

## 11. CPA PROJECT APPLICATION FORM

[CPC Use Only: Date Received 1/14/19 By: SAMMIE KUL  
Assigned CPC #2020- 01 ]

If possible, use word processor to fill out form. Please answer all questions, use "N/A" if not applicable.

1. a.) Applicant Name and Organization: Last Stanley First Fran  
Organization(s) (if appropriate) Town of Groton
- b.) Regional Project: Yes ? or No?  If Yes, Town/Organization: \_\_\_\_\_
2. Submission Date: 01/14/2019
3. Applicant Address: St. Town Hall, 173 Main Street  
City/ State: Groton, MA ZIP: 01450
4. Ph. # (978) 732-1913 Email: fstanley@townofgroton.org
5. CPA Purpose. Check all that apply:  
Community Housing  (Affordable Housing)  Historic Preservation  Open Space:   
Recreation
6. Town Committee or boards participating: Planning Board, Affordable Housing Trust. Plus, input from all town committees invited.
7. Project Location/Address: Town wide
8. Project Name: 2019 Housing Production Plan
9. Additional Responsible Parties (If applicable):

Role (specify)	Name	Address	Ph. (w) (cell)	Email
Property/Site Owner				
Project Manager	<u>Fran Stanley</u>	<u>173 Main Street, Groton, MA 01450</u>	<u>(978) 394-5619</u>	<u>fstanley@townofgroton.org</u>
Lead Architect				
Project Contractor				
Project Consultants				
Other:				
Other				

10. As appropriate, indicate if proposal requires P&S agreement  Deed   
Option agreement  Other-describe: \_\_\_\_\_
11. a.) Assessor info. (map/ block/ lot id.(s)): \_\_\_\_\_ b.) Tax classification type: \_\_\_\_\_
12. Permits required: Zoning:  Historic Preservation:  Other: \_\_\_\_\_
13. Historic Commission Approval signoff (when required): \_\_\_\_\_ Date: \_\_\_\_\_
14. Funding: a.) Requested from CPC: \$ 20,400.00 b.) Committed from other sources: \$ 0.00  
c.) Annual anticipated total income: \$ 0.00 d.) Annual anticipated total expense: \$ 0.00  
d.) Anticipated net income (loss): \$ 0.00 e.) Estimator name/company: Fran Stanley
15. CCP Objectives - use codes from **Section 5** to indicate all that apply: 5.2.1
16. Project Timelines: Proposed Start Date: 04/29/2019 Projected Complete Date: 10/01/2019
17. Estimated Delivery Date of Completion Report to CPC: 10/15/2019

18. Project description and explanation (attach additional sheets as needed): \_\_\_\_\_

Please see attached description and explanation.

19. Feasibility: Completely feasible. The Town of Groton has produced Housing Production Plans in the past and its current Housing Production Plan was approved by DHCD.

20. List of attachments: 1. Description and Explanation 2. Contractor's Proposal (to be submitted with final proposal).

21. Additional Information: Start date of April 29, 2019 was selected as this is the first day of Spring Town Meeting. There are sufficient reserve community housing funds to fully fund this application without waiting for future appropriations or future fiscal years. The sooner the contractor is able to start work on the new HPP, the sooner the new document can be generated and eventually approved by DHCD. While overlapping effective dates are not efficient, it is not desirable to have a large gap between the expiration of the current plan and the approval of the new Housing Production Plan.

22. Management Plan: Project Manager will manage the project while receiving direction from the Planning Board and key input from the Affordable Housing Trust. The nature of a community wide project involves invitations for all town boards and committees to submit input. Two public hearings will be held to solicit input from the community. All community input will be shared with the contractor. Once approved by the Town, a draft HPP will be submitted to DHCD. After that review, the document will be returned to the Town for revisions. A final HPP expected to receive DHCD approval will be submitted. The project concludes once DHCD issues an approval letter for Groton's new Housing Production Plan.

23. Applicant Signature: [Signature] Date: January 14, 2019  
Co Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Co Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **18. Project Description and explanation**

This application seeks funds to contract with a planning consultant to draft a new Housing Production Plan for the Town of Groton.

The bulk of the funding requested will be used to pay for a planning consultant to help draft the Housing Production Plan. The other anticipated costs are the advertising costs for holding two public hearings related to this proposal.

### What is a Housing Production Plan?

A Housing Production Plan identifies housing needs, identifies development constraints and limitations, assesses local implementation capacity, and identifies community housing goals and strategies to address housing needs. An HPP is also a state-recognized regulatory tool that must be prepared in accordance with state regulations (760 CMR 56.03(4)) in order to be approved by the Department of Housing and Community Development (DHCD).

As per the regulations, the new Housing Production Plan must have a comprehensive housing needs assessment, affordable housing goals, and implementation strategies. The Plan must describe how the community plans to produce affordable units in order to obtain state approval. The resulting document can be used as a guide to help the Town focus on encouraging identified affordable housing priorities.

Additionally, there is one particular benefit to having a current DHCD approved Housing Production Plan. If Groton were to produce at certain number of affordable units which are Subsidized Housing Inventory eligible then the Town can request a Certification of Municipal Compliance. A certified HPP is a statutory safe harbor that allows the Zoning Board of Appeals to decline to consider any unwanted new comprehensive permit project (a "40B") for a certain period of time – usually 1 to 2 years.

It can be prudent for Groton to retain local control over the pace of housing production. The Zoning Board of Appeals can always decide to consider a comprehensive permit project that appears beneficial and desirable regardless of Groton's number of SHI affordable units. However, if a town has less than 10% affordable units, then the only way to decline to consider such a project is by relying on a certified municipal compliance (of qualifying interim progress) and that requires an approved Housing Production Plan.

### Groton's HPP Background

Groton's 2011 Master Plan recommends the creation of a Housing Production Plan (HPP) as an aid for the Town's efforts to create more affordable housing. Groton hired a consultant to write a HPP as part of the initial implementation of the Town's Master Plan. The Department of Housing and Community Development approved Groton's housing production plan on June 30, 2014. The HPP had a five-year term and the term is due to expire on June 29, 2019.

### How Community Housing Funding Relates to State and Local Housing Development

The regulation of land use in Massachusetts is largely decentralized with control delegated to municipalities. While state legislation defines the limits of local authority, local boards retain a significant amount of power to shape land use in their communities through the permitting process. State law charges Planning Boards with the responsibility of adopting a Master Plan (MGL chapter 41, § 81D). A Master Plan is a forward-looking document that assesses the current status and the recommended direction in eight areas, one of which is housing. Similarly, CPC funds are also forward looking as funding represents an opportunity for a municipality to preference certain land uses over others.

## 2019 Housing Production Plan

For housing, all Community Preservation funding applications are weighed against the CPP's objectives which are drawn from the Town's Master Plan (see CPP key objectives). The Commonwealth has been issuing and promoting the use of master plans since the mid-1930s but smaller communities such as Groton rarely promulgated their own master plans until the 1960s. Such plans strive for consensus and aim to enumerate community wishes.

When the Community Preservation Act was enacted in 2000, state legislators sought to assist housing needs for households earning up to 100% of the area median income. So, to distinguish the broader CPA income eligibility from the 1960s era Chapter 40B legislation, the Community Preservation Act uses the term "community housing". The advancement of community housing represents one of the main purposes of the Community Preservation Act (MGL c. 44B). Specifically, "[t]he community preservation committee shall make recommendations to the legislative body... for the acquisition, creation, preservation and support of community housing" (See MGL c. 44B §5(B)(2)). Under this statute, community housing includes both low income and moderate income housing. Using CPA terminology, low income housing is housing for persons and families earning less than 80% of the area median income. The CPA defines moderate income housing as housing for persons and families earning up to 100% of the area median income.

Housing Production Plans evolved as a planning tool to measure progress and express community preferences for the development of affordable housing under MGL Chapter 40B. The Regional Planning Law, which is identified most frequently by its Massachusetts General Laws chapter number of '40B', was enacted in 1969. As a part of Chapter 40B, developers may be permitted to bypass local zoning in order to build affordable housing. Chapter 40B defines affordable housing as housing for persons and families earning up to 80% of the area median income.

A caveat is that a municipality retains local zoning controls and is not required to consider a developer's 40B proposal if the municipality has met certain conditions such as already having 10% affordable housing in its year-round housing stock. For communities with an approved Housing Production Plan, it is also possible to pause and defer consideration of new 40B development proposals for one to two years if a community has made good progress on its affordable housing goals. The state measures a community's housing progress through use of the Subsidized Housing Inventory (SHI).

The Subsidized Housing Inventory (SHI) maintained by the Department of Housing and Community Development is the official list of affordable housing units that meet all of the Commonwealth's Chapter 40B requirements. Examples of **affordable** units range from a deeply subsidized apartment aimed at extremely low-income households (earning up to 30% area median income), units designed for low-income people with disabilities, or other households earning somewhat higher income gradients. The upper income restriction of 80% is only one of the qualifications for a SHI eligible unit. For example, fair housing requirements and equality of opportunity are two other necessary pre-conditions before an affordable unit can be added to the SHI.

By contrast, community housing funding through the CPC includes all of the SHI eligible housing units and more by reaching up to fund housing for households earning up to 100% of the area median income. There is no zoning mechanism that specifically incentivizes income qualified housing for incomes above 80% of the area median income. Even so, Groton's Master Plan encourages the development of housing types to meet a diversity of income levels and that goal syncs with Community Preservation Act purposes.