



Commonwealth of Massachusetts
Executive Office of
Housing and Livable Communities

Seasonal Communities Advisory Council

Policy Overview

December 12th, 2024



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What is the Seasonal Communities Law?

The Seasonal Communities designation was created as part of the Affordable Homes Act, signed into law by Governor Maura Healey on Aug. 6, 2024. The historic legislation authorizes \$5.16 billion in spending over the next five years along with nearly 50 policy initiatives to counter rising housing costs caused by high demand and limited supply. **The Seasonal Communities designation is designed to recognize Massachusetts communities that experience substantial variation in seasonal employment and to create distinctive tools to address their unique housing needs. The law also established a Seasonal Communities Advisory Council.**

Sources:

[Section 32 of Chapter 150 of the Acts of 2024 \(HTML\)](#)

[Section 32 of Chapter 150 of the Acts of 2024 \(PDF\)](#)



How Does a Community Become a Seasonal Community? (I/II)

In order to receive a Seasonal Communities designation, a community must meet the criteria outlined in the law:

The AHA lists several communities that will receive the Seasonal Communities designation automatically*, including:

- All municipalities in the counties of Dukes and Nantucket;
- All municipalities with over 35% seasonal housing units in Barnstable county; and
- All municipalities with more than 40% seasonal housing units in Berkshire county.

**The list of communities that have been designated automatically as Seasonal Communities is included on the next slide (slide 5)*

The law also lists criteria for EOHLC to consider to designate additional Seasonal Communities; these criteria include:

- High rates of short-term rentals in relation to the overall housing inventory;
- Significant population increases in seasonal visitors;
- Excessive disparities between the area median income and the income required to purchase the municipality's median home price;
- Percentage of housing stock that is used for seasonal, occasional or recreational use or is otherwise not used as a primary residence by the property's owner; and
- High variations in the average monthly variation of employment in the sector over the full year, in relation to the municipality's minimum employment threshold.

EOHLC will work with the Seasonal Communities Advisory Council to develop guidance or regulations on how to designate additional communities as seasonal communities.



How Does a Community Become a Seasonal Community? (II/II)

List of communities that have been automatically designated as Seasonal Communities:

Municipality	County	% of units in seasonal, rec., or occasional use
Brewster	Barnstable County	41.4%
Chatham	Barnstable County	54.5%
Dennis	Barnstable County	51.9%
Eastham	Barnstable County	57.1%
Harwich	Barnstable County	38.8%
Orleans	Barnstable County	47.0%
Provincetown	Barnstable County	55.7%
Truro	Barnstable County	71.3%
Wellfleet	Barnstable County	57.9%
Alford	Berkshire County	42.5%
Becket	Berkshire County	46.4%
Hancock	Berkshire County	58.0%
Monterey	Berkshire County	53.2%

Municipality	County	% of units in seasonal, rec., or occasional use
Mount Washington	Berkshire County	49.1%
Otis	Berkshire County	56.0%
Stockbridge	Berkshire County	43.6%
Tyringham	Berkshire County	40.5%
Chilmark	Dukes County	65.5%
Edgartown	Dukes County	69.2%
Aquinnah	Dukes County	47.2%
Gosnold	Dukes County	85.9%
Oak Bluffs	Dukes County	56.3%
Tisbury	Dukes County	48.5%
West Tisbury	Dukes County	56.4%
Nantucket	Nantucket County	59.9%



What Can a Seasonal Community Do?

Based on the language of the Affordable Homes act, some Seasonal Communities may use:

- Acquire year-round housing occupancy restrictions
- Develop housing with a preference for municipal workers, so that our public safety personnel, teachers and DPW and town hall workers have a place to live
- Establish a Year-Round Housing Trust Fund to create and preserve affordable and attainable housing for year-round residents
- Create year-round housing for artists
- Allow seasonal communities to develop a comprehensive housing needs assessment
- Allow tiny homes to be built by-right and used as year-round housing
- Increase the property tax exemption for homes that are the owners' primary residence

According to the statute, Seasonal Communities are required to:

- Allow undersized lots to be used for creating attainable, year round housing
- Allow tiny homes to be built by-right and used as year-round housing

EOHLC will work with the Council on guidance and/or regulations so that Seasonal Communities can begin using these tools.



What is the Seasonal Community Advisory Council's Role?

The Seasonal Communities Advisory Council is tasked with providing advice and recommendations to EOHLC regarding policies or programs necessary to serve the distinct needs of seasonal communities. The Advisory Council consists of representatives from communities on the Cape, the Islands, and the Berkshires.

Specifically, the Council will advise on:

- Reviewing municipalities under consideration for a seasonal communities designation
- Advise on determining what incomes qualifies for “attainable housing,” which the statute defines as housing affordable to year-round residents
- Consult in promulgation of regulations and/or guidelines
- Submitting an annual report with recommendations for seasonal communities