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TOWN OF SUTTON

PLANNING BOARD & DEPARTMENT

MEMORANDUM

To: Planning Board

From: Jennifer Hager, *JS*
Planning & Economic Development Director

Date: January 5, 2022

Re: Housing Choice Act Compliance

Today we received guidance (attached) from KP Law for MBTA communities relative to specific sections of the Housing Choice Act. Out of curiosity, I checked to see which communities were involved and was very surprised to see Sutton is considered a MBTA community under the provisions of this Act as we directly abut several MBTA serviced communities.

Per the guidance document from KP Law I gave you last year (attached), the Housing Choice Act will result in adjustments to various sections of our bylaw, that were to be undertaken this year, reducing the supermajority requirement for Special Permits related to accessory and multi-family development.

However, as a MBTA community, we must also enact as of right multifamily housing over a minimum portion of Sutton, at a minimum density, and with no age, bedroom type or number restrictions (see draft Compliance Guidance attached).

If we chose not to provide for as of right multifamily housing in Sutton, we forego any funds through the following 1) Housing Choice Grants, 2) Local Capital Projects Fund, and 3) Mass Works Infrastructure Grants, and DHCD “may also take non-compliance into consideration when making other discretionary grant awards.” As you are aware, we received a \$2.5 million MassWorks Grant to support the Primetals project and we will also be applying for an approximate \$3-4 million grant for sewer infrastructure in Wilkinsonville this Spring.

Additionally, there is a concern that, per the final sentence of the guidance, that other grants we have been fortunate to receive such as the Land & Water Conservation Fund (LWCF) Grant that renovated Goddard Lodge at Marion's Camp, and the Parkland Acquisitions & Renovations for Communities (PARC) Grant that renovated Unity Park, and many others would be jeopardized in terms of Sutton being ranked lower than compliance communities.

Ultimately, it is up to Sutton voters if they wish to forego these funding sources and not provide for as of right multi-family housing in Sutton. However, as Sutton's Planning & Economic Development Director, I note the results of our Housing Needs Study that showed the need for more housing and more affordable housing in Sutton particularly for downsizing seniors, young professionals, and families. As you know, an adequate stock of affordable housing also makes a town more attractive to business. Additionally, more local residents and workers drive the creation of local businesses like restaurants which residents expressed a desire for in the last Master Plan. So, in the least I recommend the Board pursue creation of draft multi-family regulations and host several public forums for education and discussion.

Current actions that we are required to take are as follows:

- Submit the MBTA Community Information Form by May 2, 2022
- Hold a briefing of our Select Board about the DRAFT Compliance Guidance no later than May 2, 2022.
- In terms of enacting potential new zoning, we must obtain DHCD approval of an action plan no later than July 1, 2023.

We may also submit comments on the DRAFT Compliance Guidelines by March 2, 2022. Please keep in mind these comments should be about the compliance guidelines not the underlying Act which has already been adopted.

It is my recommendation that we consult with Central Massachusetts Regional Planning Commission (CMRPC) to see how implementation of the Housing Choice Act is being handled by other towns in our region. CMRPC may have already initiated a process to assist their member communities with bylaws/compliance.