed of local nonprofit agencies, private foundations, formerly homeless individuals, private businesses, state agencies, the City of Newton and the towns of Brookline and Watertown. Members of the Consortium work together to apply for U.S. Department of Housing and Urban Development (HUD) Continuum of Care funding and to provide a continuum of care system to help the homeless and people at-risk of homelessness to obtain or maintain permanent housing and self-sufficiency. Members also work together to coordinate the point-in-time survey of the homeless that is conducted annually in the three municipal member communities. The Homelessness Consortium meets monthly as a whole, with Planning Committee and HMIS Committee meetings scheduled at least bimonthly. These meetings will continue during FY09.

The Newton Housing Partnership (NHP), a volunteer group of Newton residents with experience in affordable housing and related fields, meets monthly to review and comment on housing projects and to provide feedback to staff on programs and policy-related issues. The Housing Partnership, whose members are appointed by the Mayor, was established in 1990. The NHP is one of the most visible links between the City and private, for-profit businesses and nonprofit organizations that provide housing and/or services in Newton. This linkage enables the NHP to provide a peer review that is consistent and coordinated. In addition, many of the members of the Housing Partnership are involved in other volunteer efforts in Newton which helps provide the members with a sense of context and historical perspective that otherwise would not exist. During FY09, the NHP will continue to enhance the coordination process among public and private housing, health and social service agencies.

## **Citizen Participation**

1. Provide a summary of the citizen participation process.

Citizen participation has been an established priority of both the Newton Housing and Community Development program and the WestMetro HOME Consortium for many years, and citizen participation plans exist for both the Newton CDBG and ESG programs and for the WestMetro HOME Consortium. In terms of the citizen participation process employed for the development of the FY09 annual action plan, meetings were held in each individual HOME Consortium community to solicit feedback and public input on the planned uses of federal funding. The City of Newton then held a public hearing on March 3, 2008, to present its plan for allocating its CDBG, ESG and HOME allocations. Additionally, the plans for the HOME allocations for the 11 other members of the WestMetro HOME Consortium were presented at this hearing. Advertisements announcing the public hearing and presenting the intended uses of the funds were placed in each HOME Consortium communities' local newspaper during the week of February 25, and a link to the draft FY09 annual action plan was placed on the City of Newton website.

2. Provide a summary of citizen comments or views on the plan.

No comments were received on the draft FY09 Annual Action Plan.



## Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

Program Year 4 Action Plan Institutional Structure response:

For the past 33 years, the Housing and Community Development Division of the Newton Planning and Development Department has developed and managed a number of programs for city residents, all in keeping with the goal of increasing Newton's diversity by improving the economic, social, physical and housing environments for families and individuals with low- or moderate-incomes. Current programs administered by the Division include housing (development, rehabilitation, first-time homebuyer and Newton Connection homebuyer programs), economic development, neighborhood improvements, accessibility improvements and homeless and human service programs. Since 1990, the Division has also administered federal HOME funds for a growing Consortium of local member communities. These funds are specifically directed towards low-income housing.

Effective program delivery has been made possible, however, through the efforts of many other local, state, federal and private partners. Many agencies and organizations form the front line of community development in Newton and the HOME Consortium communities. The institutional structure established to develop the City of Newton and the WestMetro HOME Consortium Consolidated Plan and FY09 annual action plan is broadly based and integrates the talents of key organizations and committees involved in the CDBG, HOME and ESG programs, and other housing and human service activities. The institutional framework for planning and implementing housing and community development activities operates with the goal of expanding programs and services to low- and moderate-income people in the community.

Affordable housing production (and community development programs in the City of Newton) programs are driven primarily by the actions and interactions of three groups of actors: government agencies (or public institutions); nonprofit and for-profit organizations (especially developers and social service providers); and private lenders and corporations. Federal, state and local government agencies provide a significant portion of funding and support for affordable housing and community development activities and guide these activities through their policies, program guidelines, and in the case of the local housing authorities in the HOME Consortium communities, through the direct provision of housing units and services.

The various government agencies often act as principal funders of the housing and community development services provided by nonprofit and for-profit organizations. The nonprofit and for-profit developers and service providers, in turn, develop affordable housing projects, offer supportive services and influence the type of affordable housing projects built and the services offered. Private lenders also play an important institutional role within the delivery system by providing additional financing and by providing a conduit for the delivery of housing services to low- and moderate-income households.

The relationship between these three groups of stakeholders forms the basis of the housing and community development delivery system and plays a considerable role in the housing and community development efforts within Newton and the HOME Consortium communities. Efforts to strengthen the relationships between the stakeholder groups will continue during FY09.

In addition to these three stakeholder groups, a number of local advisory committees in Newton provide both important input and perspectives on issues facing the community and offer well-informed advice to staff and local officials. The following groups are instrumental

in providing guidance and direction to housing, community and economic development efforts in Newton:

- Newton Corner Advisory Committee
- Newtonville Advisory Committee
- Nonantum Advisory Committee
- West Newton Advisory Committee
- Economic Development Advisory Committee
- Human Service Advisory Committee
- Mayor's Committee for People with Disabilities
- Newton Housing Partnership
- Newton Planning and Development Board

## Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

Program Year 4 Action Plan Monitoring response:

### **Human Service and Emergency Shelter Grant Project Monitoring Policy**

Annually, during the second quarter of each program year, Community Development staff will monitor human service sub-recipient agencies. All new projects will be monitored during the first year of operation. Existing agencies/projects to be monitored will be selected based on the results of a risk analysis. This analysis shall consider such criteria as past performance of the agency/project, experience level of staff administering the project, newness of the project, etc. At least ten percent of all human service projects will be monitored each year. All monitoring documentation is filed in the monitoring folder within the project file.

The monitoring process includes the following documentation:

- Risk analysis results and monitoring schedule
- Notification letter sent to sub-recipient agency
- On-site monitoring visit documentation, including completion of steps outlined in the attached monitoring agenda
- Letter to the agency that outlines the result of the monitoring visit, including any follow-up action required

### **Housing Development Project Monitoring Policy**

Housing Development program staff will conduct annual monitoring of housing development sub-recipients. Agencies/projects to be monitored will be selected based on the results of a risk analysis. This analysis shall consider such criteria as past performance of the agency/project, experience level of staff administering the project, newness of the project, etc. At least ten percent of all housing development projects will be monitored each year.

The monitoring process shall include the following documentation based on the specific type of project:

- Risk analysis results and monitoring schedule
- Monitoring schedule based on risk analysis results
- General notification letter notifying agency that it will be monitored for CDBG/HOME compliance and compliance with sub-recipient agreement
- Confirmation letter sent confirming the date and time of the monitoring visit and detailing specific items to be monitored listed – i.e., income limit documentation, lease agreements, unit inspections, performance goals, etc.

- Completion of an on-site monitoring visit, including completion of the following forms as applicable to the specific project: Lease Requirements Checklist, Housing Quality Standards inspection form, and CDBG or HOME Monitoring Form
- Completion of a letter to the agency outlining the result of the monitoring visit, including any follow-up action required

#### First-Time Homebuyer Program Monitoring

Newton Housing Rehabilitation Fund (NHRF) program staff will monitor First-Time Homebuyer Program projects annually to verify that each property is being used as the homeowner's principal residence. Staff will mail a form to the homebuyer that asks them to sign a statement verifying that the property purchased with First-Time Homebuyer Program funds is their principal residence and to return it to the Newton Housing Office in a postage-paid envelope. If the homeowner fails to return the statement or does not sign the statement, NHRF staff will attempt to contact the homeowner via phone or in person at their address.

#### **WestMetro HOME Consortium Project Monitoring Policy**

In order to ensure accountability, respond to community needs, and use HOME resources efficiently and effectively, the WestMetro HOME Consortium is committed to the following comprehensive monitoring plan.

#### Monitoring Objectives and Strategy

Overall monitoring objectives of the WestMetro HOME Consortium monitoring plan include:

- Identifying and tracking program and project results
- Identifying technical assistance needs of member communities, CHDOs and sub-recipient staff
- Ensuring timely expenditure of HOME funds
- Documenting compliance with program rules
- Preventing fraud and abuse
- Identifying innovative tools and techniques that support affordable housing goals

To ensure an appropriate level of staff effort, the Consortium's monitoring strategy involves a two-pronged approach: ongoing monitoring and on-site monitoring.

#### Ongoing Monitoring

Ongoing monitoring must occur for all HOME-assisted activities each program year. Basic ongoing monitoring involves conducting periodic reviews of activities to ensure regulatory compliance and track program performance. Consistent use of the Consortium's Project and IDIS Setup and Completion forms, and Project and CHDO Records Checklists should pave the way for a smooth monitoring visit.

#### On-Site Monitoring

On-site monitoring seeks to closely examine whether performance or compliance problems exist and to identify the aspects of the program or project that are contributing to the adverse situation. The HOME Consortium member uses a risk factor analysis to target certain HOME program areas or organizations for in-depth monitoring each year.

During an on-site review, monitoring staff will:

- Identify aspects of the program or project where the organization is performing well and/or poorly
- Assess compliance with program requirements
- Determine whether recordkeeping is adequate
- Prepare a report summarizing the results of the review
- Describe any required follow-up activity

After visiting the project site, monitoring staff will complete the following steps:

- Properly record the results of the review
- Fill out all applicable checklists and document with clear notes
- Attach to the checklists all documentation required to support conclusions from the review
- Place the checklists and documentation in the HOME monitoring file for that organization
- Meet with member program staff to review the findings of the monitoring visit and agree on a course of action
- Issue a written monitoring report (copies to the monitored activity's agency and the Consortium Administrator) detailing findings and any required course of action and place in the activity's monitoring file

## **Lead-based Paint**

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

Program Year 4 Action Plan Lead-based Paint response:

The Newton Housing Rehabilitation Fund (NHRF), a division of the Housing and Community Development Program, will continue to provide a special program for the removal of lead-based paint during FY09. Additionally, lead-based paint hazard control measures will be undertaken, consistent with the Title X requirements, on all housing development and housing rehabilitation projects. The City of Newton, through NHRF and the Health and Human Services Department, will continue efforts to eliminate lead-based paint hazards and to educate landlords, renters and homeowners about the dangers of lead-based paint. The member communities of the WestMetro HOME Consortium will also continue to comply with all federal lead-paint laws.

## Specific Housing Objectives

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program Year 4 Action Plan Specific Objectives response:

### **BEDFORD**

**Priority #1: Create new rental opportunities affordable to very low-, low- and moderate-income families.**

According to the 2000 U.S. census data, Bedford's housing stock is made up of relatively few rental units (20 percent). The incomes of renters are significantly less than that of homeowners. According to the census, while the median income for a household owning their home was \$102,043, the median income for renter households was \$47,031 (the median income of all households was \$87,514). About half of very low- and low-income families are renters. The majority of these renters are paying more than 30 percent of their income for rent (thirty percent of income is considered to be the maximum a household should pay towards housing). For example, a household which makes 30 percent of the median income (\$18,810) and pays 30 percent of their monthly income for rent is left with \$1,100 each month to pay for all other costs, including utilities, food, clothes and transportation. The need for affordable rental units is also reflected in low vacancy rates and the waiting lists for the existing public housing.

Several rental projects are currently in various stages of development in Bedford. They target a variety of income groups and will substantially increase the rental housing stock in the town.

#### 447 Concord Road

Bedford is one of three Massachusetts communities chosen through a competitive process to participate in the Suburban Rental Pilot Program sponsored by the state Department of Housing and Community Development (DHCD) and the Massachusetts Housing Partnership (MHP).

The Town of Bedford issued a Request for Proposals and selected a developer to develop this Town-owned parcel as mixed-income rental family housing. This 4.2-acre lot will include construction of 14 homes containing one-, two- and three-bedroom units. Twelve of the units will be affordable, including a three-bedroom unit for people with disabilities. The units will be marketed to households making up to 50 percent and 65 percent of area median income (AMI).

Predevelopment expenses have been funded locally through the Community Preservation Act. Financing includes state HOME, MHP Perm Plus, MHP permanent financing and additional Community Preservation Funds. WestMetro HOME Consortium funds will also be used for the project. The Town entered into a 99-year land lease with the developer. The developer has been approved for a comprehensive permit and the project is moving towards closing in early 2008. Construction should begin in the spring of 2008.

### Village at Taylor Pond

Criterion Development Partners have been approved for a Special Permit under the Industrial Mixed Use Zoning Bylaw. The development will be a mixed residential/retail/commercial complex. The project will include 188 rental units with 25 percent (47 units) being affordable to households making no more than 80 percent of AMI. A regulatory agreement has been signed among the Town, state Department of Housing and Community Development (DHCD), and developer. Construction began in December 2007.

### Princeton Properties

Princeton Properties submitted a Comprehensive Permit application to the Town for a large rental development off of Concord Road. The proposed site consists of approximately 50 acres, of which almost 17 acres are wetlands. The issues of access to the site over a Town-owned railroad bed and the impact of wetlands on the number of units to be built on the site have been contested between the Town and the developer and have caused long delays. A final resolution about the number of units has not been reached at this time.

### **Priority #2: Create affordable homeownership units for first-time homebuyers.**

The escalation of home purchase prices beyond the reach of moderate-income Bedford households is well documented. A Bedford resident who makes the median income for the area could not afford to purchase the median-priced house. According to Citizens Housing and Planning Association (CHAPA), in 2001, a median-income Bedford family could only afford a house priced at \$259,098 while the median income house in Bedford was \$395,000.

Projects to produce affordable homeownership units in Bedford are currently in various stages of development:

#### Habitat for Humanity

Habitat for Humanity has purchased a property on North Road in Bedford for the development of eight affordable homes. The project would preserve an existing farmhouse into an affordable unit and build seven new units on the 3.5 acre site. The Town has approved \$600,000 of Community Preservation funds for the project. Habitat has submitted a LIP application, which has been approved by the Town and state. The Zoning Board of Appeals has approved a Comprehensive Permit. The project will create homeownership opportunities for families making up to 50% of the area median income. This income group is rarely targeted for homeownership projects.

#### Village at Bedford Woods

The first building of a three-building, 88-unit condominium development has been completed. The project includes 22 units affordable in perpetuity to buyers making up to 80 percent of AMI. The site was an abandoned commercial property of approximately 7.5 acres near an office park area. Initially, there was little nearby residential development, but two new developments are in the area: Heritage at Bedford Springs has been built and occupied and the Village at Taylor Pond is under construction. Eight of the 22 affordable units are located in the first building, are completed, and are occupied. The other affordable units will be marketed as construction progresses to the second and third buildings.

### Condo Buy-down Program

The Shawsheen Ridge project, built in 1987, consists of 36 townhouse-style condominium units. Six of the units were sold as affordable to households making up to 150 percent of AMI. These units were initially sold to households which exceeded the State's income limits for a unit to count towards Bedford's affordable housing inventory. Through the Condo Buy-down Program, funded by the Community Preservation Fund, units are purchased at the "affordable" price and sold for less to households making no more than 80 percent of AMI. The units then qualify as State-recognized affordable housing. To date, one unit has been turned over to a qualified buyer.

### **Priority #3: Create affordable housing options for households who are homeless, near homeless, or have special needs.**

Although Bedford does not have many homeless people, there is recognition of the regional needs. People who are homeless or near homeless, whether individuals or families, face a daunting task in finding affordable permanent housing. As Bedford's housing market analysis shows, the reported average rent in 2001 was \$1,100 per month plus \$131 for utilities. An income of \$44,000 is required to afford this rent, not including utilities. If utilities are factored in, the income required is almost \$50,000. The market does not provide affordable options for the homeless and near homeless who are at the lowest end of the income scale. In addition, there is a concern that elderly homeowners face difficulties in maintaining their homes and meeting their housing costs.

The existing affordable apartments for renters with disabilities are for the elderly in the Housing Authority's Ashby Place development and three units in the recently developed Heritage at Bedford Springs. Specifically for the homeless, a 60 unit SRO for homeless veterans was opened this year.

Two other projects addressing this priority are currently in development.

- 447 Concord Road, as proposed, will designate two rental units for sensory impaired and/or tenants with disabilities.
- Village at Taylor Pond is a proposed 188-unit rental project that will have a few units that are accessible for people with disabilities.

### **Outcome Measures**

The objective for each activity funded with HOME funds will be providing decent housing. The accompanying outcome will be to improve availability or accessibility of units or services. The output indicators to be measure will include:

For new rental units:

- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families

For homeownership units constructed, acquired, and/or acquired with rehabilitation:

- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically

designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless

## **BELMONT**

### **Priority #1: Develop affordable rental housing**

- **McLean Hospital Redevelopment**

In 1999, the Town of Belmont adopted a zoning by-law for the redevelopment of McLean Hospital. In exchange for the right to develop its property (luxury townhouses, an assisted living community, and a research and development facility), McLean transferred 1.34 acres to the Town for affordable housing. The Town will lease the property for 99 years to Affirmative Investments, the designated developer, who will then retain ownership of the units and provide management of the housing. Waverley Woods, as the development will be known, will consist of 40 units of rental housing. Thirty-six of the units will be affordable to households at 60 percent of AMI, and four units will be affordable to households at 30 percent of AMI; three units will be fully handicapped accessible and one unit will be outfitted for a person with hearing or visual disability; 14 units will be built so that modifications can be made to accommodate a disabled person without requiring structural alterations. Moreover, one of the buildings was designed to allow the future addition of a lift from the 1st to 2nd floor, with minimal revisions, which would make additional bedrooms accessible to someone in a wheelchair.

Construction on this development began in the fall of 2007 and is expected to be complete in the December 2008. The developer accessed various funding sources to achieve 100 percent affordability – Belmont HOME, Low Income Housing Tax Credits, construction loan at extremely favorable terms, Department of Housing and Community Development Housing Stabilization Fund (HSF), Mass Housing Priority Development Fund (PDF), Mass Housing Mortgage, and Enterprise Community Partners.

- **Use Surplus Town Property for Affordable Housing**

In November 2003, Town Meeting voted to donate two parcels of vacant Town-owned property for affordable housing: B Street, where four units of housing were constructed, three of which were affordable; and Brighton Street, which consists of one unit of affordable housing developed by Habitat for Humanity. Completion and occupancy of the Habitat home occurred this past year.

- **Promote Inclusionary Housing Zoning Bylaw**

The Town's Inclusionary Housing Zoning By-Law requires a certain number of affordable units be set aside for any development which produces seven or more housing units. In FY09, the Town will continue to meet with developers to encourage them to utilize this provision.

- **Metropolitan State Hospital Development**

In 1993, the Towns of Belmont and Lexington and City of Waltham began working with the State on a re-use plan for Metropolitan State Hospital (Met State), a former state mental hospital, sited on land in Belmont, Lexington and Waltham. The plan that resulted included affordable housing, one-third of which will be made available to Belmont residents. The Town will continue to oversee the development to make sure that these units are made available to Belmont residents.

### **Priority #2: Provide assistance to elderly homeowners**

Few housing options exist in Belmont for those elderly homeowners who would like to downsize. Others cannot afford market-rate assisted-living developments or do not want to



leave Belmont. Many also have trouble paying for or obtaining sufficient home-care assistance.

- Develop Affordable Supportive Housing

In 2001, the Planning Board approved plans for Freedom Commons, a 482-unit Continuing Care Retirement Community; 30 non-nursing units will be affordable to households with incomes not exceeding 120 percent of AMI. The developer plans to construct the complex in phases over a five-year span. With the downturn in the housing market, construction has been delayed. Belmont will continue to oversee the development and push for deeper subsidies and more affordable services.

**Priority #3: Provide assistance to people with special needs (non-elderly)**

Few housing resources exist in Belmont for non-elderly residents with special needs. The primary resource for this population is 21 public housing units. Most of these people have extremely low incomes and thus face serious affordability problems. Many also have aging caregivers and need affordable housing with access to support services.

- Affordable Rental Housing Development

As noted above, Waverley Woods will consist of 40 units of affordable housing, three of which will be fully handicapped accessible (1 one-bedroom unit and 2 two-bedroom units) and one additional unit will be outfitted for a person with hearing or visual disability; 14 units will be built so that modifications can be made to accommodate a disabled person without requiring structural alterations. Moreover, one of the buildings was designed to allow the future addition of a lift from the 1st to 2nd floor, with minimal revisions, which would make additional bedrooms accessible to someone in a wheelchair. The Town also expects to begin permitting a 299-unit Chapter 40B housing development at Belmont Uplands. This development will be accessible and several units will be fully handicapped accessible. Construction of this development has been delayed pending the outcome of a lawsuit filed by the abutters to this property.

- Inclusionary Housing Zoning

As noted above, the Inclusionary Housing Zoning By-Law requires developers of residential projects of seven or more housing units to include affordable units. In reviewing projects under this By-Law, the Zoning Board of Appeals may require additional accessible units. The Town will also undertake a review of the By-Law to determine whether amendments are necessary to improve the utility of this provision.

- Apply for Subsidy Funds

The Town and the Housing Trust will continue to pursue opportunities to apply for state and/or federal housing funds to help address the housing needs of low- and moderate-income households, including persons with disabilities and supportive housing needs.

**Outcome Measure:**

The objective for each activity funded with HOME funds will be to provide decent housing. The accompanying outcome will be to improve availability or accessibility of units or services. The output indicators to be measured will include:

- Resources leveraged,
- Number of households assisted,
- Income levels of households, and
- Race, ethnicity and disability of households served.

For new rental units:

- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families

For homeownership units constructed, acquired, and/or acquired with rehabilitation:

- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless

## **BROOKLINE**

**Priority #1: Twenty low-income households will have access to affordable rental units and fifteen moderate-income households will have access to affordable homeownership units through the redevelopment of the St. Aidan's Church for the purposes of creating decent affordable housing.**

Construction of this 59-unit project, (sponsored by the Planning Office for Urban Affairs of the Archdiocese of Boston), which was intended to begin in 2005, was stalled due to litigation by abutters. As a result, the developer was required to re-bid the project and meet a new funding gap of over \$4 million. The Town has committed up to \$6.1 million in Town resources to this project, including \$1.8 million in HOME monies, and \$500,000 in CDBG funds (for the purchase of a public easement to open space) and \$3.8 million in Brookline Housing Trust funds; the Commonwealth of Massachusetts has provided Low Income Housing Tax Credits, yielding \$3.1 million, as well as \$4.6 million in state funding; and the Federal Home Loan Bank Board has awarded the project \$400,000. The project is expected to achieve significant affordable housing while also preserving the St. Aidan's church as market-rate housing and conserving a portion of the church's forecourt as a public space. The developer hopes to complete construction of the affordable units in June of 2009.

### **Outcome measures:**

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families
- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number subsidized by state/local programs; number subsidized by federal programs; number specifically for persons with HIV/AIDS; and number specifically for homeless

**Priority #2: Fifteen low- and moderate-income households will have access to affordable rental units through a nonprofit's acquisition and redevelopment of an existing building for the purposes of creating decent affordable housing.**

The Town continues to encourage and assist nonprofit affordable housing developers, including the Town's CHODO, to seek opportunities for new projects within Brookline. The Housing Division of the Department of Planning and Community Development conducts outreach to property owners and brokers, and proposes particular opportunities to nonprofit owners. Over the past three years, a number of specific opportunities have been identified, but none as yet has come to fruition. The Housing Division staff continues to pursue all opportunities with the expectation that at least one project will move forward into the acquisition phase during FY09.

**Outcome measures:**

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families

**Priority #3: Three low- or moderate- income households will have access to homeownership via a grant from the Town's Homebuyer Assistance Program for the purpose of providing decent affordable housing.**

The Town continues to assist low- and moderate-income homebuyers in purchasing homes in Brookline through its Homebuyer Assistance Program. While some households require only technical assistance and access to first-time homebuyer mortgage products through private banks, the Town also provides, where necessary, a subsidy to eligible households earning less than 80 percent of AMI. Because of the gap between eligible income and housing costs in Brookline, the Town provides up to \$125,000 per eligible household. Only the minimum amount needed to make the purchase possible is used for each loan. HOME funds are matched with CDBG funds, as well as with an innovative state program which subsidizes second mortgages known as the Soft Second Program.

**Outcome measures:**

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Direct Financial Assistance to homebuyers, including whether they are first-time homebuyers, subsidized tenants, minority households; if they received down payment assistance, assistance with closing costs, mortgage buy-down/reduction, interest reduction, second mortgage

**Priority #4: Six low- and moderate-income households will have access to homeownership, for the purposes of decent affordable housing in mixed-income developments, as part of the Town's inclusionary zoning by-law.**

Over the coming year, the Housing Division will work with private developers of two projects to market, select and qualify purchasers of six on-site affordable units required under the Affordable Housing ("inclusionary zoning") Requirements of the Town's Zoning By-law. Of the six units, five will serve households earning up to 80 percent of median income, while one of the units will serve a household earning up to 100 percent of AMI. A minimum of two-bedrooms each, all affordable units will be for family households.

**Outcome measures:**

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number subsidized by state/local programs; number subsidized by federal programs; number specifically for persons with HIV/AIDS; and number specifically for homeless

**FRAMINGHAM**

**Priority #1: Assist up to four moderate-income or below homebuyers with the purchase of a home in Framingham.**

HOME funds will be allocated in FY09 to assist moderate-income or below homebuyers in the purchase of an affordable home through a range of down payment, closing cost, buydown or other permissible subsidies. If the premises are sold, cease to be the Mortgagor's primary residence or there is any change in the title during the term of the Promissory Note, which commences upon the Completion Date, or the Mortgagor is not in substantial compliance with the Promissory Note and Mortgage, the Town will recapture the full HOME loan or the net proceeds, if the net proceeds are less than the full amount of the HOME loan and the Mortgagor's investment.

If the premises are sold, cease to be the Mortgagor's primary residence or there is any change in the title during the first five (5) years of the term of the Note, which commences upon the Completion Date, the Town will recapture the full HOME loan plus five percent (5%) of the HOME loan amount, or the net proceeds minus the Mortgagor's investment, if the net proceeds are less than the sum of the full amount of the HOME loan and the Mortgagor's investment.

The Town specifically reserves the right to require full repayment, notwithstanding any deficiency in the amount of the net proceeds, in the event that repayment is triggered by a willful violation by the Mortgagor of the terms of the Promissory Note, or the Mortgage or any applicable HOME regulations. This recapture provision conforms to the HUD HOME regulation 24 CFR 92.254 (a) (5) (ii). HUD defines the net proceeds as the sales price minus the loan repayments and closing costs. If the net proceeds are sufficient to repay

both the HOME loan and the Mortgagor's investment (HUD defines Mortgagor's investment as the Mortgagor's down payment, principal payments and any capital improvement invested), the Town must recapture the full HOME loan. If, however, the net proceeds are insufficient to repay both the HOME assistance and the Mortgagor's investment, the Town must recapture the net proceeds less the Mortgagor's investment. When the net proceeds are insufficient to repay the full HOME assistance, the Town will not permit the Mortgagor to recover more than his/her investment.

The Principal sum may be deferred annually by the Town based upon annual review by the Lender of the Borrower's compliance with the terms of this Mortgage, the HOME Program and HOME project funding agreement and the Promissory Note.

The American Dream Downpayment Initiative (ADDI) is a component of the HOME program through which HUD makes formula grants to the Commonwealth of Massachusetts and certain other participating jurisdictions (PJs), including the WestMetro HOME Consortium, for the purpose of making down payment assistance available to low-income families who qualify as first-time homebuyers. The Consortium will administer the FY09 ADDI allocation as part of the HOME program.

Outcome Measurement:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Direct Financial Assistance to homebuyers, including whether they are first-time homebuyers, subsidized tenants, minority households; if they received down payment assistance, assistance with closing costs, mortgage buy-down/reduction, interest reduction, second mortgage

**Priority #2: Provide for the moderate rehabilitation of 3 to 5 affordable owner-occupied and/or related rental households, as applicable, for cost-burdened and severely cost-burdened and other moderate-income or below individuals in Framingham, with and without disabilities, including large and small households and elderly households.**

HOME funding will be used to undertake moderate rehabilitation of owner-occupied housing through technical support and financial assistance through grants and/or low-interest loans. Improvements will include code-related and incipient code-related rehabilitation, energy efficiency measures and accessibility adaptations.

Outcome Measurement:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Total number of units; number occupied by elderly; number of units brought from substandard to standard condition (HQS or local code); number qualified as Energy Star; number of units brought into compliance with lead safe housing rule; number of units made accessible for people with disabilities

**Priority #3: develop, over time, effective collaborations with community housing development organizations (CHDO) to meet the housing needs of low and moderate income individuals and households.**

Outcome Measurement:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Total number of units; number occupied by elderly; number of units brought from substandard to standard condition (HQS or local code); number qualified as Energy Star; number of units brought into compliance with lead safe housing rule; number of units made accessible for people with disabilities

**LEXINGTON**

The following are near-term and long-term actions that Lexington anticipates taking to increase its affordable housing supply. Some are specific projects that will use HOME funds; others are long-term objectives.

Guiding Principles and Objectives:

1. Develop and maintain an adequate supply of safe, decent housing that is affordable and accessible to residents with a range of income levels and household needs.
2. Expand sustainable homeownership opportunities for low, moderate and middle-income families.
3. Enhance the prosperity and economic well being of the town, ensuring that economic growth is compatible with the community and environment.
4. Ensure full and fair access to housing for all residents.

The 2009 Action Plan reflects the following principles:

- Promote fair housing
- Promote sustainable development
- Enhance the capacity of community based organizations and local government
- Remove barriers to affordable housing production
- Improve the outcomes of government action

The following are short-term and long-term actions that the Town of Lexington anticipates taking to increase its affordable housing supply. Some are specific projects that will use HOME and CPA funds; others are long-term objectives.

Priority #1: Broaden opportunities for producing affordable housing in Lexington

The following objectives will assist the Town in meeting this priority:

• **Purchase Affordable Housing Deed Restrictions**

The Town has begun a study to determine the parameters necessary to purchase a Deed Restriction at the time of sale to qualified first-time homebuyers that will preserve the housing asset as affordable to future buyers. Once program parameters are defined, CPA funds will be requested to support the project, as will be HOME funds to assist with rehabilitation efforts and to support down payment assistance for qualified buyers.

#### Homebuyer/Homeowner Assistance Programs:

To the extent possible, HOME funds will be used to establish a comprehensive set of financial assistance programs for potential homebuyers and existing homeowners, with the provision that HOME-income-eligible individuals will be the beneficiaries. It is anticipated that, in conjunction with the Town's Accessory Apartment Bylaw, opportunities will exist for education and outreach to existing residents of the Town that will result in units attainable to income-eligible individuals and households. Other possible program examples include first-time homebuyer counseling, down payment assistance, rehabilitation assistance, lending assistance and referrals to other State and quasi-public programs; these programs will begin during FY08, and continue into FY09.

- **Affordable Housing Strategy**

The number one priority of the community is to continue to complete the housing strategy, and determine which projects can be supported using HOME/CPA funds. Since the adoption of the Community Preservation Act in March of 2006, the Town can now reasonably expect a considerable budget from one year to the next for affordable housing projects, based on at least 10 percent of the revenues raised from the surcharge. Given the modest amount of HOME funding received annually, the availability of CPA funding fundamentally changes the resources available to the Town.

The Planning Department organized a series of outreach "summits" in FY 07, and will continue throughout FY08/09 to better coordinate the efforts currently underway. The next meeting will be held in late spring 2008, bringing together the various boards, committees, developers, area community-based organizations and interested citizens. The goal for FY 09 is to complete the Housing Strategy and to focus on implementation of the goals and objectives.

- **LexHAB Project Support**

The Lexington Housing Assistance Board (LexHAB) has a strong 18-year record of achievement in constructing, managing and acquiring affordable housing. HOME funds may be used to assist in the construction of new units or to assist with rehabilitation work on units now owned by low- or moderate-income families. If the units are homeownership units, HOME funds could be used in the form of down payment assistance to eligible buyers, in order to attain affordability levels of 80 percent AMI or lower. Application of the subsidy to clients would be under the control of LexHAB, which would also be responsible for program reporting and compliance. Three units at Parker Manor will be built by LexHab in FY08/09. The Town is working with LexHab towards determining another project to build in FY09.

- **Lexington Center**

Town Meeting's recent approval of the Battle Green Inn project in Lexington Center provides affordable housing units downtown. The outcome of this project may serve as a model for creating more affordable housing opportunities in the Center in the future. The project is currently under construction, and three units will be built as affordable housing units, which should be completed in FY09. To whatever extent possible, the Town of Lexington will allocate HOME funds to create more units downtown on a project-by-project basis.

- **Conversion of Non-residential to Residential**

History indicates that conversions have been widely accepted in spite of initial resistance as long as they are compatible with the existing neighborhood. HOME funds will be used to assist owners who provide units affordable to low- and moderate-income residents. Examples of this type of development include conversion of the former Jefferson Union factory, the Lexington Press buildings and the Battle Green Inn. These projects are

within walking distance of Lexington Center and will provide affordable units. FY08 funds may also be allocated to the Lexington Press project, subject to HOME maximum subsidy limits.

Another potential opportunity for affordable housing may be the conversion of a building on the St. Brigid's Church lot in Lexington. The Planning Department, in conjunction with LexHab and the Housing Partnership Board, will pursue the options for development on this site. It is hopeful that some of the home and/or CPA funds could be used for this project in FY09.

#### **Outcome Measure:**

The objective for each activity funded with HOME funds will be providing decent housing. The accompanying outcome will be to improve availability or accessibility of units or services. Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served

For new rental construction:

- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families

For homeownership units constructed, acquired, and/or acquired with rehabilitation:

- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless

For direct financial assistance to homebuyers:

- Number of first-time homebuyers receiving housing counseling; number of first-time buyers receiving down payment assistance/closing costs

#### **NATICK**

Priority #1: Provide housing opportunities for those at the entry level of homeownership, "empty nesters," young families and other households in the "lower-middle" income range that are priced out of the market, elder residents, and those requiring housing assistance and rental housing units.

Priority #2: Utilize limited funds to facilitate creation and or perpetuation of affordable units for eligible individuals and families.

- Coordinate 40B project reviews and assist in the creation and management of 40B created affordable units.
- Undertake the marketing, lottery selection process and eligibility review of applicants for affordable units that will be created as part of Housing Overlay Option Plan (HOOP) projects.
- Assist as needed with Smart Growth redevelopment of Natick Paperboard site, which will include 28 affordable units.
- Fast-track the permitting for projects located in HOOP districts.
- Assist and facilitate eligible affordable housing pursuits undertaken by the newly established Natick Affordable Housing Trust Fund.
- Buy-down expiring affordable housing units.



The Town's resources are to be used to provide housing opportunities for those at the entry level of homeownership, "empty nesters," young families and other households in the "lower-middle" income range that are priced out of the market, elder residents, and those requiring housing assistance and rental housing units.

In calendar year 2006 the Town of Natick prepared its Housing Plan which was approved by the Natick Board of Selectmen and the Massachusetts Department of Housing and Community Development (DHCD). Natick has a Community Development Advisory Committee (CDAC) and an Affordable Housing Trust Fund, both of which will work with the Natick Community Development Department and other Town Boards to pursue a variety of affordable housing opportunities.

Numerous affordable housing opportunities are being created in Natick in response to the many efforts undertaken by the Town. Four Housing Overlay Option Plan (HOOP) projects have received permitting from the Planning Board and are in various stages of completion. As partner to the private sector developments, the Town (through a certified consultant) will undertake the marketing, lottery selection process and eligibility review of applicants for approximately 13 affordable units that will be created as part of the four HOOP projects. The cost for the consultant to transact these affordable units will be funded by the Town's HOME resources. Other HOOP projects will likely be undertaken on nearby parcels within the HOOP districts where owners and developers have expressed a willingness to work with the Town toward its housing goals.

The Town is committed to fast tracking the permitting for projects located in HOOP districts and housing developed in the Downtown Mixed Use District. As HOOP sites (all HOOP districts are in or near the Center) and downtown development projects continue to be planned, permitted and constructed, it is anticipated that modest numbers of affordable units will be created. The Town will work toward having such units affordable in perpetuity and placed on the Town's Subsidized Housing Inventory (SHI) list as maintained by the Massachusetts Department of Housing and Community Development (DHCD).

Another important public - private development project undertaken by the Town and Barberry Homes, Inc., is a 150 unit Smart Growth residential rezoning of the former 6.35-acre Natick Paperboard site. Both the Town and the State have approved zoning for the project. Twenty-eight (28) affordable units are to be created within this Smart Growth project, which is one of the State's first such projects. Site cleanup has been an issue between the site owner and the prospective developer during 2007 and is supposedly on the road to resolution. New site designs are to be before the Planning Board during early 2008 with new units to be available in calendar year 2009.

As part of the Natick Fall 2007 Town Meeting, the Community Development Advisory Committee requested that the Town approve formation of a Natick Affordable Housing Trust Fund. The request was granted and a group is being assembled. The fund is intended to allow local officials to pool their housing resources and allocate them to public or nonprofit organizations without having to follow ordinary uniform procurement procedures of MGL Chapter 30B. Several powers are to be delegated to the group, including acceptance of property from any entity, including funds from sources such as impact fees; purchase of or transfer of property; borrowing and pledging property as collateral; executing deeds and leases; managing and making improvements to real property; extending the time for payment of obligations to the trust; and overseeing funds designated by local ordinance or bylaw to the trust. The entity would be exempt from property or income tax, is subject to the open meeting law, and is subject to uniform procurement processes with some exceptions. It is expected that there are many useful applications of the Affordable Housing Trust Fund which will advance affordable housing in Natick. Since the group has just been initiated a full scope of the program has not yet been charted but is in the discussion stage.

### Gifts

The Town received a contribution as part of a past Planning Board decision which may be used toward an appropriate affordable housing purpose. This determination and handling is likely to take place in conjunction with activities undertaken by the new Affordable Housing Trust Fund (AHTF). Other such gifts may be used by the new AHTF deems appropriate.

### Buy-down of Existing Housing Units

In addition to any applicable private funds, the annual HOME funds (amount will vary based on congressional appropriation) received through the WestMetro HOME Consortium may be used to help purchase modestly priced homes or condominiums and and resell them at affordable prices with deed restrictions ensuring affordability. This approach to the provision of affordable units increases affordability without new construction. While this application is certainly possible, it would likely consume the entirety of the available HOME funds and yield one or two units at most given the high cost of homes and real estate in Natick.

In addition, Natick could institute a buy-down program for rental units to make the 150 Section 8 vouchers project-specific. Deed restrictions could be held and enforced by the Affordable Housing Trust Fund. Afterward affordable units would be targeted for eligible individuals and families.

### Chapter 40B Developments

Natick has multiple Chapter 40B developments in various project stages from nearing completion to in-permitting. All that ultimately are permitted will provide affordable units to the Town. The Cloverleaf 40B Project, which is 183 units of rental housing, is under construction with units expected to be available in mid 2008.

During calendar year 2007 the 268 unit South Natick Hills project was permitted and will provide 67 affordable units to the Town. The project is scheduled to be built over the next five years within three phases. Currently the project is undertaking State MEPA review and will pursue local building permitting afterward.

The 24 unit Grant Street 40B Project (all rental units) was permitted with a comprehensive permit in early 2007 and is in the early phases of site work. Another proposed 40B project is to be located on Chrysler Road, would entail 404 rental units and is currently before the Natick Zoning Board of Appeals for review.

### Natick Mall Expansion and Affordable Units

As part of the Natick Mall Expansion project two residential structures housing 215 condominium units were included. As part of the permitting of these two buildings the Natick Planning Board required affordable units be provided by the development. In response to this requirement the developer General Growth Properties must contribute 48 off-site affordable units. The units are part of a LIP (Local Initiative Project) plan which is being submitted to the State DHCD to allow the units to be deed restricted in perpetuity and allow the units to be eligible and placed upon the Subsidized Housing Inventory (SHI) list.

### Outcome Measure:

The objective for each activity funded with HOME funds will be providing decent housing. The accompanying outcome will be to improve availability of units. The output indicators to be measure will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served

## NEWTON

Priority #1: Increase the overall supply of a variety of affordable housing options and reduce the housing cost burden of extremely low-, low- and moderate-income persons, including special needs populations

According to the 2000 U.S. Census, the number of extremely low-, low- and moderate-income households in Newton is growing. Although the total number of households in Newton only increased six percent from 1990 to 2000, the total number of low- and moderate-income households grew 20 percent. The lack of a sufficient supply of affordable housing options reduces the opportunities that low- and moderate-income households have to rent or buy a home in Newton.

Newton's low- and moderate-income population also includes persons who require permanent housing with supportive services. The type and scale of supportive services depend on the individuals being served. Most residents who live in housing developed with state and federal housing financing programs are on fixed incomes and depend on rental subsidies, including the Section 8 Housing Choice Voucher Program, to maintain their current housing status. The greatest housing need for persons with disabilities is an ongoing rental subsidy enabling them to live in permanent affordable housing with the supportive services they require.

Newton needs to increase the supply of affordable rental and for-sale housing and reduce the housing cost burden for its extremely low-, low- and moderate-income residents. Although the City is making progress, affordable homeownership opportunities are extremely limited. With few opportunities to purchase an entry-level or "starter" home in Newton, moderate-income residents may purchase homes beyond their financial capabilities and incur overly burdensome housing costs or defer homeownership by renting instead. Extremely low-, low- and moderate-income Newton residents who rent in the city are also faced with challenges. For example, the percentage of extremely low-, low- and moderate-income renter households with housing cost burden by family size ranges from 63 percent for large moderate-income households to 88 percent for extremely low-income households.

The proposed strategies below all reflect the need to increase the overall affordable housing stock, including the development of all types of affordable housing.

- Identify and advocate for land use strategies that provide more opportunities for the creation of affordable housing.  
The FY06-10 Consolidated Plan and the 2007 Comprehensive Plan both identify the need for the City as well as interested committees and residents to continue to examine potential changes to existing land use policies in Newton. Land use and zoning changes that could be considered include rezoning, mixed-use zoning and the expansion of linkage programs. For example, revisions to the current zoning regulations, such as identifying "opportunity areas" that have the greatest potential for residential development while meeting smart growth principles, could encourage the development of additional affordable housing throughout the community.
- Continue to work with Community Living Network to implement the Accessory Apartment Incentive Program (AAIP) if program funds are reallocated and the program continues for 12 additional months starting approximately April 2008.  
In FY06, the City of Newton partnered with Community Living Network (CLN), a Newton-based nonprofit organization that provides housing to low-income elders, to develop the Accessory Apartment Incentive Program. The two-year pilot

program was initially scheduled to run from August 2006 through December 2007. The AAIP was designed to provide up to \$90,000 to eligible homeowners to subsidize the costs related to developing or creating code-compliant accessory housing units. Part of the program design includes technical assistance for homeowners who need help navigating the permitting process and obtaining architectural and construction-related professional services. In return for receiving financial assistance, homeowners must agree to provide accessory apartments that are affordable to appropriately-sized low- and moderate-income households.

The program was designed and funded with the expectation that three affordable accessory apartments would be created. By the end of 2007, however, CLN, which administers the AAIP on a day-to-day basis, reported that although more than 350 Newton homeowners had requested information on the AAIP no applications had been completed. According to the program administrator, only 141 residents were eligible to participate in the program. Of this number, almost half of the 74 respondents who provided feedback to CLN said that they did not apply to the AAIP because of the required deed restriction and/or program requirements.

The revised program design includes a number of changes including the forms of assistance (grants are no longer available); terms of assistance (the minimum term has been increased from five to seven years); homeowner qualifications (qualifying AMI has increased from 125 to 150 percent AMI for forgivable loans) and the stipulation that tenants who are an immediate family member of the homeowner are not eligible to occupy an accessory apartment in this program.

- Continue to work with developers and City staff in implementing the requirements of the 15 percent inclusionary zoning ordinance. Additionally, continue to develop a user-friendly special permit process including the provision of technical assistance on the development of the mandatory Inclusionary Zoning Housing Plan. Finally, advocate for approval of the proposed amendment changes to the ordinance.

Newton's inclusionary zoning ordinance was last amended in 2004. In 2007 members of the Newton Housing Partnership made recommendations to further amend the ordinance. There are seven proposed revisions (see below) which have been docketed with the City's Zoning and Planning Committee.

1. AN AFFORDABILITY WINDOW (Section 30-24(f)(1)b(ii)): clarifying how allowable sales prices must be adjusted to assure a "window" of incomes between the maximum eligible income under the ordinance income limits and the lowest eligible for bank financing of an affordable unit.
2. SALES PRICE FLEXIBILITY (Section 30-24(f)(1)b(iv)): clarifying flexibility (and reasonability) for the rule which assures that a range of affordable incomes will be served by inclusionary units.
3. CLARIFYING APPLICABILITY OF THE 15% RULE (Section 30-24(f)(3)): making it clear that inclusionary requirements are to be based upon ADDED units, not including existing ones being retained.
4. CASH IN LIEU OF INCLUSIONARY UNITS (Section 30-24(f)(4)): removing the six-unit limit on the number of inclusionary units for which cash may be provided in lieu of affordable units, and revising the formula for the amount of such a fee.

5. RESIDENT PREFERENCES (Section 30-24(f)(8)b)): revising and clarifying the provisions regarding fair marketing and resident selection, making them consistent with fair housing guidance developed by the Fair Housing Task Force.
6. RESTORE OMISSIONS (Section 30-24(f)(8)): replacing with minor revisions language inadvertently removed from the ordinance in a recent amendment.
7. INCENTIVES FOR EXCEEDING INCLUSIONARY MANDATES (Section 30-24(f)(16)): offering extra support for developments which choose to exceed the requirements of this section of the Zoning Ordinance.

- Continue to build working partnerships

The relationship between the Newton Housing Partnership and the Community Preservation Committee continues to be strengthened and enhanced through the joint review of proposed housing development projects. The high cost of housing development in Newton requires multiple funding sources, including federal sources and often Community Preservation Funds. The City will continue to commit federal funding sources such as CDBG and HOME funds to projects that also include Community Preservation Funds.

The Newton Housing Partnership and City staff will continue to review applications for comprehensive permits and to work collaboratively with developers to help them create affordable housing that meets the needs of the community. By working closely with developers before a proposed project is finalized, members of the Housing Partnership and housing development staff can help developers identify and address potential problems at an earlier stage in the development process.

- Continue to provide CDBG and HOME funding to affordable housing developments  
The City will also continue to provide CDBG and HOME program funds to housing sponsors to develop rental and homeownership units affordable to extremely low-, low- and moderate-income families. Housing development projects that include CDBG, HOME and Community Preservation Funds are deed restricted in perpetuity.

Newton is the lead entity in the WestMetro HOME Consortium, which provides funding and technical assistance to 11 municipalities and assists member communities in meeting their own and regional housing goals. From 1992 to the present, the HOME Consortium has developed 189 units of rental housing and 221 units of for sale housing. In Newton, CDBG funds have been used to develop 422 units of affordable housing since the inception of the program more than 30 years ago.

- Continue to administer first-time homebuyer programs

In FY09, the City will continue to provide purchase price buy down assistance to eligible low- and moderate-income homebuyers who purchase homes in the City of Newton through the First Time Homebuyer Program (FTHB) and the Newton Connection Homebuyer Program. Both programs successfully leverage federal HOME and CDBG dollars in conjunction with local Community Preservation Funds to help eligible applicants achieve homeownership. The programs offer up to \$115,000.00 to buy down the purchase price of a home in Newton in exchange for a perpetual deed restriction on the property. The deed restriction limits the appreciation the owner is permitted to earn upon resale. The programs can be used in conjunction with the with Massachusetts Housing Partnership's Soft Second Mortgage Program, a mortgage subsidy product, further increasing affordability for qualifying income-eligible households.

These homeownership programs help mitigate some of the obstacles that prevent low- and moderate-income families from purchasing housing units in Newton. Though the FTHB program is only available to first-time homebuyers, the Newton Connection program is available to eligible homebuyers that work or live in Newton, have children enrolled in a Newton school, or have graduated from a Newton high school within the last 10 years.

Continue to offer the Newton Housing Rehabilitation Fund programs  
NHRF continues to provide funding to low- and moderate-income Newton residents for housing rehabilitation, de-leading, asbestos and underground oil tank removal, energy conservation and adaptive changes for the elderly and physically impaired. In addition, during FY09, NHRF will work with nonprofit organizations and the Newton Housing Authority to help develop new affordable units through its rehabilitation programs.

- Continue to administer the One-to-Four Family Purchase Rehabilitation Program  
The One-Four Family Purchase Rehabilitation Program (PRP) provides up to \$100,000 per unit of assistance to housing developers seeking to acquire property that does not require any zoning changes and is designated for affordable housing development. In the past, the PRP has proven to be an effective tool for the development of affordable housing. During FY09, the City will continue to make this program available. The City plans to allocate federal FY09 funds to the PRP with the expectation that at least two units will be assisted during the program year. The PRP addresses Newton's CDBG and HOME Program local objectives and priority needs as identified in the FY06-10 Consolidated Plan by allowing for the acquisition of two-family or other properties and for requiring deed restrictions to ensure long-term affordability.

Outcome Measure:

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served

For new rental units

- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families.

For homeownership units constructed, acquired, and/or acquired with rehabilitation:

- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless.

Priority #2: Create homeownership opportunities for low-, moderate-, and middle-income residents

According to Banker and Tradesman, the median sales price for a single-family home in Newton in 2005 was \$736,400, \$730,000 in 2006, and \$745,000 in 2007. Despite overall declines in the number of house sales and median prices in Middlesex County communities last year, Newton's housing market continues to remain solid and has even witnessed an increase in both the number of homes sold (4.26% increase) and the median sales price from 2006 (3.34% increase).

Data suggests that a scarcity of starter homes has limited the number of younger homeowners aged 25 to 34 and even 35 to 44 years old. In addition, the inventory of lower-priced, entry-level housing stock remains limited throughout the region. Furthermore, the 39 percent increase in cost-burdened low- and moderate-income homeowners from 1990 to 2000 suggests that many low- and moderate-income households in Newton are choosing homeownership at all costs. In the last ten years, the homeownership rate among low- and moderate-income households has also slipped below 50 percent, as compared to an overall homeownership rate of 67 percent. Therefore, there is a need to increase homeownership opportunities for low-, moderate- and middle-income residents.

Outcome Measure:

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless.

Priority #3: Create rental opportunities for low- and moderate-income residents

Two-thirds of all low-income households in Newton are renters. From 1990 to 2000, approximately 350 elderly renters and 300 non-elderly renters moved into the ranks of those considered to be extremely low-, low- or moderate- income. Overall, lower income renters increased 24 percent. Advertised rental housing on the market in Newton is priced at levels affordable (rents priced at or below 30 percent of a resident's income) to moderate-income residents earning up to \$66,080 but is largely unavailable to low-income residents earning less than \$41,300.

According to U.S. Census 2000 data, 1,604 households, or 17 percent of all Newton renters are considered extremely low-income households. In order for the market to maintain this current demographic distribution among renters in Newton, 17 percent of the rental units, or approximately seven out of every 40 units rented, would need to be affordable to low-income households at rents below \$620 per month. This amount is less than half of the fair market rent of \$1,419 for Newton.

Limited homeownership opportunities increase the demand for rental housing. Increased demand without a corresponding increase in supply of rental units has pushed rental price levels up, as shown in the 22.5 percent increase in median gross rents in

Newton from 1990 to 2000. Low- and moderate-income renters now face housing cost burdens at rates equal to or greater than those of low- and moderate-income homeowners, but unlike homeowners, none of a renter's burden is captured as equity in their home. In addition, housing cost burden impedes a renter household's ability to save for future homeownership.

When these households are priced out of the market in Newton, increased demand is placed on rental assistance programs and existing subsidized rental units, including public housing units. There is a great demand for these housing opportunities, but unfortunately, vacancies are scarce. The widening gap between subsidized, affordable rents and market-rate rents has turned "housing of last resort" into "housing as the only option" for an increasing number of households in Newton. For example, the Newton Housing Authority has extremely long waiting lists with estimated waits approximately three to five years and up to ten years for certain family units. Clearly, there is a need to increase rental opportunities for low- and moderate-income residents.

During FY09, the City plans to allocate federal funds to the Purchase Rehabilitation Program with the expectation that at least two units will be assisted during the program year. This will help to create rental units for low- and moderate-income residents.

Outcome Measure:

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families.

Priority #4: Support existing emergency shelter, transitional housing and permanent supportive housing facilities for homeless individuals and families and continue to support prevention programs for individuals and families at-risk of homelessness

For more information about priority #4, please refer to the specific homeless section which follows in this report.

Outcome Measures:

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families.



Priority #5: Enhance and expand local support for affordable housing and maximize the effectiveness of local resources through collaboration, partnerships, education and efficient institutional processes

- Continue to support the Purchase Rehabilitation Program, and in the next year, Planning and Community Development staff will work closely with the Newton Housing Partnership, the Community Preservation Committee, and affordable housing developers to identify additional ways to streamline the approval and permitting processes for small-scale residential developments. Housing Development staff will continue to work with developers to enable them to fully develop comprehensive One Stop applications for City funds. Housing staff has consistently observed that incomplete One Stop applications cause delays in the project review process.
- Newton Fair Housing Task Force  
In 2005, a subcommittee of the Newton Housing Partnership, a volunteer body appointed by the Mayor and comprised of professionals and advocates in housing-related fields, concluded that the City needed to apply a broader lens to the challenges to fair housing choice in Newton. Understanding that impediments to fair housing is more than a lack of housing choices including affordable housing, the Housing Partnership initiated the creation of the Newton Fair Housing Task Force (Task Force). The Task Force is comprised of members of the Newton Housing Partnership, the Mayor's Committee for People with Disabilities, the Newton Human Rights Commission, and fair housing advocates, among others.

The primary charge to the Task Force was to expand the analysis of obstacles to fair housing identified in the City's 1996 Fair Housing Plan and 2006 AI and then develop a Fair Housing Action Plan to help guide the City's fair housing efforts in the future. As part of the process, the Task Force examined existing preference policies for selection of local residents to affordable housing within the City, reviewed and proposed revisions to the Human Rights Commission's fair housing ordinance and studied trends in lending data. The Task Force commissioned audits to determine the extent of discrimination based on race, ethnic origin, family status, disability and participation in the Section 8 Housing Choice Voucher program in the City's rental and for-sale markets. The group studied the City's capacity to carry out its responsibility to assure that housing, community facilities, and public accommodations are constructed consistent with the architectural access requirements for people with disabilities in the Massachusetts Building Code. It considered the scope of civil rights requirements applicable to City housing-related activities such as Newton's first time homebuyer programs, fair access to housing developed with Community Development Block Grant, HOME, and Community Preservation Act funds.

In FY09, the Task Force will complete the Fair Housing Action Plan and begin work on implementing the action steps outlined in the plan including transitioning from a term-limited entity to a fair housing permanent body.

- Fair Housing Initiatives Program Grant  
In 2006, HUD awarded \$98,044 (out of a maximum of \$100,000) in Fair Housing Initiatives Program (FHIP) funds to the City of Newton. FHIP funding is used to increase compliance with the federal Fair Housing Act and with substantially equivalent state and local fair housing laws. The City of Newton applied for FHIP funding in June 2006 under the Fair Housing Education and Outreach Initiative in order to continue its commitment to implementing fair housing initiatives and to reducing barriers to building diverse and welcoming communities.

The geographic area being served comprises 14 communities that are members of the WestMetro HOME Consortium, the Brookline-Newton-Watertown Homelessness Consortium (BNW) and/or the MetroWest Homelessness Consortium, which will merge with the BNW Consortium in 2007. The communities are Bedford, Belmont, Brookline, Framingham, Hudson, Lexington, Lincoln, Marlboro, Natick, Needham, Sudbury, Watertown, Newton and Waltham.

The FHIP project is based on a partnership between the City of Newton and the FHC, with active participation throughout the process by the Newton's Fair Housing Task Force. The day-to-day operations of the project take place in the City's Housing Office and are managed by the housing development coordinator and the housing development planner. The 18-month project, which began December 15, 2006, consists of 21 training sessions (19 by the FHC and two developed and presented by the City and the Newton Fair Housing Task Force); the development and distribution of educational materials, including three brochures translated into Spanish, Chinese and Russian, training manuals, handouts, etc.; and the development and implementation of a complaint referral system. The project's training modules and educational outreach target the following stakeholders: municipal staff, boards and commissions involved in fair housing; realtors, property managers, nonprofit organizations that provide counseling services to first-time homebuyers and their clients; housing and social service providers involved in the housing search process; public housing authorities; lenders and mortgage brokers; landlords; and tenants.

A principal reason for applying for FHIP funds was to build on the work that the City has already done in recognizing and challenging patterns of segregation and discrimination that are found in Newton, as well as throughout the Boston metropolitan region. The FHIP grant expands upon the fair housing efforts and accomplishments Newton has made over the past year and will include further actions such as revising the Human Rights Commission ordinance and evaluating the existing housing discrimination complaint in-take and referral process. The FHIP grant recognized the City's commitment to ensuring that members of all protected classes are informed of their rights and that municipal staff, realtors, lenders, property managers and landlords are educated on their responsibilities under fair housing laws.

The term of the FHIP grant expires June 30, 2008. At its completion, the grant will have enabled the City of Newton, with the assistance of the Fair Housing Center and the MetroWest HOME Consortium to provide training workshops for a variety of targeted audiences, multi-lingual fair housing brochures, educational outreach including a fair housing web page and the development of a housing complaint system and staff intake training.

The City of Newton will continue its fair housing work in FY09 by advocating for the approval of the Fair Housing Action Plan, scheduled for completion in September 2008, among other actions.

Outcome Measure:  
Not applicable

## **SUDBURY**

### **Priority #1: Increase homeownership opportunities for first-time buyers, especially those who live or work in Sudbury**

- Buy-down of existing housing units  
In addition to CPA funds, WestMetro HOME Consortium funds will be used towards buying modestly priced homes or condominiums and reselling them at affordable prices with deed restrictions that will ensure continued affordability of the units in the future. Five hundred thousand dollars of CPA funding appropriated in 2005 provides the opportunity to fund the buy-down of such units, offered in addition to the 25 percent required affordable units in new 40B developments. Affordable units will be offered on a priority basis to target populations recognized in the 2005 Housing Plan, such as residents, Town employees, METCO parents and the Sudbury municipal workforce. The accumulated HOME program funds will be used to buy-down a unit in the Villages at Old County Road, and the HUD approval for release of funds has been received.
- Assist first-time homebuyers with financing  
Sudbury has enrolled in the State's program to provide soft second mortgages to first-time homebuyers. Bank of America has committed to closing \$2 million in residential loans to low- and moderate-income households to purchase homes in Sudbury over the next two years, and other banks lending in Sudbury participate as well. Sudbury has participated in the American Dream Downpayment Assistance program (ADDI), as administered by the Montachusett Regional Planning Commission, and plans to participate through the WestMetro Consortium in the FY09 program year.
- Develop parcels of Town-owned property  
Sudbury has conducted feasibility analyses of two separate Town-owned parcels of land for redevelopment into mixed uses, including affordable housing. The Sudbury Housing Trust has purchased one parcel, and has awarded, through public RFP, the development to the Greater Worcester Habitat for Humanity chapter. A duplex homeownership unit will be developed and sold on the parcel under the DHCD's Local Initiative Program. Other small-scale development projects in process include purchasing small non-conforming parcels and developing affordable housing through comprehensive permits and DHCD's Local Initiative Program.
- Strengthen the Sudbury Housing Trust  
The Sudbury Housing Trust has completed its first year in operation, and has successfully created one new unit of affordable housing through their Home Preservation program. This program purchases older homes in Town at market price and sells them to a qualified buyer with the affordable deed restriction. The Trust was able to facilitate the purchase and sale of one such home, under the DHCD's Local Initiative Program.  
The Trust continues to pursue all avenues for increasing affordable housing in Sudbury, including investigating and performing feasibility testing on potential property.

#### **Outcome Measure:**

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star

standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless.

**Priority #2: Increase rental opportunities for people of all income levels, ages and special needs, and for Sudbury workers through reuse and redevelopment of existing housing stock and new development which harmonizes with existing development and the landscape**

- Designation of affordable rental units by the Sudbury Housing Authority in new Chapter 40B developments  
The Sudbury Housing Authority (SHA) has up to \$360,000 in CPA funds and \$155,000 from DHCD 701 program funds for the purchase of up to four units in proposed Chapter 40B developments for affordable rental housing, funding the balance from operating reserves. The funds would be used to purchase units from the affordable units required under the law but would be reserved for rental housing. The first unit is expected to close in FY08 and the remaining three have been conditioned in the development permit decisions. Construction delays have impacted the completion of those units.
- Rebuild older single family rental units as new duplex rental units  
The Sudbury Housing Authority (SHA) proposes to produce five new duplex houses on housing authority owned land, with a new increase in affordable rental housing of six units at a cost to the Town of \$100,000 per unit. The local CPA funds would be used to leverage state and private funds. These homes will be occupied by families, many of them current or former Sudbury residents that have been on the SHA's waiting list for years. This project has the support of the Board of Selectmen, DHCD, and Massachusetts Housing Partnership.

**Outcome Measure:**

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families.

**Priority #3: Provide housing services to the residents of Sudbury to expand Town municipal services**

- Administer affordable housing lotteries and monitor affordable housing units for adherence to deed restrictions  
The Town of Sudbury continues to perform Lottery Agent and Monitoring Agent services for affordable housing projects in Sudbury and neighboring communities. This additional responsibility includes performing the marketing, application processing and eligibility verification, and certification of lottery winners. Through these efforts, the Town is able to gain more detailed information about the housing needs of the applicants and can then influence future developments to more closely align with those needs.

- Provide a central focal point for all housing information in housing outreach, including forums, newspaper articles and website information  
Through the establishment of the Community Housing Office in the Department of Planning and Community Development, the Town has provided a central focal point for housing information in Sudbury. This extensive outreach includes forums, newspaper articles and website information, as well as convening the Sudbury Housing Roundtable, which provides a public forum for housing initiatives and a forum for all interested boards, committees and residents to review current projects and collaborate to reach successful outcomes. The Community Housing Office has a dedicated website with frequently updated information regarding housing in Sudbury. All housing efforts in Town are covered at length in the *Town Crier* newspaper. Efforts in the upcoming year will continue on these fronts.

**Outcome Measure:**

Not applicable

**WALTHAM**

**Priority #1: Four low- to moderate-income households will have access to decent, affordable housing through Waltham’s Down Payment Assistance Program**

The City of Waltham will continue to administer the Down Payment Assistance Program to qualified applicants. Waltham offers assistance to low- and moderate-income applicants with an interest-free, deferred loan payable on sale or transfer of the property. The program guidelines allow up to 17 percent of the purchase price, not to exceed \$62,000. Homebuyers are committed to their purchase with three percent of their own funding. If available, additional American Dream Downpayment Initiative (ADDI) funding will also be available to approved applicants. The City is also prepared to match HOME funds with CDBG funding to augment the budget for the Down Payment Assistance Program.

Waltham’s mortgages have been combined with the Soft Second Loan Program, as well as with Mass Housing’s Municipal Mortgage Program, which assists municipal employees with a mortgage product that can aid them in purchasing a home in the city or town where they work. Down Payment Assistance Program funding has also been combined with the Section 8 Homeownership Program. In FY08, staff will continue to work with local lenders to assist buyers in finding a mortgage product that benefits them.

Outcome measure:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Direct Financial Assistance to homebuyers, including whether they are first-time homebuyers, subsidized tenants, minority households; if they received down payment assistance, assistance with closing costs, mortgage buy-down/reduction, interest reduction, second mortgage

**Priority #2: Seven low- and moderate-income households will have access to homeownership opportunities in mixed-income developments as part of the City’s Inclusionary Zoning By-law**

The Housing Division will work with private developers on projects that will produce affordable homeownership units in perpetuity. The City's Housing Division is currently assisting private developers with units of this type within the city.

Outcome measure:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of homeownership units constructed, including the total number of units; number of affordable units; number of years affordability guaranteed; number qualified as Energy Star; number Section 504-accessible; number of households previously living in subsidized housing; of the affordable units, number occupied by elderly; number specifically designated for persons with HIV/AIDS and of those, the number specifically designated for homeless and for chronically homeless

**Priority #3: Seven low- to moderate-income eligible households will have access to decent, affordable rental units through nonprofit acquisitions**

The City of Waltham's Housing Division will continue to encourage nonprofit developers to acquire, and rehabilitate if necessary, units in order to produce affordable homeownership housing. Proposals that identify affordable units are given top priority for HOME funding. The City will continue to support its CHDO in the development of future projects with affordable units. The City is currently working with WATCH, The Waltham Alliance To Create Housing on a new development of seven affordable rental units.

Outcome measure:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families

**Priority #4: Address barriers to fair housing choice**

- Continue membership in the Boston Fair Housing Neighbors Network and the WestMetro HOME Consortium.
- Support the 128 Business Council, a private economic development agency, in running bus shuttles to connect businesses along the Route 128/Interstate 95 corridor to downtown Waltham to help residents, particularly those in the CDBG target area, easily access employment opportunities throughout the entire city.
- Continue to attend and offer trainings in fair housing being offered through the City of Newton and the Fair Housing Center of Greater Boston.

Outcome measure:

Objective: Increase range of Housing Options & related services without discrimination.

Outcome: Improving availability of affordable housing.

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served

## **WATERTOWN**

**Priority #1:** Increase the number of affordable rental and homeowner units for low- and moderate-income households

- First-time homebuyers program

The Town and Watertown Community Housing will continue to affirmatively market the First Home program to households in Watertown and throughout the greater Boston area. Marketing is conducted through area minority newspapers and local newspapers, churches, local cable television stations and Boston Metrolist, a central listing for low-income and minority tenants. The Housing Authority also conducts its own affirmative marketing using a state-approved affirmative marketing plan.

Housing prices in Watertown have been high, frequently exceeding the HOME purchase price limit. The Town has and will be assisting first-time homebuyers in the financing of 31 current inclusionary zoning units with another 30+ available in the near future. The Town's CHDO, Watertown Community Housing, has been hired to serve as the marketing agent and lottery conductor for the affordable units. Soft Second loans and funds of the prospective homeowner assist along with local HOME funds in creating homeownership opportunities.

- Inclusionary zoning

In FY09, the Town, through its Housing Partnership, will continue to negotiate with developers for the provision of affordable units within proposed residential developments. There has been a recent increase in the number of large residential developments that will yield a significant number of affordable units for the town, including the recently completed Repton Place Phase 1 with 31 affordable condo units. The Town is also reviewing the Inclusionary Zoning Ordinance to identify areas that require strengthening. During the past two years, the Town undertook a comprehensive revision of the entire zoning ordinance, many sections of which were recently passed.

- Housing development

During FY08, the Town of Watertown provided HOME funds to the Affordable Housing Development Fund and has utilized this account in acquiring an affordable housing development referred to right now as 1060 Belmont Street. The Affordable Housing Development Fund addresses Watertown's HOME program local objective and priority need of providing housing opportunities for very low-, low- and moderate-income renters as identified in the FY06-10 Consolidated Plan. A portion of these funds in the amount of 250,000 were designated for the acquisition of 1060 Belmont Street, in effect matching additional HOME funds in the amount of \$265,000. This project will consist of 18 affordable rental units to be redeveloped and managed by Watertown Community Housing. Funding for the redevelopment of the former Coolidge School was approved in the amount of \$390,000, and will be supported by state, private and federal funds. As a part of the zoning revisions, the Town incorporated a Mixed-Use Zoning District along Pleasant Street which will increase housing opportunities while

simultaneously strengthening commercial areas.

As with other projects, part of the marketing effort for these units will be towards Watertown Housing Authority residents, thereby making additional public housing units available. The affirmative marketing plan for this project includes activities such as distributing news releases to local and minority newspapers and cable television stations; sending marketing materials to first-time homebuyer class attendees; and providing fliers to local community groups, places of worship, social service agencies, public housing authorities, minority organizations, real estate brokers, municipal buildings and other locations such as banks and supermarkets. The Town and Watertown Community Housing will continue to identify additional affordable housing development opportunities during FY09.

- **Community Housing Development Organization**  
The Town of Watertown will commit \$10,494 of its HOME funds to the operating expenses of Watertown Community Housing, the local CHDO whose efforts are invaluable in addressing the barriers to affordable housing. The organization runs the First Home program, the Home Improvement Program and oversees the development of affordable housing projects. It is a prominent activist in the affordable housing field.

Outcome Measure:

Objective: Providing decent housing

Outcome: Improving availability of accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served

For new rental units

- Number of rental units constructed, including total number of units; number of affordable units; number of Section 504 accessible units; number subsidized by program; number of years of affordability guaranteed; number of units for persons with HIV/AIDS; and number of units for homeless persons and families.

For homeownership units constructed, acquired, and/or acquired with rehabilitation:

- Number of homeownership units constructed, including the number of affordable units; number of years affordability guaranteed; number meeting International Building Code Energy standards; number using Energy Star standards; number made Section 504-accessible; number of households previously living in subsidized housing; number of affordable units occupied by elderly; number of affordable units specifically designated for persons with HIV/AIDS; number of affordable units specifically designated for homeless and chronically homeless.

**Priority #2:** Preserve existing affordable units in small structures through rehabilitation, de-leading, expanding accessible housing, and helping the elderly stay in their homes

- **Housing rehabilitation**  
Watertown has received grants from DHCD, which it has combined with Town funds, to support the Home Improvement Program which provides housing rehabilitation loans for low- and moderate-income homeowners. More than 40 homeowners have been assisted through FY07. During FY08, the Town intends to reapply for another round of DHCD



funding. Rental units assisted by the program have 15-year affordability restrictions placed upon them, thus furthering the number of affordable units.

- De-leading  
The Town of Watertown participates in the “Get the Lead Out” program administered by the Massachusetts Housing Finance Agency (MHFA). This program will continue to be offered. Staff will also be attending lead paint training.

Outcome measure:

Objective: Providing decent housing

Outcome: Improving availability or accessibility of units or services

Indicators will include:

- Resources leveraged
- Number of households assisted
- Income levels of household
- Race, ethnicity and disability of households served
- Number of rental units rehabilitated; number of affordable units; number section 504 accessible; number of units created through conversion of nonresidential buildings to residential buildings; number brought from substandard to standard condition (HQS or local code); number qualified as Energy Star; number brought into compliance with lead safe housing rule; of those affordable, number occupied by elderly; of those affordable, number subsidized with project-based rental assistance (federal, state or local program); number of years of affordability; number of housing units designated for persons with HIV/AIDS, including those units receiving assistance for operations; number of units for chronically homeless persons with HIV/AIDS; number of units of permanent housing for homeless persons and families, including those units receiving assistance for operations/of these units, the number for the chronically homeless

## **Needs of Public Housing**

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.

The Newton Housing Authority (NHA) has been the principal source of subsidized housing in the city since 1959, owning and managing 491 units, or 32 percent of all subsidized housing in Newton. The Housing Authority manages both federal and state subsidy programs that provide housing to individuals and families whose annual incomes do not exceed 50 percent of area median income (AMI) and many times, is much lower. The agency also administers the federal Section 8 Housing Choice Voucher Program that enables individuals and families to live in privately-owned and managed units. The Housing Authority administers approximately 441 Section 8 vouchers with a total monthly allocation of approximately \$500,000. Fifteen Section 8 vouchers are dedicated to survivors of domestic violence, and 25 vouchers subsidize units for single homeless men at the West Suburban YMCA in Newton.

The NHA continues to experience a high demand for both HUD- and state-sponsored housing units and Section 8 vouchers. Waiting lists at the Housing Authority alone include thousands of households. Due to the length of the waiting list for Section 8 vouchers, the application process is closed. The HUD-sponsored units for seniors, people with disabilities or income-eligible individuals have a three- to five-year waiting list. Waits for entry into state-sponsored senior units and units for people with disabilities are also estimated to be three to five years, while waits for the approximately 90 family housing units run seven to ten years. Emergency priority families, who compose approximately ten percent of this waiting list, have an estimated five-year wait for housing.

In FY09, the City will continue to implement the inclusionary zoning ordinance (IZO) for projects requiring a special permit. The IZO applies to all two-or-more-unit developments and allows developers to increase residential density by .5 units for every unit created. This lowers a developer's land cost per unit and provides additional affordable housing. When the total number of proposed units does not exceed six units, a developer can choose to make a cash payment to the Inclusionary Housing Development Fund Account to help capitalize the development of affordable housing units in the future. The cash payment is distributed to the Newton Housing Authority and the Department of Planning and Development. The City will use the cash payments to subsidize the development of affordable housing units, creating less of a financial burden on developers.

Residents are involved in the operation and management of the Housing Authority through participation at monthly tenant organization meetings which are held at each development. One member of the five-member governing Board of Commissioners must be a NHA resident. Both current Housing Authority residents and those on NHA waiting lists have also been targeted as potential clients of Newton's two first-time homebuyer programs and have been sent information about the programs and the assistance available.

2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

The Brookline Housing Authority has been designated by HUD as a physically troubled public housing agency. For information on the manner in which Brookline will provide financial or other assistance in improving its operations to remove such designation during the next year, please refer to the "Foster Public Housing Improvements" section of Brookline's CDBG one-year action plan.

## **Barriers to Affordable Housing**

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

Program Year 4 Action Plan Barriers to Affordable Housing response:

### **BEDFORD**

The major factors that impede the development of affordable housing in Bedford fall into the following categories: high cost of housing, land, and construction; availability of financing; the "mansionization" trend; and few developers are pursuing small-scale affordable housing developments.

- The high cost of construction and purchasing property are obstacles to creating additional affordable housing in Bedford. With high development costs, large public

subsidies are required to make the development of affordable housing financially feasible. Financing for these projects is complicated and competitive.

- In recent years real estate trends show pressure on the preservation of middle-income housing. These homes offer an avenue for high-priced development either by demolishing the existing home and building a larger home in its place or by expanding and upgrading the existing home. Smaller homes offer a more affordable housing option. The loss of smaller homes has an impact on the affordability of housing and the diversity of Bedford's population.
- Developers have proposed several large-scale, mixed-income developments that contain affordable units in Bedford. These are economical because the substantial numbers of market-rate units subsidize the affordable units. However, only 20 or 25 percent of the units in these developments are affordable. Additionally, the developments are often at a scale that alters the town's character. Smaller-scale affordable housing is more difficult to develop.
- The most common environmental issue confronting developers in Bedford is the presence of wetlands. Wetlands are common in Bedford and add complications and costs to projects. Environmental studies need to be performed. Engineering, design, and construction costs increase. Projects such as Bedford Meadows, 447 Concord Road and 373 North Road are all on sites with wetlands.
- Bedford's zoning ordinance has provisions that promote affordable housing. A mixed used by-law requires developers to include affordable housing in any project developed under that ordinance. In-law apartments are allowed. Chapter 40B has enabled developers to develop projects which are not in conformity with Bedford's zoning by laws. Bedford has worked with these developers to negotiate projects that fit the town's needs.

During FY09, the Town of Bedford will continue to pursue affordable housing development as described in the projects above in order to address these barriers.

### **BELMONT**

During FY09, the Town of Belmont, through the Belmont Housing Trust (BHT) acting as the Fair Housing Committee, will continue to take various actions to mitigate, reduce or eliminate barriers to affordable housing. The actions that the BHT expects to undertake are listed below.

- **Encourage new affordable housing**

- Address local decision-making biases through the development of family housing - The Town adopted a Chapter 40R zoning bylaw for Our Lady of Mercy, a closed Catholic Church, permitting increased density and affordable housing. Besides Waverley Woods, previously described, the Town expects to begin permitting a 299-unit Chapter 40B housing development at Belmont Uplands.
- Encourage new multifamily residential developments to increase the supply of accessible housing - The Town will continue to oversee the permitting of the Belmont Uplands in order to try and get more handicapped accessible units. However, since this will be new construction, many of these units will be accessible. Waverley Woods, mentioned above, will also provide three accessible units and one unit for a hearing or visually disabled person; 14 units will be built so that modifications can be made to accommodate a disabled person without requiring structural alterations. Moreover, one of the buildings was designed to allow the future addition of a lift from the 1st to 2nd floor, with minimal revisions, which would make additional bedrooms accessible to someone in a wheelchair.

- Promote Inclusionary Zoning By-Law -  
In FY09, the Town will continue to meet with developers to encourage them to utilize this provision. The Town will also undertake a review of the By-Law to determine whether amendments are necessary to improve the utility of this provision.
- **Assess affordable housing issues/Implement new approaches**  
The four housing issues listed below were identified as requiring particular attention in the Town of Belmont. During FY09, plans are for discussions on these issues with various stakeholders to continue in order to pursue new approaches to address them.
  - Educate the general public on fair housing rights, especially as fair housing rights relate to families that have children.
  - Promote lead-paint abatements for income-eligible property owners by seeking alternative funding sources to provide loans/grants for income-eligible residents.
  - Examine the lack of homeownership by racial and ethnic minorities, especially the lack of homeownership by minority populations.
  - Develop protections for tenants to allow tenants to file complaints about housing quality without fear of repercussions from their landlords.

### **BROOKLINE**

During FY09, the Town will undertake a number of actions to mitigate, reduce, or eliminate the barriers to affordable housing, including the following:

- Assuring that resources expended serve future, as well as present generations, by guaranteeing affordability for the longest period possible;
- Providing real estate tax exemptions and deferrals for low-income senior and disabled households, and reduced real estate taxes on permanently restricted units;
- Assisting nonprofits to make accessibility improvements to existing and redeveloped residential properties;
- Using Town-controlled funding, including HOME, CDBG, and the Town's Housing Trust, to leverage the maximum amount of additional resources to support affordable housing;
- Working with local and regional banks to encourage favorable lending to income-eligible buyers, including implementation of the state's Soft Second Program;
- Conducting outreach to multi-family property owners and brokers to identify existing rental properties potentially on the market, in order to encourage sale to nonprofits for improvement and operation as affordable housing; and
- Identifying and pursuing, for potential affordable housing development, properties in transition, including privately-owned institutional properties and properties in the public domain, such as surplus property or air rights controlled by the Town, the State or another agency.

### **FRAMINGHAM**

Two efforts were undertaken in Framingham within the past three years to identify barriers to affordable housing and suggest actions that might be taken to address such barriers. The first effort was organized within the framework of Massachusetts Executive Order 418 and featured a series of public meetings facilitated by staff of the Metropolitan Area Planning Commission (MAPC) and the Framingham Department of Community and Economic Development. A second and related effort was work undertaken by a Board of Selectmen-appointed Framingham Housing Partnership Committee, also assisted by the Framingham Department of Community and Economic Development.

These efforts reported findings, formulated suggested Town policy, and produced a list of actions that the Town might undertake. Actions formalized in a Draft Housing Action Plan released by the Framingham Housing Partnership came under considerable public scrutiny. An article was adopted at a Special Town Meeting, in October 2004 that sought to lend the force of Town by-law to the proposition that any Town Plan for housing must be approved by a majority of the Board of Selectmen, a majority of the Planning Board, and a two-thirds vote of Town Meeting. The development of a comprehensive housing policy and plan for the Town had to be initiated again from the beginning. Findings and recommendations, although not officially adopted and sanctioned, underscore issues that should be discussed in any the formulation of any direction that the Town chooses to take in housing.

#### **Framingham Housing Partnership Initiative: Affordable Housing Policy and Plan, 2004:**

The EO 418 process and Framingham Housing Partnership efforts produced the following findings:

- Vacancy rates for year-round homeownership are 0.2 percent.
- Vacancy rate for year-round rental housing is 1.7 percent with the overwhelming majority of such rental housing unaffordable to low- and moderate-income residents.
- The number of new housing units produced in Framingham increased by only one percent in the 1990's.
- With regard to the cost of buying a home, Framingham's "affordability gap"—the relationship between income and home value—has grown substantially since 1980. According to census data for the year 2000, the median income household could afford to purchase a home that cost \$135,000, whereas the median value of homes in Framingham in the year 2000 was \$216,000, an affordability gap of \$81,000. Moreover, since the time of the 2000 U.S. Census, the median price of a single-family home sold in Framingham in 2003, has escalated to \$324,500; in 2005 that number climbed to \$385,000.
- With regard to rental housing, it was determined that 4,442 Framingham households pay more than 30 percent of their income for rent, and 52 percent of elderly renters (814 households) pay more than 30 percent of their income for rent.
- It is clear that there is a significant imbalance between housing costs and Framingham residents housing needs. Almost 29 percent of renters are paying 35 percent or more of their monthly household income for rent. Almost 15 percent of homeowners are paying 35 percent or more of their monthly household income for housing.
- The ten percent housing affordability threshold established more than 30 years ago by Chapter 40B is grossly inadequate in 2004 because 46 percent of the Town's residents are eligible for low- and moderate-income housing.
- Six percent of the families in Framingham are below poverty level, and eight percent of the households occupied by individuals are below poverty level.
- There are over 200 homeless people in Framingham.

A future housing profile would have the following features:

- Framingham can expect a growing demand for family, trade-up, empty-nester, and senior housing.
- The current housing mix is more diverse than most, with more different types of structures and more rental opportunities.

- The future housing mix is likely to have less variety, less rental, and be lower density and more expensive.
- Condominiums in Framingham still offer relatively affordable housing opportunities for entry-level professionals, town workers, young families, down-sizing empty-nesters, elders and others.
- Although Framingham achieved the ten percent affordable housing goal in April 2002, there continues to be a very high need for affordable housing as indicated by:
  - Large numbers of low- and moderate-income people;
  - Long waiting lists for subsidized family, elderly and disabled units;
  - Over 200 homeless people.
- Middle-income households also face enormous barriers to homeownership.

Based on the findings presented by MAPC at the E.O. 418 Housing Forum, Framingham, by vote of the Board of Selectmen, subsequently adopted a Housing Policy with the following housing objectives:

- The Town shall actively advocate and support the development and maintenance of a diverse housing stock throughout Framingham to ensure that quality housing is available to households and individuals at all economic and social levels.
- The Town shall actively advocate and support the development of a variety of housing options for special needs populations, including homeless persons, and the elimination of barriers to such housing.
- The Town shall actively promote the elimination of substandard, overcrowded, or other undesirable living conditions.
- The Town shall actively promote and encourage creative, suitable options for the provisions of housing for elderly individuals.
- The Town shall support the preservation and improvement of existing public and privately owned affordable housing.
- The Town shall encourage the adoption of zoning, regulatory, permitting and other procedures that promote appropriate residential development.

In October, 2004 Town Meeting members adopted a resolution that asked the Board of Selectmen to rescind the policy. It remains in effect, but may be rescinded as the housing policy and planning process is begun anew.

The Framingham Housing Partnership recommended that the following actions be taken to address the barriers to affordable housing:

- Reinforce and enhance housing leadership and organizational capacity
- Undertake a public education campaign
- Pursue additional financial resources
- Use the leverage of 40B status to solicit desirable affordable housing
- Consider zoning changes
- Preserve existing affordable housing and protect existing residents
- PRODUCE NEW HOUSING, ESPECIALLY USING EXISTING PROPERTY OPPORTUNITIES
- EXPLORE REGIONAL OPPORTUNITIES

**Housing Liaison Committee: New Initiative to Formulate Framingham Housing Policy and Plan, 2005-2007:**

Convening in 2005, subsequent to a Town Meeting vote in the fall of 2004, a four person Housing Liaison Committee (HLC), composed of two members of the Board of Selectmen and two members of the Planning Board began to develop a series of policies and implementation plans for housing development for all residents. The HLC was assisted by a twenty four member community advisory board appointed by the Board of Selectmen and

received staffing support from two members of the Department of Community and Economic Development, and the services of a consultant procured through a Commonwealth of Massachusetts Priority Development fund grant. The HLC has released a draft that identifies the following policy goals and underlying barriers to the realization of affordable housing and suggests actions that might be taken within the next fiscal year (annual action plan year) and beyond. *NOTE: the plan and policies required adoption by the Board of Selectmen, Planning Board and a two-thirds vote of Town Meeting. The material was presented to Annual Town Meeting in the spring of 2007 and was overwhelmingly adopted.*

Framingham wants to pursue housing development options that address many needs and help to preserve and enhance its traditional diversity. As a substantially developed town, Framingham needs strategies that capitalize on its existing built assets, encourage developer creativity, and protect property values. This section of the housing plan is divided into two parts. The first identifies policies to preserve and enhance Framingham's traditional housing diversity and housing affordability, and to strengthen the vitality of its neighborhoods. The second outlines a series of implementation strategies that Framingham could take to address the policies. Some of the proposed strategies, particularly the zoning and land use recommendations, should be further evaluated and adopted during the upcoming master planning process. Any of the proposed zoning or bylaw changes will need Town Meeting approval (a two-thirds vote is required for zoning articles) before these proposals are enacted.

### **Framingham Housing Policy**

The economic viability of Framingham relates directly to the provision of an appropriate mix of housing and that such provision is a high priority of the Town.

To maintain and preserve Framingham as a town with a high quality of life for all its residents, the supply of housing in Framingham shall address the needs of both individuals and households in accordance with the following objectives:

- 1. The Town shall encourage the adoption of zoning, regulatory, permitting and other procedures that promote residential development that is appropriate to its location and is in accordance with the Plan.***
- 2. The Town shall actively advocate and support the development and maintenance of a diverse housing stock throughout Framingham to ensure that quality housing is available to households and individuals at all age, economic and social levels.***
- 3. The Town shall actively promote the elimination of substandard, overcrowded, or other undesirable living conditions.***
- 4. The Town shall encourage the creation of and compliance with a barrier free architectural environment.***
- 5. The Town shall encourage housing that preserves and protects open space and marginal lands.***
- 6. The Town shall support the preservation and improvement of existing public and privately owned affordable housing.***

**7. *The Town shall join local consortiums and organizations to develop creative approaches to housing of all types and price ranges in surrounding towns.***

**LEXINGTON**

The major factors that impede the development of affordable housing in Lexington fall into the following categories: the high cost of land (with or without the presence of an existing home(s)); and problems associated with an older and outdated housing stock.

- The greatest barrier to affordable housing in Lexington is the high cost of land. While there are undoubtedly other important factors at work, the scarcity of land is a major impediment on the ability of the market to produce homes affordable to those of modest means. While the median sales price of all units has fallen from its 2007 high of \$650,000, it remains above the \$625,000 mark.
- Compounding the problem is the “mansionization” trend, where older homes are torn down and replaced with new larger ones. Mansionization limits the access of people seeking entry-level housing to the Town’s housing market access as they face stiff competition from developers seeking to redevelop the land.

In FY09, the Town will undertake a number of actions to mitigate, reduce or eliminate the barriers to affordable housing, including the following:

- Since the adoption of the CPA in FY06, the Planning staff has been working on a series of outreach meetings and a town-wide strategic plan on how to properly expend both CPA and HOME funds. Three summits were held in 2007 and the Draft Housing Strategy was prepared and sent to all of the appropriate boards, committees, and citizens for feedback. The goal for FY09 is to finalize the Draft Strategy and implement many, if not all of the goals and objectives.

**LINCOLN**

The primary barrier to affordable housing in Lincoln is the cost of housing and land in the town. The average 2008 assessment for property in Lincoln is \$1,053,265. Lincoln is also facing the issues of teardowns, where smaller older homes are torn down to accommodate larger, more expensive homes that drive up the overall assessments and prices in the town.

Lincoln has attempted to address this issue in several ways and will continue to do so in FY09:

- In 2004, Lincoln voted to increase its CPA tax from 1.5 to 3.0 percent, thereby increasing the funding for affordable housing.
- In 2005, Lincoln voted to approve an inclusionary zoning bylaw that requires all developments of six units or more to have 15 percent of the project be affordable subject to the Town’s subsidized housing inventory. In 2007 approval of the New England Deaconess project produced the first units under this provision. The project includes 30 apartments of which eight are affordable units.
- In 2006, Lincoln residents approved an Affordable Housing Trust Fund that will allow quicker response to available affordable housing opportunities.

**NATICK**

During FY09, the Town will continue undertaking a number of actions to address and mitigate barriers to affordable housing including the following:

- Assuring that resources expended serve future, as well as present generations, by guaranteeing affordability for the longest period possible;



- Assisting nonprofits when possible in making accessibility improvements to existing and redeveloped residential properties;
- Using Town-controlled funding, including HOME, to leverage the maximum amount of additional resources to support affordable housing;
- Working with local and regional banks to encourage favorable lending to income-eligible buyers and implement the Soft Second Program;
- Identifying and pursuing, for potential affordable housing development, properties in transition, including privately-owned properties and those in the public domain;
- Working with for-profit developers to create affordable housing opportunities both in and out of downtown.

## **NEEDHAM**

Given the circumstances of the Town, the following describe the barriers to producing affordable housing and the actions that the Town plans to take to mitigate, reduce or eliminate these barriers in the future.

- The extent of multifamily zoning is extremely limited, and the existing multifamily rules are seriously limiting.

Action: Explore updating and refining antiquated multifamily zoning rules

There is a near-absence of developable vacant land that is zoned to permit multifamily housing, even two-family dwellings. Actual development of multifamily housing now generally occurs as redevelopment of already developed sites, through rezoning by Town Meeting, through a variance from zoning, or through a Chapter 40B override of applicable zoning. Those barriers could be reduced through either revising rules in some existing zoning districts to allow multifamily development or through revising the zoning map to include existing developable land in types of districts that would allow multifamily development.

The various apartment districts provide among them a fair range of allowable densities up to 18 units per acre but are clearly designed for “garden apartment” configurations. More modern approaches, such as a Neo-Traditional Design, would be frustrated by the combinations of setback, frontage, height and FAR rules taken in conjunction. There are no explicit provisions addressing mixed-use development except rules obliging any residential development in certain business districts to be above the first floor, precluding many potential configurations. Except in certain limited locations and circumstances, multifamily parking must equal 1½ spaces per unit without reduction to reflect shared occupancy with uses having staggered peak demands. Such contemporary uses as cohousing, congregate housing, live/work spaces or single room occupancies (SROs) can conceivably be fashioned under Needham zoning, but nothing in the bylaw provides guidance or indication of such being the Town’s intent.

- There is no central coordinating entity within Needham to oversee issues related to housing

Action: Provide for coordination of housing plan implementation

The actions required to achieve the objectives of this annual action plan require efforts across a number of organizations and call for a diversity of skills not now found in any one place. As the Town undertakes consideration of organizational change, it is critical that ongoing coordination of efforts on housing plan implementation be provided for in a way that assures continuity of coordinated efforts.

- Needham does not provide information to the development community on what type of affordable housing will best meet local needs and priorities and be financially feasible

Action: Develop guidelines for the housing that would provide a community benefit

Clarifying in advance what qualities the Town seeks in housing developments would help reduce the conflicts over individual affordable housing proposals. What levels of affordability are sought, and how does that vary by location or density? When is rental preferred over owner-occupancy? Does it matter if project-based contributions to housing wind up being located on sites separate from the market-rate units? Some guidance already exists, such as in Zoning Section 6.6 and in MassHousing guidelines. Those need to be brought together and expanded upon in non-regulatory guidelines to provide all those contemplating housing action with local guidance on what is wanted, regardless of whether the action is zoning-controlled or not.

- Formalized local regulatory incentives to support housing affordability do not exist

Action: Waive application fees for affordable housing where appropriate

The waiver of application fees has proven to be a critical help in getting affordable housing efforts underway, both in Needham where waivers have been granted on a case-by-case basis, and in other communities, so much so that such waivers are now helpful in gaining funding from potentially supportive funding agencies which, in some cases, make such waivers a prerequisite for assistance. Waiving regulatory fees is an action that the Town might take to directly affect project costs and affordability. The Town will continue to waive permit fees to support affordable housing projects where such waivers are deemed appropriate and useful for promoting project feasibility.

- Neither requirements nor incentives exist for affordability in housing

Action: Develop rules for inclusion of affordable housing in new development

Nearly a third of the municipalities in Massachusetts have incorporated some form of inclusionary zoning or affordability incentives into their zoning, but to date Needham has not done so. "Incentives" at minimum can effectively reduce costs for those intending to develop affordable housing, and if strong enough might even result in some developers, acting out of self-interest, deciding to include affordable housing in their proposals. Inclusionary rules oblige some share of specified types of housing development to provide some level of affordability. Such provisions could assure that, at minimum, the housing that utilizes the last vestiges of developable land does not in that process worsen the imbalance between affordable units and the overall developed stock of housing in the Town and the region. In an ongoing project, called the Downtown Study, new zoning is being proposed for the center of Needham, including an affordable housing incentive that functions like a density bonus. The zoning, if approved, will allow developers to exclude square footage of any affordable units from the total FAR square footage allowed for the project.

- Needham's experience in securing housing subsidies for affordable housing is limited

Action: Reach out and make connections to bring in the necessary resources to support affordable housing

Affordable housing cannot be created without the availability of subsidies, either through the internal subsidies that result from the sale or rental of higher-priced, market-rate units that offset the costs of the affordable units or from programs offered by a range of

government and nonprofit agencies to fill the gap between the cost of the unit and what the unit can be sold or rented for to meet affordability requirements. Besides public housing and a couple of Chapter 40B developments, Needham has had little experience in accessing these subsidies and should consider reaching out to banks to create a committed loan pool to support local affordable housing efforts, work with employers towards employer-assisted housing initiatives, encourage private donations and apply to other public or nonprofit funders for financial and technical resources.

- Spiraling energy prices are threatening the affordability of existing housing and future housing production

Action: Require Energy Star Housing Standards for new and substantial rehabilitation units

Needham will require that all homeownership and rental units developed either as new construction or substantial rehabilitation by or on behalf of the Town will be developed to Energy Star standards. Energy Star is a system for achieving and verifying a certain level of performance with respect to energy efficiency. An Energy Star home is at least 30 percent more energy efficient than a comparable home built to meet the 1993 Model Energy Code (MEC). These savings will increase as the cost of energy continues to rise. HUD has recommended that all grantees and participating jurisdictions incorporate the following language into any Request for Proposals (RFP) or procurement process involving HOME and/or CDBG funds: "All new buildings and gut rehab shall be designed to meet the National Energy Five Star efficiency performance standard of 86. All procedures used for this rating (86) shall comply with National Home Energy Rating System guidelines." Needham agrees to incorporate this language in any future affordable housing RFP or procurement processes.

Additionally, among criteria for review for Major Projects in the proposed zoning of the Downtown Study, is the degree to which the development incorporates sustainable green building practices. If this zoning is accepted, it will provide the opportunity to include other efficient measures in new affordable housing.

## **NEWTON**

The major factors that impede the development of affordable housing in Newton include: the lack of developable land and the cost of acquisition; restrictive dimensional, parking, site and utility standards; and the lengthy permitting process.

- Lack of developable land available for housing  
The first regulatory barrier to affordable housing in Newton is the lack of a sufficient amount of developable land zoned to permit compact types of residential use. Business district zones have restrictive dimensional requirements that discourage mixed-use development and the creation of additional residential development above retail. These zones also prohibit types of developments such as efficiencies, or single room occupancy (SRO) units, which may provide more affordable alternatives to larger homes and condominiums.
- Restrictive dimensional and parking standards  
The second major barrier to affordable housing in Newton is dimensional and parking standards which are often unreasonably and unmanageably prohibitive to development, even within land that is zoned for residential use. For instance, in village center areas, historic lot sizes are often much smaller than the minimum lot size required for new residential development either by-right or by special permit. When an existing lot is smaller than the minimum lot size required for a special permit, the application may not be filed, and no negotiations for any development may be initiated.

- Restrictive street and utility standards  
Street and utility requirements present a third regulatory barrier that hinders affordable residential development. Standards within the city for required street widths, curbing types and sidewalk surfaces are intended to meet public safety needs. However, some standards may be unnecessary or irrelevant for the safety needs of certain developments and only add unnecessary costs that inhibit residential development.
- Lengthy approval and permitting process  
The fourth regulatory barrier to affordable housing development is the project approval process, which includes procedures and fees that add to project costs and cause delays. Very limited by-right development possibilities in the city make special permitting a necessary step for any type of development other than single-family housing. The permitting process can be cumbersome, and developers may not have a single point of contact in the departments with which they work. This makes it difficult to obtain consistent information about permitting requirements. The project review process is regarded by some developers as inefficient and time-consuming. They are concerned that the review process for smaller-scale developments, which may not require transportation impact studies, landscape plans, etc., is the same for large developments. In addition, fees often do not reflect the true costs to the community and do not differentiate between community-responsive developments such as affordable housing and other types of private developments.

## **SUDBURY**

Barriers to affordable housing in Sudbury include:

- Lack of public sewerage  
Higher-density development is constrained in Sudbury due to wastewater disposal. The entire town relies on septic systems to handle wastewater. Sudbury officials continue to examine the issue of installing sewers in portions of the Route 20 area, which presents the greatest opportunity for higher-density, smart growth development (both residential and commercial). However, financial and political issues make this a long-term project.
- Zoning/Political  
Creating affordable housing has been very difficult in Sudbury. Efforts over the past 10 years to increase zoning options for affordable housing, transfer land and approve affordable housing developments have met with little success. Victories in this area include adoption of an accessory apartment bylaw in 1993 and adoption of a price-restricted senior housing bylaw in 1998 (which is not "affordable" by state standards).

Other legislative approvals dealing with housing include adoption of the CPA, approval to partially fund a small rental housing project with CPA fund, creation of the Frost Farm Village condominiums, and transfer of land from the Selectmen to the Sudbury Housing Authority (1988 and 2004). Defeats include inclusionary housing bylaw (1993 and 1994), transfer of land from the Selectmen to the Housing Authority (1987, 1996 and partial defeat in 2004), purchase of property on Boston Post Road (2007).

Current efforts include performing development feasibility for the 20-acre Town owned gravel pit. These engineering studies are nearing completion, and further detailed plans will be prepared in the remaining 2008 fiscal year, into fiscal year 2009.

- Cost of land in Sudbury  
Purchase of land for affordable housing projects is not economically feasible. Single house lots are presently selling in the \$350,000 to \$700,000 range. The high price of

land, coupled with the high development costs, result in a great subsidy required on a per unit basis.

The Town is continually searching for appropriate parcels for affordable housing development. Parcels targeted include small non-conforming lots, foreclosure properties, and property offered to the Town under Chapter 61A.

- Development constraints

Much of Sudbury's remaining land is environmentally constrained by wetlands, soils and groundwater protection bylaws. Easily developed land that could sustain higher densities than single-family development is in short supply.

### **WALTHAM**

The greatest barrier to meeting Waltham's underserved housing needs is the sheer size of the need compared to the amount of: A) vacant, developable land and B) money available for developing housing affordable to low- and moderate-income people. Waltham is close to being completely developed, with the exception of several large parcels of land owned by the Commonwealth of Massachusetts in the northeastern quadrant of the city. At the same time, the city's strategic location astride Interstate I-95 and Route 2 makes it ideal for developing housing to serve the regional housing market, resulting in rapidly rising property values and sales prices. Accelerating residential development, focused on replacing existing structures with relatively expensive townhouses and condominiums, has driven up the price of building affordable housing, but more significantly, has also hardened many citizens towards dense housing construction, particularly in Waltham's downtown, around which the city's CDBG Target Area is based.

The City of Waltham zoning ordinance contains a section devoted to affordable housing (Article 9.0). This Article applies to any proposed multifamily development of 10 or more units that requires a special permit to exceed the Floor Area Ratio allowed by right in that district. If the Article applies to a proposed development, the City Council determines if the applicant must provide affordable housing on-site, offsite, or by paying a fee in lieu of dwelling units.

Since 1995, the ordinance has been invoked six times, for the construction of the 285-unit Cronin's Landing apartment complex. In this case, the developer set aside five dwellings for elderly and/or disabled residents and contributed more than \$300,000 to the Waltham Housing Trust Fund, which is dedicated to affordable housing development. The second was the re-development of The Waltham Hospital Site, Longview Place, with the developer contributing 2 million dollars. Current projects include the 265-unit Wellington Crossing on the north side of Waltham; the City negotiated for three affordable units with an additional \$600,000 deposited to the Housing Trust Fund. Future developments will provide an additional three affordable units in 2008.

Barriers to affordable housing in Waltham also include:

- Large number of rental units with lead paint in older structures, particularly in the Waltham CDBG Target Area, discourages families with children from finding housing
- Housing affordability gap for young families limits homeownership opportunities
- Diminishing supply of affordable rental units limits housing choice for low-income renters
- Weak transportation link from the Interstate-95 business corridor to downtown Waltham prevents residents, particularly those in the CDBG Target Area, from easily accessing employment opportunities throughout the entire city.

Recommended actions to address barriers to affordable housing:

- Continue using HOME and CDBG funds to provide deferred de-leading loans and

- grants to income-eligible owner-occupiers of multifamily properties
- Continue using HOME funds to provide down payment assistance loans to low- and moderate-income families
- Create affordable, de-leaded rental units using HOME funds to help local nonprofit developers, including the Waltham Alliance to Create Housing (WATCH), acquire multifamily properties to rent to low-income families
- Continue membership in the Boston Fair Housing Neighbors Network and the WestMetro HOME Consortium
- Work with the Waltham Housing Division and City Council to implement the recommendations contained in the Waltham Housing Plan, prepared with the assistance of the Metropolitan Area Planning Council in 2003. These include:
  - Reuse surplus municipal buildings, especially those owned by the School Department, for housing low- and moderate-income people
  - Extend the reach of the Affordable Housing Provisions in Waltham's zoning ordinance to all residential districts
  - Allow more multifamily development in residential zoning districts
  - Explore the creation of a "linkage" program that requires dense commercial developments to contribute to the Waltham Housing Trust to fund affordable housing construction

### **WATERTOWN**

In Watertown, the high cost of construction, the high cost of acquiring housing and the scarcity of vacant land are all major obstacles to creating additional affordable housing units. Watertown does have an inclusionary zoning ordinance which requires developers of projects with more than five units to provide 10 percent of the units as affordable, and the ordinance is currently under review to determine if it can be strengthened.

In addition, for two years, Watertown allowed properties with accessory apartments to apply for and receive permits. During this period, 175 units were issued permits. In order to get a permit, the accessory apartment had to meet safety standards, so many improvements were made. For instance, many units added a second means of egress to qualify for a permit. These units offer a less expensive housing alternative. However, the Town is no longer approving these units.

Barriers to affordable housing include:

- Lack of development sites—limited availability and high cost of parcels  
 Watertown has limited parcels of vacant land and only a few parcels that are suitable for redevelopment for housing. Whatever land is available has become very expensive. The high purchase prices for a recent affordable housing development in two two-family dwellings makes the development and provision of fair and affordable housing very difficult. The lack of developable land is also an issue in Watertown. Although there may be some potential large developments on former industrial land in the future, currently, it is mostly small projects scattered throughout the Town that are essentially redevelopment or rebuilds of existing properties. Watertown's land use by zoning district consists of 56.6 percent residential, 5.2 percent business, 19.1 percent industrial and 19 percent open space/conservancy.
- Environmental issues  
 An additional barrier to finding suitable sites for housing is environmental concerns. As mentioned above, the only potential for large developable parcels are the reuse of former industrial land. The former uses of these sites have created environmental problems that need to be resolved before they are suitable for housing. This adds costs and time as an additional barrier to their reuse as housing. For example, several

developers have looked at the Haartz Mason site and found dimensional constraints and environmental problems which, to date, have made it too expensive to develop.

- **Impact fees**  
Impact fees are generally negotiated with a developer as the project proceeds through the development process. For instance, recently, Beacon Properties agreed to pay for roadway improvements and traffic signals. Negotiating impact fees mitigates this issue.
- **High cost of housing—ownership and rental affordability gap**  
As noted in previous sections, the cost of buying and renting is unaffordable for many Watertown residents. Discussion with local banks reveals that the current housing sales market is pricing individuals out of the market and has the impact of shrinking available rental housing because individuals and families are unable to make the transition from rental to homeownership.
- **Low vacancy rate—ownership and rental**  
The vacancy rates for rentals and ownership units are extremely low. Based on the 2000 U.S. Census, the vacancy rate for rentals is 1.63 percent, and the vacancy rate for sales is .36 percent. The sheer tightness of the housing market is yet another barrier to affordable housing. The Town, within the last two years, has only made one First Time Homebuyers down payment assistance loan as the number of available dwellings within the purchase price limits has been extremely limited. Many existing two- to four-family homes are also being converted to condominiums, which puts even further limitations on available rentals.

## **HOME/ American Dream Down payment Initiative (ADDI)**

1. Describe other forms of investment not described in § 92.205(b).

The WestMetro HOME Consortium has over \$11,000,000 in unutilized matching funds. HOME funds are anticipated to leverage an additional \$67,326,500 in funding from sources such as MassHousing, CPA, Massachusetts Department of Housing and Community Development, local housing trusts, and private lenders, in addition to others.

2. If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.

Resale and/or recapture provisions for members with a homebuyer assistance program are summarized below.

### **American Dream Downpayment Initiative (ADDI)**

#### **ADDI Funds Only (Recapture)**

If ADDI funds only (no other HOME funds) are to be used for homebuyer assistance, ADDI funds advanced to a homeownership unit must be secured by a mortgage, note and deed restriction and must be repaid to the ADDI fund pool at the time of resale of the property by the homebuyer (repayment is to be of ADDI principal only).

#### **ADDI Fund with HOME Funds**

If the member has its own HOME-funded homebuyer program and is adding ADDI funds to finance a case with those HOME funds, the member should use the resale/recapture provisions for its HOME-funded program (see below).

## **BROOKLINE**

Where HOME/ADDI funds are used in existing housing with fewer than six units, at the time of resale, the seller will repay to the Town that portion of the appreciation which reflects the proportion of public subsidy to total equity. Where this funding is used in a property with six or more units, the Town will have a right of first refusal at a price which represents the original purchase price, minus the subsidy, adjusted by changes in median income and some compensation for approved capital improvements. In the event that the Town cannot exercise its rights, the seller will repay the loan as above.

For new units, as at St. Aidan's, or in other cases in which the Town will subsidize the price down to an "affordable price" based upon various criteria including median income, the Town will require a restriction under which it will have a right of first refusal and, in any case, establish a maximum sales price, which shall be the price which was paid by the Owner at the time of the purchase of the Property, adjusted by changes to Area Median Income between the date of the Owner's purchase and the Owner's sale of the Property, plus some adjustment for certain approved capital improvements.

In the case of all of the Town's restrictions, the Town also has a right to purchase/require sale of the property in the event that the owner is not complying with the restrictive covenant with regard to using the property as primary residence or staying current with financial obligations.

### **FRAMINGHAM**

If the premises are sold, cease to be the Mortgagor's primary residence or there is any change in the title during the term of the Promissory Note, which commences upon the Completion Date, or the Mortgagor is not in substantial compliance with the Promissory Note and Mortgage, the Town will recapture the full HOME loan or the net proceeds, if the net proceeds are less than the full amount of the HOME loan and the Mortgagor's investment.

If the premises are sold, cease to be the Mortgagor's primary residence or there is any change in the title during the first five (5) years of the term of the Note, which commences upon the Completion Date, the Town will recapture the full HOME loan plus five percent (5%) of the HOME loan amount, or the net proceeds minus the Mortgagor's investment, if the net proceeds are less than the sum of the full amount of the HOME loan and the Mortgagor's investment.

The Town specifically reserves the right to require full repayment, notwithstanding any deficiency in the amount of the net proceeds, in the event that repayment is triggered by a willful violation by the Mortgagor of the terms of the Promissory Note, or the Mortgage or any applicable HOME regulations. This recapture provision conforms to the HUD HOME regulation 24 CFR 92.254 (a) (5) (ii). HUD defines the net proceeds as the sales price minus the loan repayments and closing costs. If the net proceeds are sufficient to repay both the HOME loan and the Mortgagor's investment (HUD defines Mortgagor's investment as the Mortgagor's down payment, principal payments and any capital improvement invested), the Town must recapture the full HOME loan. If, however, the net proceeds are insufficient to repay both the HOME assistance and the Mortgagor's investment, the Town must recapture the net proceeds less the Mortgagor's investment. When the net proceeds are insufficient to repay the full HOME assistance, the Town will not permit the Mortgagor to recover more than his/her investment.

The Principal sum may be deferred annually by the Town based upon annual review by the Lender of the Borrower's compliance with the terms of this Mortgage, the HOME Program and HOME project funding agreement and the Promissory Note.

The American Dream Downpayment Initiative (ADDI) is a component of the HOME program through which HUD makes formula grants to the Commonwealth of



Massachusetts and certain other participating jurisdictions (PJs), including the WestMetro HOME Consortium, for the purpose of making down payment assistance available to low-income families who qualify as first-time homebuyers. The Consortium will administer the FY09 ADDI allocation as part of the HOME program.

### **NEEDHAM**

Funds made available under the American Dream Downpayment Initiative (ADDI) statute are allocated to eligible HOME program participating jurisdictions (PJ) to assist low-income families become first-time homebuyers. The WestMetro HOME Consortium will administer the ADDI allocations as part of the HOME program.

Needham's CHDO, Needham Opportunities Inc. (NOI) plans to utilize HOME ADDI funds for down-payment assistance towards the purchase of single family housing by low-income families who are first-time homebuyers. The ADDI program will be targeted to low-moderate income families in the High Rock Estates project that will become ready for occupancy by summer 2008. NOI plans to utilize only the consortium ADDI funds initially.

All homeowners assisted through the ADDI program will purchase homes attached to a universal deed restrictions, securing the affordable housing restriction and ensuring that the sales price continues to be affordable, that the purchaser is income-eligible, that the property is monitored on an on-going basis, and that other program requirements are satisfied, in accordance with HUD requirements.

The amount of assistance will cover the downpayment from the minimum allowed of \$1,000 up to the maximum of \$10,000 to be determined based on need. Eligible participants will meet HUD's requirements of being first-time homebuyers and meeting income and asset maximum limits.

For the ADDI program, HUD requires that the program select either a resale or recapture provision. The West Metro HOME consortium will administer the program for Needham and NOI through a recapture method. This will assist first-time homebuyers with a forgivable loan, provided they continue to live in the unit as a primary residence over the period of affordability.

### **NEWTON**

Newton has adopted a resale provision that is incorporated into its deed restriction. The deed restriction requires the following during the term of affordability:

- The buyer will use the property as his/her/their principal residence;
- The increase in sale price of the property is set as the same as the rate of increase of area median income (provides fair return on investment yet allows unit to remain affordable);
- A modest amount (no more than 1 percent per year) may be added to the sale price for documented out-of-pocket costs of improvements to the property (fair return on investment);
- The City will assist the seller in finding an eligible buyer, and
- The City will exercise a right of first refusal if an eligible buyer cannot be found.

### **SUDBURY**

The American Dream Downpayment Initiative (ADDI) is a component of the HOME program through which HUD makes formula grants to the Commonwealth of Massachusetts and certain other participating jurisdictions (PJs), including the WestMetro HOME Consortium, for the purpose of making down payment assistance available to low-income families who qualify as first-time homebuyers.

Sudbury plans to utilize HOME ADDI funds for down-payment assistance to qualified low and moderate-income first-time homebuyers acquiring affordable housing under the State's affordable housing programs, proposes this program guidelines. Sudbury plans

to utilize only the consortium ADDI funds initially, though may fund down-payment assistance from other funds (HOME or other) in the future. The volume of cases is expected to be very low, perhaps at most two cases per year.

ADDI funds advanced to a homeownership unit in Sudbury will be secured by a mortgage and note written by the Sudbury Housing Trust, and the deed restriction held by DHCD and MassHousing. All homeowners assisted through the ADDI program will be purchasing homes secured by an affordable housing restriction in the state programs – either DHCD LIP program, or MassHousing 40B. This universal deed restriction secures the affordable housing restriction and ensures that the sales price continues to be affordable, that the purchaser is income-eligible, that the property is monitored on an on-going basis, and that other program requirements are satisfied. Many HUD requirements are satisfied by this deed restriction.

A maximum award of \$10,000 will be granted to be determined based on need. Eligible buyers will be first-time home owners and meet income and asset maximum limits.

There are no numerical minimum income limits, only that the buyer has received a bona-fide loan commitment for the amount to be financed. Applicants are encouraged to utilize the Soft Second program which has no PMI and favorable 30-year fixed rates. Maximum income limits are set by HUD. An applicant will qualify for ADDI assistance for the amount needed in order to bring up to their monthly housing cost (principal, interest, property taxes and insurance, known as "PITI") to 33 percent of annual income. The asset maximum is \$50,000 as set by the State LIP and 40B program and includes all form of financial assets, including retirement accounts. The asset minimum is \$10,000 as set by the Town of Sudbury, to assist first-time homeowners financially prepare for the increased financial requirements. An applicant will qualify for ADDI assistance if their assets are under the minimum. Additionally, the Town of Sudbury requires all affordable homeowners to complete a certified homeowner education program prior to closing.

For the ADDI program, HUD requires that the program select either a resale or recapture provision. As it is the intent of the Sudbury program to assist first-time homebuyers with a forgivable loan, provided they continue to live in the unit as a primary residence over the period of affordability, the Sudbury ADDI grant will be awarded using the 'recapture' option, forgivable in a proportional amount over the affordability period (20% per year over five years). This is a mechanism to recapture all or a portion of the HOME subsidy if the recipient decides to sell the house within the affordability period, provided there are sufficient net proceeds. In the event that there are insufficient net proceeds to repay the HOME investment due, only the net proceeds are recaptured. Recaptured ADDI funds are returned to the Consortium and may be used for other ADDI loans.

### **WALTHAM**

If the premises are sold, cease to be the Mortgagor's primary residence or there is any change in the title during the term of the Promissory Note, which commences upon the Completion Date, or the Mortgagor is not in substantial compliance with the Promissory Note and Mortgage, the City will recapture the full HOME loan or the net proceeds, if the net proceeds are less than the full amount of the HOME loan and the Mortgagor's investment.

The City specifically reserves the right to require full repayment, notwithstanding any deficiency in the amount of the net proceeds, in the event that repayment is triggered by a willful violation by the Borrower of the terms of the Note, or the Mortgage or any applicable HOME regulations. This recapture provision conforms to HUD HOME regulation 24 CFR 92.254 (a)(5)(ii). HUD defines the net proceeds as the sales price minus non-HOME loan repayments and closing costs. If the net proceeds are sufficient

to repay both the HOME loan and the Borrower's investment (HUD defines Borrower's investment as the Borrower's down payment and any capital improvement investment), the City must recapture the full HOME loan. Please note, however, that when the net proceeds are insufficient to repay the full HOME assistance, the City will not permit the Borrower to recover more than his/her investment.

The Principal sum may be deferred annually by the City based upon annual review by the Lender of the Borrower's compliance with the terms of this Mortgage, the HOME Program and HOME project funding agreement and the Promissory Note.

### **WATERTOWN**

Watertown will employ either resale or recapture requirements depending on the amount of the loan. Under Watertown's affordable housing covenant, loans \$30,000 and lower are subject to recapture, and loans greater than \$30,000 are subject to resale to an income-eligible household with a maximum resale price.

The maximum resale price is the sum of the cost of the appraisal delivered with the conveyance notice, real estate agent fees if the owner is required by the covenant holder to hire a real estate agent, the purchase price paid by the owner, the documented total cost of improvements made by the owner at the time of the sale or transfer, excise taxes incurred by the owner in connection with the sale of the residence and a return on the owner's investment equal to the product of (i) the sum of the owner's original down payment plus one-half of the aggregate of regular principal payments made by the owner on the allowable secured debt on the residence multiplied by (ii) a fraction, the numerator of which shall be the price index for the last month preceding the conveyance notice minus the price index for the month preceding the owner's purchase of the residence and the denominator of which shall be the price index for the month preceding the owner's purchase of the residence.

The resale requirement will ensure that the price at resale provides the original HOME-assisted owner a fair return on investment (including the homeowner's investment and capital improvements) and provide that the housing will remain affordable to a reasonable range of low-income homebuyers.

The restrictions in the covenant will run with the land. The Town will use purchase options and a right of first refusal to purchase the housing before foreclosure to preserve affordability. The affordability restrictions will be revived according to the original terms if, during the original affordability period, the owner of record before the termination event obtains an ownership interest in the housing.

The Town has the right to either purchase the residence at the resale price or to proceed to locate a low- or moderate-income household to purchase the residence. If the Town fails to locate a low- or moderate-income purchaser who purchases the residence within 120 days, the owner may convey the residence to any third party at no less than fair market value free and clear of all rights and restrictions contained herein, including, but not limited to the resale price, provided, however, all consideration and payments of any kind received by the owner for the conveyance of the residence to the third party which exceed the resale price (the "excess amount") shall be immediately and directly paid to the Town, as repayment of the combined housing subsidy under the first-time homebuyer program note and the ADDI program note (the "notes repayment"). The covenant will terminate upon foreclosure. The owner grants to the Town the right and option to purchase the residence upon receipt by the covenant holder of notice in any form of an impending foreclosure against the residence.

3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:
  - a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
  - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
  - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
  - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.
  - e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
  - f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

Not applicable

4. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:
  - a. Describe the planned use of the ADDI funds.
  - b. Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.
  - c. Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.

All ADDI funds received by the WestMetro HOME Consortium will be used to assist income-eligible first-time homebuyers. As required under the ADDI statute, the Consortium will conduct targeted outreach to residents and tenants of public and manufactured housing and to other families assisted by public housing agencies. The Consortium will ensure the suitability of families receiving ADDI assistance to undertake and maintain homeownership by requiring ADDI families to complete a pre-purchase homebuyer education course and for participating agencies to provide post-purchase counseling. The Consortium will consider reasonable costs for homebuyer education and counseling as an allowable soft cost that can be paid by ADDI funds.

The Consortium will reach out to residents of public and manufactured housing by developing and sending promotional material to member communities' public housing authorities, the Citizens' Housing and Planning Association, regional Section 8 administrators and the Massachusetts Nonprofit Housing Association. The Consortium will also utilize its website and publication server to further broadcast the availability of ADDI to potential beneficiaries.

## Specific Homeless Prevention Elements

1. Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.

The U.S. Department of Housing and Urban Development recently announced the award of \$1,123,024 in Continuum of Care grant funds for 12 projects in the Brookline-Newton-Watertown Continuum of Care. These funds will leverage an additional \$3,014,432 in state, local and private funds and will be used to provide housing and supportive services for homeless people at transitional housing and permanent supportive housing sites in each of the Consortium communities.

Additionally, the City of Newton will receive \$99,264 in ESG funding for FY09, which will be used to support critical emergency shelter, transitional housing and homelessness prevention programs. These programs are: Bristol Lodge Men and Women's Shelters, Bristol Lodge Soup Kitchen, Citizen's for Affordable Housing in Newton Development Organization, Horace Cousens Industrial Fund, Metropolitan Mediation Services, REACH Emergency Shelter, Riverside Community Care Adolescent Homelessness Prevention and The Second Step Transitional Residence. Funds will be used to provide operating assistance and essential services to homeless individuals and families and to prevent people from becoming homeless.

2. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.

There is tremendous need for more permanent affordable housing in Newton and throughout the Boston region. This unmet need has created a backlog in the emergency shelter and transitional housing system, and facilities operate at capacity with extensive waiting lists because their residents have nowhere else to go. Until more units of permanent affordable housing, with and without services, are produced to enable rapid re-housing of people who are homeless, it is anticipated that the backlog within the emergency shelter and transitional housing system will continue, and the need for operating assistance will remain.

Simultaneously, there is a growing need for homeless prevention assistance, particularly in the form of financial assistance with housing costs and legal assistance to prevent eviction. Short-term assistance to help families and individuals living on the brink of homelessness can prevent them from becoming homeless and entering the inundated shelter and transitional housing system.

One of the housing priorities identified in the Consolidated Plan is to continue to support existing emergency shelter, transitional housing and permanent supportive housing facilities for homeless individuals and families and to continue to support prevention programs for individuals and families at-risk of homelessness. Through the use of ESG, CDBG and Continuum of Care funds, operating assistance is provided to many emergency shelters, transitional and permanent supportive housing facilities, and homelessness prevention programs.

The FY09 action plan will address the specific needs identified in the strategic plan through the objectives and strategies outlined below:

- Objective: Continue to support existing emergency shelter, transitional housing and permanent supportive housing facilities for homeless individuals and families and homelessness prevention programs for people at-risk of homelessness.
  - Strategies:
    - Continue to provide operating support to the emergency shelter, transitional housing and permanent supportive housing facilities using CDBG, ESG and Continuum of Care funds. Continue to use CDBG, HOME, Continuum of Care and other financial resources to create more units of permanent affordable housing to enable people who are homeless to end their homelessness.
    - Continue to provide operating support to homelessness prevention programs to help people at-risk of homelessness remain housed.

During FY09, through the use of CDBG and ESG funds, the Housing and Community Development program hopes to assist approximately 200 homeless people through the provision of operating assistance for emergency shelters and transitional housing facilities. It is estimated that an additional 230 people will receive assistance through the use of Continuum of Care funds for transitional housing and permanent supportive housing program operating assistance. The continued operation of these programs will improve the accessibility and availability of decent housing and essential services to homeless individuals and families.

It is estimated that an additional 250 families and individuals who are at-risk of homelessness are expected to receive assistance through the use of CDBG and ESG funds. Providing financial assistance to individuals and families at-risk of homelessness helps make their housing more affordable and hopefully allows them to remain housed.

3. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.

As of the point-in-time count on January 30, 2008, there were no chronically homeless individuals in Newton. However, Newton plays a critical role in addressing the needs of chronically homeless individuals in the Boston region by designating 12 units of permanent supportive housing to this hard-to-serve population. In addition to these units for the chronically homeless, Newton has 79 units of transitional housing for homeless families and another 17 units of permanent supportive housing for the homeless.

The Brookline-Newton-Watertown Consortium's objective and strategies for ending chronic homelessness are outlined below. These strategies are consistent with those identified by HUD as national objectives/strategies for ending chronic homelessness.

- Objective: End chronic homelessness and move families and individuals to permanent housing.
  - Strategies:
    - As funding allows, create new permanent supportive housing beds for chronically homeless persons.
    - Continue to maintain a percentage of over 71 percent of homeless persons staying in permanent housing over six months.
    - Continue to maintain a percentage of over 61 percent of homeless persons moving from transitional housing to permanent housing.

- Work with Newton-based State Employment Office and other programs to enroll clients in programs that will lead to employment and increase the percentage of homeless persons becoming employed by 11 percent.

Other strategies to be carried out during the coming year focus on maintaining/increasing the success of this Continuum in moving people who are homeless into permanent housing and helping them remain there. This Continuum currently has a very good success rate in carrying out these strategies and hopes to continue that success in FY09.

4. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.

See item 2 above.

5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

The City of Newton has taken the lead in working to ensure better connection with the state and within the Brookline-Newton-Watertown Continuum of Care area to ensure that discharge planning issues (i.e. releases from prisons and other institutions) are being appropriately addressed. The following is the strategy the Continuum uses to address this important need.

1. Role of the City of Newton

Staff in the Housing and Community Development Division of the City of Newton's Planning and Development Department serves as the Consortium's contact when inappropriate discharges arise and as the local liaison on this issue with the state. This latter function means the liaison attends the quarterly meetings for local continua, organized by the Department of Transitional Assistance, that are intended to improve statewide coordination and specifically to review the state's implementation of discharge planning policy and inappropriate discharges being seen at the local level.

2. Information Gathering and Planning

Initial feedback from providers is that they are not seeing people either at their shelters, transitional programs, day services, or through street outreach that were inappropriately discharged and thereby became homeless. The lack of a problem within the Continuum may in part be attributed to the strong local network of services and supportive housing so that youth aging out of foster care and individuals leaving the area's health care facilities (the two most likely sources for discharges in this area) have housing and other options for their next placement.

3. Local Coordination and Training

The City of Newton, along with the two other towns in this Consortium, is committed to working with area providers to coordinate inappropriate discharge monitoring. As noted above, it has been decided that inappropriate discharges are to be brought to the attention of staff of the Housing and Community Development Division, who will present the issue to the Planning Committee for review of next steps, including being in touch with the state's liaison to the local continua at the Department of Transitional Assistance and/or with the relevant state agency.

Additionally, the City of Newton will periodically send mailings to Consortium members and to the area's Human Service Providers Network to update them about the state's implementation of discharge planning policies and protocols and to urge them to alert City of Newton Housing and Community Development Division staff if there have been inappropriate discharges to their facilities. ELOPMENT

## Community Development

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.

Please refer to the Proposed Community Development Projects in Section 2 of this plan.

2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

Please refer to the individual CPMP project sheets in Section 2 of this plan.

## Antipoverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

Program Year 4 Action Plan Antipoverty Strategy response:

Poverty<sup>1</sup> is the condition of having insufficient resources or income. In its extreme form, poverty is a lack of access to meeting basic human needs, including adequate food, clothing, housing, water and health services. In Newton, according to information from the U.S. Bureau of the Census, median family income grew 11.6 percent between 1989 and 1999 and a whopping 50.5 percent between 1979 and 1999. Unfortunately, a number of Newton's low-income individuals and families, however, have not benefited from the country's economic boom.

According to data from the U.S. Census 2000, in 1999, 2.6 percent of families and 4.3 percent of individuals in Newton were living below poverty level. The 2007 federal poverty guidelines are listed in the table below.

Size of family unit	48 contiguous states and D.C.
1	\$10,210
2	\$13,690
3	\$17,170

<sup>1</sup> The U.S. Census Bureau utilizes the federal Office of Management and Budget's Directive 14 to define poverty. The Bureau uses a set of income thresholds that vary by family size and composition to detect who is poor. If the total income for a family or individual falls below the relevant poverty threshold, then the family or individual is classified as being below the poverty level. To compute poverty status, money income before taxes is computed. This does not include capital gains or non-cash benefits such as food stamps and housing subsidies. Poverty cannot be determined for people living in group quarters or for unrelated individuals under age 15 (such as foster children).



4	\$20,650
5	\$24,130
6	\$27,610
7	\$31,090
8	\$34,570
For each additional person, add	\$3,480

While these are small percentages, they represent 546 families and 3,382 individuals, accounting for approximately 5.7 percent of the Newton population. Female-headed households account for 30.4 percent of the families living in poverty. More than 75 percent of these families include a child under age 18; almost 26 percent of these families include a child under five years old. With a median gross rent in Newton of \$1,083 according to the U.S. Census 2000, and a median housing price of more than \$647,000 in 2006<sup>2</sup>, a family of three living on \$17,170 or less does not have much hope of renting, much less purchasing, their own home without substantial financial assistance.

In Newton, the Housing and Community Development Division of the Planning and Development Department is primarily responsible for coordinating the City's efforts to reduce the number of people living in poverty and to move low-income people to self-sufficiency. Division staff administers the City's CDBG, HOME and ESG programs, and the funds from these federal programs are used locally for programs and projects that provide the maximum benefit to extremely low-, low- and moderate-income persons. Division staff works in partnership with citizens, other City departments and the public and private sectors to accomplish its goal of reducing poverty through:

- Preserving and developing affordable housing opportunities
- Fostering employment and economic opportunities for low- and moderate-income people
- Supporting the delivery of human services
- Improving the physical conditions of and strengthening the quality of life in Newton's neighborhoods

Division staff utilizes HOME and CDBG funding to provide homeownership, rehabilitation and rental opportunities through programs such as down payment assistance, rehabilitation assistance for owners and the development of new rental and homeownership units. CDBG funds are also used to create or retain jobs for low- and moderate-income (LMI) persons and/or assist LMI businesspersons with starting or expanding their business, and to improve the public facilities and infrastructure in eligible neighborhoods throughout the City. Fifteen percent of CDBG funding and 100 percent of ESG funding helps to support the delivery of human services to residents. Some of the programs funded provide job and life skills training, child care assistance and other services necessary for an individual or family to move out of poverty. Additionally, the City has a Section 3 program in place which encourages contractors working on contracts over \$200,000 to engage in training, hiring and subcontracting activities with low- and moderate-income residents and subcontractors in Newton.

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<sup>2</sup> The Warren Group. <http://rers.thewarrengroup.com/townstats/results.asp>

## **Non-homeless Special Needs (91.220 (c) and (e))**

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program Year 4 Action Plan Specific Objectives response:

Newton's low- and moderate-income population includes persons who require permanent housing with supportive services. The type and scale of supportive services depend on the individuals being served. Most residents who live in housing developed with state and federal housing financing programs are on fixed incomes and depend on rental subsidies to maintain their housing status. The greatest housing need for persons with disabilities is an ongoing rental subsidy enabling them to live in permanent affordable housing with the supportive services they require.

There are approximately 3,584 extremely low-, low- and moderate-income elderly households in Newton according to the 2000 U.S. Census. Elderly households of all income levels were one of the most frequently cost burdened and severely cost burdened households in Newton. In particular, elderly renters are the most severely cost-burdened population. Elderly households comprise 59 percent of the City's extremely low-income households. There is a need to enable the elderly to "age in place" without overly burdensome housing costs.

Newton's chief objective in regards to this population is to reduce the number of extremely low-, low- and moderate-income elderly Newton residents who are overly burdened by housing costs and enable elderly residents to "age in place." Strategies that will be undertaken in FY08 include: continuing to fund Newton Housing Rehabilitation Fund programs that benefit Newton elders and examining the feasibility of a program that allows elders to donate their homes in exchange for services that allow them to remain in their homes and age in place. An additional strategy that will be explored is to encourage joint ventures between community housing developers and human and social service providers in order to improve the housing opportunities for non-homeless special populations in Newton.

## **Impediments to Fair Housing**

Impediments to fair housing in WestMetro HOME Consortium communities are identified below:

### **BEDFORD**

Bedford last analyzed the Impediments to Fair Housing in 2005. The Town is undertaking an updated Analysis of Impediments to Fair Housing to be complete in May 2008. The following are the key challenges to affirmatively furthering fair housing that were found in the 2005 analysis.

- The high cost of construction and property make it difficult to maintain and develop housing that is affordable to a diverse population.
- The perception that new affordable and family housing increases the demand on the town for services, such as schools, can curtail support for family housing.
- There is a small existing minority population. Outreach is necessary to reach a diversity of households.

- A small community like Bedford has limited financial resources and staff to devote to creating new housing opportunities.
- Lead paint in older housing can be a barrier to renting to families with young children.

Bedford is addressing these issues in a number of ways and will continue to do so during FY09:

- The Bedford Housing Partnership is actively undertaking a multi-pronged affordable housing strategy. One of the key objectives is to “To meet local housing needs along the full range of incomes, promoting diversity and the stability of individuals and families living in Bedford.”
- As part of this affordable housing strategy, the Partnership has initiated an affordable housing education campaign. In order to dispel myths and build support for affordable housing, the Housing Partnership is educating Bedford residents about the need for affordable housing, the options available, and the plans that are in place.
- The Bedford Housing Trust developed a project through its Duplex Conversion Project. A two-family house was converted to two condominiums, renovated, and sold to two families. The units were affirmatively marketed through an extensive process that included advertisements in minority newspapers and outreach to a wide range of community groups.
- A number of recent private developments which include affordable housing units have been supported by the Town of Bedford, Bedford Housing Trust and the Bedford Housing Partnership. These include: Patriot Place (a ten-unit rental property with seven affordable apartments); North Road (eight units, including two affordable condominiums); Village at Concord Road (20 units with five affordable units); 447 Concord Road (14-unit rental property with 12 affordable units); a 60-unit SRO for homeless veterans; Bedford Woods (88 condominium project with 22 affordable units); Avalon Bay (139 units with 35 affordable apartments) Heritage Springs (186 units with 37 affordable apartments); Habitat for Humanity (8 affordable homeownership units); and Village at Taylor Pond (188 units with 47 affordable apartments).
- The Partnership will review the marketing plans for the affordable units in these private developments to ensure they are affirmatively marketed with minority outreach and a fair lottery process to select buyers or renters.
- The Town is overseeing the development of 447 Concord Road. This 14-unit rental project will increase the diversity of housing available in Bedford. The project will include at least one accessible unit for people with disabilities and one unit for a tenant who is sensory-impaired. Most of the units will be targeted to households in the 50 percent to 65 percent AMI range.
- A 60-unit SRO on Veterans Administration hospital grounds has opened this year and provides permanent affordable housing to homeless veterans.
- The Town has developed its own financial resources for affordable housing. Through the Community Preservation Act funds, the Town has hired a housing consultant and provided financing to support several affordable housing projects—Patriot Place, 447 Concord Road, the duplex conversion project, and condo buy-downs. HOME funds provide an additional source.
- The Fair Housing Committee distributes a brochure, which gives examples about what may constitute housing discrimination. The Fair Housing Committee meets once a month to hear any fair housing complaints.
- The issue of lead paint is being addressed through ongoing development projects. When a development project, such as the duplex conversions, calls for the renovation of existing units, lead paint hazards are addressed.

## **BELMONT**

The Town of Belmont completed an analysis of impediments to fair housing choice (AI) in November 2002. The Belmont Housing Trust (BHT), acting as the Fair Housing Committee, gathered input from various stakeholders including, the Board of Health, the Council on Aging, the Disability Access Commission and the Belmont Housing Authority. The research found that the underlying issues that create barriers to affordable housing were the residents' and political decision makers' lack of knowledge about affordable housing, lack of diversity of housing types and the lack of diversity in Belmont's population.

More specifically, the impediments identified in the Town's AI included:

- Lead paint and families with children
- The fiscal impacts of families with children
- Changing housing needs of older residents and households with disabilities
- Perceptions due to homogenous population
- Need to understand the reasons for the lack of racial/ethnic diversity in homeownership
- Deferred maintenance, tight rental markets, and rental housing quality

During FY09, the BHT will continue to take various actions to mitigate, reduce or eliminate barriers to affordable housing. These actions are broken down into two distinct categories.

- Encourage new affordable housing
  - Address local decision-making biases through the development of affordable family housing
  - Encourage new multifamily residential developments to increase the supply of accessible housing
  - Promote Inclusionary Zoning By-Law
- Assess affordable housing issues and discuss how to implement new approaches
  - Educate the general public on fair housing rights
  - Promote lead-paint abatements for income-eligible property owners
  - Examine the lack of homeownership by racial and ethnic minorities
  - Develop protections for tenants

### **BROOKLINE**

In FY08, Brookline Housing staff, advocates, property owners/managers and realtors participated in a series of Fair Housing trainings provided by the City of Newton and the Fair Housing Center of Greater Boston for WestMetro HOME Consortium members. Brookline's Housing Division also sponsored a training session for staff of Town departments and human service agencies working with residents to access safe and affordable housing in Brookline. The purpose of the trainings has been to help communities develop a clear understanding of fair housing law and develop systems to screen and report fair housing complaints in conjunction with the Fair Housing Center of Greater Boston and the Massachusetts Committee Against Discrimination.

An update to the Analysis of Impediments to Fair Housing Choice, completed during FY08, will serve as a basis for strengthening Fair Housing awareness and educational programming in the Town in FY09. Housing Division members will work with the Town's Fair Housing Officer to coordinate activities and involve other Town departments and commissions that deal with at-risk constituencies, including the Brookline Human Relations Commission, the Health Commission, the Council on Aging, the Commission on Disabled, and the Brookline Housing Authority. Activities anticipated include annual media events to educate residents on fair housing during Fair Housing month, a public forum on housing discrimination in Brookline, links on the Town's web site to assist residents who have experienced discrimination, and one to two training sessions for housing professionals/advocates on fair housing law. In addition, Brookline will continue to follow a

rigorous affirmative marketing and tenant selection plan for all of its affordable housing programs and projects.

## **FRAMINGHAM**

The Town of Framingham undertook an *Analysis of Impediments to Fair Housing* in the late 1990s. The following is a summary of the principal findings of the analysis:

### Areas of Potential Impediments Found/ Actions to Address Impediments

- **Public Sector**

- Zoning and Site Selection

The Planning Department, on behalf of the Town will initiate or support actions to ameliorate the negative effects of public policy on affordable housing in the following areas:

- ✓ Business District Zoning

The Planning Department will support the Planning Board and the Standing Committee on Planning and Zoning in the implementation of zoning articles to revise the Town's Zoning By-Law to create a hierarchy of business districts in the Town which include provisions for limited and sensitive development of mixed uses (housing on the upper floors) in the Central Business District and proposed neighborhood business districts.

- ✓ Review and Possible Revision of Subdivision Regulations

The Planning Board Administrator intends to review all aspects of the Town's Subdivision Regulations within the year. This review will include looking at infrastructure requirements that may unduly increase the cost of housing construction and decrease affordability. Subdivision regulations fall within the jurisdiction of the Planning Board and are administered by the Board. The Planning Department will support efforts by the Planning Board and its Administrator to modify these regulations so that the cost of new housing development will not be unduly burdensome to the developer and the homebuyer.

- ✓ Cluster Housing Development

Policy, as adopted as part of the Town Comprehensive Plan, calls for the conservation of open space through the clustering of residential development, as an alternative to lot-by-lot development. Such development both would save open space while reducing the cost of new housing development and would make these houses more affordable to consumers.

- ✓ Concentrations of Low and Moderate Income Housing: Some De-concentration Desirable

The Town should adopt policies and procedures that promote the placement of new or rehabilitated housing for lower-income households (including minorities, families with children, and persons with physical or other disabilities) in a wide spectrum of neighborhoods. "...Activities may be located in appropriate settings situated preferably in areas of lesser concentration of existing assisted housing, in character with existing neighborhoods, leading to increased neighborhood investment and stability."

- Program Planning, Development, and Operational Management

- ✓ More Centralized Policy Making/Coordination Needed

The aggregation of housing programs and services in Framingham is not systematically interrelated, but rather it is an overlay of separate overlapping systems. No single entity sets policy, and several key agencies play lead roles in separate spheres of specialization. There is a need for the separate components of the housing delivery network to work more closely together on a more formalized basis. The Planning Department, through its administration of the Community Development Block Grant and its participation in a number of housing committees and groups (Fair Housing Committee, Homelessness Task force, Framingham Community Land Trust, etc.), will attempt to play a role of facilitator in bringing the system into closer coordination.

The Planning Department, with the support of the Board of Selectmen, will seek the establishment of a Housing Partnership Committee that will include key housing providers. With the establishment of practical, working interrelationships, the success of this project will exceed what would have been possible by the agencies acting individually. The system has assets which can be combined to produce a synergy that will generate maximum benefit to client groups.

✓ Articulation of Comprehensive Town Housing Policy Needed

The tumultuous housing markets of the 1980s and the 2000s and their effects on very low-, moderate-income and even middle-income residents in terms of spiraling rent cost burdens and ownership affordability gaps have underscored the fact that the Town lacks a coherent affordable housing policy.

To move the Town towards the articulation of a coherent housing policy, the Planning Department with the approval of the Board of Selectmen, will make application to the State to have the Town declared a Housing Partnership Community. Seeking partnership status will commit the Town to a process that features the establishment of a committee, appointed by the Selectmen, representative of town-wide housing interests. The Committee, with staffing support from the Planning Department, will survey needs and define the housing mission of the Town, identify suitable goals and objectives, and develop an action-oriented work plan.

It is hoped that the Partnership Committee might eventually evolve into a group which will be able to actively coordinate housing program planning and development.

✓ Policy to Induce Affordable Housing Development to be Studied

A by-product of the pursuit of a community-wide, consensus-building process, such as a Housing Partnership approach, might be the consideration, with approval of Town elected bodies (Town Meeting and Board of Selectmen), of such initiatives as:

- Incentives to promote mixed-income housing development, such as increasing the number of new units that can be built in a given development in exchange for dedication of a certain percent of the units for low- and moderate-income households;
- A transfer tax on the sale of property, or the establishment of another dedicated revenue source or sources tied to development of higher-income housing or commercial property to raise funds for lower-income housing construction or rehabilitation.

✓ Regional Planning Initiatives to be Explored

After a local policy is articulated, the Town might even consider participation with other governments in the region to design and implement a metro-wide or region-wide affordable housing and fair housing planning process. The Town might consider the creation of a regional housing planning consortium, under the auspicious of the HOME program.

- Neighborhood Revitalization, Municipal and Other Services

- ✓ Targeted Neighborhood Infrastructural Improvements

- The Town will continue to support existing efforts to offer an array of services to lower-income, densely populated residential areas. CDBG funds have historically been used to bring about improvements to neighborhoods in South Framingham. Projects have included parks improvements, water main installation, sidewalk construction, and youth, elderly, Latino and newcomer group services.

- ✓ Targeted Programs to Create Housing Opportunity for Low/Moderate Income Residents of Older Neighborhoods

- The jurisdiction should extend efforts to provide *lower-income housing opportunities for minorities, families with children, and persons with disabilities* to non-minority and more economically advantaged neighborhoods. The Town of Framingham has, as general rule, targeted these ownership initiatives to Framingham's older, denser Southside neighborhoods.

- ✓ Review of Reports from Banks and Other Financial Institutions Showing Their Investments in Lower-income Neighborhoods

- The Town has done little formally in developing agreements with banks and other lending institutions subject to the Community Reinvestment Act. The Town will begin to seek reports from institutions seeking the location, race, and ethnicity of recipients of loans.

- PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures

- ✓ Collaborative Efforts to Address Potential Impediments

- The Town may evaluate the performance of the agencies that administer the Section 8 Certificate and Voucher Programs in its area to determine what results have been achieved under the equal housing opportunity component of the Administrative Plan.

- The Town may regularly monitor tenant characteristics data for HUD-assisted and insured housing developments as a means of evaluating marketing policies, procedures, and practices.

- The Town will continue to encourage the Framingham Housing Authority (FHA) to utilize scattered-site, low-density housing acquisition as a means to de-concentrate racially impacted public housing, as a follow-up to the Framingham Housing Development Corporation activity (a nonprofit entity formally the Housing Authority).

- The FHA will be encouraged to assist certificate and voucher holders, particularly minorities, in looking for housing in neighborhoods that are not traditional residential areas for the holder in question.

- Property Tax Policies

- ✓ Exploration of Options to Reduce Burden for Those Most in Need  
The Town, through consultation with appropriate departments and officials, may explore a number of the above options to reduce the tax burden on certain segments of the community. The Town already offers a number of limited abatement programs that recognize age and income as constraints. An analysis of the abatements given, conducted in cooperation with the Board of Selectmen and the Assessors, might be useful in formulating a program of relief for those most in need. Other measures might be considered to the extent that they are permitted by State statute and local by-law.

- **Private Sector**

The Town has not had the time or the capacity to make a systematic study of the practices of lenders, realtors and property managers in light of the potential effects of those practices on fair housing opportunity. Thought will be given to how to organize and begin to implement these studies. The Town's Fair Housing Committee might become a vehicle for gathering data. The Town will develop a strategy and a work plan for discussion with appropriate officials and implementation.

- Review of Lending Policies and Practices

- ✓ Initiate Process with Lender Self-Evaluation  
There is a clear need for lenders to look at their policies and practices and change the manner in which judgments are made by every person that plays a role in the lending process. The Town will consider approaching lenders, in a collegial fashion, to encourage them to self evaluate and give attention to the following:
  - ✓ Rewrite those standards, criteria, and policies that appear to be carryovers from openly race-based appraisal and lending practices.
  - ✓ Train all staff responsible for lending and appraisal activities.
  - ✓ Monitor implementation of the new policies and criteria to assure that personal biases do not distort the intended effect of the new standards, however inadvertent that effect might be.
  - ✓ Examine their conventional mortgage and home improvement loan profiles to determine whether there are neighborhoods that are under-represented or not represented in these profiles.
  - ✓ Examine whether lenders use the population and housing characteristics data that is available from the federal financial regulatory agencies and their own Home Mortgage Disclosure Act (HMDA) data to determine whether there are neighborhoods that are under-represented or not represented in these profiles?
  - ✓ Examine whether lenders compare the home improvement loan profile to the mortgage loan profile to determine if the former, which is usually a short-term consumer loan, is made more frequently to minorities in minority neighborhoods and to homeowners in mixed neighborhoods than mortgage loans.

- In Follow-up, Devise and Implement More Formal Surveys, Formulate Strategy/ Corrective Action

The Town should carefully review all lender self-evaluation data, and working with the lenders, devise formal surveys or informal means to review lending and approval practices thoroughly to address the following questions: Is there evidence of discrimination in mortgage lending, property appraisal, home improvement loans or other housing-related policies, standards, and procedures used by lenders and appraisers in the jurisdiction or nearby jurisdictions?



Clear, practical, effective, corrective action will be requested, utilizing Community Development Program, neighborhood revitalization investment objectives, as parameters within which actions will be formulated.

- Review of Realtor, Landlord, and Property Manager Policies and Practices  
The Town does not presently possess the capacity to monitor realtor, landlord and property manager activity in a systematic way. Thought will be given to how to organize and begin to implement these studies. The Town's Fair Housing Committee might become a vehicle for gathering data. The Town will develop a strategy and a work plan for discussion with appropriate officials and implementation in future periods.
- Initiate Process with Self-Evaluation  
The Town will consider approaching realtors, property owners and property managers, in at first a collegial fashion, to encourage them to self-evaluate their own practices and give attention to the following:
  - ✓ Review written rental and sales policies of real estate brokers and other members of the housing industry such as large landlords or management companies.
  - ✓ Collect summary data from landlords and managers of rental housing on the racial, ethnic, gender, familial and disability status of tenant applicants for rental housing in the jurisdiction.
  - ✓ Ascertain as to whether formal training and licensing requirements for real estate brokers, that are applicable in the jurisdiction and surrounding jurisdictions, include a requirement for demonstrated knowledge of all applicable fair housing laws.
  - ✓ Ascertain as to whether the opportunities for minorities, women and persons with disabilities to become brokers are available on the same basis as opportunities for non-minority whites, males and persons without a disability.
- In Follow-up Devise and Implement More Formal Surveys, Formulate Strategy/ Corrective Action  
The Town should carefully review self-evaluation data, and working with practitioners, devise formal surveys or informal means to review lending and approval practices thoroughly to address issues. Clear, practical, effective, corrective action will be requested, utilizing Community Development Program, neighborhood revitalization investment objectives, as parameters within which actions will be formulated.

- **Public and Private Sector**

- Fair Housing Enforcement  
The Town recognizes that effective fair housing education and enforcement lies at the heart of a comprehensive program to affirmatively further fair housing. The structure and the process for promoting and enforcing fair housing laws merits review. Total effectiveness is inhibited by the lack of staffing resources, placing a premium on the need to develop programs of an educational and preventative nature and the need to coordinate activities efficiently with the network of housing provider agencies. The Town needs to ensure that all appropriate officials and employees, including FHA, CDBG and HOME Programs, CDBG and HOME subgrantees, and recipient officials and employees, are fully aware of the required actions and their responsibilities in respect to Federal and State statutes, programs, and responsibilities.

- Information Programs

- ✓ Education Key to Fair Housing Planning

The Town recognizes that fair housing planning is not comprehensive if it fails to address the lack of knowledge in the general public and among government and other community officials and leaders, about (a) actions constituting discriminatory behavior and (b) the content of fair housing laws and fair housing objectives. The Town, through the Fair Housing Committee, will regularly assess the effectiveness of such activities in informing people of their rights and responsibilities and in reducing the kinds of prejudice and intolerance that lead to discriminatory actions. The Fair Housing Committee is a Town-appointed group of individuals who reside and/or work in Framingham, whose mission is to promote fair and open access to housing opportunities for all segments of the community.

- ✓ Outreach and Education for Targeted Populations

The Town will continue to work in cooperation with fair housing organizations and organizations working to promote housing opportunities for particular segments of the community (such as racial or ethnic minority groups or persons with disabilities) and to develop new outreach, education or information programs and activities. The Town will support first-time homeownership for all segments of the low- and moderate-income community, such as the Framingham Community Land Trust, Soft Second Loan Program, MassHousing Programs, and will try to couple homeownership assistance resources (CDBG down payment and closing costs) to such targeted programs as the new Fannie Mae "Home Partners" pilot designed to create opportunities for people with disabilities.

### **LEXINGTON**

Impediments to fair housing choice in Lexington have not been fully explored and the extent to which individuals, families and households experience discrimination are unknown. Based on information from the Fair Housing Center of Greater Boston, and in particular their work in Newton, we know that it is quite likely that discrimination is an issue in Lexington. To that end, the following is planned for FY09:

- The Planning Department will conduct an analysis of impediments to fair housing choice;
- Take appropriate actions to overcome the effects of impediments identified through that analysis; and
- Develop and implement strategies and actions to overcome these barriers based on history, circumstances, and experiences;
- We plan to develop solutions, and be held accountable for meeting the standards set for the community;
- Maintain records reflecting the analysis and actions.
- The Planning Department will continue to work with the WestMetro HOME Consortium members on better understanding the impediments to fair housing in our jurisdictions. Through the Consortium, several trainings are planned for local officials, developers and realtors. Lexington hopes to host at least one such event.

### **LINCOLN**

- Cost of housing and land

The cost of housing and land in Lincoln is probably the largest impediment to fair housing. The average 2008 assessment for property in Lincoln was over to \$1.05 million. Lincoln is also facing the issues of "teardowns," where smaller older homes are torn down to accommodate larger more expensive homes that drive up the overall assessments and prices in the town.

Lincoln has attempted to address this issue in several ways.

- In 2004 Lincoln voted to increase its CPA tax from 1.5 to 3.0 percent, thereby increasing the funding for affordable housing
  - In 2005 Lincoln voted to approve an Inclusionary Zoning Bylaw that requires all development of six units or more to have 15 percent of the project be affordable subject to the Town's Subsidized Housing Inventory.
  - In 2006, Lincoln residents approved an Affordable Housing Trust Fund that will allow quicker response to available affordable housing opportunities.
- Fair housing information  
Lincoln's minority or lower income residents may not have access to Fair Housing information. The Town of Lincoln distributed Fair Housing brochures in numerous languages in 2007 to public facilities such as town hall and the library as well as to local real estate brokers.

### **NATICK**

The Town of Natick is aware of a number of impediments to fair housing within the community. The following are the key challenges to affirmatively advancing fair housing in Natick.

- The high cost of construction and property make it difficult to maintain and develop housing that is affordable to a diverse population.
- Many residents and potential residents have incomes which require greater than 35 percent of their household income to live locally, thereby leaving them cost-burdened.
- The number of rental units has substantially dropped from 1990 (3,989 units) to 2000 (3,774 units), largely as a consequence of condominium conversions and significantly elevating values.
- The perception that new affordable housing increases the demand on the town for services, such as schools, can curtail support for family housing.
- There is a small existing minority population. Outreach may be necessary to increase the diversity of households.
- A small community like Natick has limited financial resources and limited staff to devote to creating new affordable housing opportunities.
- Lead paint in older housing can be a barrier to renting to families with young children.
- The Town of Natick has a very high percentage of residents with disabilities at 13 percent. Few residential structures in the community provide accessibility improvements to accommodate this high percentage of Natick residents.
- Natick has no current not-for-profit housing developers.

Natick is addressing these issues in a number of ways and will continue to do so during FY09:

- The Town of Natick is actively undertaking a variety of approaches to address local affordable housing impediments. The five goals are:
  - Provide housing opportunities for those at the entry level of homeownership; "empty nesters;" young families and other households in the "lower-middle" income range that are priced out of the market; elder residents; and those requiring housing assistance and rental housing units;
  - Ensure maintenance of the present housing mixture including single-, two-family and multifamily dwelling units;
  - Encourage the elderly to remain in Natick, preferably in their homes;

- Effectively utilize the HOME resources as efficiently as possible to provide affordable housing opportunities to eligible individuals and families.
  - Proactively work with private sector developers, the HOOP Program and 40B developers to pursue the creation of affordable units within the Town.
  - Contact and solicit not-for-profit housing developers.
  - Work with developers to create rental units within Natick.
- The Town is working with the developers of the Natick Mall, as part of the permitting of the mall expansion, to create affordable housing. The Mall Developers and the Town are working on a Local Initiative Project (LIP) agreement that would allow the Developers to provide 48 off-site, scattered affordable units to the Town with deed restrictions to require the units be affordable in perpetuity. The units are intended to be available for sale and occupancy prior to the occupancy of the mall condominium units. The Town has overseen the marketing plans and the actual lottery for the affordable units to ensure they are affirmatively marketed with appropriate outreach and a lottery selection process reflective of DHCD requirements.
  - The Town is working with numerous 40B developers to manage 40B projects which will yield extensive affordable units. To date, the projects include a 183 rental unit project (all considered affordable as rental) at Cloverleaf, a 268 unit project at South Natick Hills, a 24 unit project at 8 Grant Street, and a 404 rental 40B at Chrysler Road.

### **NEEDHAM**

Impediments to fair housing in Needham include:

- **Cost of housing and land**  
The high cost of housing and land in Needham is probably the single greatest impediment to fair housing. The median housing price has more than doubled since 1990 with sales averaging \$225,000 in 1990 and \$595,500 in October 2004. In addition, the overwhelming majority of new homes built in Town are teardowns, where a new house replaces older housing stock. This practice not only greatly increases the cost of land because the sales price becomes the value of the land alone, but also if they were not being demolished, these older homes could provide more attainable housing for young families. Finally, average incomes have increased significantly, up 46 percent from \$60,347 in 1990 to \$88,079 in 2000, narrowing the economic diversity of the households and changing the socio-economic makeup of the Town.
- **Diversity**  
The population in Needham has remained predominantly white, accounting for almost 95 percent of the population in 2000 and 97 percent in 1990. In regard to the representation of other races, Asians comprised 3.5 percent of the population in 2000 with Black or African-American and Hispanics both at about one percent of total residents, not significantly different than the distribution in 1990. Outreach to other population groups will be necessary to attain more social and economic diversity in the town.
- **The extent of multifamily zoning is extremely limited**  
There is a near-absence of developable vacant land that is zoned to permit multifamily housing, even two-family dwellings. Actual development of multifamily housing now generally occurs as redevelopment of already developed sites, through rezoning by town meeting, through a variance from zoning, or through a Chapter 40B override of applicable zoning. This limitation greatly restricts multifamily development opportunities that in the end could provide affordable rental and ownership opportunities for Needham residents.

To address these issues, the following is planned for FY08:

- Charles River Landing, a development of 350 units of multifamily rental housing of which 25 percent will be made available to low- and moderate-income households, was recently issued a comprehensive permit. The Town of Needham has entered into a Local Initiative Program agreement with Cabot, Cabot & Forbes. It is anticipated that construction will begin during FY08. In marketing the units of multifamily rental housing, the Town will follow all the procedures outlined in the WestMetro HOME Consortium Affirmative Marketing Policy.
- The Town of Needham is participating in a Fair Housing Initiatives Program grant (FHIP), received by the City of Newton to provide Fair Housing training and technical support to WestMetro HOME Consortium member communities to enable them to further fair housing within their communities and to complete the required AI and FHAP by next year. Needham staff has attended several Fair Housing Trainings through this grant.
- Needham has a Human Rights Committee, which seeks to prevent discrimination in housing on the basis of race, color, national origin, ancestry, disability, age, income, marital status, children, gender, or sexual preference.

#### **NEWTON**

Please refer to the information contained under "Priority #5" in the Newton section of the Specific Housing Objectives question.

#### **SUDBURY**

The following are the key challenges to affirmatively furthering fair housing in Sudbury:

- The high cost of construction and property make it difficult to maintain and develop housing that is affordable to a diverse population.
- The perception that new affordable and family housing increases the demand on the town for services, such as schools, can curtail support for family housing.
- There is a small existing minority population in Sudbury. Outreach is necessary to reach a diversity of households.

Sudbury is addressing these issues in a number of ways and will continue to do so during FY08:

- The Sudbury Housing Trust is actively implementing the recommendations of the 2005 Housing Plan. The main goal of the Housing Plan is to "Maintain and increase a diversity of housing types in Sudbury to meet the needs of a changing and diversified population with respect to age, disability, household size and income."
- All affordable units produced through the 40B Comprehensive Permit process are affirmatively marketed through an extensive process that includes advertisements in minority newspapers and outreach to a wide range of community groups. If needed, Local Preference lottery pools will be adjusted to reflect the percentage of minorities in the surrounding HUD-defined area. Sudbury has permitted 29 affordable units during fiscal year 2008.
- The Town is participating in the WestMetro HOME Consortium fair housing campaign and has attended offered training, co-hosted a realtor training session with Framingham.

- Sudbury will prepare an ***Analysis of Impediments to Fair Housing*** as part of Fair Housing planning with the WestMetro HOME consortium in May 2008, and will document further actions through that process.

### **WALTHAM**

Several major impediments were found in the City of Waltham's attempt to provide fair housing. First, the large number of rental units containing lead paint discourages families with children from finding housing and continues to be a factor in efforts to promote fair housing choice. Second, this past year has seen a significant rise in the housing affordability gap for young families, thus further limiting homeownership opportunities for a large portion of the population. Third, a continued diminishing supply of affordable rental units limits housing choice for low-income renters. And finally, a continued weak transportation link from the Interstate-95 business corridor to downtown Waltham prevents residents from easily accessing employment opportunities.

These impediments continue to be addressed through various actions by the City of Waltham. The City intends to continue using CDBG funds in FY08 to provide up to 40 deferred de-leading and housing rehabilitation loans to owner-occupiers of multifamily properties, thus increasing the affordable housing supply. In addition, the City will continue using HOME funds in FY08 to provide down payment assistance to four low-income families. A continued commitment to fair housing training for City of Waltham Housing staff, local realtors and landlords. Also, the City plans to create affordable homeowner and rental units through the use of FY08 HOME funds to help its CHDO acquire and develop properties to sell and rent to low-income families.

The City of Waltham zoning ordinance contains a section devoted to affordable housing (Article 9.0). This Article applies to any proposed multi-family development of ten or more units that requires a special permit to exceed the Floor Area Ratio allowed by right in that district. If the Article applies to a proposed development, the City Council determines if the applicant must provide affordable housing on-site, off-site, or by paying a fee in lieu of dwelling units. No other City regulation or policy is considered excessive, exclusionary, or discriminatory.

### **WATERTOWN**

Watertown's Analysis of Impediments to Fair Housing was completed in July 2004. This analysis will be updated in the next fiscal year to take into account the changing housing market and demographics in Watertown. The major impediments were found to be:

- High cost of housing – ownership and rental affordability gap  
The 2001 estimated median family income in Watertown (HUD data) was \$71,600. The maximum affordable monthly housing cost for very low-income families is \$537; \$895 for low-income families; \$1,432 for moderate-income families; and \$1,790 for middle-income families, according to the National Low Income Housing Coalition. The median rent in Watertown is approximately \$1,600. There is a significant gap between affordable rents and actual rents for very low-, low- and moderate-income families. Although it is noted that impediments to fair housing choice relate to impediments found while seeking housing in an affordable range, in Watertown, the rental and ownership costs are becoming so high that there are fewer and fewer choices available.

According to information from Banker and Tradesman, the median sales price in Watertown has increased 83 percent from \$184,000 in 1989 to \$337,000 in 2001. Over the last five years, the median sales price has increased approximately 15 percent per year. Statistics compiled by the Citizens Housing and Planning

Association (CHAPA) note that the affordability gap between median sales price and maximum affordable price is \$133,064.

Discussion with local banks reveals that the current housing sales market is pricing individuals out of the market and has the impact of shrinking available rental housing because individuals and families are unable to make the transition from rental to homeownership.

Information obtained from the fair housing survey (30 percent response rate) indicates that 68 percent of those surveyed believe that the cost of housing is an impediment to fair housing choice in the Town of Watertown. The high cost of housing not only affects those seeking a fair choice in homeownership but also affects renters because the owners of those units subsequently have to raise rents to help cover their costs as well.

- Lack of development sites – limited availability of parcels  
Watertown has limited parcels of vacant land and a few parcels that are suitable for redevelopment for housing. Whatever land is available has become very expensive. The high purchase prices for a recent affordable housing development in two two-family dwellings makes the development and provision of fair and affordable housing very difficult. The lack of developable land is also an issue in Watertown, although there may be some potential large developments on former industrial land in the future, for now it is mostly small projects scattered throughout the Town that are essentially redevelopment or rebuilds of existing properties. Watertown's land use by zoning district consists of 56.6 percent residential, 5.2 percent business, 19.1 percent industrial and 19 percent open space/conservancy. Of Watertown's housing stock, 34 percent are single family; 24 percent are condominiums; 36 percent are two family; four percent are three family; and two percent are apartments/complexes.
- Low vacancy rate – ownership and rental  
The vacancy rates for rentals and ownership are extremely low. Based on the 2000 U.S. Census, the vacancy rate for rentals is 1.63 percent, and the vacancy rate for sales is .36 percent. The sheer tightness of the housing market is yet another impediment to fair housing choice. The Town, within the last two years, has only made one first-time homebuyers down payment assistance loan as the number of available dwellings within the purchase price limits has been extremely limited. Many existing two- to four-family homes are also being converted to condominium ownership, which puts even further limitations on available rentals. Additionally, the waiting lists for Watertown Housing Authority units are extensive.
- Lead paint issues – rentals to families with children  
Almost 92 percent of Watertown's occupied housing stock was built prior to 1979, which means that most of that housing has some lead paint. Approximately 48 percent of the total housing stock was built prior to 1940. The fair housing survey revealed that 58 percent of respondents believe that the hesitancy of landlords to rent to families with small children is an impediment that exists and is related to the volume of units within Watertown that still contain lead paint. The Town does participate in the Get The Lead Out Program administered by MHFA, but the number of loans made through the program has been low.

Currently, the Town of Watertown takes the following actions to affirmatively further fair housing and will continue to do so in FY09:

- First Time Homebuyers Program

The Town and Watertown Community Housing have affirmatively marketed the First Home program to households in Watertown and throughout the greater Boston Area. Marketing is conducted through area minority papers and local papers, churches, cable television and Boston Metrolist, a central listing for low-income and minority tenants. The Housing Authority also conducts its own affirmative marketing using a state-approved Affirmative Marketing Plan.

- **Inclusionary Zoning**  
The Zoning Ordinance was amended to require all specified zoning districts to provide 10 percent inclusionary affordable housing units whenever greater than five units are built.
- **Housing Development**  
The Town of Watertown has committed over \$600,000 of HOME and Town funds to the development of affordable units. Part of the funds will assist in the redevelopment of the Coolidge School into 55+ rental units, of which 15 will be affordable. An additional 18 rental units will be provided by the redevelopment of 1060 Belmont Street.
- **Housing Rehabilitation**  
The Town has committed both state and town funds for the Home Improvement Program to provide housing rehabilitation loans for low- and moderate-income homeowners. This particular program has made more than 40 home improvement loans totaling over \$1.3 million since its inception in 2000. The Town intends to reapply to the state for funding.
- **De-leading**  
The Town of Watertown participates in the Get the Lead Out Program administered by the Massachusetts Housing Finance Agency.

Watertown is committed to affirmatively furthering fair housing through the continuation of the above efforts, as well as by identifying additional program and policy changes to meet the difficult challenge of providing fair housing options to those in need.

Conclusions and recommendations of the Analysis of Impediments to Fair Housing include:

- Continue to work with the local Community Housing Development Organization to develop affordable units, both owner and rental
- Continue to offer first-time homebuyers down payment assistance and Home Improvement Program loans
- Assist homeowners with obtaining financial assistance for the de-leading of units
- Education about fair housing choice, affordable housing and fair housing complaint procedures



**FY09 PROPOSED PROJECTS SUMMARY  
NEWTON HOUSING AND COMMUNITY DEVELOPMENT PROGRAM**

**Newton Community Development Block Grant Program**

PROJECT	DESCRIPTION	FY09 PROPOSED CDBG GRANT FUNDING	FY09 ESTIMATED PROGRAM INCOME FUNDING	FY09 TOTAL PROPOSED FUNDING
<b>HOUSING REHABILITATION</b>				
o Rehabilitation & Finance Services	Technical assistance, loan servicing and administrative support for rehabilitation programs	\$420,290	-0-	\$420,290
o NHRF Loans & Grants	Loans/grants for low/moderate-income homeowners and nonprofit agencies developing/rehabilitating affordable housing	\$152,592	\$420,000	\$572,592
o Small Grant Program	Grants for elderly and/or physically disabled homeowners for small repairs (≤\$3,000)	\$120,000	-0-	\$120,000
<b>TOTAL</b>		<b>\$692,882</b>	<b>\$420,000</b>	<b>\$1,112,882</b>
<b>HOUSING DEVELOPMENT</b>				
o Affordable Housing Development Pool	Funding pool for the development of affordable housing for low/moderate-income households	\$48,106	-0-	\$48,106
o Purchase Rehab Program	Funding for the purchase and rehabilitation of 1-4 unit properties to be occupied by low/moderate-income households	\$200,000	-0-	\$200,000
o Housing Development Services	Salaries/support costs for affordable housing development	\$120,000	-0-	\$120,000
<b>TOTAL</b>		<b>\$368,106</b>	<b>-0-</b>	<b>\$368,106</b>
<b>ARCHITECTURAL ACCESS IMPROVEMENTS</b>				
o Projects to be Identified	Funds for new architectural access projects or under-budget existing accessibility projects	\$123,485	-0-	\$123,485
<b>TOTAL</b>		<b>\$123,485</b>	<b>-0-</b>	<b>\$123,485</b>

PROJECT	DESCRIPTION	FY09 PROPOSED CDBG GRANT FUNDING	FY09 PROPOSED PROGRAM INCOME FUNDING	FY09 TOTAL PROPOSED FUNDING
<b>PUBLIC SERVICES FIVE-YEAR PROJECTS</b>				
o Barry Price Center Job Coach	Employment specialist for adults w/developmental disabilities	\$15,175	\$2,270	\$17,445
o Barry Price Center Person Centered Planning	Planning services for low/moderate-income individuals with developmental disabilities and their families	\$2,961	\$443	\$3,404
o Bowen After School Care Tuition Assistance Program	Child care scholarships for low/moderate-income families	\$5,554	\$830	\$5,554
o Boys & Girls Club Camp Scholarships	Camp scholarships for youth of low-income families	\$2,221	\$332	\$2,221
o Boys & Girls Club Kid Corps	Funds for low/moderate-income 6-12-year olds attending Club activities	\$4,441	\$664	\$5,105
o Boys & Girls Club Teen Program	Subsidies for scholarships for low/moderate-income teens	\$4,441	\$664	\$5,105
o Charles River Arc Newton ASPIRE	Integrated after-school program for children and teens with moderate to severe physical, mental or emotional disabilities	\$4,811	\$720	\$5,531
o Charles River Arc Music Therapy for Adults	Music therapy sessions for developmentally disabled adults to aid them in communicating and expressing themselves	\$2,961	\$443	\$3,404
o JCHE Caring Choices Program	Subsidies for home visits to frail elders to assist them with activities of daily living	\$8,502	\$1,271	\$9,773
o MAB Community Services for Visually Impaired Elders	Counseling/survival skills training for visually-impaired elders	\$2,961	\$443	\$3,404
o Newton Child Care Fund Scholarships	Daycare scholarships for low/moderate-income families	\$11,103	\$1,661	\$11,103
o NCDF CareConnections	Home health care services to elderly and disabled residents	\$8,593	\$1,284	\$9,877
o NCDF Director of Resident Services	Director of resident services for residents of NCDF housing	\$5,182	\$775	\$5,957
o NCDF English as a Second Language	English language courses for residents of NCDF housing	\$1,481	\$221	\$1,702
o NCSC Child Care Scholarships	Scholarships for low/moderate-income families at NCSC Daycare	\$17,025	\$2,546	\$19,571
o NCSC Higher Ground Teen Program	Outdoor retreat/experiential program for at-risk teens	\$8,883	\$1,329	\$10,212
o NCSC Mentor Connection	Pairs at-risk teens with responsible adult mentors	\$3,701	\$554	\$4,255

PROJECT	DESCRIPTION	FY09 PROPOSED CDBG GRANT FUNDING	FY09 ESTIMATED PROGRAM INCOME FUNDING	FY09 TOTAL PROPOSED FUNDING
o NCSC Parent Child Home	Scholarships for families in early-intervention program	\$5,182	\$775	\$5,957
o NCSC Teen Center	Youth drop-in services at NCSC Centers citywide	\$24,428	\$3,654	\$28,082
o NCSC Parents Program	Counseling and support for low/moderate-income young parents	\$20,357	\$3,045	\$23,402
o Newton HHS Dept. Mental Health Intervention for Elders	In-home visits provided by nurses to high-risk elders who have mental health issues	\$30,284	\$4,529	\$34,813
o Newton Housing Authority Resident Services Coordinator	Social/referral services for Housing Authority tenants	\$13,694	\$2,048	\$15,742
o Newton HHS Dept. Council on Aging Outreach Worker	Outreach worker to serve the needs of isolated elders through referrals to services and agencies	\$5,922	\$886	\$6,808
o Newton HHS Dept. Senior Center Program	Comprehensive programs at the Newton Senior Center	\$35,531	\$5,314	\$40,845
o Newton HHS Dept. Youth Outreach Counseling	Crisis intervention/counseling for low/moderate-income Newton adolescents	\$14,065	\$2,104	\$16,169
o Newton Parks & Recreation Summer Camp Scholarships	Summer camp scholarships for low/moderate-income children	\$2,221	\$332	\$2,553
o NWW Clinical Services and Supports	Clinical services for adults with developmental disabilities	\$5,922	\$886	\$6,808
o NWW Community Access Program	Training of volunteers to work w/ developmentally disabled adults	\$4,441	\$664	\$5,105
o NWW Wednesday Drop-in	Social program for people with developmental disabilities	\$4,811	\$720	\$5,531
o Peirce Extended Day Program	Scholarships for low/moderate-income families needing child care	\$4,811	\$720	\$5,531
o Plowshares Child Care Scholarships	Daycare scholarships for low/moderate-income children	\$11,103	\$1,661	\$12,764
o REACH Hotline and Outreach Services	Hotline/support group staff for victims of domestic violence	\$3,701	\$554	\$4,255
o Riverside Family Crisis Stabilization	Rapid response crisis stabilization for at-risk adolescents and their families	\$4,441	\$664	\$5,105
o Riverside Substance Abuse Treatment	Counseling at Newton Outpatient Center	\$17,766	\$2,657	\$20,423
o Second Step Case Manager	Case management for survivors of domestic violence in transitional housing	\$14,803	\$2,214	\$17,017
<b>TOTAL</b>		<b>\$333,480</b>	<b>\$49,877</b>	<b>\$383,357</b>
<b>PUBLIC SERVICES PERCENTAGE OF CDBG BUDGET (Cannot exceed 15%)</b>				<b>15%</b>

PROJECT	DESCRIPTION	FY09 PROPOSED CDBG GRANT FUNDING	FY09 ESTIMATED PROGRAM INCOME FUNDING	FY09 TOTAL PROPOSED FUNDING
<b>ECONOMIC DEVELOPMENT</b>				
	o Microenterprise Loan Pool—Loans for low/moderate-income business owners to start, continue, or expand a Newton business or for the creation of jobs for low/moderate-income Newton residents* (Estimated \$20,000 from CD06-04A-Economic Development Loan Pool to be received from outstanding Economic Development Loans will be used for other eligible CDBG activities.)	-0-	-0-	-0-
	o Family Day Care Grant Program—Grants for participants in Family Day Care System to help low/moderate-income Newton residents start, continue or expand an in-home day care (\$7,500 from CD06-04A-Economic Development Loan Pool will be used for this program.)	-0-	-0-	-0-
<b>TOTAL</b>		<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>PUBLIC FACILITIES—TARGET NEIGHBORHOOD IMPROVEMENTS</b>				
	o Newton Corner – Farlow and Chaffin Park Improvements	\$13,260	-0-	\$13,260
	o Newton Corner – Charlesbank Park Improvements	\$13,260	-0-	\$13,260
	o Newtonville – Lowell Park Improvements Phase 2	\$80,853	-0-	\$80,853
	o Nonantum – Magni-Coletti Park Improvements	\$54,333	-0-	\$54,333
	o Engineering Design Support	\$11,767	-0-	\$11,767
<b>TOTAL</b>		<b>\$173,474</b>	<b>-0-</b>	<b>\$173,473</b>
<b>CD PROGRAM MANAGEMENT</b>				
	o Program Administration	\$523,931	-0-	\$523,931
	o Citizen Participation	\$3,495	-0-	\$3,495
<b>TOTAL</b>		<b>\$527,426</b>	<b>-0-</b>	<b>\$527,426</b>
<b>PROGRAM MANAGEMENT PERCENTAGE OF CDBG BUDGET (Cannot exceed 20%)</b>				<b>19%</b>
<b>CONTINGENCIES</b>		<b>\$4,370</b>	<b>-0-</b>	<b>\$4,370</b>
<b>TOTAL CDBG GRANT FUNDS</b>		<b>\$2,223,223</b>		
<b>TOTAL PROGRAM INCOME FUNDS</b>			<b>\$469,877</b>	
<b>TOTAL FY09 FUNDS</b>				<b>\$2,693,100</b>

**Newton Emergency Shelter Grant Program**

<b>PROJECT</b>	<b>DESCRIPTION</b>	<b>FY09 PROPOSED FUNDING</b>
Bristol Lodge Men's and Women's Shelters	Operating support for male and female emergency homeless shelters	\$11,000
Bristol Lodge Soup Kitchen	Operating funds for a 365-day-a-year meal program for homeless people	\$11,000
Brookline Community Mental Health Center Metropolitan Mediation Services	Funds to assist low-income tenants to reach mutually beneficial agreements with their landlords, thus preventing homelessness	\$2,500
CAN-DO Transitional Housing at Kayla's House and Garfield House	Operating funds for transitional housing for people who are homeless	\$3,000
Horace Cousens Industrial Fund	Emergency rent/utility assistance to prevent homelessness	\$17,000
REACH Emergency Shelter	Operating funds for emergency shelter for survivors of domestic violence	\$18,000
Riverside Community Care Adolescent Homelessness Prevention	Operating funds for youth homelessness prevention services	\$10,500
The Second Step Transitional Housing	Operating funds for transitional housing of victims of domestic violence	\$26,264
<b>TOTAL</b>		<b>\$99,264</b>

**WestMetro HOME Consortium – American Dream Downpayment Initiative Program**

<b>PROJECT</b>	<b>DESCRIPTION</b>	<b>FY09 PROPOSED FUNDING</b>
Downpayment Assistance Pool	Funding pool for downpayment assistance for participating Consortium communities	\$14,221
<b>TOTAL</b>		<b>\$14,221</b>

### WestMetro HOME Consortium

PROJECT	DESCRIPTION	FY09 PROPOSED FUNDING
<b>BEDFORD HOME PROGRAM</b>		
Affordable Housing Development Pool	Funding pool for the creation of affordable housing	\$17,416
HOME Administration	Administration of Bedford's HOME Program	\$1,355
<b>TOTAL</b>		<b>\$18,771</b>
<b>BELMONT HOME PROGRAM</b>		
Waverley Woods Apartments	Creation of 40 affordable housing units	\$95,124
HOME Administration	Administration of Belmont's HOME Program	\$7,398
<b>TOTAL</b>		<b>\$102,522</b>
<b>BROOKLINE HOME PROGRAM</b>		
Affordable Housing Development Pool	Funding pool for the creation of affordable housing	\$238,543
Homebuyer Assistance Program	Funds to assist first-time homebuyers	\$187,500
HOME Administration	Administration of Brookline's HOME Program	\$33,137
<b>TOTAL</b>		<b>\$459,180</b>
<b>FRAMINGHAM HOME PROGRAM</b>		
Homebuyer Assistance Program	Funds to assist first-time homebuyers	\$172,219
Housing Rehabilitation Assistance	Funds for moderate rehabilitation of owner-occupied housing	\$114,740
CHDO Set-Aside @ 15%	CHDO acquisition projects	\$57,392
HOME Administration	Administration of Framingham's HOME Program	\$26,783
<b>TOTAL</b>		<b>\$371,134</b>
<b>LEXINGTON HOME PROGRAM</b>		
Affordable Housing Development Pool	Funding pool for the creation of affordable housing	\$52,570
HOME Administration	Administration of Lexington's HOME Program	\$4,089
<b>TOTAL</b>		<b>\$56,659</b>
<b>LINCOLN HOME PROGRAM</b>		
Affordable Housing Development Pool	Funding pool for the creation of affordable housing	\$8,039
HOME Administration	Administration of Lincoln's HOME Program	\$625
<b>TOTAL</b>		<b>\$8,664</b>
<b>NATICK HOME PROGRAM</b>		
Consultant Services	Marketing, lottery and eligibility review for affordable units	\$19,193
HOME Administration	Administration of Natick's HOME Program	\$5,857
Buydown Program	Funds for the purchase of expiring-use affordable units	\$56,107
<b>TOTAL</b>		<b>\$81,157</b>
<b>NEEDHAM HOME PROGRAM</b>		
Yurick Road Project	Create 4-5 duplex style affordable units	\$53,144
CHDO Operating Expenses @ 5%	Needham CHDO's operating expenses	\$3,126
HOME Administration	Administration of Needham's HOME Program	\$4,377
<b>TOTAL</b>		<b>\$60,647</b>
<b>NEWTON HOME PROGRAM</b>		
Affordable Housing Development Pool	Funding pool for the creation of affordable housing	\$202,452
CHDO Operating Expenses @ 5%	CAN-DO operating expenses	\$11,909
Newton HOME Administration	Administration of Newton's HOME Program	\$16,672
<b>TOTAL</b>		<b>\$231,033</b>
<b>HOME Consortium Administration (3% from member communities)</b>		<b>\$61,114</b>
<b>TOTAL FOR NEWTON</b>		<b>\$292,147</b>

<b>PROJECT</b>	<b>DESCRIPTION</b>	<b>FY08 PROPOSED FUNDING</b>
<b>SUDBURY HOME PROGRAM</b>		
Villages at Old County Road	Funds for the buy-down of unit #23 to make it affordable	\$21,462
HOME Administration	Administration of Sudbury's HOME Program	\$1,669
<b>TOTAL</b>		<b>\$23,131</b>
<b>WALTHAM HOME PROGRAM</b>		
Downpayment Assistance Program	No-interest/deferred loans for 1-4 family acquisition	\$259,465
CHDO Set-Aside @ 15%	CHDO acquisition projects	\$55,600
CHDO Operating Expenses @ 5%	Partial salary/benefits for CHDO Manager	\$18,533
HOME Administration	Administration of Waltham's HOME Program	\$25,947
<b>TOTAL</b>		<b>\$359,545</b>
<b>WATERTOWN HOME PROGRAM</b>		
Belmont Street	Funds to create two units of affordable rental housing	\$89,210
CHDO Operating Expenses @ 5%	Watertown Community Housing's operating expenses	\$10,495
HOME Administration	Administration of Watertown's HOME Program	\$14,693
First Home Program	Funds to assist first-time homebuyers	\$89,200
<b>TOTAL</b>		<b>\$203,598</b>
<b>TOTAL FOR HOME CONSORTIUM</b>		<b>\$2,037,052</b>
<b>TOTAL ADMINISTRATIVE COSTS (as a percentage of total grant)</b>		<b>10%</b>
<b>TOTAL CHDO SET-ASIDE (as a percentage of total grant)</b>		<b>3%</b>



# CPMP Non-State Grantee Certifications

Many elements of this document may be completed electronically, however a signature must be manually applied and the document must be submitted in paper form to the Field Office.

- This certification does not apply.
- This certification is applicable.

## NON-STATE GOVERNMENT CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

**Drug Free Workplace** -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
  - a. The dangers of drug abuse in the workplace;
  - b. The grantee's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
  - a. Abide by the terms of the statement; and
  - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted –
  - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.



**Anti-Lobbying** -- To the best of the jurisdiction's knowledge and belief:

8. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
9. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
10. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

May 15, 2008

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Signature/Authorized Official

Date

David B. Cohen

Name

Mayor

Title

1000 Commonwealth Avenue

Address

Newton, MA 02459

City/State/Zip

617-796-1100

Telephone Number

- |   |
|---|
| <input type="checkbox"/> This certification does not apply.           |
| <input checked="" type="checkbox"/> This certification is applicable. |

### Specific CDBG Certifications

The Entitlement Community certifies that:

**Citizen Participation --** It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan --** Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

**Following a Plan --** It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

**Use of Funds --** It has complied with the following criteria:

11. Maximum Feasible Priority - With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
12. Overall Benefit - The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2007, 2008, 2009, (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
13. Special Assessments - It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force --** It has adopted and is enforcing:

14. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
15. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

**Compliance With Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K and R, of title 24;

**Compliance with Laws** -- It will comply with applicable laws.

May 14, 2008

---

Signature/Authorized Official

Date

David B. Cohen

Name

Mayor

Title

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Address

Newton, MA 02459

City/State/Zip

617-796-1100

Telephone Number

- This certification does not apply.  
 This certification is applicable.

**OPTIONAL CERTIFICATION  
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities, which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

May 14, 2008

---

Signature/Authorized Official

Date

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### Specific HOME Certifications

The HOME participating jurisdiction certifies that:

**Tenant Based Rental Assistance** -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

**Eligible Activities and Costs** -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

**Appropriate Financial Assistance** -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

May 14, 2008

---

Signature/Authorized Official

Date

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Name

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Telephone Number

This certification does not apply.  
 This certification is applicable.

### HOPWA Certifications

The HOPWA grantee certifies that:

**Activities** -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

**Building** -- Any building or structure assisted under that program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

May 14, 2008

---

Signature/Authorized Official

Date

David B. Cohen

Name

Mayor

Title

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617-796-1100

Telephone Number

- |   |
|---|
| <input type="checkbox"/> This certification does not apply.           |
| <input checked="" type="checkbox"/> This certification is applicable. |

### ESG Certifications

I, David B. Cohen, Chief Executive Officer of the City of Newton, certify that the local government will ensure the provision of the matching supplemental funds required by the regulation at 24 *CFR* 576.51. I have attached to this certification a description of the sources and amounts of such supplemental funds.

I further certify that the local government will comply with:

1. The requirements of 24 *CFR* 576.53 concerning the continued use of buildings for which Emergency Shelter Grants are used for rehabilitation or conversion of buildings for use as emergency shelters for the homeless; or when funds are used solely for operating costs or essential services.
2. The building standards requirement of 24 *CFR* 576.55.
3. The requirements of 24 *CFR* 576.56, concerning assurances on services and other assistance to the homeless.
4. The requirements of 24 *CFR* 576.57, other appropriate provisions of 24 *CFR* Part 576, and other applicable federal laws concerning nondiscrimination and equal opportunity.
5. The requirements of 24 *CFR* 576.59(b) concerning the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
6. The requirement of 24 *CFR* 576.59 concerning minimizing the displacement of persons as a result of a project assisted with these funds.
7. The requirements of 24 *CFR* Part 24 concerning the Drug Free Workplace Act of 1988.
8. The requirements of 24 *CFR* 576.56(a) and 576.65(b) that grantees develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted with ESG funds and that the address or location of any family violence shelter project will not be made public, except with written authorization of the person or persons responsible for the operation of such shelter.
9. The requirement that recipients involve themselves, to the maximum extent practicable and where appropriate, homeless individuals and families in policymaking, renovating, maintaining, and operating facilities assisted under the ESG program, and in providing services for occupants of these facilities as provided by 24 *CFR* 76.56.
10. The requirements of 24 *CFR* 576.57(e) dealing with the provisions of, and regulations and procedures applicable with respect to the environmental review responsibilities under the National Environmental Policy Act of 1969 and related

authorities as specified in 24 *CFR* Part 58.

11. The requirements of 24 *CFR* 576.21(a)(4) providing that the funding of homeless prevention activities for families that have received eviction notices or notices of termination of utility services will meet the requirements that: (A) the inability of the family to make the required payments must be the result of a sudden reduction in income; (B) the assistance must be necessary to avoid eviction of the family or termination of the services to the family; (C) there must be a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and (D) the assistance must not supplant funding for preexisting homeless prevention activities from any other source.
12. The new requirement of the McKinney-Vento Act (42 *USC* 11362) to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. I further understand that state and local governments are primarily responsible for the care of these individuals, and that ESG funds are not to be used to assist such persons in place of state and local resources.
13. HUD's standards for participation in a local Homeless Management Information System (HMIS) and the collection and reporting of client-level information.

I further certify that the submission of a completed and approved Consolidated Plan with its certifications, which act as the application for an Emergency Shelter Grant, is authorized under state and/or local law, and that the local government possesses legal authority to carry out grant activities in accordance with the applicable laws and regulations of the U. S. Department of Housing and Urban Development.

May 14, 2008

---

Signature/Authorized Official

Date

David B. Cohen

Name

Mayor

Title

1000 Commonwealth Avenue

Address

Newton, MA 02459

City/State/Zip

617-796-1100

Telephone Number



- This certification does not apply.  
 This certification is applicable.

## APPENDIX TO CERTIFICATIONS

### Instructions Concerning Lobbying and Drug-Free Workplace Requirements

#### Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 21.

Place Name	Street	City	County	State	Zip
Newton Planning and Development Department	1000 Commonwealth Avenue	Newton	Middlesex	MA	02459
Newton Housing Office	492 Waltham Street	Newton	Middlesex	MA	02465
Town of Bedford	10 Mudge Way	Bedford	Middlesex	MA	01730
Town of Belmont	Town Hall Annex	Belmont	Middlesex	MA	02478
Brookline Planning Office	333 Washington Street	Brookline	Norfolk	MA	02146
Town of Framingham	150 Concord Street	Framingham	Middlesex	MA	01702
Town of Lexington	1625 Massachusetts Avenue	Lexington	Middlesex	MA	02420
Town of Lincoln	16 Lincoln Road	Lincoln	Middlesex	MA	01773
Town of Natick	13 East Central Street	Natick	Middlesex	MA	01760
Town of Needham	1471 Highland Avenue	Needham	Norfolk	MA	02492

Town of Sudbury	275 Old Lancaster Road	Sudbury	Middlesex	MA	01776
City of Waltham	119 School Street	Waltham	Middlesex	MA	02451
Town of Watertown	149 Main Street	Watertown	Middlesex	MA	02472

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules: "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15); "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including:
- All "direct charge" employees;
  - all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and
  - a. temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Note that by signing these certifications, certain documents must be completed, in use, and on file for verification. These documents include:

1. Analysis of Impediments to Fair Housing
2. Citizen Participation Plan
3. Anti-displacement and Relocation Plan

May 14, 2008
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Signature/Authorized Official

Date

David B. Cohen
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Name

Mayor
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Title

1000 Commonwealth Avenue
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Address

Newton, MA 02459
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City/State/Zip

617-796-1100
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Telephone Number