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## Town of Sutton

March 7, 2022

Secretary Kennealy  
Economic Office of Housing & Community Development  
1 Ashburton Place, Room 2101  
Boston, MA 02108

**Re: DRAFT Compliance Guidelines for Multi-Family Districts Under Section 3A of the Zoning Act**

Dear Secretary Kennealy:

The need for additional housing in the Commonwealth is understood, as is the need for both more market rate and HUD compliant affordable housing. Sutton recently completed our Housing Needs Study and we are continuing our process of addressing the needs within our community including shortcomings in our housing stock.

The proposed Guidelines strike us as a blunt tool. While related webinars and guidance documents promote this as an equitable way to bridge our housing gap, the potential results do not feel like they are equitable.

First, while we appreciate the State applying different percentages to production depending on availability and type of transit service, setting a minimum potential production of 750 units is not equitable nor is it sustainable. While the Guidelines do not mandate production, in the housing market we have experienced for quite some time now, if an area is provided where this amount of housing can be constructed as of right, it will be constructed. In Sutton that amounts to an increase of over 20% of total housing units. Effectively Sutton, with no MBTA service or even regional transit service, would be expected to potentially increase its housing stock by the same amount as a community with a full busing system. This responsibility is also handed down with no consideration of, or for funding for, infrastructure, traffic, and educational system impacts, and of course the more intangible impacts on the nature of the community. There are many MBTA adjacent communities where this minimum production threshold could increase total housing by well over 50% and more.

Second, as many of the subway/light rail and MBTA bus communities already have significant areas of dense housing particularly near transit locations, the actual weight of this legislation appears to be more narrowly directed at commuter rail or MBTA adjacent communities. Adding to this imbalance is the fact that over half of the State isn't given any responsibility including areas with other transit systems, like the communities around I-91. Every community in the Commonwealth could benefit from some additional amount of multi-family housing regardless of transit availability, and it should be all of our responsibilities to *contribute to the production of more housing stock*.

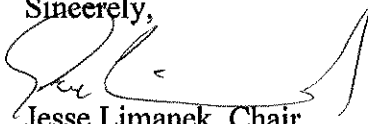
The minimum production number should be the lesser of the two “tests” and consideration should be given to differing levels of density as well. The Commonwealth is a patchwork of beautifully distinct cities and towns and prescribing a set 15 units per acre multi-family housing density and a minimum production figure of 750 units for nearly half of the State makes it impossible to *develop multifamily housing projects of a scale, density and character that is consistent with a communities’ long term planning goals.*

Finally, observing the inadequate compliance with fifty years of the c. 40B mandate underscores the potential need for a “cost” for non-compliance. However, removing access to funding programs that are vital to growing the tax base that is necessary to directly and indirectly support an increased level of housing and all the costs that come with that is counterproductive and punitive.


Sutton is committed to growing and varying our housing stock and affordable housing base, but we have serious concerns with these Guidelines and emphatically request your reconsideration of at least the areas we have highlighted.

Thank you for the opportunity to provide our comments, and for your thoughtful consideration of the same.

Sincerely,



Jesse Limanek, Chair  
Sutton Select Board



Michael F. Gagan, Chair  
Sutton Planning Board

cc: Senator Ryan Fattman  
Representative Joseph McKenna  
Chris Kluchman, Deputy Director Community Services  
Central Massachusetts Regional Planning Commission