



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
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Bellingham Local Action Units April 2014

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- 2. Inclusionary Housing Summary: Description of Bellingham Inclusionary Housing Bylaw.**
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1. Introduction:

In October 2010, the Town of Bellingham passed an Inclusionary Housing bylaw, as well as a provision in the Major Residential Development zoning bylaw that requires all new housing projects over eight units include a percentage of affordable units. Housing projects affected include subdivisions for single family houses, duplexes, townhouses, condominiums, age-restricted housing, multifamily housing and ANR lots.

All new affordable units created under either the Inclusionary Housing or Major Residential Development bylaws should be eligible for inclusion in the Subsidized Housing Inventory kept by the Department of Housing and Community Development (DHCD) as a Local Action Unit (LAU) in the Local Initiative Program (LIP) of M.G.L. Chapter 40B. A LAU is an affordable unit which is developed through the town's zoning or permit issuance process.

These measures are intended to help the Town comply with its 2010 Affordable Housing Plan and to keep pace with the State's 10% affordable requirement. As such, the Town and the Planning Board are willing to work with a developer to meet the requirements of these bylaws.

2. Inclusionary Housing Summary (Article XXV):

- A Special Permit granted by the Planning Board.
- The Affordable Unit is a dwelling that can be purchased at an annual cost that is deemed affordable for a household that is earning no more than 70% of the area median income.

Planning Office Hours: Monday - Thursday 8:30 a.m. – 4:30 p.m.
Friday 8:30 a.m. – 1:00 p.m.

- Qualified purchaser is an individual or family with a household income that does not exceed 80% of the area median income with adjustments for household size.
- Division of land held in single ownership that is divided into 8 or more lots or the accumulation of 8 or more lots from land held in single ownership.
- The construction of 8 or more multifamily dwelling units in duplexes or multifamily complexes whether on one or more contiguous parcels.
- At least 10% of the units shall be established as affordable units.
- Fractions of a lot shall be rounded up to the nearest whole number.
- Unit shall be situated so as not to be in a less desirable location than market-rate units in the development.
- Units shall be integrated with the rest of the development and compatible in external design, appearance, construction, and quality of materials as other non-affordable units.
- A marketing plan must be submitted that is in conformance with DHCD rules and regulations and approved by Town Counsel.
- An equivalent unit may be constructed off-site under the same provisions and standards of the on-site units.
- The deed to the unit has a restriction that subsequent renting or leasing of the unit shall not exceed the affordable designated income level for the qualified affordable housing purchaser.

3. Major Residential Development Summary (Article XIV):

- § 240-88 of the Major Residential Development Special Permit issued by the Planning Board.
- Affordable component requires that a minimum of 15% of the total dwelling units shall be restricted in perpetuity as follows:
 - a. 5% of units shall be affordable to low income;
 - b. 5% of units shall be affordable to moderate income;
 - c. 5% of units shall be affordable to median income.

Note: The Planning Board cannot waive the requirements of either the Inclusionary Housing bylaw or the affordable component within the Major Residential Development bylaw.

4. Checklist for Inclusionary Housing Special Permit Submission:

X	Application Materials
	Special Permit Application Form
	Form K (sizes of plans and number of sets as indicated on Form K)
	Certified Abutters List with signed form and one set on labels

	Plan(s) indicating location of affordable unit(s) on or off site (if off-site include site plan)
	Narrative including the following information: <ul style="list-style-type: none"> • Which properties on site or a description (with site and location plans and pictures) of a comparable off site units; If an off-site unit, describe how it is comparable in size, cost, bedrooms, bathrooms, etc. to the market rate units. • Description of the external design, appearance, construction and quality of materials and interior features that is comparable with other the market rate units; • Timing of affordable unit construction/rehab as per §240-70 C(1); • Tentative fair housing and marketing plan and possible lottery agent (with credentials)
	Filing Fee: \$350 (check made out to the Town of Bellingham)
	Other materials as deemed necessary by the Town Planner

5. MGL Chapter 40B Local Action Units (LAU) Summary:

- LAU gives communities the opportunity to include housing units on the state's Subsidized Housing Inventory (SHI) that are being built without a Comprehensive Permit, but that meet LIP criteria and are suitable for inclusion in LIP.
- DHCD expects to process routine LAU applications within 60 days.
- LAU application requirements include the majority of the Comprehensive Permit procedures in the LIP guidelines (see attached), including an Affirmative Fair Housing Marketing Plan.
- Design and Construction Standards:
 - Units are indistinguishable from market-rate units from the exterior and contain the following:
 - a. Stove
 - b. Kitchen cabinets
 - c. Plumbing fixtures
 - d. Refrigerator
 - e. Microwave
 - f. Access to laundry facilities
 - Bedrooms must meet state sanitary code for accommodation of two or more persons (100 square feet minimum).
 - Minimum square footage and bath requirements:
 - a. 1 bedroom: 700 square feet/1 bath
 - b. 2 bedrooms: 900 square feet/1 bath
 - c. 3 bedrooms: 1200 square feet/1 & ½ baths
 - d. 4 bedrooms: 1400 square feet/2 baths
 - Bellingham bylaw requires off-site unit to be equivalent to those on-site.

- Income and Asset Limits:
 - Documents for homebuyers that are Income Eligible Households must be current within 60 days of the lottery deadline and updated to be current within 60 days of the purchase closing date.
 - LIP follows HUD requirements and guidance for income established pursuant to 24 CFR 5.609 (see also, Appendix VI for additional information).
 - A household shall not have owned a home within 3 years preceding the application with some exceptions.
 - Sale prices are set so that a household earning 70% of area median income would not expend more than 30% of income for the cost of purchasing the housing.

6. Checklist for Application Materials for Home Ownership Units under LAU:

X	Documentation	Provided By:
	Local Action Units Application Form	Bellingham
	Letter of Support from Chief Executive Officer (Town Administrator and/or Board of Selectmen)	Bellingham
	Evidence of local action: <ul style="list-style-type: none"> • Special Permit Decision • Site plan showing contours of site and footprint of all proposed buildings, roads and other improvements • Elevations of front and rear and sample floor plans Description of proposed units by size, type, number of bedrooms, location within the project and proposed rents or sales prices • Photos (if available) 	Bellingham, Developer
	Maximum affordable prices	DHCD
	Affirmative Fair Housing Marketing Plan	Developer through an approved lottery agent
	Agreement to execute DHCD model documents , including Regulatory Agreement prepared by DHCD and LIP Deed Rider	DHCD, Developer, Bellingham