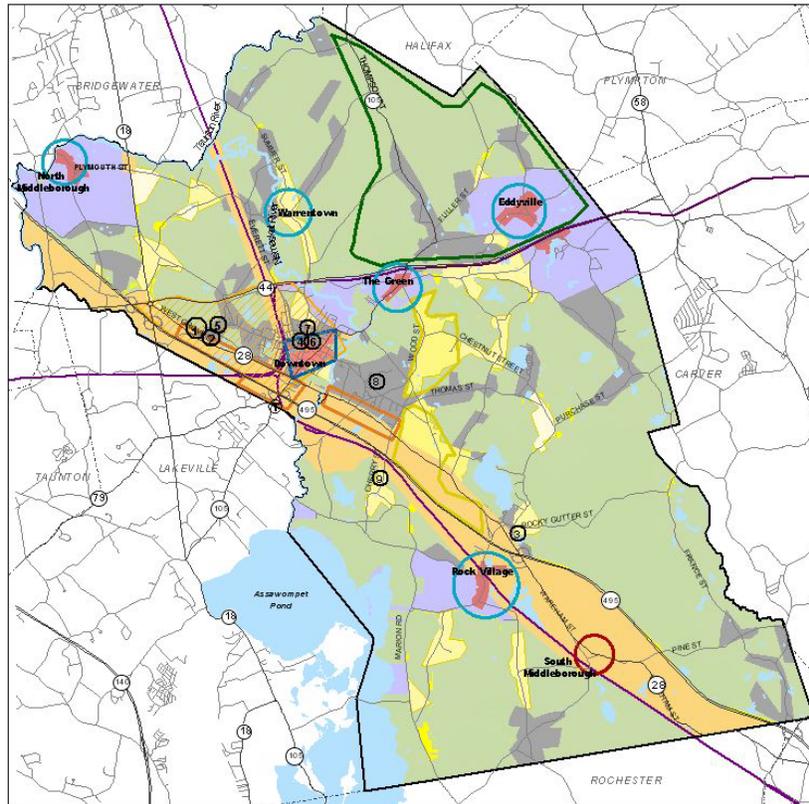


Affordable Housing Plan

Town of Middleborough, Massachusetts



Prepared by

**Town of Middleborough Community Development
Plan Implementation Committee**

and

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May 25, 2005

Revised October 18, 2005

This report was prepared in accordance with 760 CMR 31.07(1)(i).

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TABLE OF CONTENTS

	Page
Executive Summary	i
Introduction	1
Section I: Housing Needs Assessment	2
Section II: Affordable Housing Goals	25
Section III: Affordable Housing Strategy	26
Table 27, Planned Production Affordable Housing Action Plan Summary	 32
Section IV: Use Restriction Guidelines	33
Appendices	A-1
Appendix 1: Chapter 40B Guidelines for Planned Production Regulation (Summary)	A-1
Appendix 2: Local Initiative Program Guidelines	A-3
Appendix 3: Middleborough Zoning	A-5
Appendix 4: Alternative Planned Production Action Plan	A-7
Maps	
Regional Context	
Zoning	
Land Use	
Land Use: Downtown	
Core Habitat Areas	
Sewer Infrastructure	
Water Infrastructure	
Land Use Suitability	
Housing Opportunities	
Housing Opportunities: Downtown	

Town of Middleborough Affordable Housing Plan Executive Summary

Introduction

The Middleborough Affordable Housing Plan presents the Town’s goals and strategies for the production of affordable housing. This plan will enable the Town to regulate future M.G.L. Chapter 40B developments if the recommended strategies are undertaken and a minimum of 54 affordable units are constructed in a given calendar year. If a total of 108 units are constructed in a given calendar year, the Town could deny permits for a two-year period for projects deemed not consistent with the goals and plan.¹ Middleborough will have to demonstrate continued progress toward implementing the Housing Plan to maintain Plan Certification.

Given the 40B projects in the pipeline, the Town of Middleborough has the opportunity to have a Plan certified this year, possibly for a two-year period.

This Affordable Housing Plan Executive Summary addresses the following topics: 1) Housing Needs, 2) Affordable Housing Goals, 3) Affordable Housing Strategy, and 4) Use Restriction Guidelines. This plan has been prepared in accordance with 760 CMR 31.07(1)(i).

Section 1: Housing Needs Assessment

Housing Gap

There is a substantial gap between the number of houses available and the number of households with incomes large enough to pay for the available housing as either owners or renters.

There is a need for a wider variety of housing types to serve the needs of Middleborough’s population.

- ❖ Single family homes comprise 71% of existing housing.

There is a need for affordable homes for young adults and families.

- ❖ 25% of those aged 15 to 34 spend over 30% of their incomes on housing.
- ❖ Low income households (25% of all households in Middleborough) cannot afford a house costing more than \$75,000; however, no housing is being built at or below this price range.

There is a need for affordable rental and ownership options for the elderly.

- ❖ Nearly 40% of homeowners and renters aged 75 years and older spend 30% or more of their income on housing costs.

- ❖ 39% of Middleborough households cannot afford the typical market rate rent of \$1,000.
- ❖ 85% of local households cannot afford the average 2004 selling price of \$307,000 for a single family home in Middleborough.

Many of Middleborough’s essential residents, such as teachers and policemen, as well as the elderly would be eligible for affordable housing as they earn less than \$46,000 per year.

¹ To meet Chapter 40B requirements a total of 720 affordable units, or 10% of Middleborough’s 2000 housing stock, must be developed. To be able to regulate 40B developments, 54 units (three-fourths of 1% of 7,195) must be constructed per year. The Town has 362 affordable housing units; an additional 358 units are needed.

Table 1, Summary of Middleborough Housing Needs

Housing Type	Affordable Units	Household Type	Location
Rental Units	36		
• Higher Density Mixed Residential Commercial	11	Young adults	Downtown Village Centers GU Multifamily
• Proposed 40B Multifamily	25	Young adults, Older adults, Elderly	Adam's Circle
• Additional Multifamily		Young adults, Older adults, Elderly	AHTA*
• In-law Apartment (LIP units)		Elderly	Town-wide
Ownership Units	116		
• Proposed 40B Townhouse/Condos	81	Young adults, Older adults, Elderly, Families	Scattered
• Additional Townhouse/Condo (Inclusionary Housing)		Young adults, Older adults, Elderly, Families	AHTA* Village Centers GU Multifamily
• Open Space Cluster (Inclusionary Housing) (single family/townhouse)	30	Families, Older adults	Town-wide
• Live/work Space	5	Young adults	Downtown
Total affordable units	152	201 units would be on SHI	

*Affordable Housing Target Area

A wider variety of housing types, rental as well as ownership, is needed to serve the needs of young families, the elderly, and those with special needs. An estimation of the demand for different housing types for these groups is given in the table to the left. A total of 358 additional affordable units are needed to be in conformity with 760 CMR 31.07(1)(i). The table proposes a total of 152 affordable units; 201 units will count on the Subsidized Housing Inventory (SHI) due to the presence of rental units.

Constraints

A significant portion of Middleborough is not developable because of natural resource areas, public ownership, conservation and agricultural restrictions, and a lack of infrastructure. Public water supplies are limited; public sewer availability is restricted to the downtown area and capacity is limited.

Opportunities

A Housing Opportunities map has been prepared based on an assessment of protection and development areas. This plan identifies six subareas, four of which will be the Committee’s initial focus for locating affordable housing. Additional analysis and further public discussion will be needed to build public support for the zoning changes and staff support needed to carry out the plan.

- Affordable Housing Target Area/Downtown:** The availability of Town services (water, sewer, gas, parks and playgrounds, schools and library) in this area supports the development of higher density subsidized housing. While this “Triangle” takes into account the location of services and infrastructure to support new higher-density development, it does not fully reflect infrastructure limitations or land use suitability considerations.
- Target Area Extension:** Areas to the west of Cherry Street within the GU district corridor, some zoned Residence B, are appropriate for multifamily housing. It is possible that the “Triangle” area will be expanded to include this subarea.
- South Middleborough Village Area:** This village has good access, a large amount of buildable land, and a mix of commercial and residential land uses. There are no public utilities presently. Village-type, mixed use development should be promoted here.
- GU Multifamily District:** Higher density multifamily housing will be encouraged with enhanced site plan review and an inclusionary housing requirement.
- Historic District/Cluster Zoning Overlay:** Historic village areas which can be protected and enhanced by encouraging the use of cluster subdivisions that reflect historic development patterns. The lot area requirements for each of these districts might differ to reflect historic land use patterns. These areas include North Middleborough (Titicut Green), The Green, Eddyville, Warrentown, and Rock Village.
- Agricultural Area and TDR Villages:** There is a large undeveloped area currently used for agriculture. It might be possible to consider protecting this area by transferring developing rights to receiving zones, possibly within the areas identified as TDR Villages.

Section 2: Housing Goals

- ❖ Provide a variety of housing opportunities that serve all segments of the community.
- ❖ Maintain the rural, residential, and historic character of town as more development occurs.
- ❖ Identify a range of public and private sector strategies to foster a needed additional 358 units of housing so that the Town can address the 40B requirement of 10% affordability.

Section 3: Affordable Housing Strategies

**Achieving an Affordable Housing Plan:
Affordable Housing Units, Strategies and Locations**

The Community Development Plan identified a number of zoning strategies to address the need for affordable housing. These strategies have been evaluated by the Committee. As noted below, on the basis of this review, 6 key strategies have been identified as priorities.

The following table assigns each of the strategies listed below a priority ranking. When determining whether a strategy was considered to be of low, moderate, or high priority, several factors were considered. These criteria include whether the strategy could be deemed a Positive Growth Management Tool, the degree of difficulty in implementing the strategy, and the number of affordable units that could potentially be developed upon strategy implementation.

Table 2, Affordable Housing Strategy Priority Implementation

Strategies	Priority		
	Low	Moderate	High
Inclusionary Zoning			√
Higher Density Multifamily in the GU and GUX Districts			√
Downtown Affordable Housing Target Area			√
Residential/Business Zoning District for Village Centers			√
Mixed Use 40R-type development		√	
New construction on Town-owned land			√
Re-use of underutilized property		√	
Repeal Mobile Home Park Bylaw		√	
Transfer of Development Rights	√		
Accessory Apartment Bylaw	√		
Housing Authority			√

Section 4: Use Restriction Guidelines

This section of the Affordable Housing Plan states the Town’s agreement to adopt a variety of use restrictions and affirmative marketing strategies to ensure that the affordable housing meets the standards established by 760 CMR 31.07(1)(i). Families who earn 80% or less than the current area median income qualify for affordable housing. Affordable units must be marketed at levels affordable to buyers with a range of low/moderate incomes, retained for a long-term “lock in” period as affordable units, and sold/rented under an affirmative marketing plan.

Planned Production Affordable Housing Action Plan

As shown in Table 3, the Town of Middleborough's Planned Production Affordable Housing Action Plan is designed to produce at least 54 units of affordable housing annually beginning in 2005. Assuming broad support and funding, this plan will be updated as existing steps are refined and new action steps are identified until a total of 358 additional units of affordable housing are developed. This will bring the total number of affordable housing units in Middleborough to 720 units in the year 2010 as required under 760 CMR 31.07(1)(i).

Table 27, Planned Production Affordable Housing Action Plan

Action		Units	Affordable units	PPR Units*
Chapter 40B Units as of May 2005			362	
Additional Affordable Units Needed for 10%				358
2005	Approved 25 Wareham St.	16	7	
	Approved 153 Center St.	4	4	4
	Appealed Cranberry Village development	176	44	44
	Pending Shoe Shop Place development	30	8	8
	Appealed Northwoods development	12	3	3
	Selectmen approve Affordable Housing Plan and submit Plan to DHCD			
	Seek one to two year reprieve from 40B			
Subtotal		238	66	59
Additional Affordable Units Needed				299
2006	Proposed 47 Oak Street	5	5	5
	Pending Keith Place	16	4	4
	Pending Eastwood Estates	26	7	7
	Seek one to two year reprieve from 40B			
	Town Meeting adoption of Inclusionary Zoning Bylaw			
	Additional 40B developments not yet scheduled	38	10	38
Subtotal		85	26	54
Additional Affordable Units Needed				245
2007 - 2010	Pending Cherry Street Estates	24	6	6
	Appealed Middleboro Commons	46	12	12
	Proposed Cinnamon Ridge	20	5	5
	Proposed Adams Circle apartments	100	25	100
	Proposed Center Place Apartments	36	9	36
	Washburn Mill Reuse	20	5	5
	Town Meeting adoption of By-right Multifamily Housing with Site Plan Review in the GU and GUX Districts			
	Town Meeting adoption of a Downtown Affordable Housing Overlay District			
	Town Meeting adoption of a Residential/Business Zoning District for Villages			
	Additional 40B developments not yet scheduled	81	20	81
Subtotal		327	62	245
Additional Affordable Units Needed				0
Additional Affordable Units to Adjust for Year 2000-2010 Growth				254
Total Additional Affordable Units Projected for 2010-2020				254

*PPR (Planned Production Regulation) units count toward the 54 units Middleborough must produce each year to regulate affordable housing production.

INTRODUCTION

The Middleborough Affordable Housing Plan presents the Town's goals and strategies for the production of affordable housing. Revisions to M.G.L. Chapter 40B in December 2002 enable a local Zoning Board to deny a Comprehensive Permit if the town meets certain criteria. To be approved by the Department of Housing and Community Development (DHCD), Middleborough must adopt an affordable housing plan which is then approved by DHCD. Middleborough must create at least 54 affordable housing units per year (three-fourths of one percent of total 2000 housing units) until it achieves a total of 720 units, or 10% of its 2000 housing stock. Once DHCD certifies those units, the Town may deny comprehensive permit applications for one year from the date of request for certification of compliance. If 108 units, or 1.5%, are constructed in one year, the community may have a reprieve from granting comprehensive permits for two years. In subsequent years, Middleborough will have to demonstrate continued progress toward implementing the housing plan and creating at least 54 affordable housing units per year.

Communities can use the development rate provision as a tool to encourage Chapter 40B development that meets stated planning objectives, while ensuring that they can reject more undesirable development proposals.

This Affordable Housing Plan addresses the following topics: 1) Housing Needs Assessment, 2) Affordable Housing Goals, 3) Affordable Housing Strategy, and 4) Use Restriction Guidelines. This plan has been prepared in accordance with 760 CMR 31.07(1)(i).

Six Steps to Preparing a Planned Production Affordable Housing Plan

The Middleborough Community Development Plan Implementation Committee is in the process of completing the following six tasks in preparing the Draft Affordable Housing Plan.

- 1. Middleborough Housing Needs:** The Town needs a total of 358 units to meet the State's 10% affordability requirement. To meet the housing needs of Middleborough residents (as shown in Table 24 on p. 27) the Committee has identified the needed number of rental and ownership affordable units.
- 2. Strategies for Affordable Housing:** Priority strategies have been identified for meeting the town's housing needs through 2010.
- 3. Rank list of Potential Locations for Affordable Housing:** Possible locations have been identified and ranked (See Table 25 on p. 28 and the Housing Opportunities Map).
- 4. Prepare Action Plan:** A Priority Development Action Plan has been identified to permit Middleborough to attain 54 units of affordable housing per year beginning in 2005 (See Table 27 on p. 32).
- 5. Photographs of Housing Developments we would like to see in Middleborough:** The Committee is identifying examples of development which Middleborough would like to emulate.
- 6. Identify Affordable Housing Committee Next Steps:** A public education and review process is being scheduled.

MIDDLEBOROUGH AFFORDABLE HOUSING STRATEGY

Section I: Housing Needs Assessment

HOUSING INVENTORY

According to the U.S. Census, there were 7,249 housing units in Middleborough in 2000, an increase of 1,061 units since 1990. The distribution of units by types is shown in Figure 1.

- ◆ The town's housing stock is relatively young; Over half of the homes were built after 1960.
- ◆ 74% of the units are owner occupied, while 26% of the units are renter-occupied. (2000 U.S. Census).

Figure 1, Housing Types, 2000

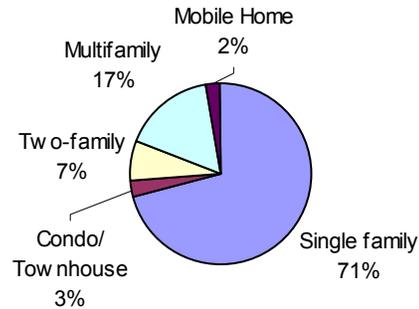
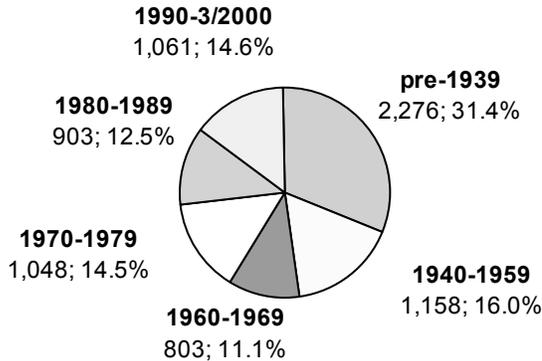


Figure 2, Homes in Middleborough by Year Built



- ◆ Middleborough has a relatively high rate of construction in recent years, trailing only Plymouth in the number of average building permits issued. Although the Town issued permits for a small number of condos and two-family structures, this is not reflected in the average. The majority of building permits continue to be issued for single family homes, and recently for mobile homes.

- ◆ Construction of owner-occupied housing was higher than for renter-occupied housing throughout the past decade; the number of building permits for single family homes was considerably greater than those for multifamily units.
- ◆ 1,224 manufactured homes have been permitted for construction in Oak Point and Edgeway. To date, 713 homes have been completed. When these developments are built out they will represent about 13% of the town's total housing stock. These units are all age-restricted.

Table 1, Regional Housing Growth, 1996-2004

Municipality	Bldg. Permits/Year	Total Units Permitted/Year*
Bridgewater	103	105
Carver	43	44
Lakeville	68	68
Middleborough	95	95
Plymouth	293	310
Raynham	80	108
Wareham	94	99

*Includes multi-unit buildings

Table 2, Middleborough Housing Growth

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Single Family units	103	78	106	97	85	62	81	97	103	115	96	117	87
Multifamily units	16	12	-	-	-	-	-	-	-	2	13	-	-
Manufactured Homes								91	111	134	106	147	124
Total Units	125	90	106	97	85	62	81	188	214	251	215	264	211

Source: SOCDs Building Permits

Housing Cost

Housing Sales

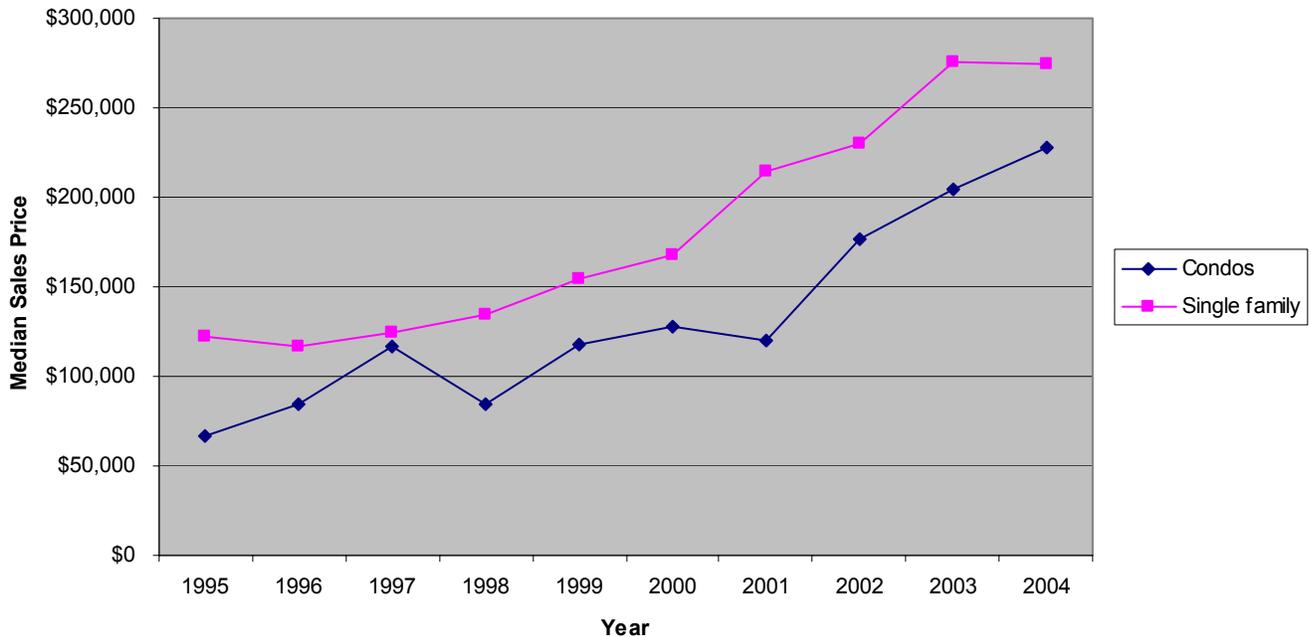
Home prices have soared in recent years, mirroring regional conditions. The average assessed value of all single family homes in Middleborough in FY 2002 was \$218,619, up 25% from \$173,958 in FY 2000. Between 1995 and 2004 the average selling price of a single family home in Middleborough increased by 151% from \$122,500 to \$307,000. From 2003 to 2004 alone, selling prices increased by 11%. Data for condominium sales revealed an even more extreme increase, with prices rising by nearly 250% over the past decade (The Warren Group).

Table 3, Median Sales Price, 1994-2003

Year	Median Sales Price of Single Family Homes	% Increase
2004	\$307,000	11.4%
2003	\$275,500	20.0%
2002	\$229,500	7.0%
2001	\$214,450	27.6%
2000	\$168,088	8.5%
1999	\$154,950	14.9%
1998	\$134,900	8.0%
1997	\$124,900	6.8%
1996	\$117,000	-4.5%
1995	\$122,500	

Source: The Warren Group

Figure 3, Median Sales Price of Single Family Homes and Condominiums, 1995-2004



In 2004 there were 480 properties sold in Middleborough, including 220 single family homes and 43 condominium residences (The Warren Group). Local realtors have estimated that the vacancy rate is low; at any given time, there is an average of 23 homes on the market, and homes stay on the market for an average of 40 days. The 2000 U.S. Census reports the total vacancy rate to be

3.7%, 0.7% of which is for seasonal, recreation or occasional use. The homeowner vacancy rate is 0.5% and the rental vacancy rate is 4.3%. This low vacancy rate and the increases in local and regional employment contribute to the escalating sales and rental prices described below.

There were 87 new single family homes permitted in 2004, 117 in 2003, and 105 in 2002; there were 13 multifamily units constructed in 2002 and none in 2003 or 2004. Local realtors report the average selling price of a new single family home on the housing market is between \$500,000 and \$700,000, while the average price of all homes on the market starts at \$300,000.

Homes in the Middleborough market are more affordable than those in surrounding communities. All of the communities with the exception of Carver and Wareham are less affordable.

Table 4, Regional Housing Market, 2004

Community	Single Family Homes		Condos	
	Average Selling Price	# of Sales	Average Selling Price	# of Sales
Bridgewater	\$351,000	219	\$175,000	88
Carver	\$305,000	163	–	2
Lakeville	\$330,000	153	\$231,000	12
Middleborough	\$307,000	220	\$227,900	43
Plymouth	\$325,950	898	\$256,000	308
Raynham	\$333,000	138	\$245,000	58
Wareham	\$248,750	422	\$246,500	58

Source: The Warren Group

Rental Housing

Rental availability in Middleborough is scarce. When rental units are available, they are quickly filled. The 2000 Census reported average rent for all apartments was \$680. This figure is typically lower than the going rate, because it includes many households who pay below market rent. Currently, apartments typically rent for between \$1,000 and \$1,200 per month. Newly constructed apartments rent for approximately \$1,600 per month. These rents reflect a noticeable rise from the past three to four years according to local officials. The “fair market rent” that HUD currently allows for housing vouchers is \$809 for one bedroom units and \$993 for two bedroom units, including utilities.

Affordable/Subsidized Housing

- ◆ Middleborough has one of the highest percentages of affordable (subsidized) housing units of any of the neighboring communities, only trailing Raynham and Wareham.
- ◆ According to the standards set by Massachusetts Chapter 40B, Middleborough should have 720 subsidized housing units, or 10% of the number of permanent residences counted in the 2000 census. Unfortunately, this standard does not credit the town with having provided affordable unsubsidized homes.
- ◆ Moreover, the 1,200+ mobile homes that have recently been constructed or are under construction will all count towards the town’s total housing stock, but are contrarily disqualified from gaining affordable housing status because they are not considered “permanent”. These homes are currently priced in the range of \$220,000 to \$240,000, which is affordable to families earning approximately 100% of median income. This will substantially set the town back in terms of meeting the 10% affordability standard, while the town lacks the option to ask the developers to set aside units for low and moderate income households.

Table 5, Comparison of Affordable Housing Availability*

	Ch. 40B Units	Total Units Developed	Total Year Round Units (2000 U.S. Census)	% Total Units
Bridgewater	206	206	7,639	2.7%
Carver	80	80	4,063	2.0%
Lakeville	123	442	3,385	3.6%
Middleborough	362	448	7,195	5.0%
Raynham	476	591	4,197	11.3%
Wareham	519	586	8,650	6.0%

*Does not include Section 8 Mobile Vouchers or Massachusetts MRVP vouchers
Source: State Department of Housing and Community Development, as of 5/2/05

- ◆ Middleborough has a total of 362 units of subsidized housing (units considered to be affordable under Chapter 40B), or 4.1%. An additional 358 units of 40B housing is needed to attain the 10% requirement.

Table 6, Middleborough Chapter 40B Subsidized Housing Inventory

Name	Location	Funding Agency	40B Units	Year End
Archer			28	Perp
Nemasket			90	Perp
Riverview			64	Perp
Woodland			8	Perp
12 South Main St.	12 South Main St.	DHCD	7	2022
15 Centre St.	15 Centre St.	DHCD	7	2021
ARC of Greater Fall River	Pierce Lane	EOHHS	4	2026
East Grove St. Apts. (Striat Apts.)	158-160 East Grove St.	RHS	8	EUR
Middlebury Arms	89 East Grove St.	MassHousing	64	2018
Section 8 Mod Rehab	Scattered Sites	DHCD	3	2006
Windsor Village	23 Taunton St.	DHCD	3	Perp
Greystone Estates	Plymouth St.	FHLBB	8	Perp
DMR Group Homes	Confidential	DMR	4	n/a
The Groves	136 West Grove St.	MassHousing	51	Perp
South Main Street	2-10 South Main St.	DHCD	7	2023
Tispaquin Farms	Tispaquin St.	MassHousing	5	Perp
Habitat for Humanity	Oak St.	DHCD	1	Perp
Total			362	

Source: Massachusetts Department of Housing and Community Development, as of 5/2/05

Applications for the waiting list for the Middleborough Housing Authority units are accepted on a rolling basis and the list is purged every few years. When units become available, preference is given to Middleborough residents, people residing in shelters, or those who meet other criteria. Approximately 165 applicants are currently waiting for the 28 family housing units, 22 of which are residents of Middleborough. (Separate waiting lists are kept for the two and three bedroom units.)

Additionally, Middlebury Arms, which is not run by the Housing Authority, contains 64 one, two, and three bedroom units. According to the Middleborough Housing Authority, there are at least 66 people on the waiting list for these 154 units of elderly housing, of which 13 are Middleborough residents. The major privately owned subsidized housing development comprises 154 units and is funded by a Section 8 Rental Assistance program. Section 8 certificate holders,

of which there are approximately 160 administered by the Middleborough Housing Authority, are not counted in the 40B inventory. Moreover, the development of the Oak Point senior mobile housing park will add 1,150 households and approximately 1,920 residents. These units are all affordable to middle-income families but do not count toward the 40B inventory.

Currently there are nine Chapter 40B developments at various stages in the permitting process (see Table 7 below). If these developments are constructed, the number of Chapter 40B units in Middleborough would increase by 261 to 623 units.

Table 7, Proposed Chapter 40B Projects

40B Project: Name/Location	Approval Date	Types of Units	Total # Units	# Affordable Units*	# 40B Units
Likely to Proceed					
Cranberry Village: Barges/West Grove St.	Appeal Pending	150 Condos	150	38	38
Middleboro Commons (St. Lukes Hospital): O'Donnell/Center St.	5/04	48 Condos	48	12	12
Cherry St. Estates: Cherry St.	Pending	44 Condos	44	11	11
25 Wareham St.		16 2-bedroom Units	16	7	16
Shoe Shop Place: Freeman/Wareham St.	Pending	30 Condos	30	8	8
Northwoods: Freeman/Wareham St.	Pending	12 Condos	12	3	3
153 Center St. (Old School house)		4	4	4	4
Subtotal			304	83	92
Somewhat Likely to Proceed					
Adams Circle**		100 Apts. (44 existing to be rehabbed; 56 new)	100	25	100
47 Oak St		5 Units	5	5	"5"
Subtotal			105	30	105
Unlikely to Proceed					
Center Place: Gerson**	8/94	10 Townhouses	10	10	10
Pine Groves Estate: Rocky Gutter St.	Appeal Pending	10 Single family	10	3	3
Subtotal			20	13	13
Total Units			429	126	210

* In a rental development, 100% of the units are counted as affordable even though only 25% are rented as affordable.

**Under discussion

Source: Middleborough Zoning Board of Appeals

Regulatory and Physical Environment

Existing Development

- ◆ The Town of Middleborough is a rural community. Approximately 13% of the land area is developed for low density single family homes, mostly on 20,000-80,000 square foot lots. Less than 2% of the Town is developed for industrial and commercial uses.
- ◆ Middleborough was originally settled with small clusters of “villages” or hamlets, each with its own name and history. Some of these villages were substantial, containing a mixture of commercial, residential, and rural uses, while others were simply a concentration of farms and residences. The remnants of this scattered pattern of clustered settlements are visible in many locations today, although in many cases their identities are threatened by more recent development which does not correspond to historic patterns.

Historic villages include Titicut Green (or North Middleborough Green), centered at the intersection of Pleasant and Plymouth Streets; Eddyville, centered at the intersections of Plympton, Cedar and Carmel Streets; Waterville, located along Plymouth Street between Carmel and Wall Streets south of Route 44; Middleborough Center; Rock Village, located along Miller and Smith Streets in the southern part of Middleborough; and The Green, located at the intersection of East Main Street and Plymouth Street. South Middleborough, located further to the south at Wareham and Locust Streets, has the elements of a village but not the historic resources that the other villages have (1989 Historic Preservation Plan).

- ◆ The topographical and geological history of Middleborough has resulted in small upland areas used for farming, housing, and commercial development and large tracts of lowlands containing swamps, wetlands, ponds, bogs, and major lakes. The Town contains a large amount of preserved land, including the Rocky Gutter Wildlife Management Area, the Assowampset Pond complex, and land along the Taunton and Nemasket Rivers.
- ◆ Route 28 was once an important connector road to Cape Cod, which spurred business development along this road; the building of major regional highways such as Routes 495 and 44 currently support regional accessibility and economic development. The commuter rail connection to Boston has also enhanced Middleborough’s accessibility. These highways and rail have fostered a concentration of commercial development along interchanges and highways and encouraged the development of subdivisions
- ◆ While the table below identifies 77% of the town land area as undeveloped, much of the area is not developable because of environmental constraints or restrictions (i.e., wetlands). Moreover, 6,684 acres of undeveloped or agricultural land are protected through government ownership or conservation restrictions. 972 acres of agricultural land classified under Chapter 61, Chapter 61A or Chapter 61B are not permanently protected. Some open space parcels owned by private individuals or organizations may also be vulnerable to future development if they do not have permanent development restrictions, even if the owner currently intends to preserve them as open space.

Table 8, Existing Land Use

Land Use Category	Area (Acres)	% of Town Area	% of Developed Area
Residential (Single Family)	5,707.54	12.72	69.02
Residential (Multifamily)	68.41	0.15	0.83
Commercial	326.13	0.73	3.94
Industrial	332.68	0.74	4.02
Public/Recreation	592.26	1.32	7.16
Transportation/Utilities	1243.13	2.77	15.03
Total Developed	8270.16	18.43	100.00
Agriculture	2792.89	6.23	
Vacant	31,892.37	71.09	
Total Undeveloped	34685.26	77.32	
Water	1904.07	4.25	
Total Town Area	44,859.49	100.00	

Source: MassGIS, from Aerial photography

Zoning

The Town of Middleborough has three exclusively residential districts and three general use districts which allow residential uses as well as non-residential uses. A summary of allowed uses and density restrictions for both residential and nonresidential uses is provided in Appendix 4.

Single family homes are permitted in all of the residential districts as well as the general use districts. Minimum lot sizes for residential districts range from 20,000 square feet in RB, to 60,000 square feet in RA, to 80,000 square feet in RR. Within the WRPD Zone 2, the minimum lot size is 60,000 square feet.

New multifamily units may be created in the GU and GUX districts, with a minimum lot size of 30,000 square feet per unit in the General Use District and 40,000 square feet in the General Use X District. Multifamily units may also be created through the conversion of single family homes to up to three units within the Residence and General Use Districts and the creation of dwelling units in upper floors of pre-existing buildings in the Business District.

Age restricted mobile home parks are allowed by special permit in the RR District and General Use Districts. A minimum of 20 acres is required, and the number of homes cannot exceed two units per acre. Each unit is required to have a minimum of 10,000 square feet, and an additional 10,000 square feet per unit must be set aside as common area.

The Open Space and Resource Preservation Development Overlay District allows for an alternative to conventional subdivision within the RA, RR GU, and GUX Districts. (Although stated as an overlay district, its area is defined as the entire area within these zoning districts.) A minimum of 5 acres is required. All dwelling units must be detached single family homes. The

Table 9, Middleborough Zoning Districts

Residential	
Residence A	RA
Residence B	RB
Residence Rural	RR
General Use	
General Use	GU
General Use District A	GU-A
General Use District X	GU-X
Nonresidential	
Business	BD
Industrial	I
Overlay Districts	
Development Opportunities District	DOD
Open Space and Resource Preservation Development District	
Flood Plain District	
Water Resource Protection District	WRPD
Adult Entertainment District	

number of buildings may not exceed the number of lots that could be constructed with a conventional subdivision. The minimum lot size is 30,000 square feet, while 40% of the land area must be set aside as open space.

- ◆ Over 84.2% of Middleborough is zoned for residential uses; including 15.5% in RA, 3.1% in RB, and 65.6% in RR. In addition, 14.3% of the town is zoned for mixed residential and commercial use, in the GU, GUA, and GUX districts.
- ◆ The BD, which comprises only 0.2% of the Town, is located in the downtown, and is mostly built out. The Industrial district, which comprises 1.4% of the town, does not allow residential uses of any type, although most pre-existing development is residential, and the area is inappropriate for most types of development.
- ◆ In the DOD, which overlays areas in the RA and GU districts, parcels with 10 acres or more may be developed as commercial/industrial parks. Currently the town has three such industrial developments which were converted from residential zoning.

Buildout Analysis

In 1999, EOEА oversaw the preparation of a buildout analysis for the town of Middleborough. This exercise provides an estimate of what might result if all of the remaining land in town were developed under existing zoning regulations. The potential for redevelopment of underutilized properties, or development that does not conform to zoning is not accounted for. The buildout analysis estimated that a total of 10,588 dwelling units could be created, only 5% of which might be two-family, with the remainder single family. (The distribution between single family and two-family development is based upon an assumption of market conditions, rather than zoning requirements.) Given an average household size of 2.86, the population could grow by an additional 30,280 residents or a total population of at least 50,220 persons.

A buildout analysis provides an estimate of what might result if all of the remaining land in town were developed under existing zoning regulations. The potential for redevelopment of underutilized properties, or development that does not conform to zoning is not accounted for.

Table 10, Summary of Buildout Capacity

Zoning District	Single Family (d.u.)	Multifamily (d.u.)	Total (d.u.)	Commercial/Industrial (sq. ft.)	Potential Employees
Residence A	2,097	-	2,097	2,442,806	6,107
Residence B	699	-	699	-	-
Residence Rural	6,271	-	6,271	-	-
Business	-	-	-	118,299	296
Industrial	-	-	-	4,262,082	4,262
General Use	614	328	942	12,156,136	30,390
General Use X	430	149	579	12,395,018	30,988
Total	10,111	477	10,588	31,374,341	72,042

*d.u. = dwelling unit

Note: Potential employees based on 1 employee per 400 square feet for commercial use and 1 employee per 1,000 square feet for manufacturing/warehousing uses.

Source: EOEА Buildout Analysis, 1999

The buildout analysis also finds the potential for an additional 31.4 million square feet of commercial and industrial space. This could provide jobs for about 72,042 new employees, who need to have residence in and around Middleborough.

This analysis does not give any indication of the rate of development or the time frame for reaching full buildout. It is likely that residential zoning districts will be built out in a much shorter time frame than commercial and industrial districts, especially given the household projections for 2020.

Table 11, Summary of Buildout

Buildout Impact	
Additional Residents	30,387
Additional Students (K-12)	5,908
Additional Residential Units	10,588
Additional Developable Land Area (acres)	21,254
Additional Commercial/Industrial Buildable Floor Space (sq. ft.)	31,374,341
Additional Water Demand (gallons/day)	4,632,066
<i>Residential</i>	2,278,990
<i>Commercial and Industrial</i>	2,353,076
Additional Solid Waste (tons/year)	15,588
<i>Recyclable</i>	4,497
<i>Non-recyclable</i>	11,091
Additional Roadway (miles)	90

Is the Buildout Analysis Accurate?

The methodology for completing a build-out analysis is necessarily abstract.

- *Land is often identified as developable which could not support new development*
- *However, especially as communities approach their full development capacity, they often experience increases in density which are not accounted for in the build-out analysis, through infill development, redevelopment, Comprehensive Permits, and zoning changes.*

Areas for Development

The Land Use Suitability map identifies those areas of town which are best suited for various types of land uses. For purposes of analysis, the town can be divided into areas with development potential and areas with barriers to development. Areas with development limitations (barriers) include those natural resource areas with regulatory protection, i.e., wetlands, flood zones, Zone IIs, and potential high and medium yield aquifers. Resource areas with limited or no regulatory protection are shown in pink and include BioMap habitat areas, priority habitats, potential and certified vernal pools. Taken together with protected open space and surface water bodies, one can block out areas where development is unsuitable. The remainder of town can then be divided into distinct areas for potential residential development.

A Housing Opportunities map has been prepared based on this assessment of protection and development areas. Additional buildout analysis will be undertaken for these areas. In addition, additional public discussion needs to take place as to the suitability of these locations for new zoning.

- 1. Affordable Housing Target Area/Downtown:** An Affordable Housing Policy Statement was approved by the Selectmen, Planning Board, and Zoning Board of Appeals which identified an area where the availability of Town services (water, sewer, gas, parks and playgrounds, schools and library) supports the development of higher density subsidized housing. While this “triangle” takes into account the location of services and infrastructure to support new higher-density development, it does not fully reflect infrastructure limitations as well as land use suitability considerations discussed above.

2. **Retail/Service/Residential:** Within the GU district corridor are located areas to the west of Cherry Street, some zoned Residence B that are appropriate for multi-family and housing. It is possible that the “Triangle” area will be expanded to include this sub-area.
3. **South Middleborough Village Area:** Of all the village areas, this has good access and a large amount of buildable land. There are no public utilities presently. Village type development should be promoted here.
4. **Historic District/Cluster Zoning Overlay:** Historic village areas which can be protected and enhanced by encouraging the use of cluster subdivisions that reflect historic development patterns. These areas include North Middleborough (Titicut Green), The Green, Eddyville, Warrentown, and Rock Village.
5. **Agriculture and TDR receiving locations:** There is a large undeveloped area currently used for agriculture. It might be possible to consider protecting this area by transferring developing rights to receiving zones such as area identified as a TDR village.

Related Factors that Constrain and Promote Growth

Infrastructure

- ◆ Current studies by two engineering firms have identified the limitations of the existing public water and sewer systems. Growth of these systems must be carefully managed. Funding must upgrade the existing aging systems and build in some limited additional capacity. Given the size of the town, new development areas will need to address their own utility needs. Sprawl must be avoided to minimize the costs of new infrastructure.
- ◆ Sewers are constrained both by area (availability of sewers is limited to the downtown area) and capacity.
- ◆ According to a 2003 sewer capacity study by the engineering firm Weston & Sampson, the sewer system’s capacity, unlike most communities, is limited by the loading capacity to the river rather than by the capacity of the treatment plant. Middleborough is near the limit and must review each request for sewer extensions. Middleborough’s treatment plant is permitted at 2.16 mgpd. Additional expensive improvements could be undertaken to the plant to increase the amount of additional treatment possible. Current town policy is to reserve the remaining capacity for industrial users as the town needs the tax base and employment benefits. Sewer extensions must be reviewed on a case by case basis. Each industrial user has a different mix of effluent and the costs of treatment must be assessed. On-site septic systems will be needed in Middleborough for new growth. Systems under 10,000 gallons, i.e., 40 units, can be utilized by residential projects. If the development has over 40 units, they could install several smaller systems. Alternatively, a DEP approved Treatment Plant with a groundwater discharge permit is required for a single system with over 10,000 gallons. The Town will need to manage the development and maintenance of these systems to protect its water resources.
- ◆ Amory Engineering is undertaking the preparation of a water supply capital improvement plan. The existing public water supply system covers the downtown areas, the Route 44 Corridor, North Middleborough, and Route 28 East to Rock Village and South Middleborough. The farther the system extends east, the more limited is the service. The area proposed in South Middleborough for a DOA has limited water service.

- ◆ The Town currently has a backlog of improvements to undertake in the downtown in order to improve the flow and quality of the water. Two improvement phases were identified totaling some \$8 million in order to clean and cement unlined mains and replace older mains with larger sized pipes. In addition the town needs to identify and land bank sites for storage tanks in east, north and south Middleborough. Furthermore, the town must continue to identify new locations for establishing well supplies to meet demands beyond 2025. Development of two previously identified well sites will be required to satisfy the current projected maximum daily demand shortfalls in order to provide supply redundancy if a well is out of service for extended periods of time.²

Zoning

- ◆ Current lot area requirements in the GU district restrict the amount of multifamily housing that can be developed.
- ◆ There is no inclusionary housing requirement.
- ◆ Other subdivision regulations currently limit the number of houses that can be constructed on a cul-de-sac. It is not clear what a reasonable and safe standard might be.
- ◆ Zoning does allow mobile home parks, which have a huge impact on the total housing stock and will result in raising the bar that the town must meet in providing affordable housing. However these units are not eligible to be counted as affordable housing under chapter 40B although they are an inexpensive housing alternative even at market rates. Moreover these units do not contribute sufficient tax income to cover the cost of town services they generate.

Economic Development

- ◆ Due to fiscal problems the Town needs to ensure that there is an adequate amount of high quality economic development that is not constrained by residential development within or adjacent to priority economic development areas.
- ◆ Attracting new industrial development which can utilize “grey water” or post-treatment wastewater for production purposes can increase the amount of sewer capacity that is available for residential redevelopment in the downtown area.

Development Context

Middleborough is adjacent to Interstate 495 (State Route 25), State Routes 28, 18, 79, and 105, as well as U.S. Route 44, which connects Plymouth with Providence, Rhode Island. The community is located on the Middleborough commuter rail line to South Station in Boston, which runs to Lakeville right on the Lakeville/Middleborough border. The Bay Colony Railroad (BCRR) and Conrail provide freight rail service and interchange traffic to the Town. Additionally, Middleborough is a member of the Greater Attleboro-Taunton Regional Authority (GATRA), which provides Dial-A-Ride service to the elderly and disabled. Bay State Commuter Lines, provides commuter bus service to Boston. These transportation enhancements, the large amount of land available for development, and a relatively affordable housing market make Middleborough an attractive location.

Middleborough does not contain a widely varied housing stock, as most of the housing is single family homes. There is only one market rental housing development of over 50 units, Talbot

² Water System Distribution Analysis, Amory Engineers, PC, July, 2003, pps vi-xi.

Woods, although there are two and three family rental units and condos in the downtown area. Outside of the downtown, most of the town does not have sewer service.

It is well understood in Middleborough that homeowners' property taxes do not cover educational costs. Therefore, family housing is a net loss to the Town as opposed to one and two bedroom garden condominiums, for example (see Table 9).

Table 12, Cost of Services: Fiscal Impacts of Development

Type of Development	Revenue/General Govt.	Revenue/Education
Positive Revenue Benefits		
Research Office Parks	+	+
Office Parks	+	+
Industrial Development	+	+
High-Rise Garden Apartments (Studio/1BR)	+	+
Age-restricted Housing	+	+
Garden Condominiums (One/Two BR)	+	+
Open Space	+	+
Neutral Revenue Benefits		
Retail Facilities	-	+
Townhouses (2/3 Bedrooms)	-	+
Expensive Single family Homes (3-4 BR)	-	+
Negative Revenue Benefits		
Townhouses (3-4 BR)	-	-
Inexpensive Single family (3-4 BR)	-	-
Garden Apartments (3+ BR)	-	-
Mobile Homes (Unrestricted Occupancy)	-	-

Source: The Growth Impact Handbook, DHCD, p.10

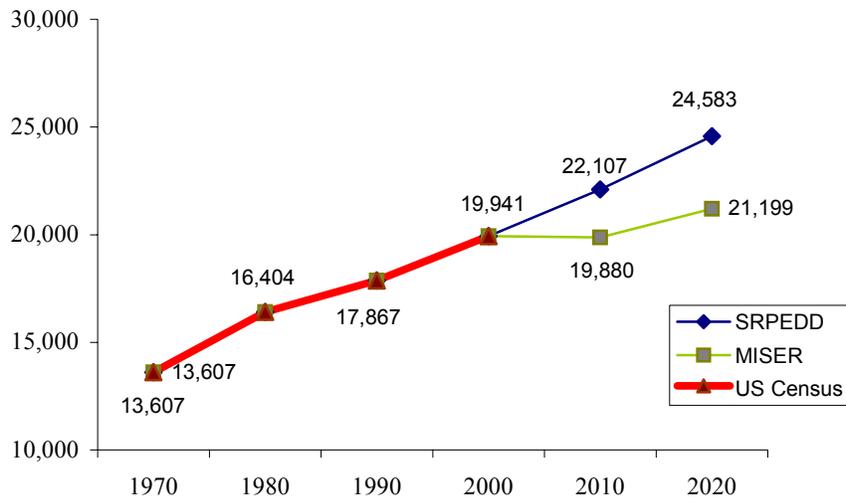
Needs Analysis

Housing Demand

Population Growth

Middleborough’s population has steadily risen over the past thirty years, with a total gain of 6,334 persons (47%) between 1970 and 2000. The Southeastern Regional Planning & Economic Development District (SRPEDD) predicts that the population growth will level off and increase slightly in the coming decades, approaching over 24,583 residents by the year 2020. The Massachusetts Institute for Social and Economic Research (MISER) offers a more conservative projection of 19,880 by 2010 and 21,199 by 2020.

Figure 4. Population Estimates and Projections in Middleborough



Population growth is not unique to Middleborough; it is a phenomenon shared by other adjacent suburban communities in the area. In the past decade surrounding communities of Bridgewater, Carver, Lakeville, Plymouth, Raynham, and Wareham all experienced growth as well.³ Of these towns, Middleborough is one of the slowest growing communities, ranking only above Wareham in terms of percent change in population from 1980 to 2000.

Table 13. Population Growth in Middleborough and Region

Municipality	Population 2000	1980 - 2000	
		Population Change	% Change
Bridgewater	25,185	+7,983	46.4
Carver	11,163	+4,175	59.8
Lakeville	9,821	+3,890	65.6
Middleborough	19,941	+3,537	21.6
Plymouth	51,701	+15,788	44.0
Raynham	11,739	+2,654	29.2
Wareham	20,335	+1,878	10.2

Source: U.S. Census

³ A Decade of Change: Growth Trends in the Greater Boston Area – 1990 to 2000. Metropolitan Area Planning Council, 2001.

- ◆ The increase in the number of households in Middleborough mirrors the increase in total population.
- ◆ The rate of increase in households is greater than that of the population; thus, the number of persons per household has fallen considerably in the past thirty years. This trend is expected to level off in the coming decades.

Table 14, Population and Household Growth

	Population	% Change	Households	% Change	Total Additional Households	Persons per Household
1970	13,607		4,153			3.28
1980	16,404	20.6	5,409	30.2	1,256	3.03
1990	17,867	8.9	5,898	9.0	489	3.03
2000	19,941	11.6	6,981	18.4	1,083	2.86
2010	22,415	12.4	8,639	23.8	1,658	2.60
2020	24,889	11.0	9,763	13.0	1,124	2.55

Source: U.S. Census, SRPEDD

Demographics

- ◆ The population of Middleborough is aging. Youth (aged 0-19) are continually accounting for a smaller percentage of the total population, a trend which SRPEDD predicts will continue. SRPEDD’s projections (shown in Table 11, are out of date, as SRPEDD has not updated these figures recently) do not take into account the growth in the older population that will result from the large-scale expansion of age-restricted housing. When the two mobile home parks are completed, they will comprise close to 13% of the town’s total housing units, and are expected to house approximately 2,000 residents over age 55 (close to 10% of the projected 2010 population).
- ◆ The median age of Middleborough residents has climbed from 29 years in 1980 to 36 years in 2000.
- ◆ Over the past two decades the number of persons aged 20-34 decreased significantly, in both real numbers and relative percentage of the population. Those over the age of 75 increased substantially in number, while those aged 35-59, the age at which people typically have children living at home, increased dramatically. However, the number of people in the 35-59 age bracket is expected to decline by 2020.

Table 15, Town of Middleborough Age Profile, 1980 – 2025

	1980	%	1990	%	2000	%	2010	%	2020	%
0 – 19 years	5,760	35.1	5,611	31.4	5,936	29.8	6,034	29.1	5,648	25.8
20 – 34 years	4,161	25.4	4,378	24.5	3,816	19.1	3,513	17.0	4,266	19.5
35 – 59 years	3,891	23.7	5,340	29.9	7,526	37.7	7,991	38.6	7,173	32.8
60 – 74 years	1,706	10.4	1,640	9.2	1,597	8.0	2,537	12.3	4,037	18.5
Over 75	886	5.4	898	5.0	1,066	5.4	615	3.0	752	3.4
Total	16,404		17,867		19,941		20,690		21,876	
Median Age	29.4		31.8		35.6					

Source: U.S. Census, SRPEDD

School Enrollment

- ◆ Although the data presented above shows a 5% increase in the number of children aged 0-19 between 1990 and 2000, the school enrollment data presented below shows that there has been a substantial increase in the percentage of school children in Middleborough over the same time period. Preprimary and kindergarten enrollment has increased by over 90% and elementary and high school enrollment has increased by 16%. This discrepancy could be explained by a substantial influx of young families into town.
- ◆ The number of pupils enrolled in college has decreased 8%.

Table 16, School Enrollment in Middleborough, 1990 and 2000

Grade Level	1990 Enrollment			2000 Enrollment			% change '90 to 2000
	Public	Private	Total	Public	Private	Total	
Preprimary				240	250	490	
Kindergarten				216	22	238	
Preprimary/Kindergarten	217	165	382	456	272	728	90.6%
Grades 1-4				1,194	74	1,268	
Grades 5-8				1,303	65	1,368	
Grades 9-12				1,053	137	1,190	
Elementary/High School	3,122	160	3,282	3,550	276	3,826	16.6%
College Undergraduate				500	265	765	
College Graduate				50	114	164	
College Total	804	202	1,006	550	379	929	-7.7%
Total	4,143	527	4,670	4,556	927	5,483	17.4%

Source: 1990, 2000 U.S. Census

Disabled Individuals

- ◆ There are 3,259 non-institutionalized individuals aged five and over (18% of total population over age five) that report to have a disability (2000 U.S. Census).⁴
- ◆ 43% of elderly residences (over age 65) report to have a disability.
- ◆ Of the reported disabilities, 12.5% are sensory in nature, 23.6% are physical, 15.0% are mental, 7.3% require assistance for self-care, 16.0% are unable to go outside of the home, and 25.6% impede employment.

⁴ The Census defines a disability as “A long-lasting physical, mental or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business”.

Employment and Labor Force

Businesses in Middleborough employed a total of 8,027 people in 2003. The number of jobs in town exceeds the number of people in the Middleborough labor force by a ratio of approximately 0.72.

Table 17, Jobs to Labor Force Ratio

Middleborough jobs	8,027
Middleborough resident labor force	<u>11,072</u>
Jobs/Labor Force Ratio	0.72

- ◆ The unemployment rate in Middleborough in 2004 was 5.1%, down from 6.1% in 2003. This compares with the statewide average of 5.1% in 2004, down from 5.8% in 2000.
- ◆ Middleborough jobs provided an average annual wage of \$39,572 in 2003. Over 75% of the jobs are in industries where the average annual wage falls within low and moderate income guidelines. (Many employees live in households with more than one income, thus they may fall in a higher income bracket, and/or residents may not be employees in the town.) Only one industry, Management of Companies and Enterprises, provides an average annual wage that exceeds the median income for the Brockton PMSA in 2003 (\$70,300).
- ◆ According to SRPEDD, the number of jobs in Middleborough is expected to grow by 50% between 2001 and 2025. Naturally, people who occupy these new positions will need to find housing within the region.

Housing Affordability and Availability

There are two standards for identifying what is considered affordable housing. Executive Order 418 provided a broader benchmark for communities so as to include the substantial unmet needs for providing middle income housing which would support teachers, public safety personnel and other residents currently living and working in our communities.

Low/Moderate Income Standard

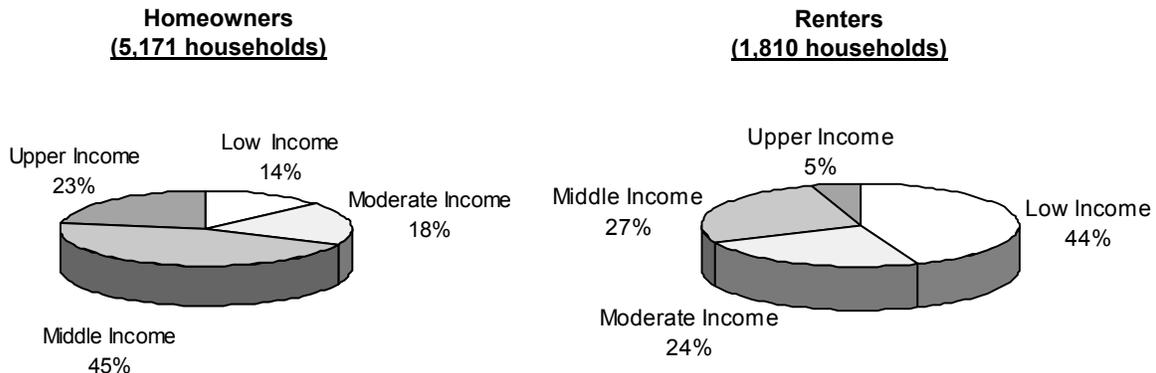
Standards for subsidized affordable housing typically target low and moderate income households earning up to 80% of the median family income. Various housing subsidy programs have their own requirements for affordability and income eligibility for specific housing developments differently, but for the most part housing that meets 40B requirements serves households in this income group. Middleborough is in the Brockton Primary Metropolitan Statistical Area (PMSA), for which the median family income FY 2004 was estimated to be \$72,900.⁵ Under this standard, low/moderate income households earn up to \$58,320. Households with this income are assumed to afford a maximum monthly rent of \$1,458, or 30% of their income.

Middle Income Standard

Some state programs which do not rely on subsidized housing allow for a higher income standard in their definition of affordability. Executive Order 418 considered rental units affordable if they cost a middle-income household earning 100% of median family income no more than 30% of the household income or \$1,823/month (in 2004). Owner-occupied housing units were defined as affordable if they could be purchased by middle-income households earning up to 150% of the median income, or \$109,350 (in 2004). Homes valued at up to \$367,750 are considered to be affordable under this standard.

2000 Area Median Income = \$57,700		
Low Income	<50% area median income	<\$28,850
Moderate Income	50%-80% area median income	\$28,850 - \$46,160
Middle Income	80%-150% area median income	\$46,160 - \$86,550
Upper Income	>150% area median income	>\$86,550

Figure 5. Middleborough Residents by Income Level



Source: Income data is from 2000 U.S. Census.

- ◆ The majority of Middleborough homeowners are middle income.

⁵ According to HUD, the median income for FY 2004 is \$72,900. This figure is used for many housing subsidy programs; however, for planning purposes the most complete data available is for 2000.

- ◆ The majority of Middleborough renters are low income.

Table 18, Housing Costs as Percent of Household Incomes in Middleborough

% of income spent on housing costs	Homeowners		Renters		Total	
	# of units	% of total units	# of units	% of total units	# of units	% of total units
Under 15%	1,074	24.4%	349	19.6%	1,423	22.0%
15.0-19.9%	766	17.4	215	12.1	981	14.7
20.0-24.9%	928	21.1	275	15.5	1,203	18.3
25.0-29.9%	534	12.1	249	14.0	783	13.0
30.0-34.9%	400	9.1	115	6.5	515	7.8
35.0 and above	686	15.6	468	26.3	1,154	21.0
Total Households with High Cost Burden	1,086	24.7%	583	32.8%	1,669	28.8%
Not computed	14	0.3	108	6.1	122	3.2
Median monthly costs	\$369		\$681		\$459	

Source: 2000 U.S. Census

For a housing unit to be affordable, a household should spend no more than 30% of its household income on housing costs. In Middleborough, over 28% of all household units spend more than 30% of their incomes on housing costs, making them technically unaffordable. Nearly 25% of households in owner-occupied housing units spend more than 30% of their incomes on housing, while 33% of households in renter-occupied housing units spend more than 30% of their household incomes (U.S. Census).

Figure 6, Percent of income spent on housing costs for Middleborough homeowners

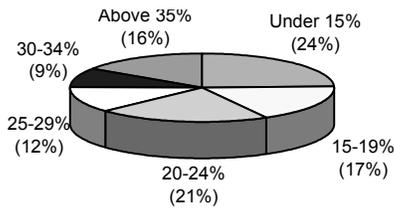
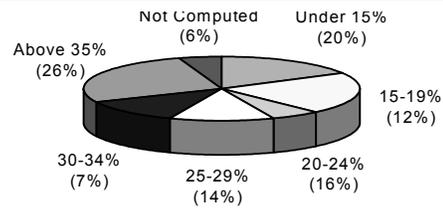


Figure 7, Percent of income spent on housing costs for Middleborough renters



In order to afford the typical market rent in Middleborough of \$1,000, a household must have an annual income of \$40,000. 39% of Middleborough households do not meet this threshold. In order to afford the average 2004 selling price of homes in Middleborough of \$307,000, a household must have an annual income of \$91,000. 85% of the households in Middleborough do not meet this income threshold.

Another indicator of change in housing affordability is to compare the increase in average housing costs to the increase in median income. Between 1990 and 2000, the average price of single family homes rose by 40% (\$119,950 in 1990 to \$168,088 in 2000, Banker & Tradesman). Over this same period, the median household income in Middleborough increased by 44% (\$36,563 in 1990, \$52,755 in 2000, U.S. Census). This indicates that homeowners have maintained the approximate same level of affordability. There is insufficient data to make a similar comparison for renters.

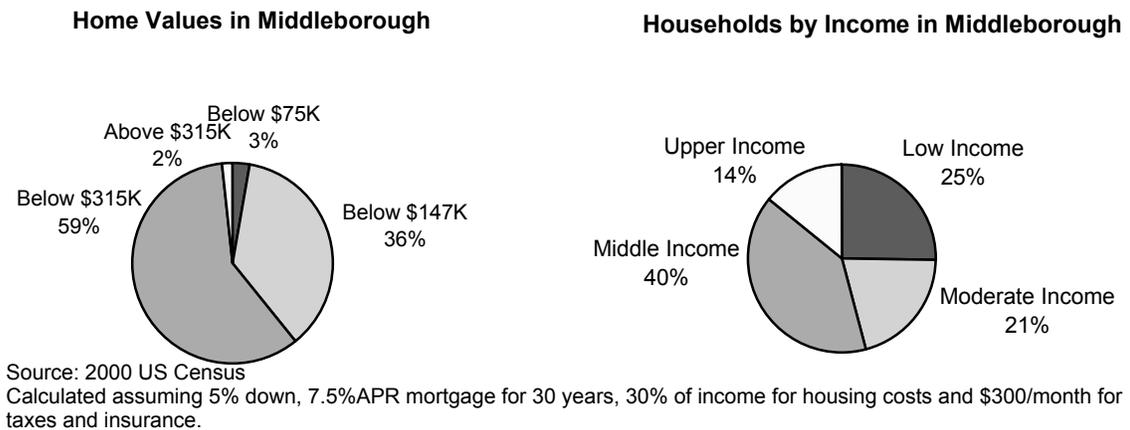
Housing Gap: Homeowners

There is a housing gap between the number of houses available and the number of households with incomes large enough to pay for the available housing. The greatest deficit is in homes affordable to low income households, which comprise 25% of all households in Middleborough. At this income, households can afford the price of a house below \$75,000; however, almost none of the housing stock falls in this price range and not enough housing is being built at this price range. This results in many current homeowners facing high cost burdens (see Table 13 above) and would-be first-time homebuyers who cannot find affordable homes. Figure 8 illustrates the income thresholds for affordable living units based on household income levels.

Gap Analysis

A gap analysis looks at what types of housing are available in Middleborough. It compares what the population can afford, based on median household incomes, and what types of housing might be desired, based on household types. The analysis considers both homeowners

Figure 8, Homeowners Affordability Index



In fact, the number of low and moderate income renters who could potentially become first time homebuyers far exceeds the number of homes that are reported to fall within an affordable price range. *This data most likely understates the lack of affordable ownership housing, as the home values reported to the Census are frequently below the potential selling price if the homes are placed on the market.*

Table 19, Homeowners Housing Gap¹

Income Group	Maximum Affordable Home ²	Households in Income Range				Owner-Occupied Units in Price Range			
		Owners	Renters	Total	% of Households	Number	% of Owner Units	Cumulative	Cumulative %
Low Income 50% of median	\$75,000	863	900	1,763	25%	120	3%	120	3%
Moderate Income 80% of median	\$147,000	1,050	430	1,480	21%	1,600	36%	1,720	39%
Middle Income 150% of median	\$315,000	2,323	435	2,758	40%	2,602	59%	4,322	98%
Upper Income >150% of median	>\$315,000	935	45	980	14%	80	2%	4,402	100%
		5,171	1,810	6,981	100%	4,402	100%		

¹ Based on 2000 household income and home values, the last year for which town-level data is available. From 2000 to 2002, median sales price for single family homes in Middleborough rose by 82%, while incomes in the Brockton PMSA have risen by only 26%.

² Price calculated for 30 year mortgage at 6.25% rate with 5% down payment and \$200/month for mortgage insurance and property taxes, such that monthly housing costs do not exceed 30% of income.

The number of homes in the middle income price range (between \$147,000 and \$315,000) appears to meet the demand for households within the town. However, many of these homes are likely occupied by upper income households who could afford to purchase more costly homes than the town has to offer.

Housing Gap: Renters

Currently market rate one-bedroom apartments rent for about \$1,000/month and two bedrooms rent for about \$1,200/month. At these rates, typical market-rate apartments fall within the moderate-income affordability range defined for 4 person households (at \$40,000, households can afford to pay \$1,000/month). However, over 60% of renter households in Middleborough have only one or two members, hence a lower standard for affordability should be considered, as shown in Table 15.

**Table 20, Income and Rental Affordability¹
(Income standard for 2-person households)**

	Income	Affordable Rent	House-holds	Units ²
Very Low Income below 30% of median	\$15,240	\$381	505	350
Low Income below 50% of median	\$25,400	\$635	227	500
Moderate Income below 80% of median	\$40,640	\$1,016	369	820
Median Income	\$50,800	\$1,270	230	81
Upper Income above median	>\$50,800	>\$1,270	479	36

¹ Income levels for EO418 Housing Certification specify a lower threshold for upper income renters, equal to 100% of median income. Note: Housing subsidy programs use their own eligibility standards.

² Reported in the US Census by gross rent; gross rent was not determined for a small number of units.

There is a substantial shortage of housing affordable to households with very low incomes, while low-income and moderate-income households are apparently adequately served in the Middleborough rental market. According to the U.S. Census, 33% of renters (583 households) spent more than 30% of their income on housing in 2000 (see Table 13). In addition, while many renters may currently be paying below-market rents for their apartments, such low rents are often not transferable to new tenants if the apartment turns over, so that the availability of apartments that are available to very low income households is probably less than indicated by Census data.

Housing Needs by Age

When these households are examined in terms of age, it is possible to determine which subsections of the population are carrying more of the burden. 37.5% of homeowners aged 75 and older spend over 30% of their income on housing costs, the highest percentage of all age groups. This percentage

is a steep increase from the percent of homeowners (27.1%) between the ages of 55 and 74 who face a high cost burden. 22% of middle-aged (35-53 years) homeowners spend over 30% of their incomes on housing. Nearly a quarter of those aged 15-24 years have a high cost burden, highlighting the need for affordable homes for young singles and families.

Table 21, Homeowner Housing Costs as Percent of Household Income by Age

% of income spent on housing costs	15-34 years		35-54 years		55-74 years		75 years and older	
	# of units	% of units	# of units	% of units	# of units	% of units	# of units	% of units
Under 20%	121	17.9%	997	41.4%	581	55.8%	141	51.2%
20.0-24.9%	241	35.7	530	22.0	132	12.7	25	9.1
25.0-29.9%	139	20.5	349	14.5	46	4.4	0	0.0
30.0-34.9%	86	12.7	210	8.7	87	8.3	17	6.2
35.0% and above	81	12.0	323	13.4	196	18.8	86	31.3
Total Homeowners with High Cost Burden	167	24.7%	533	22.1%	283	27.1%	103	37.5%
Not computed	8	1.2	0	0	0	0	6	2.2

Source: U.S. Census

The percentage of elderly renters spending over 30% of their income on housing costs is 37.3%, about the same as the percent of elderly homeowners. Over 30% of renters aged 55 to 74 years spend 30% or more of their income on housing costs. Nearly 40% of renters between the ages of 35 and 54 spend over 30% of income on housing. In terms of percent income, rental costs are clearly much higher than housing costs in Middleborough. This illustrates the need for an increase in affordable rental stock in the Town, particularly for the elderly and young people.

Table 22, Renter Housing Costs as Percent of Household Income by Age

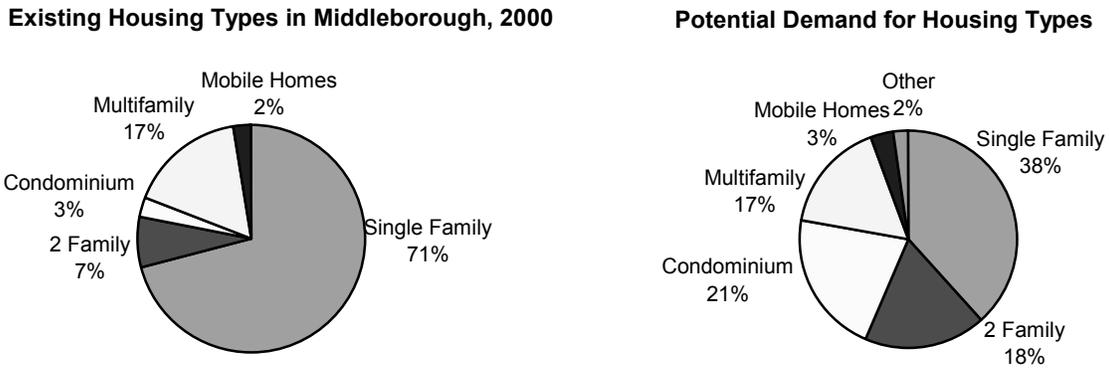
% of income spent on housing costs	15-34 years		35-54 years		55-74 years		75 years and older	
	# of units	% of units	# of units	% of units	# of units	% of units	# of units	% of units
Under 20%	263	39.0%	209	33.4%	65	22.6%	27	14.1%
20.0-24.9%	98	14.5	94	15.0	29	10.1	54	28.3
25.0-29.9%	74	11.0	62	9.9	90	31.2	23	12.0
30.0-34.9%	36	5.3	31	5.0	15	5.2	33	17.3
35.0% and above	145	21.5	211	33.7	74	25.7	38	20.0
Total Renters with High Cost Burden	181	26.8%	242	38.7%	89	30.9%	71	37.3%
Not computed	58	8.6	19	3.0	15	5.2	16	8.4

Source: U.S. Census

The existing supply of housing types does not meet the current demand. There are many households which, given their income and household composition, would like to have alternative housing types than what currently exists in the housing supply, such as condominiums, apartments, assisted living facilities, and in-law apartments. The current Zoning Bylaw does not allow the construction of all of these alternative housing types, or limits where they are acceptable.

The second pie-chart in Figure 9 depicts a mix of housing types that might meet the needs of all of Middleborough’s residents. This illustration is not intended to represent a goal for the town’s future housing mix, but rather to suggest the direction that the town needs to move in, in order to ensure that housing needs are addressed. For example, almost all of the recent housing development in Middleborough has been in single family homes and mobile homes. If this trend continues, these two types of housing will form an increasing portion of the town’s housing stock, while the need for two-family homes and condominiums continues to go unmet.

Figure 9



Potential Demand for Housing Types in Figure 9 is derived from an estimate of what percentage of households in Middleborough would desire to live in each type of housing, if it were available, shown in Table 23.

Table 23, Housing Demand: Alternative Housing Types

Household Types	Total Households	Actual % of HH (2000)	Estimated Housing Type Preference ⁽¹⁾					
			Single Family Homes	Two Family Homes	Condo	Multi-family	Mobile	Other ⁽²⁾
Individuals or Couples, Age 85+	113	1.6%	11 (10%)	11 (10%)	11 (10%)	11 (10%)	23 (20%)	46 (40%)
Individuals or Couples, Age 65-84	1,075	15.4%	322 (30%)	108 (10%)	215 (20%)	108 (10%)	215 (20%)	107 (10%)
Indiv./Couples, Age 35-64, No Children	1,544	22.1%	772 (50%)	154 (10%)	464 (30%)	154 (10%)	(0%)	(0%)
Young Adults, up to age 34	1,439	20.6%	216 (15%)	360 (25%)	432 (30%)	432 (30%)	(0%)	(0%)
Households with Children/Families	2,082	29.8%	1,250 (60%)	416 (20%)	208 (10%)	208 (10%)	(0%)	(0%)
Single Parent Families	736	10.5%	110 (15%)	221 (30%)	147 (20%)	258 (35%)	(0%)	(0%)
Total (% of total)	6,989	100.0%	2,681 (38%)	1,270 (18%)	1,477 (21%)	1,171 (17%)	238 (3%)	153 (2%)

⁽¹⁾ Approximately half of the two-family homes and all of the multifamily homes are assumed to be rental units. Condos and single family homes are assumed to be for ownership.

⁽²⁾ Includes mobile homes. May include assisted living, or other group living arrangement.

◆ Attractive alternatives for certain population subsections include the following:

For the elderly/disabled:

- ❖ In-law apartments
- ❖ Age-restricted alternatives, i.e., garden type rental or condos, or mobile homes
- ❖ Non age-restricted accessible housing, especially rental apartments or condos with elevator access.
- ❖ Housing with services, or assisted living facilities
- ❖ Nursing homes

For young adults and families:

- ❖ Starter homes and housing rehabilitation
- ❖ Two family homes
- ❖ Condos
- ❖ Mixed use development/redevelopment
- ❖ Affordable rentals

Section II: Affordable Housing Goals

HOUSING VISION

A family-oriented community with an abundance of open space and valuable natural resources, the Town of Middleborough maintains its small-town character, provides a wide variety of housing options for its population, and balances the preservation of its natural resources and historic villages with the housing and economic needs of the community.

HOUSING GOALS

- ❖ **Provide a variety of housing opportunities that serves all segments of the community**
 - Identify opportunities to develop housing units that are both affordable and desirable to young families, the elderly, and those with special needs
 - Modify land use regulations to accommodate a wider range of housing types
 - Expand availability of apartments and condominiums in the Downtown or the GU district
 - Redevelop existing commercial and/or residential space
 - Modify zoning to allow for more single family conversions to condominiums
 - Explore zoning changes necessary to encourage development of accessory apartments
 - Promote assisted living opportunities and any land use regulations needed for such development
 - Encourage the construction of smaller, compact units suitable for the elderly
 - Create incentives for developers to include affordable housing in their developments
 - Consider using Town-owned land for affordable elderly and assisted living housing
 - Work with local banks on a First Time Homebuyer Program
 - Continue participation in the Community Development Block Grants (CDBG) Program
- ❖ **Maintain the rural, residential, and historic character of town as more development occurs**
 - Encourage appreciation of historic homes
 - Encourage preservation of architectural character and diversity of style
 - Promote the use of cluster zoning to create higher density subdivisions to protect open space for conservation and recreation
 - Manage housing development in environmentally sensitive areas to protect the Town’s environmental assets
- ❖ **Identify a range of public and private sector strategies to foster a needed mix of an additional 418 units of housing so that the Town can address the 40B requirement of 10% affordability.**
 - Utilize Local Initiative and “friendly” 40B projects to create non-state and federal subsidized affordable units

Section III: Affordable Housing Strategy

Achieving an Affordable Housing Plan: Affordable Housing Units, Strategies and Locations

Given the gap analysis and discussion of community development constraints, the location, type, and quantity of affordable and market-rate housing units that Middleborough should see developed are summarized below. An additional 358 units of 40B housing are needed to attain a total of 10% affordable housing. 40B projects currently being discussed will help close the housing gap, as shown in Table 7 on page 6. If these developments are all permitted, the gap would be reduced to 148 40B units. This gap could not be reduced by having the developer of Oak Point agree to make 10% of his total units affordable as DHCD does not consider a mobile home permanent housing.

Furthermore continued private development, in particular the addition of manufactured homes, will add an estimated 2,300 housing units to the town's 2000 housing stock (including the 1,224 manufactured homes already slated for development). Therefore, the Town will need to plan for 377 additional affordable housing units beyond the required 358 units.

A Planned Production Affordable Housing Plan has been recommended to get to and beyond the required 10%. Desirable alternative housing types, specific strategies, and locations for affordable housing have been identified. Table 24 (page 27) suggests the number of needed affordable units for various household types, locations and strategies to address these needs. The estimation for various housing types most needed in Middleborough represents a reasonable scenario based on the Town's demographics.

A variety of locations have been identified that are appropriate for the types of households. The Housing Policy Statement adopted by the board of Selectmen in November, 2002 suggested that Town Center West, the triangular shaped area bounded roughly by Route 25 on the west, Route 44 on the north, Everett and North Street on the east, and South Main Street be considered as a target area for the development of higher density, affordable housing. Outside this area a number of new zoning tools establishing "retreat lots", encouraging cluster development, in-law/accessory apartments, and inclusionary housing within mobile home parks and subdivisions, and density bonuses for voluntary affordable apartments and condos in the General Use district would be considered.

The following table shows a preliminary plan for developing additional affordable and market-rate housing in Middleborough. A total of 1,928 units are shown, of which 8% would be rental housing and 92% ownership housing. The table is undergoing a public review process. The number of 40B affordable units shown totals 201 units, 157 units short of what would be required to meet the 10% goal until 2010. Additional units are projected to account for new growth until 2010. Thus a total of affordable 395 subsidized housing units are indicated as needed by 2010.

A number of priority strategies have been identified to assist the town in ensuring that the additional affordable housing units are developed. Locations where these strategies might best be adopted have also been identified. The Town intends to determine which zoning strategies and locations might best be adopted to carry out the town's affordable housing plan by September in order to finalize this plan.

Table 24, Five Year Plan: Summary of Middleborough's Housing Needs

	Market	Affordable	Total	Household Type	Location
Rental Units Subtotal (8%)	109	36	145		
Higher Density Mixed residential/commercial	9	11	20	Young adults	Downtown Village Centers
Multifamily (proposed 40B)	75	25	100	Young adults, Older adults, Elderly	Adam's Circle
Additional multifamily					Affordable Housing Target Area TDR Villages
In-law apartment	25		25	Elderly	Town-wide
Other*				Elderly, Special Needs	
Ownership Units Subtotal (92%)	1,667	116	1,783		
Single Family (proposed 40B)				Families	
Townhouse/condominiums (proposed 40B)	243	81	324	Young adults, Older adults, Elderly, Families	Cranberry Village Middleboro Commons Cherry St. Estates Shoe Shop Place Northwoods
Additional townhouse/condominiums (Inclusionary Housing)					Affordable Housing Target Area Village Centers TDR Villages Historic Villages
Open space cluster (Inclusionary Housing) (single family/townhouse)	200	30	230	Families, Older adults	Village Centers, Historic Districts Historic Villages
Live/work space		5	5	Young adults	Downtown
Mobile home park (age restricted)	1,224		1,224	Elderly	TDR Villages
Total Units	1,776	152	1,928	201 units in proposed 40B developments would count toward 40B inventory	

* Other rental units may include assisted living or other group living arrangement

As indicated on the Housing Opportunities Map, the following 5 priority areas have been identified for locating affordable housing in addition to the assumption that through inclusionary housing all new subdivisions over 6 units throughout the town would need to address affordable housing.

Table 25, Proposed Residential and Mixed Use Districts

District	Existing Zoning	Proposed Zoning	Vision
1 Affordable Housing Triangle Area	Business, General Use, Residential Business	Mixed Use Business/ Residential	Downtown overlay to encourage affordable housing, infill housing, greater densities
2 Downtown Southwest	General Use		Incorporate into "Triangle Area". Highway oriented commercial and multifamily residential; buffers, shared parking, shared curb cuts
3 South Middleborough	General Use X		Create a new residential/business zoning district for village centers (Rock Village and South Middleborough) that allow for a mix of commercial and residential uses. Allow for a Planned Unit Development (PUD) within these areas.
4 Rock Village	General Use, General Use X, WRPD Z 2	Village Center/ Residential	Create a new residential/business zoning district for village centers (Rock Village and South Middleborough) that allow for a mix of commercial and residential uses. Allow for a Planned Unit Development (PUD) within these areas.
4 North Middleborough	RA		Adopt a Historic District Overlay to promote flexible, village type zoning within existing Historic Districts
4 Warrentown	RA	Village Center/ Residential	Adopt a Cluster Zoning Overlay to promote flexible, village type development
4 The Green	RR, WRPD #2, #3	Village Center/ Residential	Adopt a Cluster Zoning Overlay to promote flexible, village type development
4 Eddyville	RR	Village Center/ Residential	Adopt a Cluster Zoning Overlay to promote flexible, village type development
5 TDR Village (Transfer Devel. Rights)	GU, RR	Residential Village	Allow higher density village setting housing in exchange for acquisition of development rights within Agricultural District

Affordable Housing Zoning Incentives

The Community Development Plan identified a number of zoning strategies to address the need for affordable housing. These strategies have been evaluated by the Committee. As noted below, on the basis of this review, 6 key strategies have been identified as priorities.

The following table assigns each of the strategies listed below a priority ranking. When determining whether a strategy was considered to be of low, moderate, or high priority, several factors were considered. These criteria include whether the strategy could be deemed a Positive Growth Management Tool, the degree of difficulty in implementing the strategy, and the number of affordable units that could potentially be developed upon strategy implementation.

Table 26, Affordable Housing Strategy Priority Implementation

Strategies	Priority		
	Low	Moderate	High
Inclusionary Zoning			√
Higher Density Multifamily in the GU and GUX Districts			√
Downtown Affordable Housing Target Area			√
Residential/Business Zoning District for Village Centers			√
Mixed Use 40R-type development		√	
New construction on Town-owned land			√
Re-use of under-utilized property		√	
Repeal Mobile Home Park Bylaw		√	
Transfer of Development Rights	√		
Accessory Apartment Bylaw	√		
Housing Authority			√

1. Inclusionary Housing/Zoning (alternative strategies)

- ❖ Requirement for **all housing developments over 6 units**
 - ◆ Require that over 6 units 10% would have to be affordable with no density increase? (Plymouth just passed)
 - ◆ Require 10% be affordable but allow density increase of 10%
- ❖ **Subdivision waiver for the number of lots on a dead end.** For every 4 additional units beyond 12 units, require that one of the homes be affordable, allow maximum of 32 homes in the subdivision subject to affordability requirement.
- ❖ **Smaller lot sizes within Open Space Developments:**
 - ◆ If RR or RA lots served by public water, allow 20,000 sq. ft. lots for single family development using the open space bylaw in exchange for additional dedication of open space for conservation and recreation.

- ◆ Increase in number of units as long as they have same footprint that 30,000 sq. ft. lots would have with 10% set aside as affordable housing units.
- ◆ Tie to # Bedrooms

2. Create Higher Density Multi-Family in the GU and GUX Districts

- ❖ **Multi-family by right** rezoning with site plan review. A minimum lot requirement of 25,000 sq. ft./unit with 15,000 sq. ft./unit of upland building area (30,000 sq. ft./unit current requirement), approval of septic plan by BOH, appropriate buffering from commercial and other residential uses, submission of a suitable drainage plan, architectural and landscaping plan, etc. Set maximum number units on dead-end.
- ❖ **Affordable multifamily and condominiums by special permit** in the GU district at a density of 5 units/acre (8,000 sq. ft./unit) all of which must be upland with an affordable housing requirement of 15-20% (25% if 10% across board accessory passes).
- ❖ **Over 55** condominium development both single family units and multifamily, with Affordable component. 8,000 sq. ft./unit – 2 bedrooms
- ❖ Draft a **Site Plan Bylaw** that specifies Planning Board design review criteria for multifamily housing (over two units) and all commercial development over 2,000 sq. ft.

3. Downtown Affordable Housing Target Area

- ❖ Areas within Target Area:
 - ◆ **GU district within the Target Area** on Route 28
 - ◆ **GU district within the Target Area** in Downtown and Everett Street
 - ◆ **Residence B District**
 - ◆ **Business District**
- ❖ Types of housing units in each area
- ❖ Density of units in each area
- ❖ Maximum number of units per development
- ❖ % affordable housing
- ❖ Dependence on sewer and water infrastructure

4. Create a new Residential/Business Zoning District for Village Centers (Rock Village and South Middleborough) that allow for a mix of commercial and residential uses. Allow for a Planned Unit Development (PUD) within these areas. Include affordable housing component.

5. Mixed Use 40R-type development with affordable component for Target area, Village Centers or other. (South Middleborough good place to consider)

6. Housing Authority: The Housing Authority has a new Executive Director. The Town envisions this Authority, possibly working with a nonprofit organization, utilizing new strategies in concert with the private sector to produce affordable housing.

7. Facilitate new construction on Town owned Land

- ❖ Identify and dedicate municipally owned parcels to development of affordable housing
- ❖ Apply for grants through the OECD or Housing Authority

8. Re-use of underutilized property.

- ❖ Work with OECD, the Housing Authority and regional housing non-profit groups such as South Shore on housing production strategies
- ❖ Encourage redevelopment or re-use of existing underutilized commercial and/or residential space

9. Repeal Mobile Home Park By-law – Since mobile homes are not considered affordable and the State will not allow them to be made affordable through the Local Initiative Program according to L. Koff, the Town has an overabundance which are hurting us by increasing the total number of housing units which must then be offset by other units to reach 10%.

10. Transfer of Development Rights zoning to protect agricultural land in RR zoning district and encourage higher development in the GU Housing Target Area (4-5 units/acre) or higher density within the designated TDR village areas (see Housing Opportunities map)

11. Accessory Affordable Housing Apartment Bylaw

- ❖ What is the potential for unit production?
- ❖ Should this be the priority zoning bylaw change for encouraging affordable housing?
- ❖ Would this be Town wide, so that all single family homes could become two-family?
- ❖ Limited to conversion of in-law apartment?
- ❖ Allow to convert existing house without adding on? Would higher quality apartments be created if add-ons were allowed?
- ❖ A way to allow existing illegal apartments to become legal?
- ❖ How many people would realistically do this if unit had to be deed restricted as affordable and meet all codes and Title V? Would incentive such as tax break be necessary to encourage.
- ❖ Town capacity to monitor affordable tenants

Planned Production Affordable Housing Action Plan

The Town of Middleborough’s Planned Production Affordable Housing Action Plan is presented below. The Action Plan is designed to produce at least 54 units of affordable housing annually beginning in 2005. Currently, Middleborough has 362 units on the Subsidized Housing Inventory. Included on the inventory is The Groves, a development consisting of 38 apartments and 52 condominiums. The development was approved in May 2004, but as of this date, only the condominiums have been constructed. The apartments are not scheduled for construction until 2006. Accordingly, Middleborough would like the 38 units removed from the inventory. An alternative version of this table showing the Phase II Groves development being constructed in 2006 is presented in Appendix 4.

Table 27, Planned Production Affordable Housing Action Plan

	Action	Units	Affordable units	PPR Units*
Chapter 40B Units as of May 2005			362	
Additional Affordable Units Needed for 10%				358
2005	Approved 25 Wareham St.	16	7	
	Approved 153 Center St.	4	4	4
	Appealed Cranberry Village development	176	44	44
	Pending Shoe Shop Place development	30	8	8
	Appealed Northwoods development	12	3	3
	Selectmen approve Affordable Housing Plan and submit Plan to DHCD			
	Seek one year reprieve from 40B			
Subtotal		238	66	59
Additional Affordable Units Needed				299
2006	Proposed 47 Oak Street	5	5	5
	Pending Keith Place	16	4	4
	Pending Eastwood Estates	26	7	7
	Seek one year reprieve from 40B			
	Town Meeting adoption of Inclusionary Zoning Bylaw			
	Additional 40B developments not yet scheduled	38	10	38
Subtotal		85	26	54
Additional Affordable Units Needed				245
2007 - 2010	Pending Cherry Street Estates	24	6	6
	Appealed Middleboro Commons	46	12	12
	Proposed Cinnamon Ridge	20	5	5
	Proposed Adams Circle apartments	100	25	100
	Proposed Center Place Apartments	36	9	36
	Washburn Mill Reuse	20	5	5
	Town Meeting adoption of By-right Multifamily Housing with Site Plan Review in the GU and GUX Districts			
	Town Meeting adoption of a Downtown Affordable Housing Overlay District			
	Town Meeting adoption of a Residential/Business Zoning District for Villages			
Additional 40B developments not yet scheduled	81	20	81	
Subtotal		327	62	245
Additional Affordable Units Needed				0
Additional Affordable Units to Adjust for Year 2000–2010 Growth				254
Total Additional Affordable Units Projected for 2010–2020				254

*PPR (Planned Production Regulation) units count toward the 54 units Middleborough must produce each year to regulate affordable housing production.

Section IV: Use Restriction Guidelines

This section of the Affordable Housing Plan states the Town's agreement to adopt a variety of use restrictions and affirmative marketing strategies to ensure that the affordable housing meets the standards established by 760 CMR 31.07(1)(i).

The Town of Middleborough is committed to maintaining its affordable housing inventory for as long a period as possible. Deed restrictions or affordable rental restrictions should guarantee affordability in perpetuity. The monitoring of the resale restrictions and annual recertification in the case of rental agreements should be the responsibility of the project sponsor who must report annually to the Middleborough Housing Authority or other housing organization approved by the Town.

Qualifying Families

Families who earn 80% or less than the current area median income qualify for affordable housing. Applicants must meet the program income limits in effect at the time they apply for a unit and must continue to meet the program income limits in effect at the time of all subsequent reviews.

Buyer/tenant selection process must be fair and equitable; a publicly advertised lottery is encouraged.

Determining Rental/Sales Prices

Affordable units must be priced at levels affordable to buyers with a range of incomes. Sale prices are based upon principal, interest, and insurance payments assuming a 5% down payment and the low or moderate families spending no more than 30% of their income on housing costs.

Marketing

Affirmative marketing to minority households whereby the percentage of minority ownership is equal to the greater of the percentage of income eligible minority households in the community *and* the percentage of income eligible minority households in the regional planning area.

Appendix 1: Chapter 40B Guidelines for Planned Production Regulation⁶ (Summary)

Revisions to Chapter 40B issued by the Department of Housing and Community Development’s Housing Appeals Committee in December 2002 stipulate that the Affordable Housing Plan must incorporate a “Planned Production Development Rate” provision. This provision allows a local Board to deny or grant with conditions a comprehensive permit for up to a two year period if the community has adopted an affordable housing plan approved by DHCD. The plan must stipulate an increase in the community’s number of low or moderate income housing units by at least three-fourths of one percent of total units every calendar year until that percentage exceeds 10% of total units. In subsequent years, the community will have to demonstrate continued progress toward implementing the housing plan. **Compliance will be determined based on the qualifying housing units produced within the calendar year for which certification is requested.**

The affordable Housing Plan must be accompanied by a document that summarizes the four Plan Elements:

1. Housing Needs Assessment:

This section analyzes and suggests a mix of housing opportunities for families, individuals, persons with special needs, and the elderly that are consistent with local and regional needs and feasible within the housing market in which they will be situated along with an analysis of the municipality’s infrastructure and development constraints, and the municipality’s ability to mitigate them.

2. Affordable Housing Goals consistent with the Town’s plan are to be identified

3. Strategies by which the municipality will achieve its housing goals established by its comprehensive needs assessment are to be identified

4. A description of the use restrictions which will be imposed on low or moderate income housing units to ensure that each unit will remain affordable long term to and occupied by low or moderate income households will be stated

Populations that should be served by affordable housing include:

- Families
- Persons with special needs
- Individuals
- Elderly

The following are some types of housing that now qualify as affordable under Chapter 40B:

- Local, state or federally subsidized units
- Privately funded units in a variety of building types, renovated or new housing, assuming rents are within affordable housing cost limits (80% of median income) and there are use restrictions to maintain affordability (Local Initiative Program).
- Units created through Community Preservation Act funding that serve low and moderate income households
- Group homes
- Accessory apartments created after July 2002

The Affordable Housing Plan shall include one of more of the following, but shall not be limited to:

1. The identification of zoning districts or geographic areas which will permit the proposed residential uses
2. The identification of specific sites for which the municipality will encourage the filing of comprehensive permit applications
3. Characteristics of proposed developments that would be preferred by the municipality (cluster, mixed-use, etc.)

⁶ M.G.L. 760 CMR 31.07(1)(i)

See also MGL Chapter 40B Guidelines for Planned Production Regulation, Department of Housing and Community Development.

4. Municipally owned parcels for which the municipality commits to issue request for proposals to develop low or moderate income housing

An approved plan shall take effect only when the Department certifies that the municipality has approved permits resulting in an initial annual increase in its low or moderate income housing units of three-quarters of one percent of total housing units. In subsequent years the community will have to continue to demonstrate progress toward meeting this goal.

Approval of Affordable Housing Plan

All affordable housing plans must be submitted by the municipality’s chief elected official. DHCD will approve or disapprove the plan within 90 days of submission. If DHCD disapproves a plan, the notification will include a statement of reasons for disapproval. If a plan is disapproved, a municipality may submit a new or revised plan at any time. Communities may also amend a plan at any time if DHCD approves the amendment.

Certification of Compliance with Affordable Housing Plans

Communities with an approved affordable housing plan may request DHCD certification of compliances by submitting evidence that housing units have been produced in the calendar year for which certification is requested that are eligible to be counted on the Subsidized Housing Inventory and total at least ¾ of 1% of the total housing units in the community. DHCD will determine whether a community is in compliance with its plan within 30 days of receiving the request for certification.

An approved plan shall take effect only when DHCD certifies that the municipality has approved permits resulting in an initial annual increase in its low or moderate income housing units of ¾ of 1% of total housing units in accordance with its plan. In order for the units to be counted as part of the municipality’s affordable housing stock, the municipality must submit evidence and certify to DHCD that building permits have been issued for those units. Compliance will be determined based on production of qualifying housing units within the calendar year for which certification is requested.

Plan Submission

Communities should submit the plan to:	Jane Wallis Gumble, Director MA Department of Housing and Community Development Office of Sustainable Development 1 Congress Street Boston, MA 02114 MaryJane.Gandolfo@ocd.state.ma.us
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The Department would prefer an electronic copy of the plan for its review, submitted via e-mail attachment or on disc.

Appendix 2: Local Initiative Program Guidelines⁷

The Local Initiative Program is a state housing program administered by the Department of Housing and Community Development (DHCD) that was established to give cities and towns more flexibility in their efforts to provide low and moderate income housing. The program provides technical and other non-financial assistance to cities and towns for the development of two types of housing: Local Initiative Units, which are developed through the conventional zoning process, and Comprehensive Permit Projects, which are developed according to Chapter 40B. All low and moderate income units developed through the Local Initiative Program are counted towards the town's affordable housing stock under Chapter 40B.

The Local Initiative Program allows most of the financing, design, and construction decisions to be made by local public officials. Only the incomes of housing residents, the quality of housing provided, fair marketing, and level of profit are subject to state review.

Local Initiative Units

Local Initiative Units must meet the following requirements:

1. The units must be for households at or below 80% of median household income.
2. The units are subject to Use Restrictions of a substantial duration to ensure that the units remain available exclusively to those with qualifying incomes. A use restriction is a legal document that guarantees that the housing units will remain affordable during a specified "lock-in" period; under the Local Initiative Program, this lock-in must be for the longest period feasible. The initial lock-in period must be no less than 30 years for new construction and 15 years for substantially rehabilitated units. Local Initiative Units must have been created or converted to affordable housing for the explicit purpose of serving low or moderate income people, and may not qualify unless there are income restrictions that resulted directly from municipal action. Local actions include:
 - Zoning-based approval (rezoning, special permits, density bonuses, site plan approval, subdivision approval)
 - Financial assistance from funds raised, appropriated, or administered by the community
 - Provision of land or buildings that are owned or acquired by the community and conveyed at a below-market cost
3. The units must be sold or rented on a fair and open basis. The owners of the units must execute an equal housing opportunity agreement with DHCD for existing units or adopt an affirmative fair marketing plan for new units.

Application Forms: Applications for approval of Local Initiative Units must be submitted in the form provided by DHCD. The application must include documentation of the local actions that created the affordable units, a copy of the use restriction, and executed equal opportunity agreement for existing units, and an affirmative marketing plan for new units developed after February 1, 1990.

Comprehensive Permit Projects

The purpose of allowing Comprehensive Permit Projects within the Local Initiative Program is to enable communities to develop low and moderate income housing through the flexible zoning and local approval process provided by Chapter 40B. These projects must meet the following requirements:

⁷ Local Initiative Program Guidelines. Department of Housing & Community Development. August 2002.

1. The Project must have the written support of the chief elected official and local housing partnership.
2. At least 25% of the units must be affordable to households at or below 80% of regional median household income.
3. The developer must agree to a long term lock-in period for the affordable units that is enforced by a regulatory agreement with DHCD. In a regulatory agreement, the developer agrees to construct and maintain the units in accordance with the requirements of the Local Initiative Program and be limited to a reasonable profit. The lock-in period must be for the longest period of time allowed by law.
A “reasonable profit” is defined as limits the distribution of return to all partners and owners to no more than 10% of equity per year during the lock- in period for rental and cooperative housing, and limits the profit and developer’s fees to all partners and owners to no more than 20% of total development costs for homeownership projects.
4. The project developer and/or owner(s) must agree to develop and implement an affirmative fair marketing plan in a form approved by DHCD.

Application Forms: Applications for approval of a Comprehensive Permit Project must be submitted in a form provided by DHCD. After an application is filed, a DHCD site visit and project evaluation will occur. Applications must be accompanied by the following:

- Documentation of the developer’s interest in the site (a deed, option, or purchase and sale agreement)
- A site plan showing the footprint of all proposed buildings, roads, parking, and other improvements
- Sample floor plans and elevations for each building and unit type
- A tabulation of the proposed units by size, type, number of bedrooms, location within the project, and proposed rent or sales price
- A financial pro forma
- A brief description of existing site conditions, any required permits, and proposed efforts to mitigate environmental impacts
- An appraisal of the site reflecting the site’s value under existing “by-right” zoning without a comprehensive permit
- Information regarding the relationship of the proposed project to local or regional growth management plans

Other Program Components

The Town should become familiar with the following components of the Local Initiative Program, described in detail in the Local Initiative Program Guidelines published by DHCD.

- ❖ Marketing and Buyer/Tenant Selection
 - ◆ Affirmative Marketing Plans
 - ◆ Local Preference
 - ◆ Lottery process
- ❖ Minimum Design and Construction Standards
- ❖ Consistency with Growth Planning Criteria
- ❖ Consistency with Critical Housing Needs
- ❖ Fees
- ❖ Monitoring and Oversight of units
- ❖ Subsidized Housing Inventory
- ❖ Qualified Housing Type

Appendix 3: Middleborough Zoning

Zoning Summary

Use/District	RA	RB	RR	B	I	GU	GU-A	GU-X
Single Family Dwelling	Y	Y	Y	-	-	Y	Y	Y
Mobile Home Parks – Age Restricted	-	-	SP	-	-	SP	SP	SP
Conversion of single family to up to three dwelling units	SP	SP	SP	-	-	SP	SP	SP-
Multiple dwelling units in upper floors of existing buildings	-	-	-	SP	-	-	-	-
Multifamily	-	-	-	-	-	SP	-	SP
Institutional Uses	Y	Y	Y	Y	Y	Y	Y	Y
Agriculture, sale of agricultural products	Y	Y	Y	Y	Y	Y	Y	Y
Outdoor Recreation	SP	SP	SP	-	-	Y	Y	Y
Commercial Establishments	-	-	-	Y	-	Y*	Y*	Y*
Light Manufacturing	-	-	-	Y	Y	Y*	Y*	Y*
Manufacturing or Industrial use	-	-	-	Y	Y	SP	SP	SP

Zoning Districts: RA=Residential A, RB=Residential B, RR=Residential Rural, B=Business, I=Industrial, GU=General Use, GU-X=General Use X

Y = A use allowed by right in the District

SP = A use allowed by special permit.

(-) = A use which is not allowed in the District

Y* = A use which is allowed by right but limited to 20,000 square feet of gross floor area per lot

Zoning Characteristics

Zoning District	% of Town covered by this zoning district	Minimum Lot Area (sq. ft.)	Effective Floor Area Ratio	Max Coverage
Residence A (RA)	15.5%	60,000		
Residence B (RB)	3.1%	20,000		
Residence Rural (RR) Mobile Home Park	65.6%	80,000 20 acres (2 units/acre)		
Business	0.2%	NA	2.0	NA
Industrial	1.4%	NA	NA	NA
General Use A Single Family Mobile Home Park Commercial	8.7%	30,000 20 acres (2 units/acre) NA	0.34	60%
General X Single Family Multifamily Mobile Home Park Commercial	5.6%	30,000 40,000/unit 20 acres (2 units/acre) NA	0.34	25% 60%
General Use Single Family Multifamily Mobile Home Park Commercial	14.3%	30,000 30,000/unit 20 acres (2 units/acre) NA	0.34	25% 60%
Water Resource Protection Overlay Districts	100%	60,000 (Zone 2)		25%
DOD	00		3.0	50%

Overlay Districts

Development Opportunities District (DO): Provides for economic development expansion in a planned multi-use district. Uses allowed by special permit include any combination of manufacturing, high tech, warehouse, municipal, transportation, hotel, R&D, office, trade school, or country club. In addition, where the DO overlays a GU district, additional uses are allowed by special permit, including retail sales, service establishments, theaters, restaurants, and other places of public assembly. Minimum of 10 acres is required.

Open Space and Resource Preservation Development District: allows for an alternative to conventional subdivision within the RA, RR GU, and GUX Districts. A minimum of 5 acres is required. All dwelling units must be detached single family homes. The number of buildings may not exceed the number of lots that could be constructed with a conventional subdivision. The minimum lot size is 30,000 square feet (or 60,000 square feet within the WRPD), while 40% of the land area must be set aside as open space.

Flood Plain District: Regulates development within Flood Plain areas identified by FEMA.

Water Resource Protection Districts: Regulates development within areas that impact the town's water resources. District A requires minimum lot size of 60,000 square feet where not connected to Town sewer. District B requires Special Permit for all uses allowed in underlying district. Both districts prohibit structures within 100 feet of several specified surface waters; a disturbance of areas within 100 feet is allowed by Special Permit if it does not exceed 15% of lot area within buffer.

Adult Entertainment District: Superimposed over Industrial District that abuts Rochester Town line, allows development of businesses which provide "Adult Entertainment".

Appendix 4: Alternative Planned Production Action Plan

Proposed is an alternative planned production schedule assuming the removal of the 38 Groves apartment units from the Subsidized Housing Inventory. The apartments are not scheduled for construction until 2006; they have been added to the planned production action plan below. Additionally, 7 units (25 Wareham Street) approved in December 2004 have been added to the inventory.

Alternative Planned Production Affordable Housing Action Plan

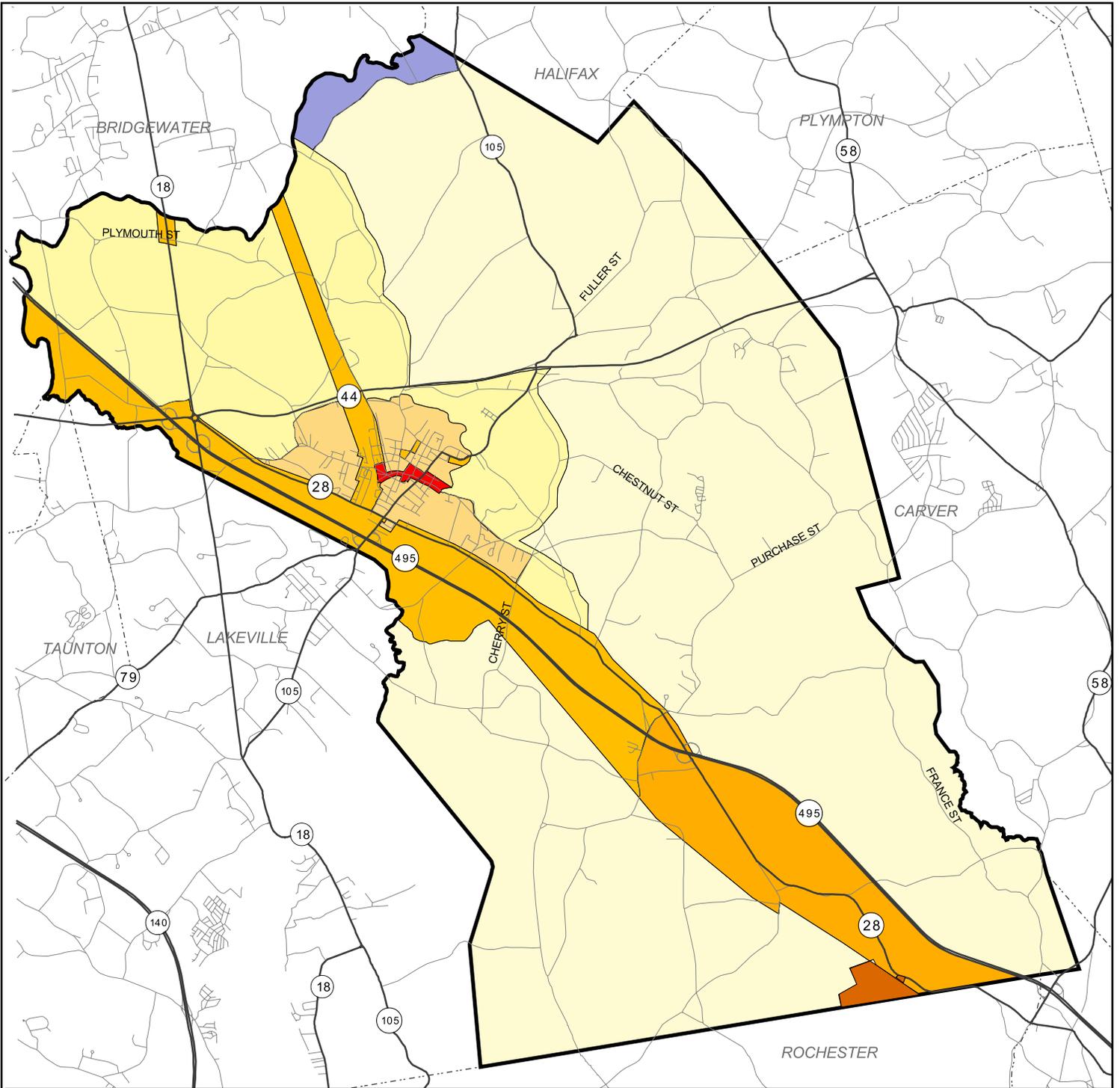
Action		Units	Affordable units	PPR Units*
Chapter 40B Units as of May 2005			362	
The Groves Apartments (Phase II) approved in 2004 but not yet constructed			-38	
25 Wareham Street approved 12/4/04		16	+7	
Revised SHI			331	
Additional Affordable Units Needed for 10%			389	
2005	Approved 153 Center St.	4	4	4
	Appealed Cranberry Village development	176	44	44
	Pending Shoe Shop Place development	30	8	8
	Appealed Northwoods development	12	3	3
	Selectmen approve Affordable Housing Plan and submit Plan to DHCD			
	Seek one year reprieve from 40B			
Subtotal		222	59	59
Additional Affordable Units Needed				330
2006	The Groves Apartments (Phase II)	38	10	38
	Proposed 47 Oak Street	5	5	5
	Pending Keith Place	16	4	4
	Pending Eastwood Estates	26	7	7
	Seek one year reprieve from 40B			
	Town Meeting adoption of Inclusionary Zoning Bylaw			
Subtotal		85	26	54
Additional Affordable Units Needed				276
2007 - 2010	Pending Cherry Street Estates	24	6	6
	Appealed Middleboro Commons	46	12	12
	Proposed Cinnamon Ridge	20	5	5
	Proposed Adams Circle apartments	100	25	100
	Washburn Mill Reuse	20	5	5
	Proposed Center Place Apartments	36	9	36
	Town Meeting adoption of By-right Multifamily Housing with Site Plan Review in the GU and GUX Districts			
	Town Meeting adoption of a Downtown Affordable Housing Overlay District			
	Town Meeting adoption of a Residential/Business Zoning District for Village Centers			
	Additional 40B developments not yet scheduled	112	28	112
Subtotal		358	90	276
Additional Affordable Units Needed				0
Additional Affordable Units to Adjust for Year 2000-2010 Growth				254
Total Additional Affordable Units Projected for 2010–2020				254

*PPR (Planned Production Regulation) units count toward the 54 units Middleborough must produce each year to regulate affordable housing production.



**Regional Map
Town of Middleborough**

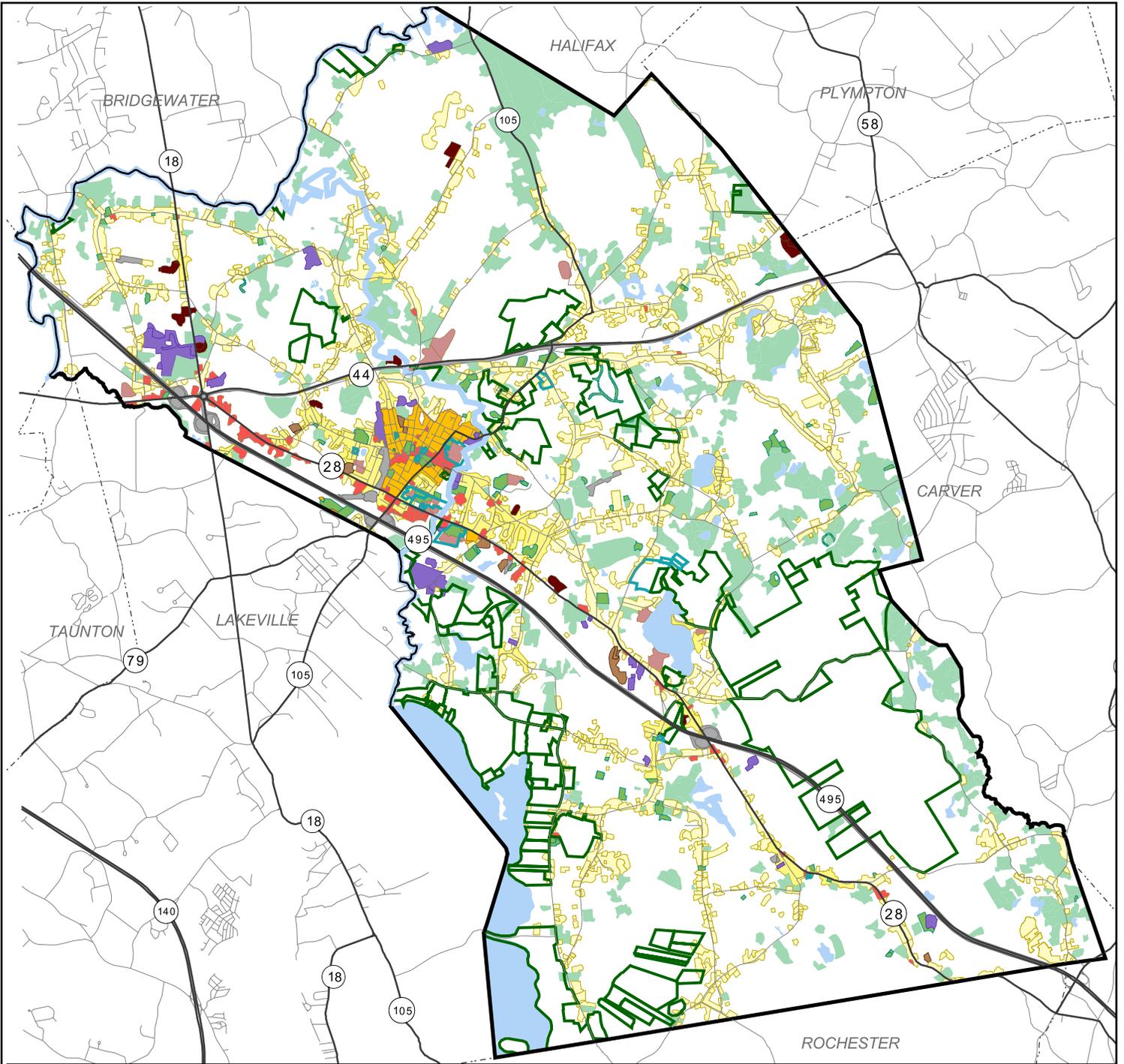




**Zoning
Town of Middleborough**

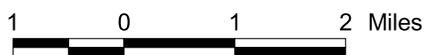
	Residence Rural (RR)		General Use X (GU-X)
	Residence A (RA)		General Use A (GU-A)
	Residence B (RB)		Business
	General Use		Industrial

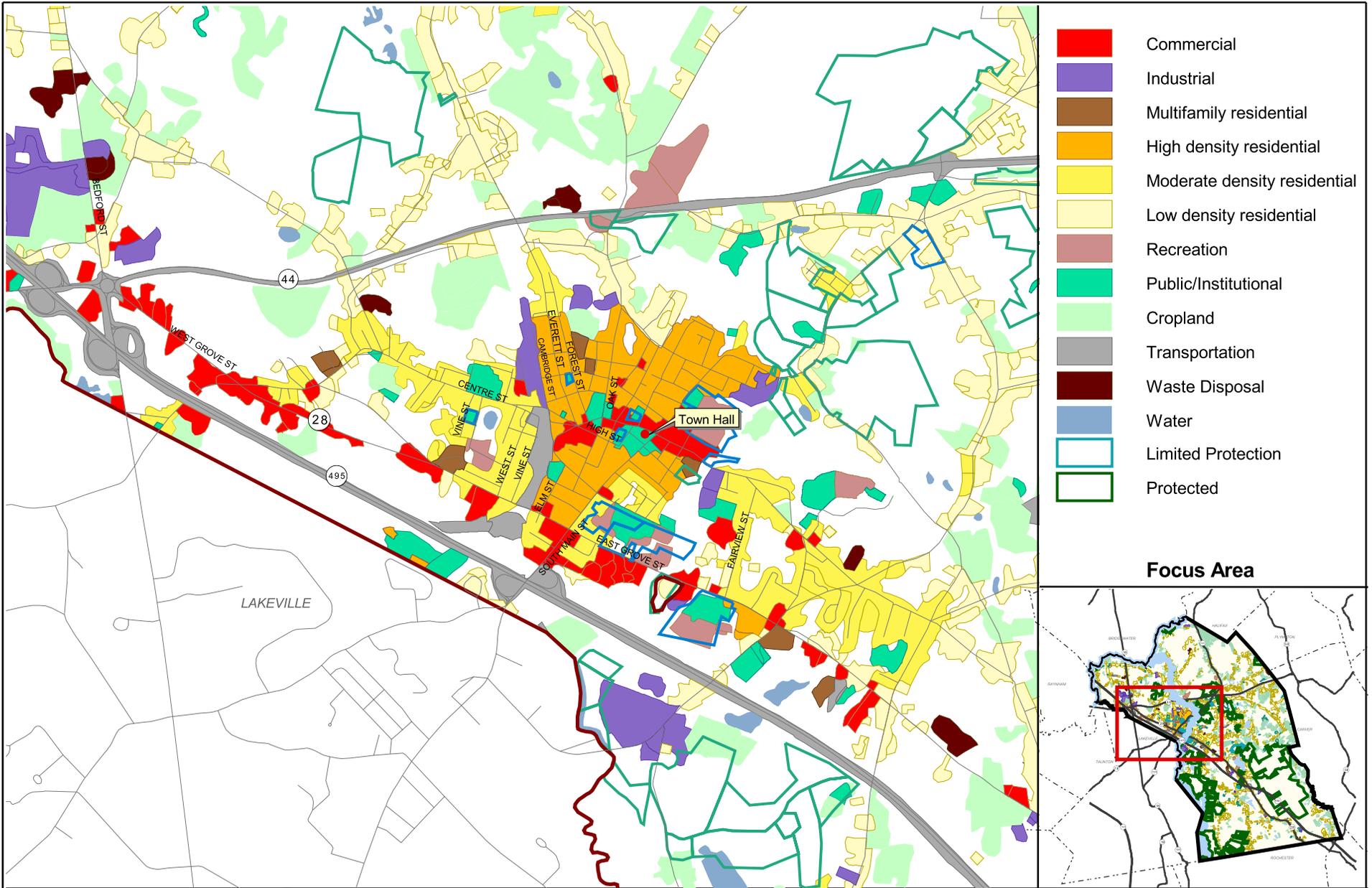




**Land Use
Town of Middleborough**

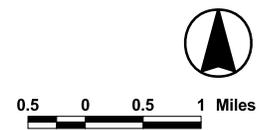
- | | | | |
|---|------------------------------|---|-----------------------|
|  | Water |  | Recreation |
|  | Cropland |  | Commercial |
|  | Public/Institutional |  | Industrial |
|  | Low density residential |  | Waste Disposal |
|  | Moderate density residential |  | Transportation |
|  | High density residential |  | Limited Protection |
|  | Multifamily residential |  | Permanently Protected |

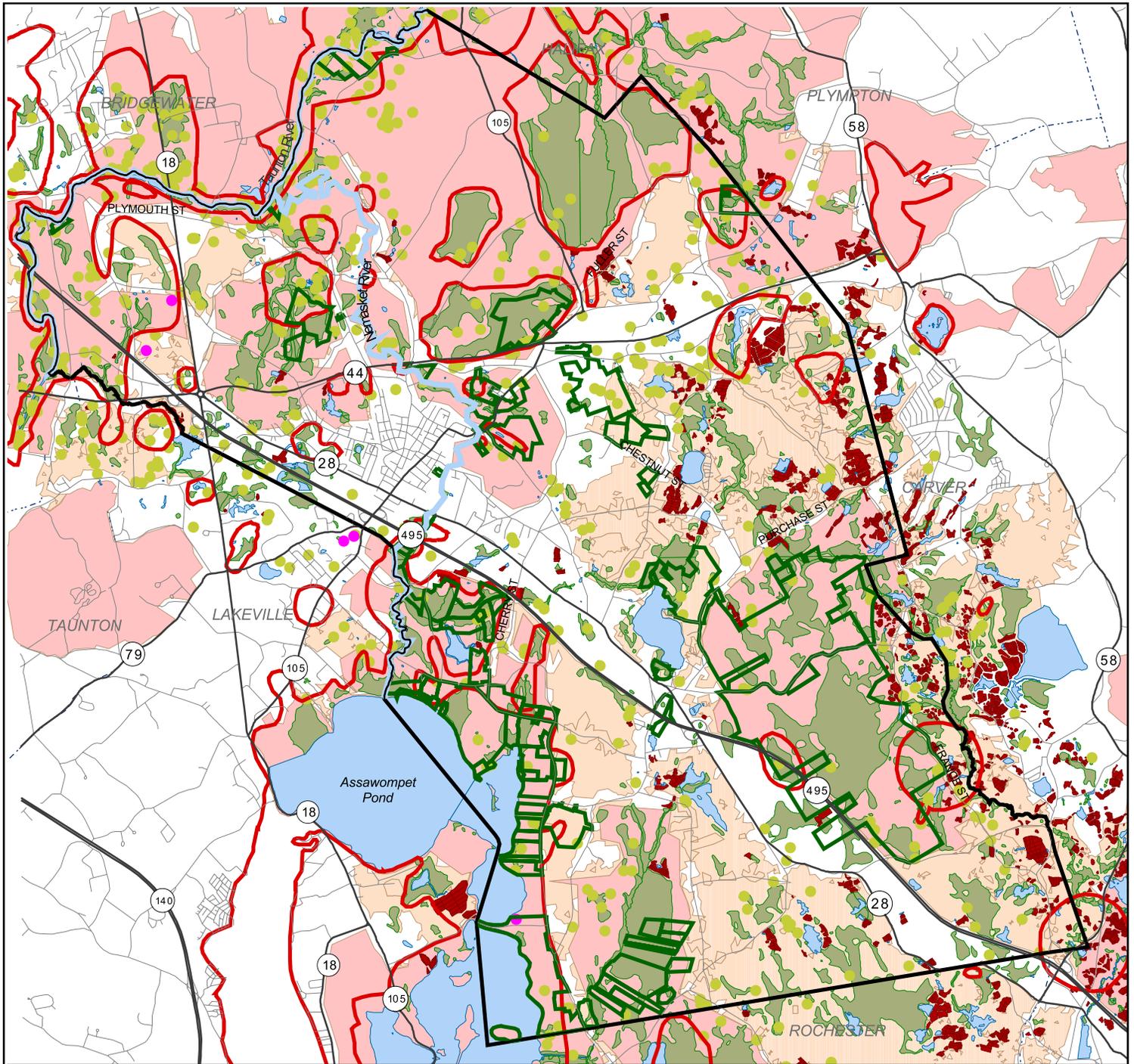




**Land Use: Downtown
Town of Middleborough**

Prepared by Larry Koff & Associates



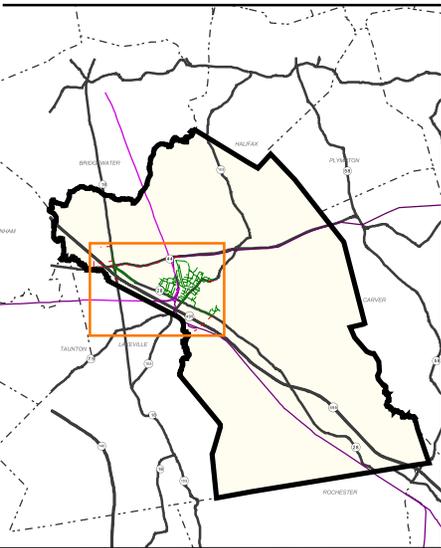
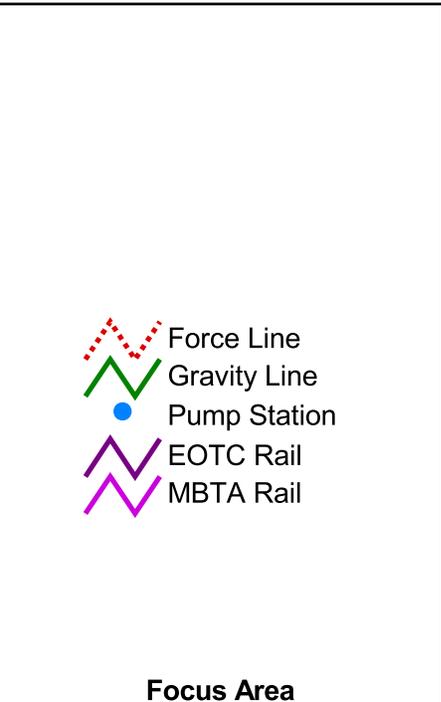
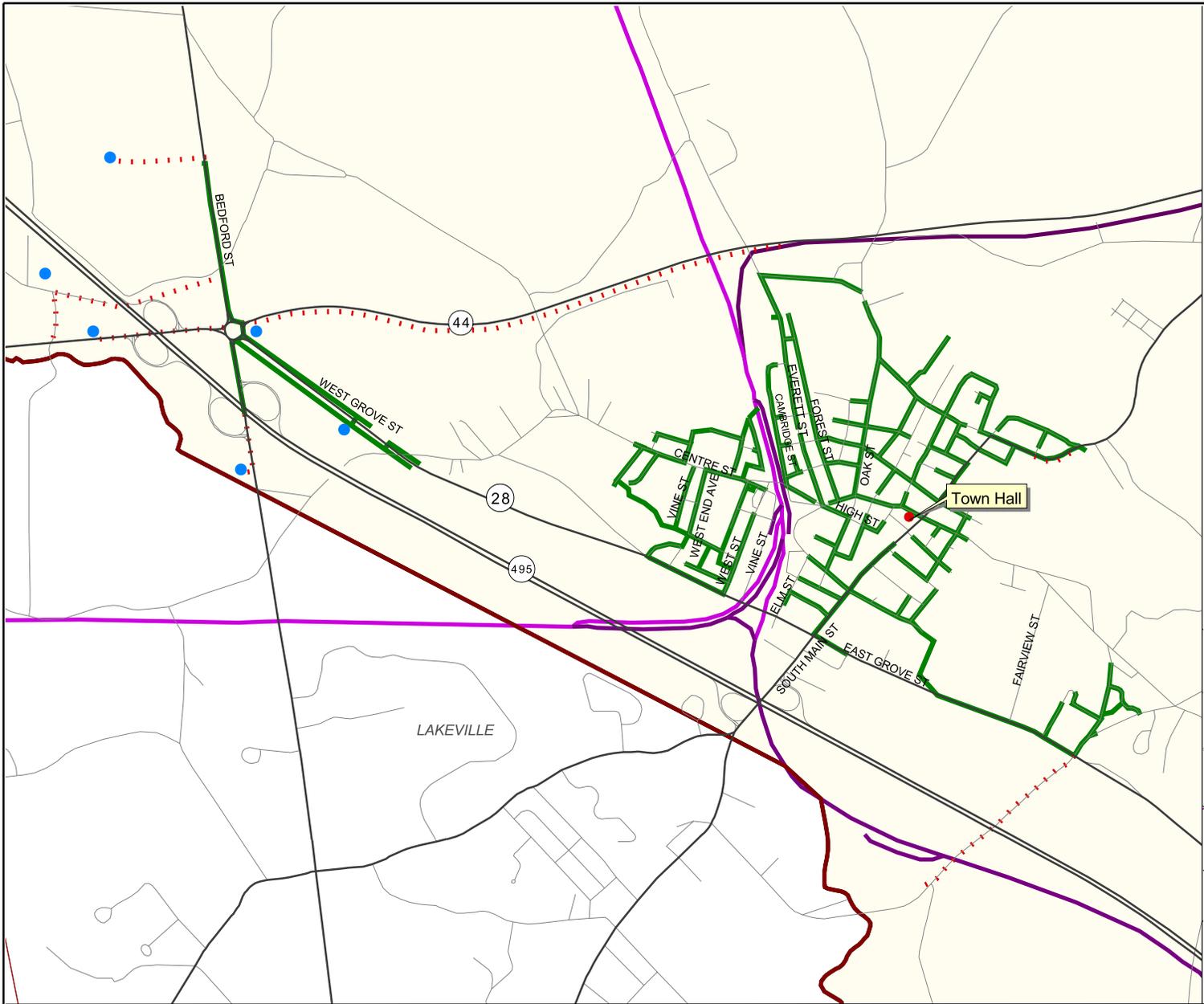


Core Habitat Areas Town of Middleborough

- Certified Vernal Pools
- Potential Vernal Pools
- Water
- Marsh/Wetland
- Cranberry Bog
- NHESP 1999-2001 Priority Habitats of State-Listed Rare Species: NOT equivalent to 'Significant Habitat' as designated under the Massachusetts Endangered Species Act
- NHESP Biomap Supporting Natural Landscapes
- NHESP Biomap Core Areas
- Permanently Protected Open Space

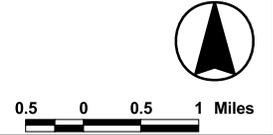


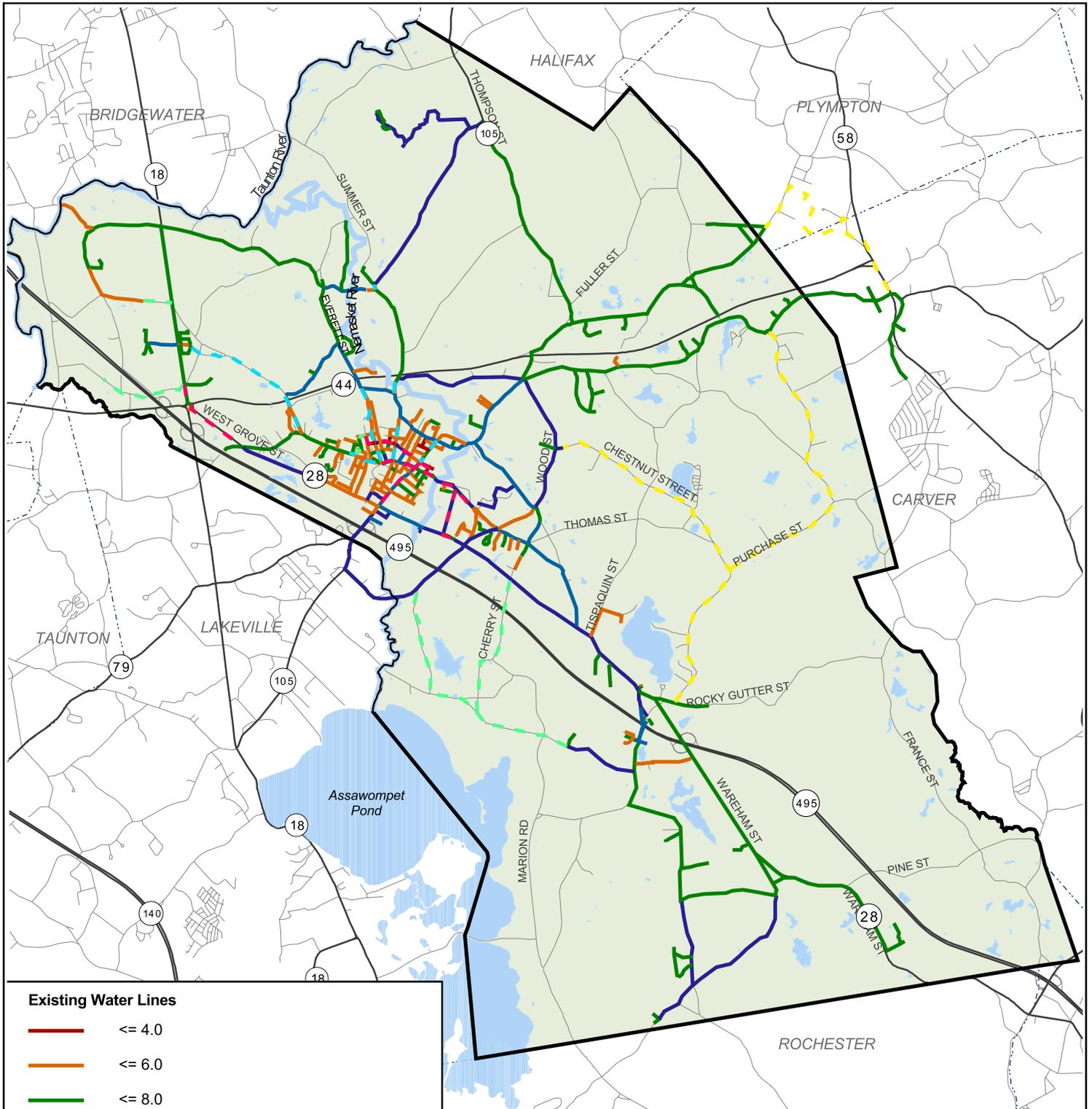
1 0 1 Miles



**Existing Sewer Lines
Town of Middleborough**

Prepared by Larry Koff & Associates





Existing Water Lines

- ≤ 4.0
- ≤ 6.0
- ≤ 8.0
- ≤ 10.0
- ≤ 12.0

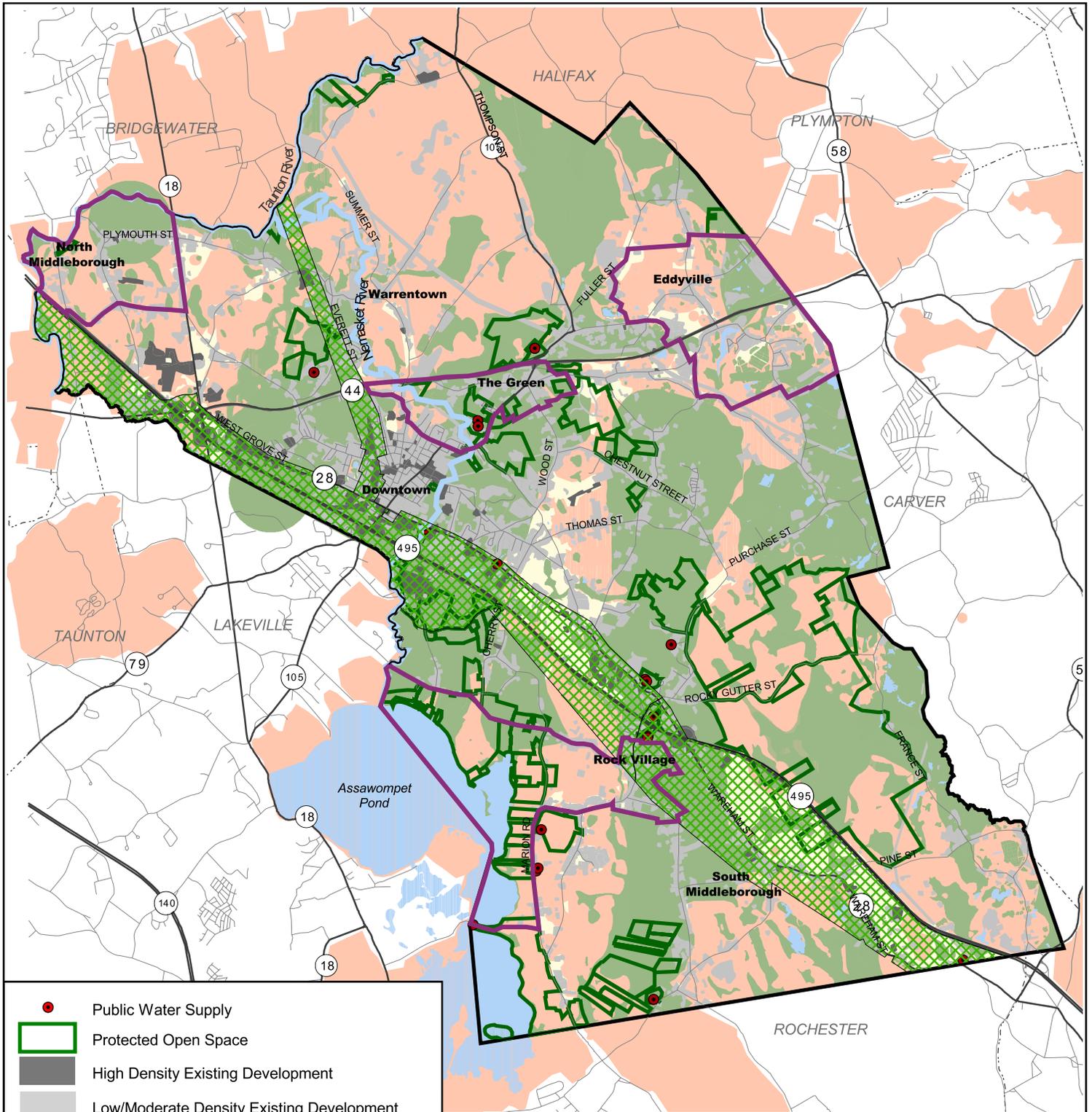
Proposed Improvements

- - - Proposed Cleaning and Lining Phase 1
- - - Proposed Long Range Improvement Program
- - - Proposed Watermain Improvement Phase 1
- - - Proposed Watermain Improvement Phase 2

**Water Lines
Town of Middleborough**

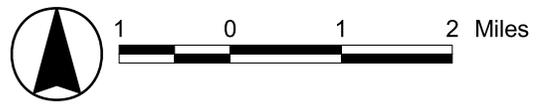


Prepared by Larry Koff & Associates
Source: Water System Distribution Analysis, Amory Engineers, P.C.

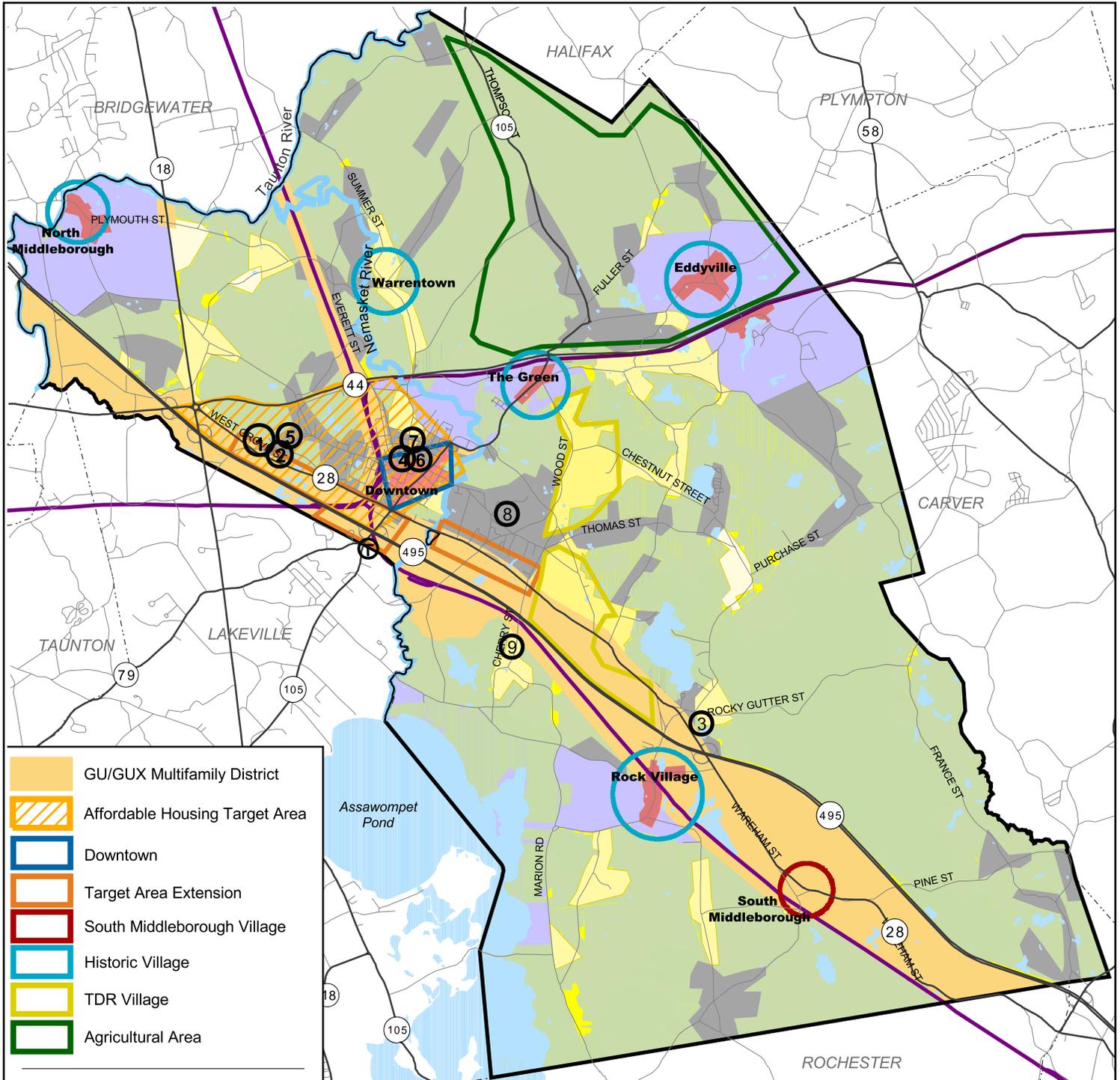


- Public Water Supply
- Protected Open Space
- High Density Existing Development
- Low/Moderate Density Existing Development
- Areas with Development Potential
- Historic Overlay District*
- Water
- Natural Resources with Regulatory Protection: Wetlands, Flood Zones, WRPD Zones 2 & 3, Potential High and Medium Yield Aquifers
- Sensitive Natural Resources with Limited or No Regulatory Protection: NHESP BioMap, Priority Habitats, Potential and Certified Vernal Pools, High Probability Archeological Sites

Land Use Suitability Town of Middleborough



Prepared by Larry Koff & Associates
* Middleborough Historic District Plan, 1989

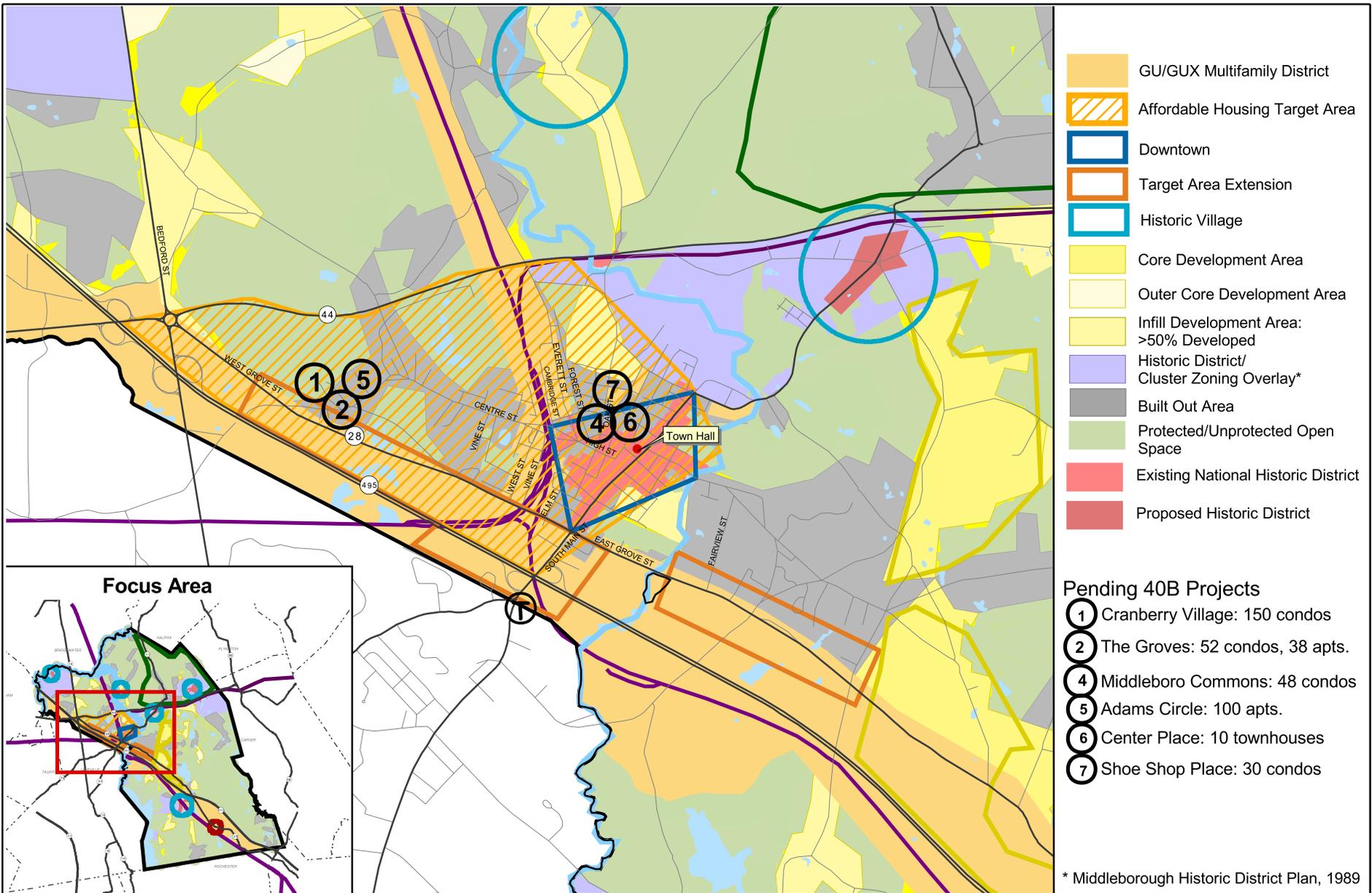


- Pending 40B Projects**
- ① Cranberry Village: 150 condos
 - ② The Groves: 52 condos, 38 apts.
 - ③ Pine Grove Estates: 10 single family
 - ④ Middleboro Commons: 48 condos
 - ⑤ Adams Circle: 100 apts.
 - ⑥ Center Place: 10 townhouses
 - ⑦ Shoe Shop Place: 30 condos
 - ⑧ Northwoods: 12 condos
 - ⑨ Cherry Street Estates: 44 condos

Housing Opportunities Town of Middleborough

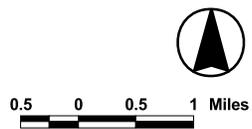


Prepared by Larry Koff & Associates
* Middleborough Historic District Plan, 1989



Housing Opportunities: Downtown Town of Middleborough

Prepared by Larry Koff & Associates



* Middleborough Historic District Plan, 1989