

Walpole Housing Partnership



Walpole Town Hall
135 School Street
Walpole, MA 02081

Town of Walpole Commonwealth of Massachusetts

To: Walpole Board of Selectmen
Town Administrator
Town Planner

From: Walpole Housing Partnership

Subj: Walpole Housing Partnership

Date: January 7, 2009

Executive Summary

At the Walpole Board of Selectmen meeting on June 17, 2008, the Board voted to complete the transition from the Walpole Affordable Housing Committee to the Walpole Housing Partnership. At that time, the Board requested that the then-Affordable Housing Committee draft some proposed parameters for the Walpole Housing Partnership. At that meeting, Selectmen Cliff Snuffer offered to work with the Committee to formulate these documents.

As a result of these efforts, what is presented here is our response to the Board's request for documentation regarding the Housing Partnership. As you will see, the Walpole Housing Partnership (WHP) is a Selectmen-appointed town group that helps to facilitate the availability of affordable housing in the Walpole community, by pro-actively identifying the needs of residents for affordable housing and developing strategies to produce affordable housing that are consistent with other town priorities, the Housing Production Plan, the Town Master Plan, and the Town's character.

This document contains various sections that cover the roles, makeup and operation of the Walpole Housing Partnership, as follows:

Section 1. Overview and Details

Section 2. Walpole Housing Partnership Guiding Principles

Section 3. By-Laws of the Walpole Housing Partnership

Section 4. Walpole Housing Partnership Project Review Considerations

We are grateful to the Board of Selectmen, Town Administrator and Town Planner for their

thoughtful contributions to this document. We hope and expect that the Walpole Housing Partnership will meet and exceed its objectives of preserving and increasing suitable and desirable affordable housing in the Town of Walpole, of which all citizens may be proud. Thank you for giving us this opportunity to present this document to you and the Town of Walpole.

Jon Rockwood
Bruce Norwell
Betty Nashawatty
Cliff Barnes
Michael Berry

January 7, 2009

Section One: Walpole Housing Partnership - Overview and Details

I. Overview

Mission Statement: The Walpole Housing Partnership (hereafter “WHP” or the “Partnership”) is a Selectmen-appointed town group that helps to facilitate the availability of affordable housing in the Walpole community, by pro-actively identifying the needs of residents for affordable housing and developing strategies to produce affordable housing that are consistent with other town priorities, the Housing Production Plan, the Town Master Plan, and the Town’s character.

II. Details

A. Membership

The Walpole Housing Partnership will have seven members. If the Board of Selectmen deems it necessary, the Board may increase the Partnership to as many as eleven members. The membership should be flexible, to allow the Selectmen to staff the Housing Partnership as needed.

1. Officers: The Walpole Housing Partnership will organize itself by electing the following officers:

Chairperson
Vice-chairperson
Secretary/Clerk

2. Regular Members, Voting: Each member is to be appointed by the Board of Selectmen. The initial appointments will be staggered, including 1, 2, and 3 year terms. Thereafter, each appointment will be for a three year term. The three officers are elected by the Housing Partnership membership, once formed. Each officer’s term is for one year. All members will be voting members. A quorum is a majority of the members appointed but not less than four.

3. Makeup: Membership should represent the broad perspectives and interests of the community. Such representation will insure that the Partnership approaches its work with a broad knowledge of the community. Members may include interested residents, public officials, housing advocates, real estate brokers, bankers, members from various land use boards (including but not limited to planning, zoning and conservation), community leaders, developers, attorneys, business leaders and clergy. It is especially important for someone from the Walpole Housing Authority, education system, and our senior community/Council on Aging to be members of the Partnership.

Once established, the housing partnership may forward recommendations to the selectmen to fill vacancies.

B. Roles for the Housing Partnership

1. Housing Production: The Walpole Housing Partnership, with close collaboration

with the Town Planner and other municipal officials, will shepherd the Walpole Housing Production Plan. The Housing Partnership will plan new strategies, identify land and financial resources in conjunction with the Walpole Housing Production Plan.

2. Project Review: At the request of the Board of Selectmen, the Walpole Housing Partnership will review and evaluate specific proposals including 40B (and 40R, etc.) developments, and make recommendations to other town officials, as directed.

3. Municipal Impact: The Walpole Housing Partnership will be responsible to recommend a project impact statement on proposed projects, setting out possible/probable impacts on local services such as schools, taxes, traffic and public safety.

4. Community Outreach and Education: The Walpole Housing Partnership will take an role in educating the public about the need for affordable housing, and what options are available to the town. One of the means by which to accomplish this goal will be to create a Walpole Housing Partnership website, as many other municipalities have done.

5. Work with Other Municipalities: Explore ways that Walpole might be able to take advantage of other affordable housing developments in local communities. The WHP should also actively participate with the Affordable Housing Coalition.

6. Additional functions of the Walpole Housing Partnership include: To the extent not covered above, the Walpole Housing Partnership shall engage in the following activities:

- Develop action plans based on housing needs studies
- Establish criteria to evaluate affordable housing proposals
- Recommend pros & cons of particular housing proposals
- Identify local, state, and federal developmental resources
- Identify land requirements suitable for development
- Review land use regulations and zoning bylaws
- Work with developers of affordable housing
- Increase public awareness with forums and other events

7. Master Plan/Zoning/Prior Plan: The Walpole Housing Partnership will work closely with the Town Planner and other Boards to ensure that its policies, activities and recommendations are consistent with the Walpole Master Plan. The Partnership will also participate as needed in the Master Plan Implementation Committee process and the Zoning re-write process.

C. Meetings

The WHP will meet as often as needed, but no less frequently than once per month. The Partnership will follow Open Meeting Rules for a committee and all meetings of a “governmental body” will be open to the public and comply with restrictions governing executive sessions. The

Walpole Housing Partnership shall also appear at Walpole Town Meeting as required.

Section Two: Walpole Housing Partnership - Guiding Principles

The Walpole Housing Partnership will be guided by the following principles:

1. **Maximize local control over the development of affordable housing. Foremost, this will be achieved when the Town reaches the 10% threshold.**

This will also be accomplished by taking a proactive approach, by establishing locally directed initiatives, by clearly articulating a strong vision for what we want, and by our willingness to take the necessary steps to achieve that vision, as exemplified in the Walpole Affordable Housing Production Plan.

2. **Provide affordable housing for several key population segments. The target segments include; retired seniors and 55+ active adults, families, young professionals and Town employees.**

Housing should include a mixture of single-family homes, condominiums and apartments with both ownership and rental units at affordable rates.

3. **Design and build Affordable housing projects in accordance with the standards typical in Walpole and that are fitting with our culture and character, which is diverse, yet rich with tradition, including but not limited to the following:**

- a. Height limitations and construction style of all buildings must be in accordance with the standards set by other buildings in Walpole;

- b. No clear-cut properties;

- c. No cookie cutter, mass-produced units; and,

- d. Housing that reflects the character of the Town.

- e. Utilize one or more state statutes or programs that will yield a direct economic/financial benefit to the Town of Walpole

4. **Establish Density targets for affordable housing developments.**

Current single family house lot size requirement varies by zoning district. The density targets are the number of units in an affordable housing project per buildable lot of land on a given site.

- a. Single Family Homes 2 : 1

- b. Town House/Condominiums 6 : 1
 - c. Apartments 10: 1
5. **Create Affordable Housing which will be inclusive, diverse and evenly distributed throughout all of Walpole.**

Affordable housing in Walpole will not be located in one part of Town, nor in one project, nor in any way excluded from the mainstream of our community. Walpole Housing Partnership will promote mixed-use developments and will propose the siting of affordable housing developments throughout the geography of the Town. Notwithstanding the foregoing, there will be a focus on the downtown Walpole area.

6. **Negotiate with developers so that each comprehensive permit or local initiative project that will seek to provide for:**

- a. A level of local preference;
- b. Affordability in perpetuity through deed restrictions and/or rental guidelines;
- c. Monitoring and reporting to the Town by the development regarding ongoing affordability;
- d. Local legal review of regulatory and monitoring agreements and documents;
- e. A minimum of 25% affordable units;
- f. Infrastructure or other benefits to the Town; and,
- g. Limitation on profitability to the developer, but if profits exceed 20%, excess goes to the Town.

7. **Ensure that Walpoles' affordable housing stock will provide for both moderate and low-income households.**

Affordable housing is defined as affordable to those who earn at or below 80% of the median area income. Low income is defined as at or below 50% of the area median income. Critical decisions about affordable housing projects should be made by a diverse group of informed citizens in the community. Membership of the Walpole Housing Partnership will be diverse, committed, and informed to provide the leadership the Town needs to meet this challenge. All potential affordable housing projects must be reviewed, analyzed and assessed based on these guiding principles and on the potential financial impact to the community. A clear set of guidelines for this review process will include an assessment of the social, municipal, environmental and

financial impacts of the proposed project.

Section Three: Walpole Housing Partnership - By-laws

The By-laws of the Walpole Housing Partnership are as follows:

1.0 Name and Purposes:

The Partnership shall be officially know as the Walpole Housing Partnership, herein called the Partnership. It shall be comprised of between seven (7) and eleven (11) voting members, who must be registered voters of Walpole, all appointed by the Selectmen.

1.1 The purposes of the Partnership include:

- a. Developing affordable housing action plans based on housing needs studies,
- b. Establishing criteria to evaluate affordable housing proposals,
- c. Making recommendations on the pros and cons of particular housing proposals,
- d. Identifying local, state, and federal housing resources to further development,
- e. Locating available land suitable for development,
- f. Reviewing land use regulations and zoning bylaws,
- g. Working with developers of affordable housing,
- h. Increasing public awareness through forums and other public events, and
- i. Working in cooperation with Town Boards.

To promote and develop affordable housing for the Town, the Partnership will research local land areas and develop a plan to accomplish the purpose set forth above. It will conduct a broad educational program, cooperate with the State and Federal agencies with regard to regulations and other regulations imposed by law, and shall perform other duties as may be imposed, or permitted, by law.

1.2 The Partnership shall participate in, and encourage, affordable housing in combination with other interested Boards, Committees, Partnerships, Town agencies, and other organizations.

2.0 Elections:

The officers of the Partnership shall be elected from the membership annually in the first meeting of the Partnership after the appointment of members by the Selectmen, or at such other time as may be designated by amendment to these rules. The Meeting shall be designated as the annual reorganization of the Partnership.

2.1 The following officers shall be elected: Chairperson, Vice Chairperson, Secretary/Clerk.

2.2 In the event of a resignation of an officer, there shall be an election as soon thereafter as is feasible to fill the unexpired term.

2.3 In the event of a resignation of a member of the partnership, the Selectmen shall be asked to fill the vacancy.

3.0 Officers

3.1 Chairperson: The Chairperson shall, in addition to duties imposed by law, preside at all meetings of the Partnership at which he or she is present, unless there is a need to not participate on an issue, and shall direct the work of the Partnership. The Chairperson shall annually appoint members to committees and designate chairperson of the same at the first meeting of the Partnership following the election meeting and shall direct the calling of meetings of the Partnership. The Chairperson shall be an ex-officio member of all committees.

3.2 Vice-Chairperson: The Vice-Chairperson shall preside at all meetings of the Partnership in the absence of the Chairperson, and shall perform all duties and have all powers of the Chairperson in case of absence, or incapacity, of the Chairperson.

3.3 Secretary/Clerk: The Clerk shall keep an accurate record of the proceedings of the Partnership, shall deliver copies of the minutes to each member, and shall verify project submission and data. The Clerk shall be responsible that Partnership meetings are posted in accordance with the Open Meeting Law, MGL c.39, s.23A to and including 23C, and shall remit the meeting minutes to the Town Clerk in a timely manner. This person shall perform all other duties imposed by law, assigned by the Chairperson, or otherwise herein provided.

4.0 Duties of Members:

The members of the Partnership shall perform the duties and responsibilities as set forth in these Rules.

4.1 Members shall make every effort to attend all meetings and perform all duties assigned by the Chairperson. Members who will be unable to attend a meeting of the Partnership should notify the Chairperson.

4.2 Excessive absences shall be cause for dismissal. The Chairperson will call for a vote, and by a majority vote, the Selectmen will be asked to appoint another person to fill that position.

5.0 Committees:

If not appointed by the Chairperson of the Partnership, Committees may be created by vote of the Partnership as such committees may be needed. These committees shall be responsible for planning within their specific area of concern and for reporting the results of this planning to the Partnership. They shall act in the name of the Partnership only when directed to do so by vote of the Partnership. Committees may include, but not be limited, to the following committees:

5.1 Planning Committee: This committee shall be responsible for the preparation and updating of affordable housing inventories, and the coordination of these plans with community master plans or plans of the Planning Board and any regional planning agencies.

5.2 Information and Education Committee: This committee shall be responsible for the conduct of a public information and education program designed to further the purposes of the Partnership.

6.0 Meetings:

The Partnership shall hold no less one meeting each month. In general, Robert's Rule of Order shall govern meeting procedure, when not in conflict with statutes or these rules. Notices of meeting will be given by the Clerk, as indicated in Article 3.3. meeting, and notices there of, shall comply with the provisions of MGL c. 39 § 23A to and including 23C, the Open Meeting Law.

7.0 Quorum:

A majority of those present and voting, if a quorum is present, shall be sufficient to conduct the business of the Partnership. A tie vote on any application pending before the Partnership shall be deemed as no action taken on said application.

8.0 Appointments and Vacancies:

Appointments to the Partnership are made by the Board of Selectmen.

9.0 Hearings:

When the Partnership is required by law to conduct a public hearing, a quorum of the members must be present.

9.1 The Chairperson shall preside at the hearing. The Chairperson shall open the hearing by reading the purpose for which the hearing is held, and then call for a description of the project by the petitioner, or the petitioner's representative. The Chairperson shall then allow questions to be asked of the petitioner, first by members of the Partnership, then by representatives of other Town bodies, and then by the public. Speakers shall be asked to first identify themselves and any special expertise they may have. Testimony may, but need not, be taken under oath. The hearing may be tape recorded by the Partnership and/or the petitioner and/or the public. No Partnership member who has any personal interest in the outcome, which might cause, or appear to cause, a conflict of interest, shall participate in the hearing or vote of the Partnership unless under the rule of necessity of the conflict of interest law.

9.2 A list should be circulated so that members of the public may identify themselves. A copy of the Partnership's decision shall be sent to all persons so requesting.

10.0 Annual Report:

The Partnership shall produce an annual report, indicating the Partnership members serving for the year, significant activities of the Partnership, and changes in the status of affordable housing in the Town. The annual report shall be printed as part of the Town's Annual Report.

11.0 Complaint Policy:

To insure timely action by the Partnership all complaints should be filed in writing.

12.0 Amendments:

These rules may be amended at any regular meeting of the Partnership by a two-thirds vote of the voting members, provided written notice of the intent to amend is supplied to each member of the Partnership at least seven (7) days prior to the meeting at which the proposed action is to be taken.

Section Four: Walpole Housing Partnership Project Review Considerations

The Walpole Housing Partnership may serve in an advisory capacity to the Zoning Board of Appeals in Comprehensive Permit applications. The Zoning Board of Appeals is the statutory permit granting authority in approving Comprehensive Permits.

The Walpole Housing Partnership can add value to the Comprehensive Permit process by meeting with the applicant and discussing a number of issues regarding a comprehensive permit. In general, approval of a Comprehensive Permit is not contingent upon Housing Partnership acceptance of a project.

Discussion items that the Walpole Housing Partnership should address with the applicant include, but are not limited to, the following:

Pre-filing of Comprehensive Permit

1. Location of project, name of applicant, form of entity,
2. Existing conditions plan showing topography and environmental features,
3. Conceptual site plan showing building footprints, parking, roads, drives, buffers and environmental features,
4. Density,
5. Housing types,
6. Proposed subsidy program(s),
7. Number and percentage of affordable units,
8. Zoning and Subdivision rules and regulations conformity analysis,
9. Preliminary development proforma,
10. Preliminary traffic analysis, including trip generation and distribution data and site drive evaluation, in order to determine scope of detailed traffic study,
11. Local Initiative Project Marketing guidelines, and
12. Deed Restrictions in perpetuity.

Upon Filing of a Comprehensive Permit

1. Does the project meet all affordable housing program requirements?
2. Does the percentage of affordable units exceed the program requirement?
3. Are the sales prices and/or rent levels calculated to meet the need for housing for low and moderate income families in the community?
4. Are there a wide range of prices/rents to offer a variety of housing opportunities for households of different incomes?
5. Does the housing type, number of bedrooms, living space and outdoor space address Town housing needs and objectives as most recently identified?
6. Are affordable and market rate units indistinguishable from the exterior?
7. Are affordable units dispersed throughout the development?
8. Are buildings sited in harmony with the topography, vegetation and any other natural features?
9. Is the development complementary to the character of the neighborhood?
10. Are all units appropriate in size and do they provide facilities adequate to meet the needs of the households expected to occupy them?
11. Are projected sales prices of market units within 10% of recent sales prices of similar housing units in community or in adjacent communities?
12. Does the cost information reflect industry standards?
13. Does the buyer selection plan for marketing the project conform to the Town's guidelines.
14. Has the regulatory agreement been drafted?
15. Will the project utilize one or more state statutes or programs that will yield a direct economic/financial benefit to the Town of Walpole?

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