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TOWN OF WESTMINSTER

PLANNED PRODUCTION AFFORDABLE HOUSING PLAN

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SECTION 1 – COMPREHENSIVE HOUSING NEEDS ASSESSMENT

A. INTRODUCTION

The housing analysis of the Westminster Planned Production Plan 2005 is based on the Housing Component of the plan entitled: "Westminster Community Development Plan 2004," prepared under Executive Order 418, by The Montachusett Regional Council. The Westminster's Planned Production section of this plan was prepared by the Affordable Housing Committee under the direction of Alicia Altieri, Town Planner. This plan includes numerical goals for housing production that meets the .75% threshold for each year; a timeframe for the creation of units; strategies the town will use to achieve its housing production goal; a description of the town's infrastructure and its infrastructure constraints; and a description of the use restrictions that will be placed on affordable housing units. The Westminster Planned Production Plan is designed to meet the specific needs of Westminster residents while at the same time meeting the state's 10 percent affordable units housing goal.

B. HOUSING ELEMENT

On January 21, 2000, Governor Paul Cellucci issued Executive Order 418 (EO418), a measure designed to help communities plan for new housing opportunities. The impetus for the Executive Order was the Governor's commitment to creating housing opportunities for families and individuals across a broad range of incomes. The Governor stated "To keep our economy strong, we must expand the supply of housing that is affordable across a broad range of incomes. We need housing for parents making the transition form welfare to work. We need homes for police officers, the firefighters, and the teachers who want to live in the community where they work. We also need housing for young people who want to raise a family in the community where their families raised them."[1]

Bringing communities together to plan for the future is not a simple task; it involves understanding and balancing the needs of residents of all ages, and income levels, and even the future needs of those not born yet. Communities are unique, and each faces a unique set of challenges regarding future planning and development. Westminster, like communities across the state, is facing the challenge of increased housing needs. The outward movement of people from the population centers in the east to communities where housing prices are lower is exacerbating a housing crisis. The rising cost of housing has, as Governor Cellucci stated, made it impossible for residents to buy a house in the community where they were raised.

C. AFFORDABLE HOUSING: THE BIG PICTURE

At a recent *Funders' Roundtable* held at the Boston Foundation in June 2003, all of the presenters agreed that "the housing situation is bleak with the demand for affordable housing currently greater than the supply—and with future demand expected to easily outstrip the rate at which new units are being built."[2]. The increasing number of households purchasing existing housing as second homes in the Montachusett Region means that formerly affordable units are being taken off the market and sitting empty for a large part of the year. The negative impact on available units increases housing costs for the state's permanent residents especially in the rural towns. The state has

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[1] The definition of housing affordability assumes that a home is affordable to its owners if their monthly housing costs – a mortgage payment, property taxes, and house insurance are equal to or less than 30% of their gross monthly income. Similarly, an apartment is considered affordable to tenants if they pay 30% of their gross monthly income or less, for rent and utilities. Housing affordability also considers both the price of the housing unit and the income of the household living in it. Thus the term "affordable housing" is relative, since it depends on the income of the household. Affordable housing is not the same thing as subsidized housing for persons of low and/or moderate income, although subsidized is one type of affordable housing. Affordability under Chapter 40B legislation considers it to be units that are made affordable to households who earn 80% of the median income, or less. These units also need to be subsidized in some way, and have deed restrictions placed on them to keep them affordable for at least 30 years for new construction.

[2] (FHLBBoston: TOOLS, No. 20)

one of the least affordable housing markets in the country and a low rate of homeownership in many areas.[3] Yet in the non-urban areas such as Westminster this is not the case. Still the demand for housing is outpacing the rate at which units are being built by 50%.

The cost of affordable housing in the northeast has increased approximately 9% per year since 1996. However, it appears that the cost of producing market rate housing has seen similar increases.

The *Funders' Roundtable* said that construction costs accounted for the majority of cost increases. Increased wages account for only a portion of the construction costs. The escalating costs of providing Workers' Compensation, health, and liability insurance are significantly driving up labor costs. A shortage of skilled tradesmen is also driving up construction costs, with available tradesmen working for large operations that focus on producing high-end, market rate housing and commercial projects.

In many communities opposition to growth and high-density housing is strong. As a result, affordable housing developments frequently face legal challenges or require endless zoning board meetings and redesigns before construction can get underway. Meanwhile, putting together multiple funding sources and meeting various regulations slows down the development process and increases costs.

1. Labor Force and Housing

The interplay between population and the increase in the number of housing units explains some of this housing demand phenomenon. According to the U.S. Census Bureau, the population of the Commonwealth grew 5.5% between 1990 and 2000, compared to 13% nationwide. If housing unit production had matched population unit growth in that period the state would have added over 70,000 more units than it did.

Over the past ten years, there has been a notable out-migration of people from Massachusetts to other states, most notable to other New England states. While good data on the reason for this movement are hard to obtain, many researchers believe that people are moving partly because of the tight housing market and the high cost of housing. "The IRS tracks migration using tax return data. These data show that almost 119,000 people left the Commonwealth in 2000, including 26,000 to neighboring New England states. Over 93,000 moved out of New England entirely." [4] Previous migration research has been consistent in finding that young, better-skilled people are most likely to leave. They are generally in their twenties and early thirties and have a higher education and income characteristics than the overall population. As the Massachusetts economy triggers an outflow of workers due to labor market conditions, it will be losing the best educated of our young labor force.

As our workforce ages, the ability of our region to accommodate younger workers and their families becomes an increasingly critical economic issue. High tech and manufacturing businesses rely on younger workers to fill job ranks. Without a steady influx of new talent, these industries face a declining labor force. Other fields, including teaching, nursing, and public works and public safety, all rely on young workers to balance attrition due to retirements. The push to use early retirement in order to help fix the state budget exacerbates the situation. Regions across the state are experiencing serious shortages of nurses and teachers. Yet, in spite of the need to encourage young workers to stay in Massachusetts, housing is unaffordable to many of these workers.

2. Westminster's Housing Situation

The Town of Westminster realizes that it has a responsibility to take a leadership role to implement steps to meet affordable housing needs. In an effort to address these needs and to make future decisions regarding land-use and housing development, the Town of Westminster has prepared this Community Development Plan (CD Plan).

In developing the housing component of the CD Plan available data were collected and analyzed including: the U.S. Department of Commerce, Bureau of Census data, the Executive Office of Environmental Affairs (EOEA) Buildout

[3] (FHLBBoston: TOOLS, No. 20)
[4] (IBID, p.2)

and other GIS tools related to the past, the current, and the anticipated future population and the demand for housing. The Westminster Master Plan was also used extensively with more recent data from the above being utilized. Using this information, policies and proposals will be included in this Community Development Plan. The Housing Element of the Westminster Community Development Plan will first assess and analyze housing related trends, including; population and housing unit growth, average household size, population by age group, age of housing stock, housing occupancy, and type of households. A housing demand assessment and needs analysis will also be conducted to document the demand for housing in Westminster, the housing needs of local residents and what is actually available (and affordable) for housing opportunities.

Findings from the housing assessment and analysis were used to set Westminster's Housing Goals and Policies and to develop recommendations to help implement them over the next 10 years and beyond. Using this information with natural resources mapping, land use suitability for future development in the Town of Westminster will be identified and mapped, and short-term and long-term numerical goals concerning housing unit production will be determined.

Most of the housing units in the Town of Westminster are moderately valued structures with a median assessed value for owner-occupied of $141,500 according to the 2000 Census. These costs are well below the State's Department of Housing and Community Development (DHCD)'s "affordable purchase price" of $199,840 for a median income single family home in Westminster.

The median price of 107 single family homes sold between January and December 2003 was $219,900. This is a major escalation in median sale prices from the three previous years; 2002 at $191,000; 2001 at $188,950 and 2000 at $150,000.

Median Sales Prices
Single Family Homes
Westminster

Year	Number	Price
2003	107	$219,000
2002	100	$191,000
2001	72	$188,950
2000	74	$150,000

Source: Based on Warren Group Town Statistics 12/16/03

The asking price for one home was $1,250,000 (in February 2004). The typical home "asking prices" in 2003 were below this level ranging from two at $160,000 and $164,900 with five more under $250,000. The home for $169,000 is 795 square feet on .68 acre, built in 1950. The median sale asking price in February 2004 was $334,900.

Most of the existing owner occupied housing units (based on the 2000 census) are considered affordable, with 13.9% of the units under $100,000 and 81.3% under $199,000. Only 1.8% or 36 units of 2,006 owner occupied units, exceeded $299,999 and thus approximately 98% of the units are under DHCD's "affordable purchase price" [5] (for 150% of median income) of $299,759.

[5] The definition of housing affordability assumes that a home is affordable to its owners if their monthly housing costs – a mortgage payment, property taxes, and house insurance are equal to or less than 30% of their gross monthly income. Similarly, an apartment is considered affordable to tenants if they pay 30% of their gross monthly income or less, for rent and utilities. Housing affordability also considers both the price of the housing unit and the income of the household living in it. Thus the term "affordable housing" is relative, since it depends on the income of the household. Affordable housing is not the same thing as subsidized housing for persons of low and/or moderate income, although subsidized is one type of affordable housing. Affordability under Chapter 40B legislation considers it to be units that are made affordable to households who earn 80% of the median income, or

At least 81% are under the median income affordable price. In fact the median household income "affordable price" of $199,834 comprises 81% of existing units.

3. Montachusett Regional Housing Needs Assessment

The following towns and cities are a part of the Montachusett Region: Ashburnham, Ashby, Athol, Ayer, Clinton, Fitchburg, Gardner, Groton, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Royalston, Shirley, Sterling, Templeton, Townsend, Westminster, and Winchendon.

The principal urban centers in the region are Fitchburg with a population of 39,100, Leominster with 41,300 residents, and Gardner with 20,770 residents. These larger communities house a higher number of low and moderate-income families and contain larger minority populations than the rest of the smaller towns in the region.

Regionally, the availability of affordable housing is a major concern as are the high prices of homes and rental costs. In addition, the increases in demand, spurred by the migration from more populated and expensive regions, and the lack of the development of affordable housing in the recent past, has resulted in a housing market that has created a great need for affordable housing. Adding to the demand that is outstripping supply, a very low vacancy rate, and the increasing costs, the region is faced with a critical situation.

The population in the Montachusett Region has increased modestly over the last decade by 12,434 or 5.77% (excluding the closing down of Fort Devens), and 37,398 or 19.62% since 1970, with the increase of 21,440 occurring in the decade of the 1980's. During this time the number of household units increased and the size of households decreased. This difference appears to be related to the increased number of single parent families in the region.

Owner-occupied units made up approximately 67% of the total housing stock in the region compared to 66.2 % nationwide, 64.9% in New England, 61.7% in Massachusetts, and 89.2% in the Town of Westminster. The number of owner–occupied units in Westminster decreased 1.2% over the period of the 1990's, from 90.4% to 89.2%. The median for the region is 82.8%. The owner-occupied figure is higher than 17 of the 22 communities in the Montachusett Region, with Ashby having the highest number at 91.9%. This also indicates that 17 communities have a higher percentage of rental housing than Westminster.

Occupied Units 2000
Westminster

Community	Units Occupied	Owner Occupied	%	Renter Occupied
Ashburnham	1929	1714	88.90	215
Ashby	978	899	91.90	79
Athol	4487	3156	70.33	1331
Ayer	2982	1661	55.70	1321
Clinton	5597	3028	54.10	2569
Fitchburg	14943	7708	51.16	7235
Gardner	8282	4520	54.57	3762
Groton	3268	2740	83.84	528
Harvard	1809	1638	90.55	171
Hubbardston	1308	1195	91.36	113
Lancaster	2049	1622	79.16	427

less. These units also need to be subsidized in some way, and have deed restrictions placed on them to keep them affordable for at least 30 years for new construction.

Community	Units Occupied	Owner Occupied	%	Renter Occupied
Leominster	16491	9545	57.88	6946
Lunenburg	3535	3085	87.30	450
Petersham	438	362	82.60	76
Phillipston	580	527	90.90	53
Royalston	449	393	87.50	56
Shirley	2067	1457	70.50	610
Sterling	2573	2186	85.00	387
Templeton	2411	1996	82.80	415
Townsend	3110	2624	84.40	486
Westminster	**2529**	**2169**	**89.20**	**747**
Winchendon	3447	2492	72.30	955

Source: U.S. Department of Commerce, Bureau of the Census 2000

Much growth has taken place outside of the urban areas. Homebuyers are moving to the area from the east, west, and the south where housing is more expensive; normally, they tend to build housing that is more expensive than existing housing.

Rental units accounted for 33% of the housing units in the Montachusett Region. Compared to 1990, there were 1,874 less units in 2000. The regional decline in rental units appears to be the result of the demolition of older, sub-standard units in the urban centers and the conversion of multi-family rental units to condominium ownership units. The state's vacancy rates overall have decreased over the decade of the 1990's. In 1990, the vacancy rate for year-round ownership units was 1.7%, and the 2000 rate decreased to .7%. The vacancy rate for year-round rental units in the Montachusett Region decreased dramatically from 6.9% in 1990 to 1.7% in 2000.

Massachusetts Vacancy Rates, 1990 and 2000

	1990	2000
Ownership units	1.70%	0.70%
Rental units	6.90%	3.50%

Westminster Vacancy Rates, 1990 and 2000

	1990	2000
Ownership units	1.7%	0.7%
Rental units	0.7%	3.0%

Source: U.S. Department of Commerce, Bureau of the Census 2000

Westminster's vacancy rate for ownership units, or units for sale, decreased somewhat over the decade of the 1990's and is the same as that for the State. The rental vacancy rate increased from .7% to 3.0% and is still lower than the State's 3.5% in the year 2000. The low availability of housing indicates that there could be a demand for local housing.

The continued demand for owner-occupied housing has driven up the housing costs significantly over the last few years. Because of this demand, the private sector contractors have been concentrating on higher priced homes, which provide them with the greatest return on investment. The census in 1990 and 2000 records the increase in occupied units from 2,175 in 1990 to 2,529 in 2000, as well as the slight increase in rentals of just two. There was also a decrease in the number of seasonal, recreational or occasional use from 139 in 1990 to 85 in 2000. In

Westminster the trend has been to convert seasonal camps along Wyman's Pond, Partridge Pond and Meetinghouse Pond from seasonal units to year round single-family units. Oftentimes replacing a small summer camp with a much larger single-family home.

D. HOUSING ASSESSMENT AND ANALYSIS

1. Population Trends

The population of the Montachusett Region increased between 1960 and 2000 by 33.7%. In the last decade the population increased 8.7%. The Town of Westminster in the period from 1960 to 2000 had a population increase of 71.7%, with a 20.5% increase during the 1980's, and an 11.6% increase between 1990 and 2000.

In actual numbers of residents the increase was from 4,022 in 1960 to 6,907 in 2000, to reach that overall increase of 71.7%. Increases in the 1980's and the 1990's were exceeded by only 7 of the 22 communities in the Montachusett Region in those two decades. The population increases for the region were 6.1 in both decades. This means that Westminster grew faster than at least 16 out of 22 communities in both the 1980's at 20.5% and in the 1990's at 11.6%.

The 2000 Census found that the average household unit size for the Montachusett Region was 2.50, a reduction of 5% from 1990. Westminster showed a small decrease from 2.84 in 1990, to 2.73 or .04% in 2000. Fifteen communities have experienced a reduction in the average unit size. If Harvard which experienced the greatest reduction of population due to the elimination of Devens Military Base is excluded, then the largest decrease in unit size was –21% in Templeton. On the other hand the Towns of Lancaster and Ayer on the far eastern side of the region experienced a ten-year growth rate in unit size of 27%. For Montachusett Region Population by Community see Demographics Section of Community Development Plan.

Population of Westminster
1960 - 2000

Community	1960	1970	1980	1990	2000	Projected 2010	Projected 2020	'80-90' % Change	'90-00'% Change
Westminster	4,022	4,273	5,139	6,191	6,907	7,395	7,953	20.5%	11.6%

Source: U.S. Department of Commerce, Bureau of the Census 1960, 1970, 1980, 1990, 2000 and Projections from MISER.

In the decade of the 1990's Westminster grew faster than 17 of the other MRPC communities. In this ten-year period the population increased from 6,191 residents to 6,907, an increase of 716 individuals. This increase is also reflected in the increase in housing units.

From 1990 to 2000 the number of housing units increased from 2,175 to 2,529, or 354 additional units as the population increased by 716.

2. Race

In keeping with the national trends, the population of the Montachusett Region is becoming more diverse in its racial and ethnic makeup. Minority racial and ethnic groups continue to be one of the fastest growing population segments in the region. The minority population in Westminster has increased from 32 minorities in 1980 to 173 minorities in 2000.

Montachusett Race Information 1980 – 2000

	1980			1990			2000		
Community	Total Population	White	Minorities	Total Population	White	Minorities	Total Population	White	Minorities
Ashburnham	4075	4051	24	5433	5414	19	5546	5416	130
Ashby	2311	2294	17	2717	2707	10	2845	2789	56
Athol	10634	10555	79	11451	11136	315	11299	10884	415
Ayer	6993	6067	926	6871	5702	1169	7287	6261	1026
Clinton	12771	12169	602	13222	12395	827	13435	11849	1586
Fitchburg	39580	38269	1311	41194	36935	4259	39102	32007	7095
Gardner	17900	17737	163	20125	19290	835	20770	19343	1427
Groton	6154	6058	96	7511	7312	199	9547	9282	265
Harvard	12170	10496	1674	12329	10201	2128	5981	5484	497
Hubbardston	1797	1776	21	2797	2771	26	3909	3846	63
Lancaster	2329	1991	338	6661	5969	692	7380	6237	1143
Leominster	34508	33347	1161	38145	35469	2676	41303	35982	5321
Lunenburg	8405	8283	122	9117	8995	122	9401	9120	281
Petersham	1024	1019	5	1131	1110	21	1180	1147	33
Phillipston	953	952	1	1485	1479	6	1621	1584	37
Royalston	955	938	17	1147	1142	5	1254	1237	17
Shirley	5124	4638	486	6118	5329	789	6373	5347	1026
Sterling	5440	5401	39	6481	6443	38	7257	7116	141
Templeton	6070	6049	21	6438	6340	98	6799	6673	126
Townsend	7201	7126	75	8496	8281	215	9198	8972	226
Westminster	**5139**	**5107**	**32**	**6191**	**6030**	**161**	**6907**	**6734**	**173**
Winchendon	7019	6985	34	8805	8660	145	9611	9223	388
Total	198552	191308	7244	223865	209110	14755	228005	206533	21472

Westminster Race Information 1990 – 2000

Race	1990	Percent	2000	Percent
White	6111	98.7%	6734	97.5%
Black or African American	11	0.2%	32	0.5 %
American Indian	11	0.2%	10	0.1%
Asian	19	0.3%	79	1.1%
Hispanic	37	0.6%	77	1.1%

a) Median Age Distribution

The median age of communities in the Montachusett Region have changed significantly between 1980 and 2000. The medium age grew by 7.6 years. From a regional average of 29.8 years in 1980, to 32.9 in 1990, and reaching 37.4 in 2000. This is a larger increase in the age of the population than the state as a whole.

In the Town of Westminster, the median age increased from 31.0 years in 1980, to 38.6 years in 2000. This 7.6 year increase in age structure occurred as the population increased 34.4% in those two decades. In this

last decade the male to female ratio of population remained relatively stable, with 49.4% male and 50.5% female in 1990, and 49.9% male and 50.1% female in 2000. There were 71 more females in 1990 and that decreased to 17 in 2000. For Montachusett Median Age by Community See Demographics Section of Community Development Plan.

Montachusett Median Age 1980 – 2000

	1980	1990	2000
Community	**Median Age**	**Median Age**	**Median Age**
Westminster	**31.0**	**35.1**	**38.6**
Region Avg.	29.8	32.9	37.4
Mass. Avg.	31.1	33.5	36.5

Source: U.S. Department of Commerce, Bureau of the Census 1980, 1990, 2000, June 2003.

b) Age of Residents

Between 1990 and 2000 the subset of residents over 55 years of age increased from 1,158 to 1,223, an increase of 65 individuals. The increased numbers in this over 55 categories in 2000 make up 17.7% of the total population.

c) Age Groups

Looking at the population by age groups over time in Westminster it can be observed that all age groups did not increase in numbers from 1990 to 2000. Several age groups began decreasing, those under 5 years, those between 20 – 44, and the 60 – 74 groups. Those under 5 decreased insignificantly from a high of 418 in 1990 to 415 in 2000. Ages 5 – 9 increased from 454 to 514.

The combined age groups from 5-19 increased by 236 while the 20 – 44 groups decreased by 327. The group from 45 – 59 increased by 791, the 60 – 74 year olds decreased by 71, and the elder citizens over 75, increased by 116. One trend is that children in the school-age category, 5-19, increased by 609 persons. Another trend is that young adults in the child bearing years, 20-44 appear to have left the community. Adults in the 45-59 age brackets have increased by 791, while seniors in the 60-74 brackets have decreased by 71. Two interesting increases were in the uppermost age brackets, with 75-84 year olds increasing by 73, and the over 85 increasing from 29 in 1990 to 72 in the year 2000.

In the decade of the 1990's the population of Westminster increased by 716 individuals, while at the same time the number of young adults decreased by 327. This out-migration of the 20-44 age bracket is a normal phenomena where young adults leave for education, the military, and to follow the job market.

The increase of 791 people in the 45-59-age bracket may represent families who have saved enough capital to purchase their first house and chose Westminster as their desired community. This group may also be moving up to a better house in Westminster from another community.

d) Disability Status

According to the 2000 Census, there are 71 persons (4.3%) between ages 5 to 20 with a disability. A total of 449 (11%) of persons age 21 to 64 have a disability. The highest percentage of persons with a disability, 30%, are in the age group 65 years and older.

Westminster Population
1990 – 2000
By Age Groups

Ages	1990	2000
Under 5	418	415
5 to 9	454	514
10 to 14	494	586
15 to 19	453	501
20 to 24	352	253
25 to 34	918	705
35 to 44	1307	1292
45 to 54	647	1308
55 to 59	244	374
60 to 64	239	206
65 to 74	440	402
75 to 84	206	279
Over 85	29	72
Total Population	6191	6907
% Increase	20.5	11.6

Source: U.S. Department of Commerce, Bureau of the Census

3. Housing Unit Growth

a) Number of Dwelling Units

In 1980 Westminster had 1,982 dwelling units. The number of units increased 21.3% in the decade between 1980 and 1990 from 1,982 to 2,405, for a total of 423 units. This was nearly twice the increase of the period between 1990 and 2000 when unit numbers increased 12.00% to 2,694 or 289 units.

Depending on household sizes, that decreased from 2.84 to 2.73 persons/household, there was an increase of 716 residents. Census figures available show that the school-aged population, 5-19 increased from 16.02% of the total population in 1990, to 23.17% in the year 2000, with 609 school-aged persons.

Number of Dwelling Units
Westminster

	Number of Dwelling Units			% Change	% Change
Community	**1980**	**1990**	**2000**	**'80-'90**	**'90-'00**
Ashburnham	1,849	2,279	2,204	23.30%	-3.30%
Ashby	802	959	1,011	19.60%	5.40%
Athol	4,212	4,840	4,824	14.90%	-0.30%
Ayer	2,802	2,891	3,154	3.20%	9.10%
Clinton	4,943	5,635	5,844	14.00%	3.70%
Fitchburg	15,347	16,665	16,002	8.60%	-4.00%
Gardner	7,477	8,654	8,838	15.70%	2.10%
Groton	2,249	2,774	3,393	23.30%	22.30%
Harvard	2,807	3,141	2,225	11.90%	-29.20%
Hubbardston	623	1,025	1,360	64.50%	32.70%

	Number of Dwelling Units			% Change	% Change
Community	**1980**	**1990**	**2000**	**'80-'90**	**'90-'00**
Lancaster	2,010	2,095	2,141	4.20%	2.20%
Leominster	12,988	15,533	16,976	19.60%	9.30%
Lunenburg	3,133	3,486	3,668	11.30%	5.20%
Petersham	364	448	474	23.10%	5.80%
Phillipston	304	631	739	107.60%	17.10%
Royalston	358	469	526	31.00%	12.20%
Shirley	1,829	2,183	2,156	19.40%	-1.20%
Sterling	1,793	2,308	2,637	28.70%	14.30%
Templeton	2,082	2,276	2,597	9.30%	14.10%
Townsend	2,404	2,894	3,184	20.40%	10.00%
Westminster	**1,982**	**2,405**	**2,694**	**21.30%**	**12.00%**
Winchendon	2,636	3,349	3,660	27.00%	9.30%
Total	74,994	86,940	90,307	15.90%	3.90%

Source: U.S. Department of Commerce, Bureau of the Census 1980, 1990, and 2000.

b) Building Permits

Over the past several years the number of building permits issued in Westminster has peaked and has decreased since 1999 when it reached a high of 69 units.

Building Permits, Westminster
Single Family Units

Year	2004	2003	2002	2001	2000	1999	1998	1997	1996
Single Family Units	41	31	48	35	34	67	44	39	30
Multi Family Units	6	6	0	0	2	2	0	0	2
Total Units	47	37	48	35	36	69	44	39	32

4. Average Household Size

In the decade of the 1990's Westminster grew faster than 17 other MRPC communities. In this ten-year period the population increased from 6,191 residents, to 6,907 an increase of 716 individuals. This increase is related to increase in the housing units. From 1990 to 2000 the total number of housing units increased from 2,405 to 2,694, or 289. Actual occupied units increased from 2,175 to 2,529 or 354 (16.28%). Seasonal recreational units decreased from 139 to 85 units. The decrease in seasonal units represents a trend where seasonal units mostly on Wyman's Pond have been converted from seasonal units to year round units.

Westminster's housing stock has and continues to grow at a faster rate than its population. This is not surprising when one considers the national trend towards smaller household sizes. Couples are having fewer children and the increase in households are also due to the increase of single parent families. Westminster's U.S. Census data confirms this trend.

a) Persons/Unit

In the decade of the 90's the number of persons per household in the Montachusett Region decreased from an average of 2.55 to an average of 2.50, or a decrease of 5%. In the Town of Westminster the figures for persons per unit are higher, but also follow the trend by decreasing as well, from 2.84 to 2.73. Some of the factors affected this movement include: smaller families, a reduction of multi-generational families, and the increasing number of single persons living alone. Another factor contributing to smaller household sizes is "the graying of America", that is, our nation's elderly population is expanding. The Census data clearly demonstrates that this national trend is taking place in Westminster. This may be reflected in median age changes. In 1980 the median age was 31.7, and by the 2000 census it had increased to 38.6.

Persons Per Household Unit Change/Westminster

1990 Population	1990 Household Units	1990 Persons/ Household Unit		2000 Population	2000 Household Units	2000 Persons/ Household Unit
6,191	469	2.84		6,907	526	2.73

Source: U.S. Department of Commerce, Bureau of the Census

5. Number and Type of Housing Units

Statewide these phenomena are due primarily to the increase in non-family households that include single persons living alone. In other areas/regions there are fewer households and a greater number of non-family households. The census 2000 figures show that in the ten-year period from 1990, the population of Westminster increased by 716 individuals. This increase is related to the increase in housing units. From 1980 to 1990 the number of dwelling units increased from 1,982 to 2,405, 423 additional units or 21.30%. From 1990 to 2000 the number of dwelling units increased 12.00%, from 2,405 to 2,694.

Number and Type of Housing Units
Westminster

Year 2000	Number of Units	Percent of Total
One Unit (detached)	2,426	90.1
One Unit (attached)	50	1.9
Two Units	71	2.6
Three of Four Units	52	1.9
Five to Nine Units	36	1.3
Ten to Nineteen Units	30	1.1
Twenty or more Units	29	1.1
Mobile Homes	0	0
Total Housing Units	2,694	100%

Source: U.S. Department of Commerce, Bureau of the Census 2000.

Type of Housing Units in Comparable Communities - Year 2000

Town	Total	One Unit		Two Units		3-4 Units		5+ Units		Mobile Homes	
		#	%	#	%	#	%	#	%	#	%
Groton	3,393	2928	86.3	262	7.7	66	1.9	125	3.7	12	0.4
Ashby	1,011	979	96.8	22	2.2	4	0.4	4	0.4	2	0.2
Ashburnham	2204	2081	94.4	75	3.4	0	0	48	2.2	0	0
Hubbardston	1360	1231	90.6	35	2.6	50	3.7	37	2.7	7	0.5
Winchendon	3659	2500	68.3	420	11.5	310	8.5	354	9.6	75	2
Templeton	2597	2126	81.9	154	5.9	150	5.8	117	4.6	50	1.9
Clinton	5844	2780	47.6	980	16.8	992	17	1035	17.8	58	1
Lancaster	2141	1745	81.5	89	4.2	148	5.6	40	1.9	0	0
Phillipston	739	708	95.8	17	2.3	1	0.1	2	0.3	0	0
Royalston	527	461	87.5	31	5.9	0	0	0	0	0	0
Sterling	2637	2236	84.8	219	8.3	105	4	4	0	0	0
Westminster[6]	**2694**	**2476**	**92**	**71**	**2.6**	**52**	**1.9**	**9**	**.004**	**0**	**0**

Source: U.S. Department of Commerce, Bureau of the Census 2000.

The tables above indicate that 92% of Westminster's housing stock is of the single-family unit variety and 4.5% is of the multi-family variety. In the comparable examples, the percentage of single-family units is exceeded by only three communities; Ashby (96.8%), Ashburnham (94.4%), and Phillipston (95.8%), while the Town of Clinton had significantly less at 47.6%. Generally, the majority of multi-family units are rental properties. The Town's housing mix has changed over the past ten years, with the percentage of single family homes growing at a faster rate than multi-family housing units during this period.

6. Age of Housing Stock

Age of Housing Stock
Westminster

Year Structure Built	Number of Units	Percent
1999 to March 2000	100	3.7
1995 to 1998	191	7.1
1990 to 1994	180	6.7
1980 to 1989	329	12.2
1970 to 1979	498	18.5
1960 to 1969	159	5.9
1940 to 1959	715	26.5
1939 and earlier	522	19.4

Source: U.S. Department of Commerce, Bureau of the Census 2000

The previous table indicates that 45.9% of Westminster's housing stock is 60 or more years old, having been built before World War II. More than 50% of Westminster's housing stock was built before 1969,

[6] This figure includes vacant units, not seasonal, recreational or occasional use.

and being over 30 years old, many of Westminster's older dwelling units would not meet the State's current building codes.

In the 1980's, 423 housing units were added, followed by another 289 units in the 1990's. This growth of 712 units in 20 years equaled 35.9% of the 1982 units existing in 1980. The 712 housing units, approximately 26.4% of the total 2,694 units, plus those constructed after the year 2000, are relatively new and therefore are considered to be safer because they would be lead-free. Lead paint was prohibited in 1978 and many of the homes constructed prior to 1978 contain lead. Looking at the ages of the housing stock, 70.3% of the homes were built prior to 1979 and some could possibly contain lead paint. Those older homes that have kept varnished moldings, windows, and trim would not present a problem. Testing is now readily available.

7. Mortgage Status and Selected Monthly Owner Costs

Of the 2,694 housing units in Westminster 1,424 or 52.85% of the units carry a mortgage and 582 or 21.6% have no mortgages. Of those mortgaged units, 967 or 48.2% are carrying a monthly mortgage cost of over one thousand dollars, and 40 more units carry a mortgage of over $2000. The median monthly mortgage for the community is $1,178. This is typical for the region.

Mortgage Status and Selected Monthly Owner Costs 2000
Westminster

Monthly Mortgage Costs	Number	Percent
With a Mortgage	1,424	71.0
Less than $300	-	-
$300 to $499	42	2.1
$500 to $699	116	5.8
$700 to $999	259	12.9
$1,000 to $1,499	711	35.4
$1,500 to $1,999	256	12.8
$2000 or more	40	2.0
Median in dollars	1,178	-
Not Mortgaged	582	29.0

Source: U.S. Department of Commerce, Bureau of the Census 2000

a) Selected Monthly Owner Costs as a Percentage of Household Income in 1999

The US Department of Housing and Urban Development considers that a household spending 30% or less on their housing, including items such as insurance and heat, to be affordable. In Westminster 78.9% of the households are within the guidelines, and 20.4% or 409 households are spending more than 30% of their incomes on housing costs. On paper those households are considered to be living beyond their means.

Selected Monthly Owner Costs as Percentage of Household Income in 1999
Westminster

	Number	Percent
Less than 15%	722	36.0
15 to 19.9%	332	16.6
20 to 24.9%	339	16.9
25 to 29.9%	189	9.4
30 to 34.9%	112	5.6
35% or more	297	14.8
Not Computed	15	0.7

Source: U.S. Department of Commerce, Bureau of the Census 2000

Mortgage Information Year 2000
Montachusett Region

City/Town	Mortgaged	Not Mortgaged	Total Owned	Rented
Ashburnham	1125	357	1714	215
Ashby	552	153	899	79
Athol	1783	853	3156	1331
Ayer	999	309	1661	1321
Clinton	1558	747	3028	2569
Fitchburg	3736	1850	7708	7235
Gardner	2439	1048	4520	3762
Groton	2008	357	2740	528
Harvard	1110	324	1638	171
Lancaster	1059	374	1622	427
Hubbardston	768	177	1195	113
Leominster	5465	2119	9545	6946
Lunenburg	1861	807	3085	450
Petersham	152	73	362	76
Phillipston	350	65	527	53
Royalston	181	71	308	56
Shirley	810	280	1457	610
Sterling	1471	461	2186	387
Templeton	1240	438	1996	415
Townsend	1907	355	2624	486
Westminster	**1424**	**582**	**2169**	**360**
Winchendon	1546	411	2492	955
Totals	33544	12211	56717	28545

Source: U.S. Department of Commerce, Bureau of the Census 2000

b) Selected Monthly Rental Costs: Gross Rents

In a survey released on September 5, 2003, the National Low Income Coalition, "Out of Reach: 2003," found that aside from Metropolitan Washington D.C., the Bay State remains the toughest place to find a rental apartment. This is the second year in a row that Massachusetts topped all other states.

In Metropolitan Worcester it is estimated that 50 percent of renters can't afford to live in a two-bedroom unit, which would require a wage of $15.90 per hour. The survey calculated living costs for renters for every state and region in the United States and found that housing costs increased faster than wages and the cost of goods. The survey calculated the "housing wage", what a person working full-time has to earn to afford a two-bedroom apartment at fair market rent while paying no more than 30 percent of their income for housing.

They found that the national "housing wage" increased by 3.7% in the past year, and the inflation rate only went up 2.1%. Since 1999 the 'Housing wage" increased 37%. In Massachusetts, the average "housing wage" of $22.40 makes it the least affordable state in which to rent an apartment. At the same time a minimum wage earner making $6.75 an hour can only afford a rent of $351. In addition a person on Social Security earning $666 per month can only afford a monthly rent of $200.

The fair market rent statewide is $934 for a one-bedroom apartment, and $1,165 for a two-bedroom apartment. Thus a Massachusetts worker earning minimum wage would need to work 133 hours a week to afford a two-bedroom apartment.

In Westminster 69.3% of the renters are paying less than 30% of their income on housing. This may be seen as one of the reasons those in need of affordable housing are gravitating toward the towns of the Montachusett Region.

Renter Occupied Units
2000
Westminster

	Number	*Percent*
Renter Occupied Units	361	100
Gross Rent Less than $200	6	1.7
$200 to $299	13	3.6
$300 to $499	83	23.0
$500 to $749	100	27.7
$750 to $999	76	21.1
$1,000 to $1,499	32	8.9
$1,500 or more	-	-
No Cash Rent	5.1	14.1
Median Rent	655	-

Source: U.S. Department of Commerce, Bureau of the Census 2000

There are 360 rental occupied units in Westminster. The gross rents range from less than $200/month to less than $1,500/ month. These figures do not include the households that do not have cash rent. As with mortgages, gross rents as a percent of income shows that while 69.3% of the renters are below the 30%

affordability guideline, and excluding households without cash rents, on paper, 14.4% of the renters are spending more than 35% of their incomes and are considered living beyond their means.

Many times retired seniors may fall into this grouping of spending more than 30% of their incomes on housing. They are faced with household costs and rents, medical, pharmaceutical, and other living costs that force them to cut back on necessities. This is a strong motivator for increasing the number of affordable public and private senior housing units. These units would be available to seniors who would be expected to pay 30% of their incomes.

Gross Rent as a Percentage of Household Income in 1999
Westminster

Percent of Gross Rent	*Number*	*Percent*
Less than 15%	122	33.8
15 to 19%	55	15.2
20 to 24%	50	13.9
25 to 29%	23	6.4
30 to 34%	8	2.2
35% or more	52	14.4
Not computed	51	14.1

Source: U.S. Department of Commerce, Bureau of the Census 2000

8. Housing Occupancy

In 1990, there were a total of 1,817 owner-occupied housing units and that figure increased to 2,169 by the year 2000. During the same time span rental units only increased from 358 units to 360. The following table indicates that 85.8% of Westminster's housing stock is currently owner-occupied. In terms of the percent of occupied housing units versus the percentage of vacant units over the last decade, the 1990 Census indicated a 1.7% homeowner vacancy rate and a 0.7 % for rental property. The 2000 Census reported that the homeowner (for sale only) vacancy rate decreased slightly to 1.7%, and the rental vacancy rate decreased to 0.7% indicating a tight rental market.

In the 2000 Census, the Westminster ownership vacancy rate (1.7%) was similar to all of its neighboring communities. They ranged from 0.5% in Leominster, to 1.7% in Hubbardston. The rental vacancy rate in Westminster (0.7%) varies much more from its neighbors. They range from 1.8% in Ashburnham, and 2.6% in Leominster, to 5.4% in Gardner, 5.5% in Templeton, 6.5% in Fitchburg, with the greatest difference being in Hubbardston where the rental vacancy rate is 7.4.

Type of Occupancy
Westminster

	1990	**1990**	**2000**	**2000**	**Change**	**Change**
	Number	**Percent**	**Number**	**Percent**	**Number**	**Percent**
Owner Occupied Units	1,817	75.6	2,169	85.8	352	10.2
Renter Occupied Units	358	14.9	360	14.2	2	0.7

Source: U.S. Department of Commerce, Bureau of the Census 1990, 2000

9. Type of Households

The table below for the year 2000 indicates that 77.26% of Westminster's households consist of families. This represents a decrease since the 1990 Census when family households accounted for 80% of all households. The 2000 Census counted 206 households headed by females.

Household Types
Westminster 2000

Total Households	2529
Family Households	1954
Percent of Total Families	77.25%
Families with their own children under 18	933
Married Couple Families	1664
Married Couples with own children under 18	770
Female household No Male Present	206
Female household with own children under 18	115
Non Family Household	575
Householder living Alone	447
Householders 65 years or older	168

Source: U.S. Department of Commerce, Bureau of the Census 2000.

10. Housing Demand Assessment & Needs Analysis

The following analysis will document the demand for housing in Westminster, the housing needs of local residents, and what is actually available (and affordable) for housing opportunities. Before going any further, it is important to outline the assumptions used in this analysis.

- The analysis makes use of year 2000 statistics, so that they may be cross-referenced to the 2000 U.S. Census data.
- The median household income for the Montachusett Region, as determined by the U.S. Department of Commerce, Bureau of the Census 1990 and 2000, was $51,986 in 1990 and $57,775 in 2000, showing an increase of 11.1%. For Montachusett Region Median Household Income See Demographics Section.

Westminster Median Household Income

Community	Median Household Income 1990	Median Household Income 2000	% Change
Westminster	**$51,986.00**	**$57,755**	**11.1%**
Region Average	$43,576.00	$54,629	25.4%
Massachusetts	$44,367.00	$50,502	13.8%
US	$21,329.00	$41,994	96.9%

Sources: U.S. Department of Commerce, Bureau of the Census 1990 and 2000, June 2003.

The State Department of Housing & Community Development (DHCD) Year 2004 Housing Certification Program based on the Fitchburg-Leominster Statistical Area uses the median family income of $60,900 and the affordable purchase price for 100% of median income in the Town of Westminster at $199,839. This assumes 5% down, 6.5% APR mortgage for 30 years, 30% of income for housing costs and includes $300/ month for taxes and insurance. There was no change from 2003. The U. S. 2000 census lists lower figures with the median household income at $57,755. Out of the 2,526 households, 1,030 (40.7%) have incomes less than $50,000. The figures used here are from the 2000 U.S. Census.

Westminster's poverty-level income figure was obtained from the 2000 US Census using the level of 30% of median household income.

Housing demand and need was calculated for poverty-level households (30% of median income), low-income households (30 to 50% of the area median income), low-to-moderate income households (50-65% of the area median income), moderate income households (65-80% of the area median income,), and middle-income households (80-150% of the area median income and upper income households (above 150% of area median income).

It was assumed that households making up to 65% of the area median income would not be in the market for buying a home but instead would most likely rent their housing.[7]

It was assumed that households making the area median income would more likely be in the market for buying a home, especially as the 2003 interest rates have reached the lowest levels in decades.[8]

For renters, it was assumed that 30% of their annual income would go towards rent.

For homebuyers, it was assumed that 28% of their monthly income would go towards a house mortgage, principal and interest. It was further assumed that homebuyers would make a down payment of at least 5-10% and have a 30-year mortgage at 6.5%.

The number of rental units and their price ranges were estimated from the 2000 Census.

Home data was obtained from the Warren Group Town Stats/Market Statistics.

a) Rental Unit Demand

The following table provides an affordability analysis for Westminster rental units. The table outlines the various renter income categories, the number of Westminster households fitting into the income categories, the number of rental units in Westminster that are affordable to the various income categories and the gap/surplus for such rental units.

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[7] Using "affordability calculators" such as Fannie Mae, and adding $10,000 for down payment, a conventional mortgage loan of $42,886 could be borrowed. The least expensive house for sale in Westminster as of March 2004, using the multiple listing service figures, was $160,000. This is more than three times the available mortgage amount available to a low-income household. This does not indicate there is no desire to own, but that programs and assistance need to be utilized.

[8] Using "affordability calculators" such as Fannie Mae, and adding $10,000 for down payment and closing costs, a regular Federal Housing Assistance (FHA) mortgage loan of $131,350 could be borrowed. As in footnote 8, the least expensive house for sale in Westminster as of March 2004, using the multiple listing service figures, was $160,000. This is nearly within reach of a median income family. The figures for a conventional loan at a bank are similar to loans for lower income household in footnote 8.

Rental Unit Need/Demand Analysis

Income Group	Range of Incomes	Range of Affordable Rent	# Of Poverty Households	# Of Actual Units	Deficit/ Surplus
Poverty	$13,333 *($14,999) and Below	$333 and Below	208	19	189
Poverty-to-Low	$13,333 *($15,000 to $25,000)	$334-$556	382	83	299

Source: U.S. Department of Commerce, Bureau of the Census 2000.
*The U.S. Census groups income at $15,000 and $25,000, and not the poverty level

The above table indicates that Westminster has a shortage of rental units that are affordable. The 2000 U.S. Census further supports this assertion as 52 Westminster households were identified as paying more than 35% of their monthly income towards rent. It is generally assumed that renters paying more than 30% of their monthly income towards rent are exceeding their affordability. (Thirty years ago this affordability percentage was calculated at 25% of income.)

However, in terms of affordable rental units, Westminster ranks fairly well when compared to the region's other communities. The Year 2000 DHCD Housing Certification Program lists an affordable monthly rent figure of $1,523/ month (30% of area median family income) for the Fitchburg-Leominster Statistical Area. According to the Year 2000 US Census, there are 361 rental units in Westminster and discounting the "no cash rent" category (51), only 32 had a monthly rent over $999. Almost every unit was well below the $1,523 DHCD affordable monthly rent for the region. In addition the median rent was well below the figure at $655 or 57% less than the Fitchburg-Leominster statistical area.

Homeownership Analysis
Conventional Mortgages[9]

Income Group % of Median	Income	Range of Affordable Housing Prices	Down payment	Cost Per Month
50%	$28,877	$50,454	$7,568 (15%)	$372
50%	$28,877	$140,613	$21,092 (15%)	$989
65%	$37,540	$105,041	$16,000 (14.5%)	$605
85%	$49,092	$121,890	$17,000 (13.9%)	$826
100%	$57,755	$188,546	$14,787 (7.8%)	$1,000

Based on calculators from Homestore, Inc, Westlake Village, Ca, and GINNIEMAE.gov

b) Home Ownership

The table above indicates that homeownership in Westminster was not within the grasp of the median income group. As mentioned previously, the median family income in the Fitchburg-Leominster Statistical Areas was $60,900 for the Year 2003 with an affordable home purchase price of $299,759 for the median household income. Of the 42 qualified home sales over the year of 2003 the median prices did not exceed the state's Affordable Housing Price. Housing prices were less favorable when the actual median household income for Westminster is taken into account ($57,775). Thus, housing in Westminster was not very affordable when considered within the regional context.

Rising housing costs appear to be outpacing household income. According to The Warren Group, in the year 2003, the median sales price of a single-family home increased to $219,900 while the median income was $57,755 and with lower interest rates (approximately 6.5% or lower). Based on the average price of

residential sales for single-family homes, those households earning 65% of the median area income may not be able to afford a single-family home in Westminster. But, those households earning 50% of the median area income will now find the prospect of homeownership much more difficult; based on a 6.5% interest rate with 5% down, this income group could afford a home costing up to $50,545 - $140,613 or affordable at 28% of their income.[9] The trouble is that there is only two homes on the market near this price range at $160,000. The next least expensive house on the market in the real estate listings is offered at $164,900, and they were the only ones under $225,000.

Median Sales Price by Year

Year	Number of Single Family Sales	Median Sales Price	Number of Condo Sales	Median Sales Price	Number Of All Sales	Median Sales Price
2003	107	219,000	10	165,500	186	200,000
2002	100	191,000	7	145,000	180	167,000
2001	72	188,950	7	134,000	135	166,500
2000	74	150,000	7	132,900	171	135,900
1999	99	150,000	5	90,000	200	110,450
1998	79	131,800	0	0	153	95,500
1997	75	110,000	1	0	162	88,500
1996	57	115,000	1	0	129	90,000
1995	48	102,750	1	0	130	88,950
1994	59	95,000	3	69,900	134	87,700
1993	48	103,750	0	0	105	87,565
1992	51	110,100	8	83,700	116	97,050
1991	30	115,000	10	85,000	96	87,000
1990	33	122,000	15	85,000	107	95,000
1989	35	147,000	0	0	116	107,000
1988	45	136,000	0	0	145	116,250

Source: The Warren Group

The typical home "asking prices" in 2003 were well above this level ranging from five between $225,000 and $250,000 and 28 above $315,000. The home for $160,000 is 795 square feet on 0.6 acres, built in 1950. The median sale asking price in March 2004 was $334,900. At the other end of the spectrum, there were six houses listed between $450,000 and $1,250,000. While the rents being paid are lower than in many areas, 58.6% of the household units are paying $749 or less, discounting taxes and other expenses, would barely cover the mortgage on the several housing units available to a median income household.

The positive developments are the building permits for the new dwellings. There were thirty-one (31) permits issued for new dwellings in 2003, and the average price was $242,692. It appears that local contractors are able to build new dwellings in a much more affordable range. For the period between July 1, 2002 through June 30, 2003 five homes were constructed for under $160,000. The following table lists those building permits in order of value. (Value is based in large measure on square footage, not including the cost of a building lot).[10]

[9] The 28% figure does not include taxes, insurance, or utilities.

[10] These figures are from building permits and not the prices of these houses when sold by contractors/developers in the real estate market. They are based on the value of square footage of different parts of the house (garage, attic, basement, and living area), and are used to determine the fee for a building permit. They are used here to get a general idea of building costs, and do not include the cost of the building lot.

Number of Single Family Housing Units
By Year and Average Cost

Year	Number of Permits	Average Cost
2003	31	$242,692
2002	48	$204,730
2001	35	$230,900
2000	34	$205,644
1999	67	$185,677
1998	44	$190,811
1997	39	$167,923
1996	39	$160,581

Source: The Warren Group

11. Supply of Subsidized Housing

In 1969, the State passed M.G.L. Chapter 40B with the goal of increasing the amount of affordable housing in communities throughout the Commonwealth. It contains two major components which are meant to assist developers who wish to build housing that meets the affordable housing criteria as outlined within the law. The first component is the Comprehensive Permit process, where several local permit applications are consolidated into a single application to the Zoning Board of Appeals (ZBA). The ZBA is authorized to grant waivers from zoning and other local regulations to make a project economically viable. The second component gives developers the right to appeal ZBA decisions to the Massachusetts Housing Appeals Committee (HAC) in communities where the percentage of affordable housing units falls below 10% of the year-round housing units. In order to meet the criteria for affordable housing under the Comprehensive Permit Law, at least 25% of the units in the proposed project must be restricted over time for households at or below 80% of the area median income.

12. Infrastructure capacity

The Fitchburg Municipal Landfill, owned and operated by Resource Control Inc. (RCI) of Fitchburg, a subsidiary of Waste Management Inc., is located on Route 31 in Westminster and adjacent to the Leominster State Forest. The landfill serves the greater Fitchburg region. The Town of Westminster and the City of Fitchburg have an agreement with RCI to expand the landfill. As part of the agreement, RCI has committed to constructing a residential drop off area, for the exclusive use of Westminster residents, to another location adjacent to the landfill entrance in order to separate commercial and residential traffic. The landfill expansion is designed with a series of new cells, a portion of the new cells were opened in 2004. The landfill, as expanded, is expected to meet town needs until the year 2025.

The Fitchburg public water supply at Meetinghouse Pond serves the Westminster public water system, providing water to 60% of the population. The remaining 40% obtain their water from private wells and springs. Meetinghouse Pond has a safe yield of 1.36 million gallons per day. Westminster is permitted to withdraw 100 million gallons of water per year without payment to Fitchburg. Fitchburg owns 1,557 acres of land surrounding Meetinghouse Pond, and Westminster owns 15.8 acres, for the protection of public water supplies. Westminster is in the process of hooking up to the Fitchburg water system and anticipates the ability to meet demand for the next twenty years. The Fitchburg Water Department has a registered volume of 6.19 mgd and an average annual demand for water of 7.37 mgd. Westminster has a registered volume of 0.24 mgd and is permitted to 0.28 mgd to February of 2009.

Sewer service in Westminster is provided through an agreement with the City of Fitchburg. In 2004, the service has 516 sewer connections, mostly in the center of town servicing approximately 25% of the population. Sewage is treated at the East plant, located in Fitchburg, which discharges treated water in the Nashua River watershed. The system processes 111,836 gallons of wastewater per day, with the capacity to process up to 250,000 gallons per day. Two large pumps were installed in 1999 that can pump up to 500 gallons per minute. A 5-mile sewer expansion project to serve Carter Road, Kendall Court, Carpenter

Road, East Road, Estabrook Road, Ellis Road, Frog Hollow Road, Gatehouse Road, Hy Road, Knower Road, Lakefield Road, Scenic Drive, and West Main Street was completed in the summer of 2004.

At the Annual Town Meeting in 2003, the Town of Westminster appropriated $600,000 for a Comprehensive Wastewater Management Plan. The town has retained SEA Consultants to prepare the plan. A multi-board and citizens group has been formed to guide the development of the plan. The Citizens Advisory Committee (CAC) has been formed and conducted a kick-off meeting in November. A community workshop on the first phase of the plan, the needs analysis, was conducted in June 2005. The CAC will be meeting every other month as the plan is developed and will sponsor future community workshops.

As part of their preliminary review of the town's sewer system, SEA Consultants conducted a capacity analysis of the Whitman River Pump Station and concluded that the pumping capacity of the Whitman River Pump Station is the limiting factor within the wastewater system. If all current residents with the right to connect to the sewer system were to do so and pending sewer extensions are completed, the peak wastewater flow would exceed the Whitman River Pump Station capacity. Based on this analysis, SEA recommended that the Town of Westminster continue to enforce the existing Sewer Moratorium until such time that alternatives for wastewater management can be evaluated during the Comprehensive Wastewater Management Planning effort.

Table 8: Existing and Future Wastewater Flow

Peak Hourly Wastewater Flow with I/I (Existing)	654,000 gpd
Peak Hourly Wastewater Flow with I/I (Future)	592,589 gpd
Total Peak Hourly Wastewater Flow	**1,246,589 gpd**
Flow converted to Gallons per Minute	**866 gpm**
Pump Station Capacity	**500 gpm**

SECTION 2 – HOUSING VISIONS, GOALS AND POLICIES

A. VISIONING PROCESS

In August 2003, local residents and community officials attended a forum and interacted with their neighbors and local officials in a "visioning session". The group focused on their values in relation to development challenges. Comments and ideas were expressed regarding the assets/strengths, liabilities/weaknesses and needs of the town in the four EO418 areas.

Correspondingly, the Town recently (2000) completed a Master Plan that produced a vision and goals for the community. The following parts of Westminster's "Vision Statement" relate to the EO 418 housing element of this Community Development Plan:

"The Town of Westminster envisions itself as an extraordinarily beautiful rural community with its country atmosphere maintained as it matures in the twenty-first century, its historically significant architectural and archaeological properties preserved, the tranquil beauty of its many ponds preserved, its forested native New England roadside character maintained and the beauty of its village center enhanced.... Where affordable housing exists for residents of all income levels."[11]

[11] Westminster Master Plan 2000

A land use goal in the Plan states, "Plan and control commercial and residential growth with the objective of enhancing the village and rural character of Westminster." One policy states to "seek housing location(s) for low and moderate income and senior citizens."[12]

B. HOUSING GOALS AND OBJECTIVES

The goal related to the development of housing: Most people understand that growth will continue to occur, and agree that Westminster's "character" should remain as stable, and as rural as possible, and that managing future growth will enable the community to maintain most if not all of its amenities.

The Plan's Housing Goal is to "Encourage a diversity of housing options" and a policy states to "ensure that there are adequate apartments in the housing mix to meet diverse needs and incomes."[13]

The Town of Westminster will strive to provide affordable housing that reflects the Town's needs including the elderly, disabled/special needs and minority populations.

These themes were echoed in the Community Forum held in August 2003. Foremost, in relation to housing, was the lack of rental housing, especially for "returning children" and the need to provide housing for all incomes and ages, especially seniors.

1. Objectives related to housing:

- Increase housing opportunities for a broad range of income levels.
- Preserve Westminster's Rural Character as the town continues to grow.
- Increase the supply of affordable rental units and subsidized units especially for seniors, disabled/special needs and minority populations.
- Improve the condition of Westminster's present housing stock.
- Improve collaboration between town and developers to build affordable housing, and use deed restrictions.
- Anticipate the future needs of seniors for affordable housing.

2. Community Development Plan Recommendations

a) Westminster's Population and Housing Stock Will Continue to Expand

According to the Housing Assessment and Analysis, Westminster's population and housing unit production have expanded at a moderate pace over the last ten years. This trend is expected to continue.

Even if it were desirable, it is not possible to stop growth in Westminster by protecting the remaining undeveloped land as open space: there is simply too much undeveloped land (See Build-Out Results). This condition of ample developable land is likely to remain the case for several decades. Therefore, Westminster must think in terms of managing growth, not stopping it entirely.

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[12] pg. 2 IBID
[13] pg. 4, IBID

Communities experience the negative impacts of growth long before final build-out is reached. This pattern is apparent in Westminster where growth has, to some degree, affected tax rates, scenic quality, and traffic even though plenty of land, and even road frontage, remain undeveloped. Thus, growth management strategies for the next 25-50 years must focus on channeling growth into patterns that minimize environmental, fiscal, scenic, and transportation impacts – not necessarily on reducing the ultimate long-term build-out, which may not happen for 215 years or more, if ever. [14]

(1) What Can the Town Do to Preserve its Rural Character?

Westminster should encourage the use of its Open Space Residential Cluster Development by Developers: Density controls have both positive and negative effects on build-out patterns. In the short-term, large lot residential zoning accelerates the conversion of a community from rural to suburban in character by consuming large amounts of land and encouraging sprawled development. The Open Space Residential Development Bylaw is a mechanism that has the potential to preserve rural qualities without increasing long-term fiscal consequences.

The Town's Open Space Residential Development Bylaw allows for building houses closer together than would normally be allowed under the underlying zoning requirements, while preserving the remaining land as open space. Importantly, the Open Space Bylaw can help to preserve rural character because it gives the Planning Board the flexibility to determine what areas of the property are to remain as undeveloped. Open space housing can make economic sense for a municipality in several instances, such as having a central location for picking up school children, reduced road and infrastructure maintenance costs and the permanent protection of open space. If municipal utilities are required, the lines for such utilities can be extended into an open space subdivision cheaper than they can be extended down to an existing road as part of a conventional development proposal. Furthermore, instead of the town having to acquire and develop recreational lands, a portion of the development's open space can be used to provide recreation facilities for the residents of the town.

Open space housing is also consistent with Westminster's rural character, compact villages, and open space preservation goals. An Open Space Subdivision may also be used as a way to acquire publicly accessible land for sports, paved and unpaved trails, and other public facilities.

In order for such a bylaw to be effective, it should be encouraged in such a way that a developer would prefer to utilize the Open Space concept as opposed to the standard subdivision process. Allowing Open Space Residential Development in by right areas could help to promote this type of development. Factors to consider when utilizing the Open Space bylaw include: density

[14] The span of time required to reach buildout can be forecast through the use of MISER population projection data. During the decade of 1990 through year 2000, MISER population growth predictions show 10 year population growth of about 800 persons which can be translated to about 80 new persons in Westminster each year. The average household size in Westminster is assumed at three persons. With this, it is deduced that 27 new households are created in Westminster each year from now until buildout is attained. If residential buildout in Westminster equals 5,801 new housing units, and the housing stock is being added at an average rate of 27 units per year, then full residential buildout will be reached in 215 years. At this time, there will be a total of 22,158 new residents added to the current year 2000 population of 6,907. This is to say that if the current rate of growth were to remain steady, and current zoning were to remain unchanged, Westminster will reach full residential buildout in year 2214. With a constant rate of growth established, it is also possible to predict growth milestones nearer, and thus more meaningful, to the present day. Conditions in 2025 can be ascertained through the use of the factors utilized to predict buildout. At a growth rate of 80 persons per year, there will be a total of 2080 new residents in the community in 2025. This translates to a need for 693 new dwelling units. These figures to not necessarily include the number of affordable units needed to reach the 40B mandate of 10% affordable.

bonuses, minimum lot sizes, quantity and quality of required open space, drainage, water, waste disposal, length and width of interior roads and of course public health and safety. Most important is to make the process clear and easy to negotiate for developers so it becomes a win/win situation.

2) **Major Residential Development Review**: The Town could put a mechanism in place that allows for the municipal review of major residential development proposals, that is, multiple lots (four or more), including lots being created along the frontage of an existing Town road. Thus, if a developer had sufficient frontage to create 20 new lots along an existing Town road, the Planning Board would have review authority.

Having a Major Residential Development review provision in the Town's Zoning Bylaw allows for municipal review of site planning issues such as the cumulative impacts of the proposed development on drainage, erosion control, environmental impact and neighborhood impact. The bylaw starts the review process at four newly created lots.

3) **Adaptive Reuse**: The reuse of any abandoned, underutilized, or obsolete property could enable Westminster to direct growth towards already developed locations in its village centers thus negating the need to develop additional land in areas without existing infrastructure. It would also be a way of preserving and/or restoring unique architecture in the community, which can also be of historical significance.

The Town could inventory publicly owned property, vacant, underutilized, deteriorated land and/or buildings with residential reuse potential. It can be possible to acquire such properties through tax taking, donation, negotiation, distress sale, and bank foreclosure, or brownfield remediation.

b) Rent is Expensive for Lower Income Groups

The U.S. Census indicates that households were identified as paying more than 30% of their monthly income towards rent, which is excessive. In addition, there is a deficit of rental units affordable to poverty and lower-income individuals.

The town needs to consider ways to accommodate people who wish to live in and contribute to Westminster. Many established townspeople will have specialized housing needs that arise or change. A community should be able to respond by offering a diverse mix of alternatives. The first and foremost housing concern that Westminster needs to address is the aging of the general population. With the coming decades, much of the national population, along with many of the established citizens of Westminster, will require housing that is manageable and affordable. Many of Westminster's farmhouses and historic homes were built at a time when a large family was an asset to the agricultural practices. With the current trends toward smaller families (2.73 persons in Westminster in 2000), those family homes are now often maintained by individuals whose children have grown and moved to other communities, or often simply other homes in the same community. As those individuals age, that burden and expense can become overwhelming. For some of those individuals, more manageable, less expensive housing will become a necessity. At the present time, there are few smaller, lower cost, easier to maintain homes in Westminster. If no measures are taken by the community, the coming years will see life-long residents of the community with no option but to seek housing in other towns.

Westminster's population is also growing older. Most elderly individuals are on fixed incomes, which often make it very difficult to continue to maintain their home throughout their retirement years. Westminster's 75 and over population has grown by 116 persons between the years 1990 and 2000 representing a 49.4% increase. Westminster's next generation of senior citizens (60-74

population) has increased since 1990 by 280 individuals, and represents nearly 14% of the total population.

At the present time there are only 30 units of low cost housing specifically dedicated toward the aging population. All these units are located in a complex known as the Wellington. This is a privately operated building located on South Street, on one-time town land, a short walk from Westminster Village. Each unit is an individual efficiency rental apartment where residents live independently, but housekeeping and some in-home care can be arranged through the Montachusett Homecare Corporation. Residents are said to be extremely satisfied with this arrangement, and while this particular complex is ideally sized for its own purposes, there is currently a five to seven year wait for the opportunity to rent a unit.

The Wellington was built with state matching funds, and while the proposal, design and construction processes were often questioned or met with skepticism, all those associated with the results are well aware of the success. New proposals for similar projects should be solicited and modeled after the success of this complex.

The Meadows at West Hill located on South Ashburnham Road in east Westminster represents the only moderate-income housing development that is available to all ages in town. Originally a Housing Opportunity Project (HOP) built in the late 1970's.

Situated on an open hillside in Westminster's rural upland, the development is comprised of 46 paired duplex units, of which, two-thirds sell at the regular market rate, while one-third are subsidized by the state and reserved for first time home buyers of those of more modest means. Current residents in Westminster all generally agree that the Meadows is successful, in that it provides modest homes of high quality.[17]Other advantages to this development include lower environmental impacts due to smaller land area per unit needs, as well as reductions in infrastructure demand such as shorter roadways and utility connections. The overall level of density at the Meadows can be compared to densities of older residential developments such as those found in Westminster Village and areas around Wyman Pond. Additionally, this form of development helps broaden the spectrum of available housing options in the community.

New residential development in town currently favors more traditional single family residential development spread over larger, and therefore more costly parcels of land. However, the Meadows should be viewed as a positive model that can be refined to incorporate even more local character, while offering other, more efficient, yet no less pleasing, housing options to the community. As family sizes decrease, local citizens age and young adults start new homes of their own; these many potential housing options should be employed in order to retain existing residents in Westminster. [15]

(1) How Can the Town Help House these Westminster Residents?

1) ***The Town could include Senior Housing provisions in the Zoning Bylaw.*** Westminster does not have provisions that directly address the need for senior housing alternatives. Many communities in Massachusetts have adopted senior housing bylaws within their zoning framework. Such bylaws can take the form of senior residential communities, retirement communities, as well as assisted living and residential care facilities (both are governed by State regulations). The Town needs to give serious consideration to the type of senior housing alternative that best meets its elderly housing needs, whether it be a senior residential community,

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[15] Westminster Master Plan, Chapter III, Pgs.14,15, Prepared by Kenneth M. Kreutziger, FAIC, March 2000

retirement community, assisted living facility or a residential care facility. In general, housing development in a community can have a negative impact on municipal finances largely due to educational expenses of school age children. However, senior housing would not impact municipal finances to such a degree; usually very few school age children would reside in this type of housing. [16]

2) **The Town could consider adopting an Accessory Apartment Provision when it develops new Zoning Bylaws.** An accessory apartment is a second dwelling unit located within a single-family home. Another term for accessory apartments is "in-law apartments", for use by a related family member. Accessory apartments allow elderly people to live in close proximity to their family, as well as young people who cannot afford their own home at the time. Surely families would appreciate the option of setting up an elderly parent with their own separate living space to live independently at a low cost. Accessory apartments also allow the primary homeowner to collect a bit of rent, thus helping them cope with property taxes. Many communities have adopted accessory apartment bylaws and have found that they provide a viable housing alternative for their residents. Similar to elderly housing, it is unlikely that school age children would reside in this type of housing lessening any potential impacts on municipal finances.[17]

Issues to consider when drafting an accessory apartment provision include access/egress to the apartment, external appearance of the principal or secondary structure, parking, sewage disposal, trash disposal, size limitations and the permitting process. Allowing accessory apartments would provide another housing choice for Westminster's elder residents and young people who cannot yet afford to buy a home.

3) **The Town could encourage In-Fill Development in Westminster Village.** The Town could encourage the Infill of vacant spaces around Westminster Village with new homes of similar character on lots of comparable size. A zoning bylaw amendment will be required. This will shift some of the new anticipated residential growth in the community curtailing sprawl in lesser-developed areas of town while helping solidify existing village character as well as providing greater housing stock diversity. Also make allowances for mixed uses in this area in order to recreate the "corner store" convenience and tradition. Town sewer allows denser village development without its potential adverse impact on the environment.

Westminster Village already has the sewer and water infrastructure in place to accommodate higher density housing. Such housing tends to be more affordable than single-family homes on large lots, due to smaller land costs per unit and lower construction costs. Thus, having more multi-family units would help the Town bridge the gap in affordable rental units. Having more people live in the village areas will increase the demand for shopping opportunities, services and food establishments. Allowing a higher population density in areas with public water and sewer would also alleviate some of the pressure to develop housing in the more rural areas of town and help reduce road and infrastructure maintenance costs. One way the Town could encourage multi-family dwellings in the village centers would be through Adaptive Reuse (See above).

c) The Town Has a Shortage of Subsidized Housing

Chapter 40B of Massachusetts General Laws outlines a municipality's responsibilities regarding the provision of low and moderate-income housing. The law defines low and moderate-income housing as

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[16] IBID

[17] This is different from the Table of Use Regulations (A-3)because the dwelling unit is located within an existing structure. Chapter 205 of the Zoning Bylaws (205-37) deals with apartments and attached dwellings. It places a number of standards such as a five acre minimum lot size tat may discourage "in-law apartments".

"...any housing subsidized by the federal or state government under any program...." Thus, by definition, a government subsidy is required in order to qualify as low and moderate-income housing. Please note that this is quite different from the issue commonly known as "affordable housing" which is generally defined as housing that costs no more than thirty percent of a household's total income. Looking at the average home sale price and average contract rent in Westminster, it would be hard to argue that Westminster does not provide opportunities for affordable housing especially when Westminster's numbers are compared to similar communities in the region. However, poverty and low-income people cannot afford to buy a house in Westminster although many renters (69.3%) do not pay more than 30% towards rent. Furthermore, according to the Housing Assessment and Analysis, housing prices have outpaced household incomes over the last two years making homeownership more difficult especially for those in the low to middle income brackets.

Currently, there are only a handful of municipalities in Massachusetts that have achieved this 10% threshold. At the present time, only 2.87% of Westminster's housing stock meets the Chapter 40B definition. While this is not unusual for a community like Westminster, the town should make a good faith effort to provide its share of affordable subsidized housing for its citizens. For municipalities that do not meet the 10% threshold, the practical consequence is as follows: any developer proposing low and moderate income housing can have the project exempted from local zoning and subdivision requirements and the development could be built in any zoning district, regardless of suitability.

(1) How Can the Town Increase its Supply of Subsidized Housing?

Non-Regulatory Options: The Town could review its non-regulatory options for providing low and moderate-income housing and make every effort to ensure that 10% of Westminster's housing stock consists of low and moderate-income housing.

Grant Programs: The Town should take a closer look at the State's Affordable Housing Trust Fund and the various housing grant programs offered by the Massachusetts Department of Housing and Community Development (DHCD) (See Recommendation under Section 4A, for more detail concerning grant programs). The Board of Selectmen may opt to establish a Local Housing Needs Committee to assist in this effort.

Inventory of Privately Owned Property: The Committee could conduct an up-to-date inventory of vacant, underutilized, deteriorated land and/or buildings with the potential of supplying subsidized housing, and work with the property owner to help secure state funds.

Publicly Owned Property: The Committee could also conduct an up-to-date inventory of any publicly owned land/buildings that might be suitable for subsidized housing. There are a variety of State sponsored funding options that can be used to develop/rehabilitate publicly owned properties that have the potential to be converted to subsidized housing.

Chapter 40B Housing Proposals: Town boards such as the Zoning Board of Appeals should receive training on how to deal with Comprehensive Permits as they relate to low/moderate income housing projects as defined by Chapter 40B. The UMass Extension's Citizen Planner Training Collaborative (CPTC) offers classes on this subject on an annual basis and will even provide customized training sessions to individual communities. In addition, DHCD has prepared a procedural "how to" booklet for local communities. The Zoning Board of Appeals would be the responsible municipal entity to establish review criteria for comprehensive permit proposals. The Massachusetts Housing Appeals Committee Web site has guidelines and examples of model by-laws. (www://state.ma.us/dhcd/components/hac/)

Inclusionary Zoning/Incentive-Based Zoning: These methods require a strong real estate market with high housing costs perhaps making them impractical for the Town to utilize in the short term.

However, over time housing costs will continue to escalate and the Town should be aware that these tools exist.

The general purpose behind inclusionary zoning and incentive-based zoning is to increase a community's affordable housing stock. Inclusionary zoning can be seen as the "stick" approach, while incentive-based zoning is the "carrot" approach. An inclusionary zoning bylaw is one that requires new subdivisions to set aside a certain percentage of new housing units as below-market units, i.e., units that can be counted towards the town's affordable housing unit inventory under Chapter 40B. Typically, inclusionary bylaws require that anywhere from 10% to 25% or more of new housing units consist of below-market units. The Massachusetts Zoning Act does not explicitly authorize inclusionary zoning; however, many Commonwealth communities have inclusionary zoning bylaws on the books and have made the case that such bylaws are legally valid under the State's "Home Rule" authority. Chapter 40B is an example of an inclusionary requirement. Massachusetts's courts have generally approved of inclusionary zoning; however, they have frowned on assessing fees in lieu of providing actual affordable housing units.

Incentive-based zoning attempts to increase the affordable housing stock by offering incentives to developers to create below-market units as part of their developments. Such incentives can include higher densities, reduced frontage, reduced setback requirements, a reduction in the required roadway width, reduced infrastructure connection fees, and other incentives that can improve a developer's bottom line. Incentive-based zoning is an example of giving something to get something. Incentive-based zoning is explicitly authorized within the Massachusetts Zoning Act. Incentives only become an effective tool when there exists a strong demand so that developers are willing to build the additional units in return for higher profits. The Town may wish to take some pro-active steps to bring its affordable housing unit inventory closer to the 10% required under Chapter 40B. Towards that end, Westminster should investigate both inclusionary zoning and incentive-based zoning over the long-term and determine which approach would work best for the Town. In any case it is strongly recommended that these zoning by-laws be adopted by the Town.

d) Westminster has an Older Housing Stock

As indicated in the Housing Assessment and Analysis, 19.4% of Westminster's housing stock was built prior to 1940 and 51.8% was built prior to 1969. It is quite likely that many of these older residences would not meet today's various housing codes (plumbing, electricity, weather-proofing, septic systems, building code, etc.). Aesthetic improvements could also be made, which would serve to enhance the visual appearance of neighborhoods throughout the community.

(1) What Could the Town do to improve its Housing Stock?

The Town of Westminster could further investigate various grant opportunities to see if they make sense for the town and its property owners. The town has recently completed the Commonwealth Capital Application which gives the town additional points when applying for grants administered by the Commonwealth Capital agencies.

The Housing Certification Process was an important part of Executive Order 418, "Assisting Communities in Addressing the Housing Shortage." Its purpose was to provide an incentive for communities to assist residents by taking steps to increase the supply of housing affordable to individuals and families with low, moderate, and middle incomes. E.O. 418 definition of affordable housing is:

- Low-income households are those making up to 50% of the area-wide median income.
- Moderate-income households are those making up to 80% of the area –wide median income.
- Middle-income households are those making up to 150% of area-wide median income.

Communities that received E.O. 418 Housing Certification are eligible to apply for certain discretionary grant programs and to receive bonus points for other grant programs.

In FY2004, housing certification is achieved if a community:

1) Has an acceptable Housing Strategy, and
2) Can demonstrate that new units have been created for households and individuals with low, moderate, and middle incomes.

Westminster had an acceptable Housing Strategy and achieved Housing Certification in 2004. Many of the grant programs subject to housing certification in past years are now scored under the new Commonwealth Capital Program. The Commonwealth Capital has replaced many of the functions of EO 418 including the Housing Certification requirement.

There are numerous grant opportunities for housing rehabilitation projects, especially when they benefit low and moderate-income families. The following is a brief description of available housing rehab grants that can be utilized by the Town.

- *Community Development Block Grant Program*: This program was developed at the federal level by the US Department of Housing and Urban Development (HUD) and is implemented at the State level by DHCD. Funds for housing rehabilitation (code violations, septic systems, roof and chimney repairs, heating systems, etc.) are available on an annual basis when applied for in a regional context. In 2004, based on the new census, Westminster will be considered a CDF2 community by DHCD and will not be eligible for funding every year. Communities that have been Housing Certified by DHCD receive 10% scoring bonus points when applying for Community Development Block Grant funds.

- *The Housing Development Support Program*: The Housing Development Support Program is a component of the federal Community Development Block Grant (CDBG) program administered by DHCD. The program is designed to assist with project-specific affordable housing initiatives with the emphasis on small-scale projects that might otherwise go un-funded. Typical projects include housing rehabilitation, new construction, reclamation of abandoned properties, elderly and special needs housing, and the conversion of obsolete and under-utilized buildings for housing. Funds can be used for acquisition, rehabilitation, site work and related infrastructure. Projects are limited to a maximum of seven housing units, 51% of which must be affordable to and occupied by low and moderate-income households (households earning up to 80% of the area's median household income).

- *The Massachusetts Affordable Housing Trust Fund*: The Affordable Housing Trust Fund (AHTF) was established by an act of the State Legislature and is codified under Chapter 121-D of the Massachusetts General Laws. The AHTF operates out of DHCD and is administered by MassHousing with guidance provided by an Advisory Committee of housing advocates. The purpose of the fund is to support the creation/preservation of housing that is affordable to people with incomes that do not exceed 110% of the area median income. The AHTF can be used to support the acquisition, development and/or preservation of affordable housing units. AHTF assistance can include:

- Deferred payment loans, low/no-interest amortizing loans.
- Down payment and closing cost assistance for first-time homebuyers.
- Credit enhancements and mortgage insurance guarantees.
- Matching funds for municipalities that sponsor affordable housing projects.
- Matching funds for employer-based housing and capital grants for public housing.

Housing developments financed by the AHTF can include market-rate units, but the Trust Fund cannot be used to support such units. The level of assistance provided by the AHTF to a specific project must be the minimum amount necessary to achieve the desired degree of affordability. Housing units created through

the AHTF can be counted towards the Town's 10% threshold for affordable housing under Chapter 40-B (see the previous discussion under Item #3).

- *The Local Initiative Program*: The Local Initiative Program (LIP) is administered by DHCD and was established to give municipalities more flexibility in their efforts to provide low and moderate-income housing. The program provides technical assistance and other non-financial assistance to housing developed through the initiative of local government to serve households below 80% of the area's median household income. The program limits the State's review to the most basic aspects of affordable housing: the incomes of the people served, the minimum quality of the housing provided, fair marketing and level of profit. LIP projects must be initiated by the municipality, either through zoning-based approvals (rezoning, special permits, density bonuses, etc.), financial assistance and/or through the provision of land and/or buildings. LIP projects can include new construction, building conversion, adaptive re-use and building rehabilitation. LIP projects are usually administered at the local level by a local housing partnership and approved by the Board of Selectmen. Affordable housing units created by a LIP project will be counted towards the municipality's 10% low and moderate-income housing goal under Chapter 40B.

- *The HOME Program and the Housing Stabilization Fund*: These programs are offered by HUD (managed at the state level by DHCD) and are designed to support the acquisition and/or rehabilitation of existing structures. Acquisition funds are only available to low-income families. Eligible projects include: property acquisition; housing construction and/or rehabilitation; connecting to public utilities (sewer & water); and making essential improvements such as structural improvements, plumbing improvements and energy-related improvements. These programs are offered every two years. Once again, interested communities need to do a substantial amount of advance work prior to submitting a grant application.

- *The 'Get the Lead Out' Program:* This HUD-sponsored program is managed at the State level by the Massachusetts Housing Finance Agency (MHFA). This is a lead abatement program available to single family homes and 2-4 family properties. Offered on an annual basis, these funds are generally easier to apply for than the above referenced CDBG funds. The MRPC is administering these funds in the region.

- *Home Improvement Loan Program*: Another HUD program managed by MassHousing, this program offers funds to eligible owners of one-to-four unit residential properties so that they can make necessary improvements to their residential structures. Eligible improvements include: sewage disposal systems and plumbing needs; alterations and renovations that will enhance property safety; energy-related improvements and repairs designed to bring the structure up to local building codes. Offered on an annual basis, these funds generally have an easier application process than the above referenced CDBG funds.

- *Weatherization Assistance*: HUD provides funding assistance to regional non-profit organizations for fuel assistance and weatherization programs. In order to be eligible for the weatherization program, the applicant must receive some form of federal fuel assistance benefits.

- In addition to the Housing Authority, consider establishing a community land trust so that the affordable housing that is created can be kept permanently affordable.

e) A Number of Westminster Residents Currently Rent Their Housing

When it comes to owner/rental occupancy rates among Westminster's neighbors, there is a marked difference between the smaller communities like Westminster and the larger urban centers. The cities of Gardner, Fitchburg, and Leominster have a much higher percentage of occupants and a much lower percentage of owner occupancy. Rentals range from 42.1% in Leominster, 45.4% in Gardner to 48.4% in Fitchburg. Whereas in the smaller towns the rentals range from 8.6% in Hubbardston, 11.1% in Ashburnham, 14.2% in Westminster, to 17.2% in Templeton.

The range for home ownership has a similar contrast, ranging from a low of 82.8% in Templeton, and 85.8% in Westminster, to 88.9% in Ashburnham, and 91.4% in Hubbardston. In contrast the cities range from a low of 51% for home ownership to a high of 57.9 in Leominster.

According to the 2000 U.S. Census, there are 361 renter occupied housing units in the Town of Westminster making up 14.2% of all occupied housing units. Owning a home is still the goal of most Americans, and research suggests that homeownership has a positive influence on families, neighborhoods and the economy. With 361 households of Westminster residents renting their housing, some could be unaware that homeownership may be within their grasp.

(1) How Can the Town Help to Promote Homeownership?

1) Homebuyer Counseling/Education. Homebuyer Counseling and Education are valuable marketing and outreach tools that can help Westminster residents bridge the information gap and prepare them for a successful application and ownership experience. The Town of Westminster could either plan a first-time homeownership initiative by partnering with an agency or institution that provides homebuyer counseling or simply make it known to Westminster residents that such educational organizations exist. There are many nonprofit agencies that offer this service and most have informational brochures that could be displayed at Municipal Offices. These organizations are trained, monitored and certified by the Massachusetts Homeownership Collaborative, which is coordinated by the Citizens Housing and Planning Association (CHAPA). They provide "soup to nuts" information about the home-buying process, from how to budget or repair damaged credit to the many types of mortgage products and down payment assistance programs. Many also sponsor, or participate in, homebuyer fairs. The CHAPA website (www.chapa.org) maintains a list of counseling agencies and their current and planned activities. Many conventional lenders conduct similar programs.

2) Soft Second Loan Program (SSLP). The program is designed to provide soft second loans to low and moderate-income first time homebuyers. Soft Second loans reduce the first mortgage amounts and lower initial monthly costs to enhance affordability.

Applicants must be income eligible and the purchased home must be their principal place of residence. The program places a preference on the purchase of existing units. Under the program buyers will get two mortgage loans that go together: a first mortgage that is 75% of the purchase price, and a "soft second" that is 20% of the price. The remaining 5% represents the buyers down payment (3% borrower's funds, 2% gift). The principal on the second mortgage is deferred for 10 years and public funds are used to pay for most of its interest during the first five years. Debt to income rations are based on the principal and interest payments of the first mortgage and just the buyer's interest payment on the "soft second" mortgage loan.

Local banks agree to discount the interest rate, charge no points, and reduce closing costs on 30 year fixed rate mortgages. Additionally, the SSLP eliminates payment of private mortgage insurance. Banks can sell the first mortgage to the secondary market or retain ownership. The second mortgage remains in the bank's portfolio (bank owned). A portion of the public funds are used to provide a 10% loan loss reserve for each second mortgage held by the bank. The loan lost reserve is paid to the bank at the time of the closing.

The structure and cost savings features of the SSLP significantly increases the buying power of low-income first time homebuyers. It expands housing opportunities and is bringing homebuyers into the market that would be otherwise left out.

The Commission has contracted the day to day administration of this program to the regional non-profit Housing Assistance Corporation (HAC). HAC pre-certifies the eligibility of potential buyers, track the progress of applicant, and conducts homebuyer workshops, which all participants are required to attend. The Commission is responsible for the overall administration of the Soft Second Loan Program. The soft second mortgage interest subsidy is provided by the State's Department of Housing and Community Development.

The Town can contract the day to day operation to a non-profit that would pre-certify the eligibility of potential buyers, track the progress of applicants, and conduct homebuyer workshops, which all participants are required to attend. The town would be responsible for the overall administration of the Soft Second Loan Program. The soft second mortgage interest subsidy is provided by the State's Department of Housing and Community Development.

Participating banks are asked to sign a Memorandum of Understanding with the Town of Westminster and indicate how much mortgage money they will commit to the program. The banks are responsible for intakes, qualifying borrowers, loan origination, and loan closing. Eligible applicants select which bank to apply for a mortgage loan. These funds can significantly expand homeownership opportunities for low and moderate income homebuyers.

3) Self-Help Housing. The Town could explore Self-Help Housing programs. Self-Help programs involve sweat-equity by the homebuyer and volunteer labor of others to reduce construction costs. Some communities have donated building lots to Habitat for Humanity to construct affordable single housing units. Under the Habitat for Humanity program, homebuyers contribute between 300 and 500 hours of sweat equity while working with volunteers from the community to construct the home. The homeowner finances the home with a 20-year loan at 0% interest. As funds are paid back to Habitat for Humanity, they are used to fund future projects.

C. SUMMARY

Several recommendations are made in this report to assist the Town of Westminster address the housing needs identified in the Housing Assessment and Analysis. These needs include preserving the Town's rural character, assisting lower income groups and the Town's growing elderly population, increasing the supply of subsidized housing, improving the physical condition of the housing stock, and promoting homeownership. The following is a housing strategy that the Town could implement to meet its housing needs.

- An Accessory Apartment Bylaw is a highly viable recommendation that can be easily implemented. An Accessory Apartment bylaw would assist lower income family members including the elderly on a fixed income.

- The Town should consider implementing a Senior Housing Bylaw. Westminster's older population is increasing, and the median age structure has increased 7.6 years since 1980. This would provide housing for a segment of the population that is not adequately served by Westminster's housing supply. Also, senior housing would probably have a minimal impact on town finances since very few school age children would reside in this type of housing.

- An up-to date inventory of public and private land/buildings suitable for subsidized housing should be conducted. The Local Committee should also investigate grant opportunities, including those that would improve the physical condition of the housing stock. In the past, the Town has not received Community Development Block Grant funds for housing rehabilitation. The Town might want to consider re-applying.

- A number of Westminster residents rent their housing. However, homeownership promotes stability, has a positive impact on neighborhoods, and is good for the economy. The town should continue to participate in the Soft Second Loan Program and continue to display homebuyer counseling and education pamphlets and brochures at Municipal Offices. Self-help programs like Habitat for Humanity should continue to be explored.

- The Town should start to consider encouraging backlot zoning for developers. This bylaw could help the Town to retain its rural character.

- Multi-family dwellings should be encouraged in areas with existing infrastructure, in part through adaptive reuse. Higher density housing can be more affordable and would also alleviate some pressure to develop housing in more rural areas.

- Over the long term, as the real estate market continues to strengthen and housing costs escalate in Westminster, the Town could begin to investigate other housing strategies such as inclusionary zoning/incentive-based zoning and transfer of development rights. This is a Long Range Goal that should be explored over the next 10 years.

- The Town should work to educate the public about its housing needs and the social and economic benefits associated different forms of housing. The Town could provide and facilitate workshops and public presentations to enhance community support.

- The town should develop a strategy to direct higher density housing developments to areas that are serviced by major transportation routes, areas with town sewer and town water, and areas near existing or proposed shopping centers and town services.

1. Housing Unit Production

According to the Housing Assessment and Analysis, the Town of Westminster is expected to grow by 488 persons between the years 2000 and 2010, and the typical Westminster household contains 2.73 persons. Taking into consideration the trend towards smaller household sizes, it is anticipated that an additional 179 housing units will need to be produced between the years 2000 and 2010 in order to house the expected population increase. To meet this long-term goal, the Town's short-term numerical goal for housing unit production should be a minimum of 18 housing units per year. Currently, the Town is meeting this short-term goal; 34 building permits were issued in the year 2003 for 31 single-family and 3 two-family units (6 units).

It would appear that Westminster will meet the predicted needs for the amount of housing, but the missing factor is the affordability of housing. This can become a problem for both young/new first-time homebuyers and senior citizens.

The Town currently has a low mix of rental units (14.2% of the housing stock) when compared statewide (38.3%), yet it is similar to the surrounding small communities. In the past, larger communities such as Gardner, Leominster, and Fitchburg have provided a greater number of rental units (42-48%), than the smaller communities in the area (8.6-17%). In order to address the statewide and regional need for rental housing, smaller communities have been encouraged to create more rental units.

Out of the potential (based on an average of 39 over the past four years) 234 total units could be produced by the year 2010 (6 years), and it is suggested that approximately 25% or 58.5 units should be rentals.

The Housing Assessment and Analysis indicates that much of the housing stock in Westminster is relatively affordable. [18]However, only 2.87 % of the Town's housing stock is subsidized. While this is not unusual for a community like Westminster, there is a shortage of affordable rental units for poverty and low-income groups and the Town's growing elderly population.

At present there are 75 "affordable (40B, subsidized) units in town. Considering the probable increase of 234 by 2010, at 39 per year, Westminster would have a potential of 2928 housing units (not buildings). Ten percent as mandated by 40B would equal approximately 293 units of subsidized housing. If the present 75 "approved" units are subtracted, the town might be expected to grow by 218 units of subsidized affordable units.

The Department of Communities and Development uses slightly different standards for eligibility in grant programs such as Community Development Block Grants (CDBG). It considers an increase of ¾ of one percent per year of affordable housing at 30% of household income, for those households below 150% of median income, to be acceptable for "Housing certification." This would qualify the town to receive bonus points (10) when applying for funding such as the Community Development Block grants.

Compared to the Region, there are 10 communities with a greater percentage of subsidized 40 B units, and 11 with less. Gardner is the only community over the 10% mark at 15%, and Fitchburg is second with 9.8%. Three communities are close at 8 or 9 %, but the rest are 4% and lower. Thus Westminster is at the median for the Montachusett region.

2. Westminster Preliminary Housing Map and Narrative

In a recent Westminster Community Development Plan Survey in the Spring of 2004, that was sent out to 4000 households in their tax bills, nearly 63% of the respondents indicated they would prefer a "mix of residential" and other commercial uses such as offices. Considering "village style development", some buildings could have space for commercial enterprises interspersed in close proximity with residential buildings, as is the practice in many village centers. Another mixed-use concept is to build commercial and office space into the first level of buildings and use the above levels for residential apartments.

In another part of the survey question almost 28% preferred a "bedroom community" (almost entirely residential).

In the survey the townspeople were asked what type of housing they thought was most needed. The respondents believed that two types of housing are needed the most, rental units 28%, and clustered condominiums 28%. Slightly more than one-fifth (21%) of those surveyed believed single-family homes were needed, while slightly less than one-fifth (19%) believed that senior housing was needed. Thus there was no overwhelming feeling among townspeople for one type of need for housing over another.

On the question of whether there is a sufficient supply of affordable housing, nearly two-fifths (38%) of those surveyed felt that there is a sufficient supply. Fourteen percent did not know, and 41% did not respond to the question.

Thirty percent (30%) of the respondents felt that local zoning bylaws and regulations regarding residential development are adequate, and 29% felt that the bylaws and regulations were not restrictive enough. While

[18] Census figures for owner specified valuation, median of 141,500. median sales price in 2003 was $219,000 for a single family house

14% felt that the bylaws and regulations were too restrictive, and 23% did not know. Again there was not a majority in any one category.

Westminster has invested much time and money in the development of its up-to-date Master Plan. Many recommendations for housing were made that pertain to the Preliminary Future Housing Map. One proposal is to create housing alternatives with infill development in Westminster Village (1). It is a neighborhood situated on parcels of smaller size than the rest of the community with many services within walking distance. Vacant land lies within and around the Village that could be used to diversify the housing stock by construction homes on smaller lots. Also larger buildings with two or three units could be built that resemble larger single-family units, maintaining the character of the neighborhood.

The Village is the hub of the community and is of a higher density than is permitted by present zoning. Small parcels in this historic area have been left undeveloped, and other unoccupied tracts of land lie nearby. Units constructed here would be of modest size and better suited to young families and the elderly.

An added benefit to building in the Village is that it already has a sewer system. The Town sewer would permit dense village development without impacts on the environment as in other places in Town.

Another proposal is to create a mixed-use Satellite Village Zone at or near the Whitmanville area north of Route 2 along Oakmont Avenue. This would allow for more compact development at the village core and provide a focus for new residential support services. It would also provide an ideal area to build affordable and moderately priced housing, as well as senior housing. The new Village would be located near to the existing rail line in anticipation of a future commuter-rail stop that could provide a transportation alternative. Many low and moderate-income families and seniors would find this to be a major asset.

Residential development would follow a New England village theme similar to Westminster Village were densities are higher than is currently permitted by current zoning. The proposed new Satellite Village is an excellent opportunity to create a new mixed-use village where alternatives to the traditional single-family home could be encouraged. As with the proposal for Westminster Village, units could be constructed that are small, easier to care for and less costly than the typical new home in Westminster.

It has also been proposed to expand the sewer system to the new Satellite Village. The development of this Satellite Village would enhance the character of Westminster through not only relief of development pressures elsewhere in town, but also thorough the establishment of additional areas in town with a New England Village Character. Expansion of the town sewer to include this area will provide the infrastructure necessary to serve the increased density with also protecting the environment. The Village could still exist without sewer, but probably not with the variety of uses nor at the density envisioned.

East of Battles Road and south of State Road, in the vicinity of Route 2 and 2A is an area where commercial uses are being encouraged in the Zoning By-Laws. This is also an area where (with zoning changes) 40B Rental Units could be constructed in conjunction with commercial development. Other communities have permitted housing above commercial storefronts or adjacent to them. Residents would have access to services and hopefully jobs within a walking distance of the apartments. The residents would also provide a ready clientele for commercial establishments and services. This is the old pattern of industrial development in the region for worker housing before the proliferation of cars.

A second advantage for development in the State Road and Battles Road area is that there is easy access to Route 2, the major east-west corridor in the Montachusett Region. Travel to and from work in the east on Route 2 would minimize traffic impacts on the rest of the community.

To do this the Town would need to add incentives to the Cluster Zoning provision to make it more appealing to developers. The provision has been in the By-Laws, and has been used infrequently. State enabling legislation allows towns to increase density when public benefits are provided such as public open space, recreation facilities, or affordable housing.

One proposal was to prepare an Over Age 55 housing provision in the Zoning By-Law. The purpose of such an overlay district is provide a senior residential open space community that is intended to encourage residential development which meets the physical, emotional and social needs of citizens over the age of 55. Westminster is limited in senior housing options to the Wellington. While the Wellington was privately developed and is privately operated, town officials and the community could take action to create more of this type of housing. Research in the course of the development of the Master Plan found that land for such a proposal is available near the Wellington (4). An initiative to undertake this proposal on that site as well as within the village proposals was strongly urged. Another site for this type of development could be in the area north of the Satellite Village on both sides of Oakmont Avenue (5) in the vicinity of the railroad line. This is where a senior (over 55) "open space community" may be considered.

D. WESTMINSTER'S PLANNED PRODUCTION

The overall town housing strategy is to direct higher density housing developments to areas that are serviced by major transportation routes, areas with town sewer and water, and areas near existing or proposed shopping centers and town centers. In order to accomplish an increase of .75 of one percent of the qualifying units, Westminster must provide 20 units of affordable housing per year until the town meets its 10% requirement. Currently, there are 89 (3.41%) units in Westminster's Subsidized Housing Inventory (SHI). In November of 2004, the town received its first 40B application for Mountain View Estates – a 164 unit (41 affordable) condominium development located on East Road near the intersection of Gatehouse Road. The Mountain View Estates project has been reduced to 136 units (34 affordable) and is still in the hearing process. With the inclusion of the proposed 36 units within the Mountain View Estates project, the town's SHI will increase to a total of 125 units, or 4.79%. An additional 136 units of subsidized affordable housing will be needed to achieve 10% of the year round housing unit total of 261. Below is Westminster's plan for meeting the town's goal of 10% of the year round housing units.

E. AFFORDABLE HOUSING COMMITTEE MISSION STATEMENT

The Affordable Housing Committee (AHC) has met monthly since it was created in March of 2005. The following is the AHC mission statement:

- The Affordable Housing Committee (AHC) will implement housing recommendations made in the Westminster report titled "Planned Production Affordable Housing Plan of October 2005".

- The AHC will coordinate and work with other town boards and committees to draft and implement policies, bylaws, and/or regulations relative to applicant submittals for affordable housing projects in town.

- The AHC will work to educate the public about current and future affordable housing needs and the social and economic benefits associated with those needs. It is to work towards achieving community acceptance of the different forms of affordable housing.

- The AHC is to develop action plans based on the needs in town, establish criteria to evaluate affordable housing proposals, identify financial resources, identify appropriate sites for development, and work with developers of affordable housing.

- The AHC is to play a critical role in providing and facilitating public education in order to develop the community support critical to the success of affordable housing policies and initiatives.

F. RECENT ACTIVITIES TO SUPPORT AFFORDABLE HOUSING

- Hiring a Town Planner in July 2004 and charging the Planner with assisting the town with developing an Affordable Housing Plan.

- Having a Community Development Plan prepared by the Montachusett Regional Planning Commission in June 2004.

- Filing a joint application with the Towns of Harvard, Townsend, and Petersham for a feasibility study to construct senior housing on town-owned land. The two parcels of land chosen for the grant include reuse of the current Town Hall building and construction of new housing on a 16 acre town-owned property located near the existing "Wellington" senior housing.

- Participating in the American Dream Down-Payment Initiative Program sponsored by the Montachusett Regional Planning Commission.

- Receiving a $10,000 grant from Massachusetts Housing Partnership to review the Mountain View Estates originally 198 unit (reduced to 164 unit and then 136 unit) condominium Comprehensive Permit located on East Road near the intersection with Gatehouse Road.

- Voting at the Special Town Meeting in October 2004, to perform an independent appraisal of the property located at 69 West Main Street to determine if the town will exercise its right of first refusal since the land is coming out of Chapter 61B; and voting at the March 2005 Special Town Meeting to acquire 69 West Main Street with 12 acres of land for affordable housing purposes.

- Adopting a provision for allowing apartments by special permit in the R-1 Zoning District on a minimum 5 acre parcel at the following minimum land area requirements: for each one bedroom unit, 4,000 square feet; for each two bedroom unit, 8,000 square feet; and for each unit containing three (3) or more bedrooms, 12,000 square feet. This provision allows for a density of 10 units per acre for one-bedroom units and can be used for senior or family housing.

- Forming an Affordable Housing Committee in March 2005 comprised of members from the Board of Selectmen, the Planning Board, the Conservation Commission, the Housing Authority and citizens at large.

- Hiring the firm Daylor Associates to prepare a conceptual plan for the town-owned Meetinghouse Road parcel. The conceptual plans show that between 84-104 units may be constructed on this site.

G. PLANNED PRODUCTION ACTION PLAN

ACTION ITEM: Review all town-owned, including Tax Possession, properties for their suitability for affordable housing development. Perform soil testing and percolation tests on suitable sites that do not have sewer access. Donate suitable sites to an organization such as Habitat for Humanity, Montachusett Regional Vocational Technical School or Greater Gardner Community Development Corporation for the construction of affordable housing.

TIME FRAME: Review sites March 2005 – August 2005. Perform percolation tests in August/September 2005. Dispose of property STM 2005.

ACTION ITEM: Investigate various techniques to convert existing units into deed restricted affordable housing units that will count towards the town's Subsidized Housing Inventory. For example; offer homeowners who are having difficulty paying property taxes the ability to deed restrict their homes in exchange for reduced taxes, thereby allowing the town to get closer to its 10% housing requirement without adding additional inventory. This could also be accomplished by buying existing housing units and converting them to deed restricted affordable housing.

TIME FRAME: Years 2005-2006

ACTION ITEM: The AHC will work with developers of potential Comprehensive Permit applications to guide the development of the Comprehensive Permit projects and shape them to meet the specific needs of Westminster's residents. Support Comprehensive Permit plans that are consistent with the town's Planned Production Plan.

TIME FRAME: Ongoing

ACTION ITEM: Work with the Public Works Commissioners and SEA Consultants to ensure the future extension of sewer and water to the proposed "Satellite Village" in the vicinity of Oakmont Avenue and South Ashburnham Road will provide for higher density housing and mixed use development. Require that a certain percentage of the housing in the Satellite Village be set aside as deed restricted affordable housing.

TIME FRAME: In conjunction with the Long Range Comprehensive Wastewater Management Plan.

ACTION ITEM: Coordinate affordable housing planning activities with the Comprehensive Wastewater Management Plan.

TIME FRAME: In conjunction with the Long Range Comprehensive Wastewater Management Plan.

ACTION ITEM: Adopt a Low Impact Development Bylaw that would apply to affordable housing developments.

TIME FRAME: Annual Town Meeting 2006

ACTION ITEM: Amend Section 205-37 Apartments and Attached Dwellings Bylaw, requiring that applications under this special permit include a certain percentage of affordable housing.

TIME FRAME: Annual Town Meeting 2006

ACTION ITEM: Assess the impact on the community of adopting a senior residential community bylaw. Review the existing Use Schedule to determine if different types of senior housing can be built under existing provisions. Amend use schedule or propose new bylaw to allow various forms of senior housing including a senior residential retirement community, assisted living or residential care facility, or some combination of these uses. Propose amendments to the zoning bylaws if needed.

TIME FRAME: Annual Town Meeting 2006

ACTION ITEM: Assess whether the use of MGL Chapter 40R will work for the infill development of mixed uses, residential and commercial, in Westminster Village. Select sites located in or near the Village Center that could be developed for higher density housing. Create

three 40R Districts in the center of town in the following locations: Meetinghouse Road; West Main Street; and Adams Street.

TIME FRAME: Propose article at the Annual Town Meeting 2006. Investigate sites by the end of 2005.

ACTION ITEMS: Ensure that all members of the Zoning Board of Appeals attend Chapter 40B training sessions. Adopt a set of Rules and Regulations for the Review of Comprehensive Permits. Work with the Town Planner, Town Counsel, and consultants to perform a fair and thorough review of the Mountain View Estates Comprehensive Plan with the goal of minimizing the overall density of the project while maximizing the number of affordable units and ensuring that the project is economically feasible.

TIME FRAME: Rules and Regulations adopted October 1, 2004; Mountain View Comprehensive Permit Review – 2005.

ACTION ITEM: Amend the Cluster Development bylaw so that the Planning Board is the special permit granting authority. Revise the criteria for the open space and design of cluster developments.

TIME FRAME: Approved at the Spring 2005 Annual Town Meeting.

ACTION ITEM: Have the Affordable Housing Committee perform an inventory of privately owned land that is serviced by major transportation routes, areas with town sewer or water, and areas near existing or proposed shopping centers and town services. Work with private land owners to either acquire the land or encourage the private development of affordable housing.

TIME FRAME: Years 2006-2007.

ACTION ITEM: Perform an inventory of all Chapter Lands and rank parcels for the suitability of affordable housing development.

TIME FRAME: Annual Town Meeting 2006.

ACTION ITEM: Assist the Board of Selectmen with drafting the Request for Proposals for the development of senior housing on the parcels of land on 69 West Main Street and Meetinghouse Road.

TIME FRAME: Years 2006 – 2007.

ACTION ITEM: Investigate the use of grants to support the town's affordable housing planning activities.

TIME FRAME: Annually

ACTION ITEM: Inform the public of state and federal programs that are available to them to improve the condition of the existing housing stock. Provide information on these programs at the Town Hall.

TIME FRAME: Annually

ACTION ITEM: Conduct housing forums in conjunction with the Regional Planning Agency and the Greater Gardner Community Development Corporation (GGCDC) on various housing topics including the American Dream Down Payment initiative (ADDI) and other homeownership

maintenance topics. Provide press releases to local newspapers about affordable housing topics. Include affordable housing information on the town's website.

TIME FRAME: Annually

ACTION ITEM: Adopt a Site Plan Review bylaw to review community and environmental impacts of multi-family residential developments.

TIME FRAME: Approved at the Spring 2005 Annual Town Meeting.

ACTION ITEM: Support Land Use and Zoning Reform Act.

TIME FRAME: 2005-2006 legislative session

ACTION ITEM: Submit grant application to DHCD to study the feasibility of converting Town Hall into senior housing; and building new senior housing on the 16 acre parcel of town-owned land located near The Wellington elderly housing complex. If awarded, and it is determined that either site is feasible for housing development, follow through with drafting a Request for Proposal for the private development of senior housing on town-owned land.

TIME FRAME: Resubmit grant in August 2005.

ACTION ITEM: Propose an Accessory Apartment Zoning Bylaw in the Residential III zoning district. (Already permitted in the Residential 1 and Residential II districts.)

TIME FRAME: Approved at Spring 2005 Annual Town Meeting.

ACTION ITEM: Keep a database of persons inquiring about affordable units and notify such persons about upcoming lotteries and/or affordable housing programs.

Comprehensive Permit Activity in Westminster

Applicant	Name	Location	Acres	# Units	Units/Acre	# Affordable	Status	Type
James Haynes	Mt. View Estates	East Road	60.3	136	2.25	41	Comp Permit submitted 11/18/04	28 senior units 136 family units
Jeffrey Brem	Kingsbury Arms	Livermore Hill Road	23	56	2.43	14	Site Eligibility issued 5/9/05	Family
John Tuttle	Brookside Farm	Bean Porridge Hill Road	11.07	24	2.16	10	Revised Conceptual Plan reviewed at BOS meeting on 7/25/05	Family
Paul Aldrich	LIP Request	Adams Street	2.5	22	8.8	6	Conceptual Plan presented to BOS on 7/25/05	Family
Mark Brobrowski	Molly Hill Farm	Bean Porridge Hill Road	40	40	1.00	10	Conceptual Meeting with BOS	Senior
Total			136.87	278		80		

Westminster's Subsidized Housing Inventory

2000 Census Year Round Housing Units	Total SHI Units	Percent SHI Units	Proposed Units in Mt. View Estates	Percentage w/ Mt. View Estates Project	Add'l Units to Meet 10% Requirement
2609	89	3.41%	36	4.79%	136

Numerical Housing Goals

Year	Number of Units	Comments
2006	20	10 units Mt. View Estates Comp Permit; 2 units town owned tax title parcels; 8 units Kingsbury Arms Comp Permit
2007	21	10 units Mt. View Estates Comp Permit; 6 units Kingsbury Arms Comp Permit; 5 units Adams Street LIP
2008	20	16 units Mt. View Estates Comp Permit; 4 units Meetinghouse Road Parcel
2009	20	20 units Meetinghouse Road parcel
2010	20	20 units Meetinghouse Road parcel
2011	20	20 units Meetinghouse Road parcel

Town-Owned Land Suitable for Affordable Housing

MAP	LOT	ADDRESS	AREA	DISTRICT	POT DEV	COMMENTS
14	3	49 Fred Smith Road	1.00	R-II	2	Tax-title land, no sewer, schedule perc test, 1 duplex
160	6	Davis Road	.88	R-III	2	Suitable – schedule perc test
20	11 - 15	Needham Road	7.00	R-II	2	No sewer-near Ashburnham – mostly wet, may be able to locate 1 duplex on upland area
109	10	Meetinghouse Road	16	R-1	84	Site being investigated for affordable senior housing, located next to The Wellington (elderly housing rental complex).
124	34	Knower Road - rear	2.9	R-II	2	Potential for duplex with right-of-way from abutting property
124	8	South Street	22.96	R-1	10	Near Meetinghouse Pond – no deed restriction – potential low impact development site
135	8	Frog Hollow Road	2.00	R-1	4	Check to see if deed restricted – may be able to extend existing sewer on Frog Hollow Road
152	16	.55 Minot Road	.27	R-II	2	Research land - .75 acres in contention – 1 potential duplex if additional land is included
111	2	East Main Street	.75	R-1	2	Owned by Conservation Commission need to get transferred to town – MHD will not annex additional land to this project.
110	12	3 Bacon Street	.56	R-1	5	10,382 sq ft building – will be vacated after new Town Hall constructed.
87	85	69 West Main Street	12.3	R-1	70	Acquired for affordable senior housing rentals
Total			66.62		185	

SECTION 3 – DESCRIPTION OF USE RESTRICTIONS

On town-owned projects, the Town of Westminster will use a model deed restriction that has been developed by Alan Seewald, Town Counsel. This restriction will include the time period covered by the deed restriction and how the future sale price will be calculated. In addition, the restriction will incorporate the following provisions:

- Affordable units must serve households with incomes no greater than 80% of the area median for the Leominster/Fitchburg SMSA;
- Units must be subject to use restrictions or re-sale controls to preserve their affordability as follows:

  a) For new construction, a minimum of thirty years or longer from the date of subsidy approval or commencement of construction.

b) For rehabilitation, for a minimum of fifteen years or longer from the date of subsidy approval or completion of the rehabilitation. However, a term of perpetuity is encouraged for both new construction and rehabilitation.

- Units are or will be subject to an executed Regulatory Agreement between the developer and the subsidizing agency unless the subsidy program does not require such an agreement.
- The units have been, or will be, marketed in a fair and open process consistent with state and federal fair housing laws.

APPENDIX A

AFFORDABLE HOUSING RESTRICTION

_____, Massachusetts ("Owner") hereby grants, with quitclaim covenants, to the Town of Westminster ("the Town"), of 3 Bacon Street, Westminster, Massachusetts, its successors and assigns, exclusively for the purpose of ensuring retention of housing for occupancy by low income persons and families, the following Affordable Housing Restriction. The terms of this Affordable Housing Restriction, authorized by G.L. c. 184, §§31-33 and otherwise by law, are as follows:

1. This Restriction shall be binding upon and restrict Lot(s) ____ as shown on a plan of land entitled _____ To the extent that the boundaries of Lot(s) _____ as approved on a definitive subdivision plan differ from such lots as shown on the above-referenced preliminary plan, the Owner shall, forthwith upon request of the Town and in a form acceptable to the Town in its sole discretion, execute an amendment to this Restriction so as to cause the description of such lots to conform to the definitive plan so approved.

2. The Owner intends, declares and covenants, on his own behalf and on behalf of his successors and assigns, that the covenants and restrictions set forth in this Affordable Housing Restriction regulating and restricting the use, occupancy and transfer of the Premises (i) shall be and are covenants running with the Premises, encumbering the Premises in perpetuity unless such perpetual encumbrance shall be inconsistent with the requirement of any funding or other regulatory authority, in which case the covenants and restrictions contained herein shall be deemed to run for the longest period of time permitted by such authority, (ii) are not merely personal covenants of the Owner, and (iii) shall bind the Owner and his successors and assigns.

3. This Affordable Housing Restriction is intended to be construed as an affordable housing restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws which has the benefit of Section 32 of said Chapter 184, such that the restrictions contained herein shall not be limited in duration by any rule or operation of law. The Owner hereby agrees that any and all requirements of the laws of The Commonwealth of Massachusetts to be satisfied in order for this Affordable Housing Restriction to constitute deed restrictions and covenants running with the land shall be deemed to be satisfied in full and that any requirements of privity of estate are intended to be satisfied, or in the alternative, that an equitable servitude has been created to insure that this Affordable Housing Restriction runs with the land.

4. The Premises shall be used for the construction of _____ units of affordable housing, each unit to be sold to an eligible buyer in accordance with this agreement. Each unit shall include at least __ bedrooms. Each unit in the Project shall contain complete facilities for living, sleeping, cooking, eating and sanitation which are to be used on other than a transient basis. The affordable housing units to be constructed under this Restriction shall comply with any and all regulations or requirements of the Commonwealth of Massachusetts for inclusion in the inventory of affordable housing units for purposes of M.G.L. c. 40B.

5. Notwithstanding any provision of this Restriction to the contrary, under no circumstances shall an occupancy permit be issued for any lot in the subdivision other than the two lots constituting the Premises subject to this Restriction, until 1) the units required by this Restriction, as set forth in the preceding paragraph, have been constructed and a certificate of occupancy have been issued as to each unit, and 2) the town has received certification that such units qualify for inclusion in the inventory of affordable housing units for purposes of M.G.L. c. 40B . The execution of this Restriction by the partners of _____ shall be construed as their acceptance of and acquiescence to the requirements of this paragraph.

6. Unless inconsistent with the requirements of law and/or the requirements of any funding or other regulatory authority for inclusion in the inventory of affordable housing for purposes of M.G.L. c. 40B, in which case those requirements shall control, the sale or lease of the units shall be restricted as follows:

   a. Owner Occupancy. All Affordable Units in the project acquired from the Owner or from subsequent purchasers must continue to be occupied only by the owner(s) as his/her/their principal place of residence during the term of the ownership.

   b. Deed Rider. At the time of sale of each Affordable Unit by the Owner, the Owner shall execute and shall as a condition of sale cause the purchaser of the Affordable Unit to execute a Deed Rider in the form of Exhibit C attached hereto and made part hereof (the "Deed Rider'). Such Deed

Rider shall be attached to and made part of the deed from the Owner to the initial buyer. Each such Deed Rider shall require the initial buyer at the time he/she desires to sell the Affordable Unit to offer it for sale at a discounted price established in accordance with the methodology described in this Restriction, and under terms and conditions more particularly described in the Deed Rider. The Deed Rider shall require that each subsequent buyer and seller execute at the time of sale a similar Deed Rider which will be attached and made a part of the deed, so that the affordability will be preserved each time that subsequent resales of the Affordable Unit to an Eligible Buyer occur.

c. Sale of Units. Owner and Developer hereby agree to offer units for sale to households qualified by the Town or its assignee for a period of forty years. The Planning Board shall review and approve an Affirmative Marketing Plan for the project prior to the sale of affordable units regulated by this Agreement. If, having made a good faith effort, Developer has not succeeded in locating an income-eligible buyer qualified to purchase an affordable unit after 180 days, the unit may be sold to any buyer at no less than 15% below the unit's appraised value, and the difference between the affordable sales price will be paid to an account designated by the Westminster Planning Board for affordable housing funds resulting from this Restriction. Prior to any such sale, the Planning Board shall review the execution of the Affirmative Marketing Plan for the project. If the Planning Board determines that a good faith effort has been made, it shall authorize such a sale. Upon request of the Owner and certification by the Westminster Town Treasurer that the aforementioned amount has been received by the Town, the Planning Board shall certify that the Restriction has been satisfied in terms of the unit and shall not apply thereafter, and the Town shall endorse said approval upon the deed.

d. Resale Restriction. Resale by the initial purchaser or any subsequent owner of any Affordable Unit subject to this Agreement must be to an Eligible Buyer as designated or approved in writing by the Town, at a price not to exceed the Maximum Resale Price established in accordance with the methodology described below; unless otherwise permitted by this Restriction. Prior to conveyance of any Affordable Unit, the current owner shall give notice to the Town of his/her intention to sell the Affordable Unit. For a period of one hundred twenty (120) days from the date of such notice, the current owner may sell the affordable unit only to an Eligible Buyer.

If within thirty (30) days of receiving notice from the current owner of the affordable Unit the Town notifies the current owner of its intention to refer Eligible Buyers to the current owner, then the Town shall be given a ninety (90) day Buyer Selection Period, dating from the date of the notice from the current owner to the Town of intention to sell, to identify and refer to the current owner an Eligible Buyer. During the Buyer Selection Period the current owner may refer potential buyers to the Town, which shall determine whether such potential buyers qualify as Eligible Buyers and if so shall add such Eligible Buyers to its list for referral for purchase of an Affordable Unit. Eligible Buyers qualified by the Town and referred to the current owner during the Buyer Selection Period shall have the exclusive right to contract for the purchase of the Affordable Unit for a period of sixty (60) days from the end of the Buyer Selection Period.

e. Maximum Resale Price. After initial sale by the Owner, the Affordable Unit shall not be sold. conveyed assigned or otherwise disposed of for consideration in excess of the Maximum Resale Price as defined below, except as provided in paragraph 12, below. The Maximum Resale Price shall be established as follows:

1. Discount Rate. A discount rate shall be established for the Affordable Unit at the time of initial sale by the Owner. The discount rate shall be established by calculating the actual sale price of the Affordable Unit upon initial sale as a percentage of the unrestricted fair market value of the Affordable Unit according to the appraisal conducted under paragraph 3 above. EXAMPLE: The initial buyer purchases the Affordable Unit for $75,000.00. The appraisal determines that the fair market value of the Affordable Unit is $100,000.00. The discount rate for the Affordable Unit is seventy-five (75%) percent.

2. Capital Improvements Allowance. The Capital Improvements Allowance shall be the actual cost of capital improvements made to the Affordable Unit by the Seller, provided that such amount shall not exceed one (1%) percent of the appraised value multiplied by

the number of years the Seller has owned the Affordable Unit. An improvement shall only be considered a capital improvement under this paragraph if, (1) the improvement meets the definition of "capital improvement" under the Internal Revenue Code, and (2) the improvement was carried out in compliance with all pertinent statutes, ordinances and regulations at the time it was made, and with any building permit; certificate of occupancy or other similar document of approval issued in connection with the improvement, and (3) the cost of the improvement is documented at the time of sale.

3. Calculation of Maximum Resale Price. Prior to any resale of an Affordable Unit, the current owner shall arrange for an appraisal report by an appraiser whose credentials are satisfactory to the Town, prepared in accordance with industry standards for market appraisals of residential properties, which shall establish the market value of the unit. The costs of the appraisal shall be borne by the seller. The Maximum Resale Price shall then be calculated, and shall be the sum of:

(i) The fair market value of the Affordable Unit at the time of resale multiplied by the discount rate, plus

(ii) The Capital Improvements Allowance.

f. Unrestricted Sale, when Allowable Upon Resale. If upon resale of an Affordable Unit the Town is unable to find an eligible buyer, or if for any other reason not attributable to the fault of the current owner no contract for sale of the Affordable Unit has been entered into at the end of sixty (60) days following the end of the Buyer Selection Period, the current owner shall have the right to sell the Affordable Unit to any person, regardless of his/her income and at any price, free of any future restrictions on resale., provided that twenty-five percent (25%) of the difference between the actual resale price and the discounted price for which an eligible buyer could have purchased the Affordable Unit shall be paid by the current owner to an account designated by the Town for affordable housing funds resulting from this Agreement. In the event of such unrestricted sale and after certification by the Town Treasurer that such payment has been received, the Town shall certify in recordable form that no further resale restrictions apply to the unit in question, and that such unit shall no longer be designated an Affordable Unit as defined in this Agreement.

g. Option. The initial buyer and any subsequent buyer of an Affordable Unit shall enter into an Option Agreement with the Town in the form set forth in Exhibit B attached hereto and made part hereof. In the event that the provisions of this Agreement, as made binding on subsequent purchasers of Affordable Units by Deed Rider, are violated, including but not limited to contracting for sale of an Affordable Unit for a price in excess of the Maximum Resale Price or if the unit ceases to be the principle residence of the owner, the Town shall have a right to exercise its Option in the manner provided therein.

7. Each and every contract, deed, plan or other instrument hereafter executed conveying the Premises or portion there of or interest therein shall expressly provide that such conveyance is subject to this Affordable Housing Restriction, provided, however, that the covenants contained herein shall survive and be effective regardless of whether such contract, deed or other instrument hereafter executed conveying the Premises or portion thereof provides that such conveyance is subject to this Affordable Housing Restriction.

8. The Owner shall not discriminate on the basis of race, creed, color, sex, age, handicap, marital status, sexual preference, national origin or any other basis prohibited by law in the lease, sale, use and occupancy of the Project or in connection with the employment or application for employment of persons for the operation and management of the Project.

9. The Owner shall not demolish any part of the Project or substantially subtract from any real or personal property of the Project except in conjunction with renovation or rehabilitation of the Project or construction of a new project on the Premises, in either case subject to the prior written consent of the Town, which consent may be granted or withheld in the Town's sole judgment.

10. The Owner represents, warrants and agrees that if the Project, or any part thereof, shall be damaged or destroyed, the Owner (subject to the approval of the Town) will use its best efforts to repair and restore the

Project to substantially the same condition as existed prior to the event causing such damage or destruction, and the Owner represents, warrants and agrees that the Project shall thereafter continue to operate in accordance with the terms of this Affordable Housing Restriction.

11. Any use of the Premises or activity thereon which is inconsistent with the purpose of this Affordable Housing Restriction is expressly prohibited.

12. The rights hereby granted shall include the right of Town to enforce this Affordable Housing Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including without limitation relief requiring restoration of the Premises to its condition prior to any such violation (it being agreed that the Town will have no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Town. Owner covenants and agrees to reimburse Town all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Affordable Housing Restriction or in taking reasonable measures to cure any violation hereof. By its acceptance of this Affordable Housing Restriction, Town does not undertake any liability or obligation relating to the condition of the Premises. If any provision of this Affordable Housing Restriction shall to any extent be held invalid, the remainder shall not be affected.

13. The Town is authorized to record or file any notices or instruments appropriate to assuring the enforceability of this Affordable Housing Restriction; and the Owner on behalf of itself and its successors and assigns appoints the Town its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Owner and its successors and assigns agrees to execute any such instruments upon request. The benefits of this Affordable Housing Restriction shall be in gross and shall be assignable by the Town. The Owner and the Town intend that the restrictions arising hereunder take effect upon the date hereof, and to the extent enforceability by any person ever depends upon the approval of governmental officials, such approval when given shall relate back to the date hereof regardless of the date of actual approval or the date of filing or recording of any instrument evidencing such approval.

14. Notwithstanding anything herein to the contrary, but subject to the next succeeding paragraph hereof, if the holder of record of a first mortgage granted to a public or quasi-public agency, state or national bank, state or federal savings and loan association, cooperative bank, mortgage company, trust company, insurance company or other institutional lender shall acquire the Property by reason of foreclosure or similar remedial action under the provisions of such mortgage or upon conveyance of the Property in lieu of foreclosure, and provided that the holder of such mortgage has given Town not less than sixty (60) days' prior written notice of its intention to foreclose upon its mortgage or to accept a conveyance of the Property in lieu of foreclosure, then the rights and restrictions herein contained shall not apply to such holder upon such acquisition of the Property or to any purchaser of the Property from such holder, and such Property shall, subject to the next two succeeding sentences, thereafter be free from all such rights and restrictions. The rights and restrictions contained herein shall not lapse if the Property is acquired through foreclosure or deed in lieu of foreclosure by (i) Owner, (ii) any person with a direct or indirect financial interest in Owner, (iii) any person related to a person described in clause (ii) by blood, adoption or marriage, (iv) any person who is or at any time was a business associate of a person described in clause (ii), and (v) any entity in which any of the foregoing have a direct or indirect financial interest (each a "Related Party"). Furthermore, if the Premises are subsequently acquired by a Related Party during the period in which this Affordable Housing Restriction would have remained in effect but for the provisions of this Section, this Affordable Housing Restriction shall be revived and shall apply to the Property as though it had never lapsed.

15. Any notice, request or other communication which either party hereto may be required or may desire to give hereunder shall be made in writing, and shall be deemed to have been properly given if hand delivered, if sent by recognized overnight courier, receipt confirmed, or if mailed by United States registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

If to Owner:

If to Town:

Town Coordinator
Town of Westminster
3 Bacon Street
Westminster, MA 01473

or such other address as the party to be served with notice may have furnished in writing to the party seeking or desiring to serve notice as a place for the service of notice. A notice sent by certified or registered mail shall be deemed given three days after mailing; a notice sent by overnight courier shall be deemed given one day after deposit with such courier; and a notice delivered by hand shall be deemed given upon receipt.

16. This Affordable Housing Restriction may not be amended, nor may any obligation hereunder be waived or released, without first obtaining the written consent of the Town, which consent shall not be unreasonably withheld or delayed.

No documentary stamps are required as this Affordable Housing Restriction is not being purchased by the Town.

Executed under seal this ____ day of ____, 200_.

THE TOWN OF WESTMINSTER
BY ITS BOARD OF SELECTMEN

_____

_____

_____

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. _____, 200_

Then personally appeared the above-named _____ and acknowledged the foregoing instrument to be his free act and deed, before me.

_____
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. _____, 200_

Then personally appeared the above-named _____, being all the partners of _____, and acknowledged the foregoing instrument to be their free act and deed, before me.

_____

Notary Public

My Commission Expires:

APPENDIX A

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. _____, 200_

Then personally appeared the above-named _____, being all a majority of the members of the Westminster Select Board, and acknowledged the foregoing instrument to be their free act and deed and the free act and deed of the Town of Westminster, before me.

_____
My Commission Expires: