

TOWN OF NEEDHAM

**ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

August 20, 2013

(an update to August 2008 report)



**Town of Needham**

**Analysis of Impediments to Fair Housing Choice**

**August 20, 2013**

**(an update to August 2008 report)**

**Prepared by**

Alexandra Clee, Needham Planning Department

**Technical Support of 2008 report provided by**

Kate Fitzpatrick, Needham Town Manager

Lee Newman, Needham Planning Department

Jamie Gutner, Council on Aging

Rich Gatto, Needham Opportunities Inc.

Terence Noonan, Needham Housing Authority

Peg Plansky, Needham Housing Authority

Louise Condon, Condon Realty

Tim McCleary, Needham Interfaith Habitat

Martin Jacobs, Planning Board

Reverend Carolyn Edge, Clergy

Karen Pierce, Commission on Disabilities

The Planning Department wishes to acknowledge the 2013 Needham Housing Needs Assessment prepared by Karen Sunnarborg for the Needham Housing Authority. Said report provided critical data in the preparation of the Analysis of Impediments to Fair Housing Choice.

## Table of Contents

---

|                                                                                                                 |           |
|-----------------------------------------------------------------------------------------------------------------|-----------|
| <b>I. Introduction</b>                                                                                          | <b>1</b>  |
| Methodology                                                                                                     | 2         |
| Conclusions                                                                                                     | 2         |
| <b>II. Jurisdictional Background Data</b>                                                                       | <b>3</b>  |
| Population Characteristics                                                                                      | 3         |
| Housing Characteristics                                                                                         | 7         |
| <b>III. Evaluation of Jurisdiction's Current Fair Housing Legal Status</b>                                      | <b>13</b> |
| Fair Housing Complaints                                                                                         | 13        |
| Other Fair Housing Concerns                                                                                     | 14        |
| <b>IV. Identification of Impediments to Fair Housing Choice</b>                                                 | <b>15</b> |
| Zoning and Site Selection                                                                                       | 15        |
| Neighborhood Revitalization, Municipal and other services,<br>Employment-Housing Transportation Linkage         | 16        |
| Public Housing Authority                                                                                        | 16        |
| Sale of Subsidized Housing and Possible Displacement                                                            | 17        |
| Property tax policies                                                                                           | 18        |
| Planning and zoning boards                                                                                      | 18        |
| Building Codes (accessibility)                                                                                  | 19        |
| Private Sector Lending Policies and Practices                                                                   | 20        |
| Fair Housing Enforcement                                                                                        | 22        |
| Visitability in Housing                                                                                         | 22        |
| <b>V. Assessment of Current Public &amp; Private Fair Housing Programs &amp; Activities in the Jurisdiction</b> | <b>23</b> |
| West Metro HOME Consortium                                                                                      | 23        |
| Community Preservation Act                                                                                      | 23        |
| Inclusionary Zoning                                                                                             | 24        |
| Council on Aging                                                                                                | 25        |

|                                                                                                                                                                  |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>VI. Impediments and Proposed Strategies</b>                                                                                                                   | <b>25</b> |
| Impediment 1: Land Use Policies and Zoning can limit the quantity of non-single family housing and the availability of developable land to achieve fair housing. | 25        |
| Impediment 2: Lack of information, education and outreach on Fair Housing.                                                                                       | 26        |
| Impediment 3: Lack of accessible affordable housing & lack of affordable housing.                                                                                | 27        |
| Impediment 4: Lack of accessibility.                                                                                                                             | 29        |
| <b>VII. Appendices</b>                                                                                                                                           | <b>30</b> |
| Appendix A: Important Events in the Work Plan                                                                                                                    | 30        |
| Appendix B: Subsidized Housing Inventory                                                                                                                         | 31        |
| Appendix C: High Rock Homes Homebuyer Requirements                                                                                                               | 37        |
| Appendix D: Needham Tax Assistance Programs                                                                                                                      | 40        |

## Introduction

---

In 1968 the U.S. Congress passed the Fair Housing Act to end housing discrimination based on race, color, national origin, religion and sex (“protected classes”). The Act was amended in 1988 to include protection against discrimination on the basis of “handicap” or “disability” and familial status, which means the presence or anticipated presence of children under 18 in a household. In addition, Massachusetts Fair Housing Law (G.L. Chapter 151B) prohibits discrimination based on marital status, sexual orientation, veteran status, blindness, age (anyone over 40 years old<sup>1</sup>), ancestry, source of income (receiving welfare or some other public assistance and/or having a housing subsidy) hearing impairment, or possession of a seeing-eye or hearing-ear dog.

Fair housing requirements for local governments which receive funding from HUD include the following:

- the development, every three to five years, of an Analysis of Impediments to Fair Housing Choice;
- actions or plans to overcome the effects of the identified impediments; and
- maintenance of records to support the Fair Housing Plan.

The Town of Needham has produced this Analysis of Impediments to Fair Housing Choice (AI) to identify impediments that may exist in Town. The AI is intended to review the opportunities and barriers associated with a person’s ability to choose a place to live.

Fair Housing Choice is defined by HUD as “the ability of all persons, regardless of race, color, religion, sex, disability, familial status or national origin to have available to them the same housing choices.” Impediments to fair housing choice include” any actions, omissions or decisions, which have the effect of restricting housing choices or the availability of housing choice on the basis of being a member of these protected classes.”

This AI includes an assessment of the availability of affordable, accessible housing in a range of unit sizes, and identifies possible problem areas in Town that relate to Fair Housing Choice. The AI concludes with specific objectives for improving opportunities for Fair Housing Choice.

This Analysis of Impediments is a review of local regulations affecting the location, availability, and accessibility of housing, as well as programs, policies, and practices (both public and private) that affect housing choice. Sources of information include census data, Home Mortgage Disclosure Act (HMDA) data as reported in several studies, Needham Zoning By-law, Needham’s Affordable Housing Plan, and other data from Town departments. A focus group was formed that met twice to brainstorm about fair

---

<sup>1</sup> As stated in Massachusetts General law Chapter 151B, “The term “age” unless a different meaning clearly appears from the context, includes any duration of time since an individual’s birth of greater than forty years” as found at <http://www.mass.gov/legis/laws/mgl/151b-1.htm> .

housing in Town and to provide feedback. The report is divided into several sections, as specified by HUD in its “Recommended Table of Contents.”

## **Methodology**

This report is an update of a 2008 report prepared by the Planning Department. No specific funding was sought or provided. Several focus groups were conducted as part of the original report preparation process to facilitate communication between individuals representing housing, public services, and stakeholder organizations, including Jamie Gutner, Council on Aging; Rich Gatto, Needham Opportunities Inc.; Terence Noonan, Needham Housing Authority; Peg Plansky, Needham Housing Authority; Louise Condon, Condon Realty; Tim McCleary, Habitat for Humanity; Martin Jacobs, Planning Board; Pastor Carolyn Edge, Clergy; Karen Pierce, Commission on Disabilities. In addition, Research was conducted by the Planning Department, and a list of fair housing complaints was obtained from both the Massachusetts Commission Against Discrimination (MCAD) as well as the Fair Housing Center of Greater Boston. A public presentation and a formal public hearing to the Board of Selectmen were held to obtain public input on the report. (See Appendix A for work plan.)

## **Conclusions**

Based on available data, this report concludes that although there are rare instances of alleged or actual discrimination as reported to the Fair Housing Center of Greater Boston and the Massachusetts Commission Against Discrimination (MCAD), no patterns of overt discrimination can be identified. However, the high cost of housing and lack of land available for new development limits opportunities and choices. While the Community Preservation Fund is an important financial resource for the development of community housing, State and Federal support of housing development is non-existent. Moreover, the fact that the Town of Needham is not racially diverse in and of itself tends to limit housing choice.

Finally, there are several policies and practices in the Town of Needham that may have the effect of restricting housing choice for those belonging to a protected class, such as:

- Land use policies and zoning that can limit the quantity of non-single family housing and the availability of developable land to achieve fair housing;
- Lack of education and outreach on fair housing laws that may affect fair housing access;
- Lack of accessible, affordable housing that may affect fair housing access; and
- Lack of accessibility to public buildings and amenities that may limit fair housing access.

Overcoming impediments to fair housing choice in Needham will rely on increased educational efforts and continued investment of human and financial resources in the development of new housing options.

## **Jurisdictional Background Data**

---

### Population Characteristics

In sum, the Town of Needham is an affluent, predominantly White community whose labor force participants tend to be management professionals. The Town has a higher than average population of both school age children and senior citizens, and the vast majority of households live in single family, detached homes.

The population of the Town in 2010 was 28,886, approximately the same as the 2000 population (25 fewer people) and approximately 1,329 more people than the 1,990 population of 27,557. Families represent 75.4% of households in the Town, and the average household size is 2.72 – higher than both Norfolk County and Massachusetts as a whole.

**Summary of Demographic and Economic Characteristics for  
Needham, Norfolk County and Massachusetts**

| Demographic Characteristics                 | Needham      | Norfolk County | Massachusetts |
|---------------------------------------------|--------------|----------------|---------------|
| Total population                            | 28,886       | 670,850        | 6,547,629     |
| Population density per sq. mile             | 2,293        | 1,679          | 835           |
| % Minority residents                        | 9.2%         | 17.7%          | 19.6%         |
| % 18 years or less                          | 28.2%        | 22.7%          | 21.7%         |
| % 18 to 24 years                            | 5.3%         | 8.1%           | 4.6%          |
| % 25 to 34 years                            | 5.9%         | 11.8%          | 18.6%         |
| % 35 to 44 years                            | 14.0%        | 13.9%          | 13.6%         |
| % 45 to 54 years                            | 17.1%        | 16.4%          | 15.5%         |
| % 55 to 64 years                            | 13.3%        | 12.6%          | 12.3%         |
| % 65 years or more                          | 16.3%        | 14.5%          | 13.8%         |
| Median age                                  | 43.0 years   | 40.7 years     | 39.1 years    |
| % Family households                         | 75.4%        | 65.5%          | 63.0%         |
| % Married couples w/ children               | 35.0%        | 24.2%          |               |
| % Single-person households                  | 21.8%        | 27.6%          | 28.7%         |
| Average household size                      | 2.72 persons | 2.53 persons   | 2.48 persons  |
| Median household income*                    | \$118,037    | \$81,889       | \$62,859      |
| % Individuals in poverty*                   | 3.2%         | 6.2%           | 11.6%         |
| % earning less than \$25,000/<br>\$35,000 * | 10.8%/14.3%  | 15.6%/22.2%    | 21.5%/29.7%   |
| % earning more than \$100,000*              | 59.2%        | 41.8%          | 30.2%         |

Sources: Data for the above table is derived, for the most part, from 2010 census figures (full counts, not estimates). Asterisks (\*) note estimates from the U.S. Census Bureau's American Community Survey (ACS), 2009-2011 for Needham and 2011 for county and state data.

Persons age 55 or older accounted for approximately 29.6% of the population, indicating that seniors represent a substantial portion of Needham's housing market. The number of people age 25 to 34 (the age group that includes the bulk of entry-level workers and those typically beginning their own families), represented 5.9% of the population, less than both Norfolk County and Massachusetts.

The population remains predominantly White/Caucasian, representing almost 91% of the population in 2010 (down slightly from 95% in 2000 and 97% in 1990).

Of the population under 18 years of age, 1.8% reported some type of disability. Of the bracket of the typical working force in Needham – ages 18 to 64 – 4.8% reported having a disability. Of the population 65 years of age or older, 1,281 or 29.6% reported some type of disability. The levels of claimed disabilities in Needham are lower than for the state; the figures nevertheless show a need for special needs housing, accessible housing and support services.

**Population Five Years and Over with Disabilities for Needham and the State, 2011**

| Age               | Needham |      | Massachusetts |      |
|-------------------|---------|------|---------------|------|
|                   | #       | %    | #             | %    |
| Under 18          | 149     | 1.8  | 63,423        | 4.5  |
| 18 to 64 years    | 767     | 4.8  | 373,361       | 8.8  |
| 65 years and over | 1,281   | 29.6 | 300,964       | 34.1 |
| Total             | 2,197   | 7.7  | 737,748       | 11.3 |

Source: U.S. Census Bureau, American Community Survey, 2009-2011 estimates for Needham and one-year estimates for 2011 for the state.

The table below demonstrates the significant increase in affluence that the Town of Needham experienced from 1989 through 2011. The median household income increased 48.87% (\$60,357 to \$118,037) from 1989 to 2011. Of particular note is the increase in households earning more than \$100,000, representing 21.6% of the households in 1989, 44.7% of the households in 1999 and 59.2% of the households in 2011. There has also been a decrease in households reporting income levels on the other end of the income scale, with 17.1%, or 1,759 households earning less than \$25,000 in 1989, compared to 11.4% or 1,203 households in this income range in 1999. This figure did not change much, however, from 1999 to 2011 when 1,131 or 10.8% of households earned less than \$25,000.

**Household Income Distribution, 1989 to 2011**

| Income Range   | 1989  |      | 1999  |      | 2011  |      |
|----------------|-------|------|-------|------|-------|------|
|                | #     | %    | #     | %    | #     | %    |
| Under \$10,000 | 647   | 6.3  | 464   | 4.4  | 535   | 5.1  |
| 10,000-24,999  | 1,112 | 10.8 | 739   | 7.0  | 596   | 5.7  |
| 25,000-34,999  | 886   | 8.6  | 698   | 6.6  | 366   | 3.5  |
| 35,000-49,999  | 1,434 | 14.0 | 909   | 8.6  | 509   | 4.9  |
| 50,000-74,999  | 2,350 | 22.9 | 1,668 | 15.7 | 1,127 | 10.8 |

|                 |          |       |          |       |           |       |
|-----------------|----------|-------|----------|-------|-----------|-------|
| 75,000-99,999   | 1,618    | 15.8  | 1,389    | 13.1  | 1,129     | 10.8  |
| 100,000-149,999 | 1,271    | 12.4  | 2,158    | 20.4  | 1,960     | 18.8  |
| 150,000 +       | 948      | 9.2   | 2,570    | 24.3  | 4,212     | 40.4  |
| Total           | 10,266   | 100.0 | 10,595   | 100.0 | 10,434    | 100.0 |
| Median income   | \$60,357 |       | \$88,079 |       | \$118,037 |       |

Source: U.S. Census Bureau, Census 1990 and 2000 Summary File 3, and American Community Survey 2009-2011.

As the following table indicates, the absolute numbers and percentages of those in poverty in Needham across all major categories decreased between 1989 and 1999. However, poverty in Needham increased from 1999 to 2011, especially among seniors.

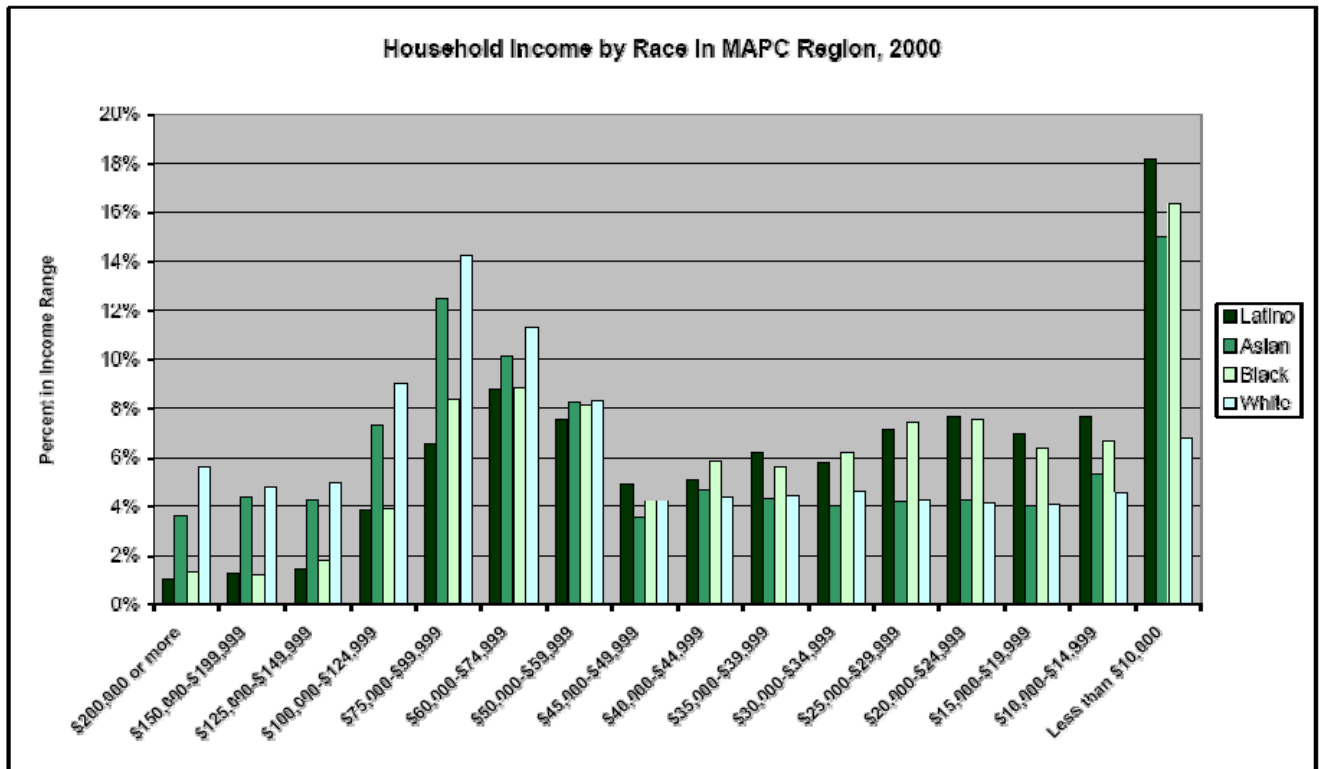
| <b>Poverty Status, 1989 to 2011</b> |             |     |             |     |             |     |
|-------------------------------------|-------------|-----|-------------|-----|-------------|-----|
|                                     | <b>1989</b> |     | <b>1999</b> |     | <b>2011</b> |     |
|                                     | #           | %   | #           | %   | #           | %   |
| <b>Individuals Below Poverty *</b>  | 896         | 3.3 | 705         | 2.5 | 924         | 3.2 |
| <b>Families **</b>                  | 140         | 1.8 | 121         | 1.6 | 148         | 1.9 |
| <b>Individuals 65 and Over***</b>   | 42          | 0.9 | 36          | 0.7 | 362         | 7.7 |

Sources: U.S. Census Bureau, Census 1990 and 2000 Summary File 3 and American Community Survey 2009-2011 Estimates.

\* Percentage of total population \*\* Percentage of all families \*\*\* Percentage of all individuals age 65+

The following table shows household income by race in the MAPC<sup>2</sup> region in 2000. White/Caucasian households are represented more frequently in the higher income levels than are Latino or Black households. Likewise, Black and Latino households represent a higher percentage of the lower income levels. Fifteen percent or more of Latino, Black and Asian households earn less than \$10,000, well below the federal definition of poverty.

<sup>2</sup> The Metropolitan Area Planning Council (MAPC) is a regional planning agency representing 101 cities and towns in the Greater Boston area and the complete listing can be found on their website [www.mapc.org](http://www.mapc.org).



Source: Mapc.org

Needham residents in the labor market are predominately classified as “management, business, science and arts occupations” category, followed by “sales and office occupations.”

### Worker Occupation, 2010

| Occupation                                                   | Percent of Workforce in Needham | Percent of Workforce in Massachusetts |
|--------------------------------------------------------------|---------------------------------|---------------------------------------|
| Management, business, science and arts occupations           | 65.1                            | 43.1                                  |
| Service Occupations                                          | 8.8                             | 16.8                                  |
| Sales and Office Occupations                                 | 21.7                            | 23.9                                  |
| Natural Resources, construction, and maintenance occupations | 2.6                             | 7.2                                   |
| Production, transportation, and material moving occupations  | 1.8                             | 9.0                                   |

Source: United States Census 2010

Needham's unemployment rate is below the rate of the County and the Commonwealth.

### Labor Force and Unemployment Data April 2013

| Month & Year | Needham Labor Force | Needham Employed | Needham Unemployed | Needham Unemployment Rate | Norfolk County Unemployment Rate | Massachusetts Unemployment Rate |
|--------------|---------------------|------------------|--------------------|---------------------------|----------------------------------|---------------------------------|
| April 2013   | 14,397              | 13,823           | 574                | 4.0%                      | 5.3%                             | 6.3%                            |

Source: Massachusetts Executive Office of Labor and Workforce Development

### Housing Characteristics

There are 11,122 total housing units in the Town of Needham as of 2010, up only slightly from 10,846 units in 2000 and from 10,405 units in 1990. In 2010, the Town had 10,341 occupied housing units (93% of the total housing units), and of these 8,642 were owner-occupied and 1,699 were rental units.

| Housing Occupancy, 1990 to 2010                 |              |       |              |       |              |       |
|-------------------------------------------------|--------------|-------|--------------|-------|--------------|-------|
|                                                 | 1990         |       | 2000         |       | 2010         |       |
|                                                 | #            | %     | #            | %     | #            | %     |
| Total # Housing Units                           | 10,405       | 100.0 | 10,846       | 100.0 | 11,122       | 100.0 |
| Occupied Units *                                | 10,160       | 97.6  | 10,612       | 97.8  | 10,341       | 93.0  |
| Total Vacant Units*                             | 245          | 2.4   | 234          | 2.2   | 781          | 7.0   |
| Occupied Owner Units **                         | 8,097        | 79.7  | 8,587        | 80.9  | 8,642        | 83.6  |
| Occupied Rental Units **                        | 2,063        | 20.3  | 2,025        | 19.1  | 1,699        | 16.4  |
| Average Household Size/<br>Owner Occupied Unit  | 2.83 persons |       | 2.82 persons |       | 2.88 persons |       |
| Average Household Size/<br>Renter Occupied Unit | 2.02 persons |       | 1.84 persons |       | 1.90 persons |       |

Source: U.S. Census Bureau, Census 1990, 2000 and 2010

\* Percentage of all housing units \*\* Percentage of occupied housing units

There were 781 units that were listed in the census as vacant in 2010, representing 7% of the total housing stock, up from 234 (2.2%) in 2000. Any level of vacancy below 5% typically represents an extremely tight housing market and near complete occupancy.

Most of the housing units in Needham are in single-family detached structures (77.8%), with 3.2% in single-family attached dwellings. Another 6.4% of the units are in small, multi-family structures of two to four units, and 2.6% are located in larger multi-family structures of between 5 and 9 units. Units in large structures of ten units or more represent 9.4% of the housing stock. The following table includes a comparison of this data with the 1990 and 2000 statistics.

### Units by Type of Structure, 1990 to 2011

| Type of Structure      | 1990   |       | 2000   |       | 2011   |       |
|------------------------|--------|-------|--------|-------|--------|-------|
|                        | #      | %     | #      | %     | #      | %     |
| <b>1-unit detached</b> | 8,185  | 78.7  | 8,333  | 76.8  | 8,391  | 77.8  |
| <b>1-unit attached</b> | 237    | 2.3   | 317    | 2.9   | 350    | 3.2   |
| <b>2 to 4 units</b>    | 800    | 7.7   | 813    | 7.5   | 710    | 6.4   |
| <b>5 to 9 units</b>    | 225    | 2.2   | 187    | 1.7   | 284    | 2.6   |
| <b>10+ units</b>       | 901    | 8.7   | 1,177  | 10.9  | 1,049  | 9.4   |
| <b>Other</b>           | 57     | 0.5   | 19     | 0.2   | 0      | 0.0   |
| <b>Total</b>           | 10,405 | 100.0 | 10,846 | 100.0 | 11,122 | 100.0 |

Source: U.S. Census Bureau, Census 1990 and 2000 Summary File 3 and the American Community Survey 2009-2011 estimates.

The median number of rooms per housing unit was 7.3 indicating that the average home had three to four bedrooms. The great majority, 78.2%, had six rooms or more, with only 7.5% with three rooms or less and almost a third (30%) with 9 rooms or more.

### Number of Rooms Per Unit, 2011

| Number of Rooms Per Unit | Needham   |       | County    | State     |
|--------------------------|-----------|-------|-----------|-----------|
|                          | #         | %     | %         | %         |
| 1 Room                   | 154       | 1.4   | 1.9       | 2.6       |
| 2 Rooms                  | 99        | 0.9   | 2.6       | 2.8       |
| 3 Rooms                  | 561       | 5.2   | 11.7      | 10.5      |
| 4 Rooms                  | 844       | 7.8   | 13.8      | 15.6      |
| 5 Rooms                  | 690       | 6.4   | 12.1      | 18.5      |
| 6 Rooms                  | 1,616     | 15.0  | 15.5      | 17.6      |
| 7 Rooms                  | 1,734     | 16.1  | 14.9      | 12.3      |
| 8 Rooms                  | 1,846     | 17.1  | 11.4      | 8.9       |
| 9 or More Rooms          | 3,240     | 30.0  | 16.2      | 11.3      |
| Total                    | 10,784    | 100.0 | 100.0     | 100.0     |
| Median (Rooms)           | 7.3 Rooms |       | 6.0 Rooms | 5.5 Rooms |

Source: U.S. Census Bureau, 2009-2011 American Community Survey

### Age of Housing Stock

In 1971 the Massachusetts Lead Law was established, prohibiting use of lead paint. Properties built prior to this date most likely contain lead paint, unless they have undergone a de-leading process. Almost two-thirds of the housing stock, 6,850 units or 61.6%, was built prior to 1960 with 2,950 units or 26.5% of housing units constructed prior to 1939. This relatively high level of older homes suggests the likely existence of lead-based paint in Needham.

The Department of Housing and Urban Development estimates that 90% of structures built prior to 1940, 80% of structures built between 1940 and 1959, and 62% of structures built between 1960 and 1979, contain lead based paint. For Needham, it is estimated that

this would translate to a total of 7,204 units that likely contain lead paint.<sup>3</sup> The Lead Law prohibits landlords from renting units to families with children under the age of six if there is the presence of lead paint hazards. Fair Housing Law takes this issue further by requiring a landlord to de-lead a property, rather than refusing to rent to a family with young children, since family status is a protected class. Anecdotal evidence suggests that not all landlords are aware of this law, and some who are aware may attempt to rent to families without children or with older children to avoid the expense of de-leading. This issue can introduce an added challenge to families with children looking for housing.

#### **Housing Units in 2010 by Year Structure Was Built**

| <b>Time Period</b>       | <b>#</b> | <b>%</b> |
|--------------------------|----------|----------|
| 3/2000 to approx. 3/2010 | 276      | 2.5      |
| 1990 to 2000             | 441      | 4.0      |
| 1980 to 1989             | 1,250    | 11.2     |
| 1970 to 1979             | 757      | 6.8      |
| 1960 to 1969             | 1,548    | 13.9     |
| 1940 to 1959             | 3,900    | 35.1     |
| 1939 or earlier          | 2,950    | 26.5     |
| Total                    | 11,122   | 100.0    |

Source: U.S. Census Bureau, Census 1990, 2000 and 2010.

During the most recent screening done by the Massachusetts Childhood Lead Poisoning Prevention Program in Fiscal Year (FY) 2012, there were no incidences of blood lead levels in children in Needham even though 41% of the homes the children live in were old enough to potentially have lead in them. There were no cases in the previous five FYs either. This screening suggests that lead poisoning has not been a problem in Needham in recent years.

Over the last two decades, the median house sales price in Needham has increased dramatically, more than doubling from 1992 to 2002. Though the most recent years showed only a slight decrease in single family homes, the average condominium price in Needham fell well below its peak in 2005.

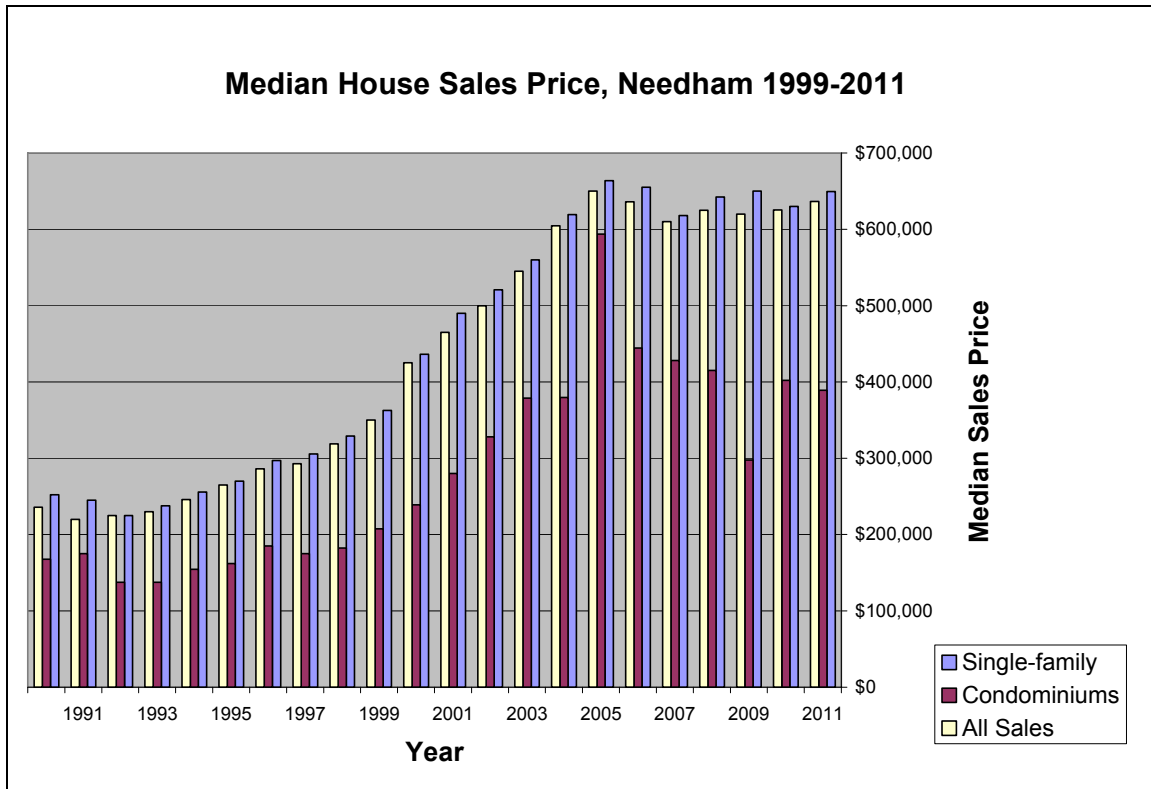
---

<sup>3</sup> 2,950 (units built prior to 1940 in Needham) x .9 (90% of structures built during this time as estimated by HUD) = 2,655

3,900 (units built between 1940 and 1959 in Needham) x .8 (80% of structures built during this time as estimated by HUD) = 3,120

2,305 (units built between 1960 and 1979 in Needham) x .62 (62% of structures built during this time as estimated by HUD) = 1,429.1

2,655+3,120+1,429.1 =7,204.1



Source: The Warren Group

The Median monthly rent paid in Needham estimated for the period of 2007-2011 was \$1,380. More than half of all renters, 64.1%, pay \$1,000 or more in rent per month, up from 55% in 2000. 39.5% of renters pay 35% or more of their household income towards their rent.

## Renter Costs

|                                                       | #            | %            |
|-------------------------------------------------------|--------------|--------------|
| <b>Occupied Units paying rent</b>                     | <b>1,622</b> | <b>100.0</b> |
| <b>GROSS RENT</b>                                     |              |              |
| Less than \$200                                       | 37           | 2.3          |
| \$200 to \$299                                        | 112          | 6.9          |
| \$300 to \$499                                        | 267          | 16.5         |
| \$500 to \$749                                        | 81           | 5.0          |
| \$750 to \$999                                        | 84           | 5.2          |
| \$1,000 to \$1,499                                    | 304          | 18.7         |
| \$1,500 or more                                       | 737          | 45.4         |
| No cash rent                                          | 124          | (X)          |
| Median (dollars)                                      | 1,380        | (X)          |
|                                                       |              |              |
| <b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME</b> |              |              |
| Less than 15 percent                                  | 285          | 19.6         |
| 15 to 19.9 percent                                    | 97           | 6.0          |
| 20 to 24.9 percent                                    | 97           | 6.0          |
| 25 to 29.9 percent                                    | 406          | 25           |
| 30 to 34.9 percent                                    | 97           | 6.0          |
| 35 percent or more                                    | 640          | 39.5         |
| Not computed                                          | 124          | (X)          |

Source: U.S. Census Bureau, 2007-2011 American Community Survey

The estimated Median amount of monthly mortgage and owner costs in Needham estimated for the period of 2007-2011 was \$3,191, up from \$2,077 in 2000. More than half of all homeowners, 83.2%, pay \$1,000 or more in housing costs (mortgage, utilities, property tax) per month, up from 67.1% in 2000. 24.2 % of homeowners pay 35% or more of their household income towards their rent, up from 14.9% in 2000.

## Mortgage Costs

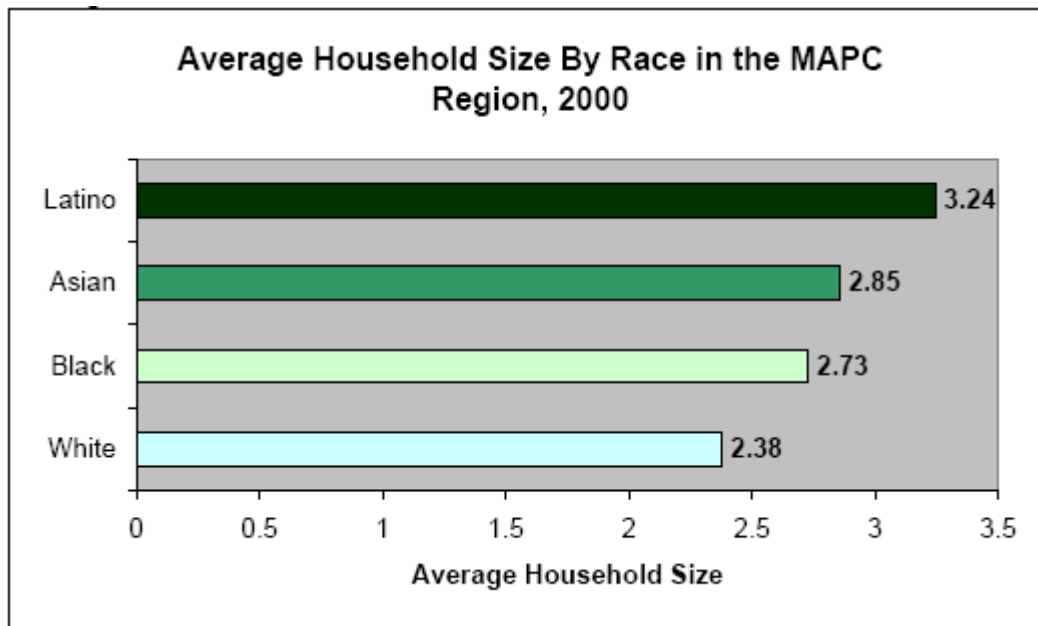
| <b>Mortgage Status And Selected Monthly Owner Costs</b>                         | <b>#</b> | <b>%</b> |
|---------------------------------------------------------------------------------|----------|----------|
| With a mortgage                                                                 | 6,344    | 73.7     |
| Less than \$300                                                                 | 0        | 0.0      |
| \$300 to \$499                                                                  | 0        | 0.0      |
| \$500 to \$699                                                                  | 11       | 0.2      |
| \$700 to \$999                                                                  | 146      | 2.3      |
| \$1,000 to \$1,499                                                              | 281      | 4.4      |
| \$1,500 to \$1,999                                                              | 626      | 9.9      |
| \$2,000 or more                                                                 | 5,280    | 83.2     |
| Median (dollars)                                                                | 3,191    | (X)      |
| Not mortgaged                                                                   | 2,260    | 26.3     |
| Median (dollars)                                                                | 957      | (X)      |
| <b>Selected Monthly Owner Costs As A Percentage of Household Income In 1999</b> |          |          |
| Less than 20 percent                                                            | 2,392    | 38.1     |
| 20 to 24.9 percent                                                              | 1,116    | 17.8     |
| 25 to 29.9 percent                                                              | 704      | 11.2     |
| 30 to 34.9 percent                                                              | 544      | 8.7      |
| 35 percent or more                                                              | 1,515    | 24.2     |
| Not computed                                                                    | 73       | (X)      |

Source: U.S. Census Bureau, 2007-2011 American Community Survey

## Affordable Housing

In sum, the household incomes of many minority group families in the MAPC region cannot support market rate housing in the Town of Needham. The group meeting the highest housing need category (30% of the Area Median Income, or AMI) is over-represented by Black and Latino families. These two groups are also over-represented in the 50% AMI group. This data does not exist specific to Needham; however, the regional data does provide the context in which Needham operates.

Latino and Black households also tend to have larger families than White/Caucasian families in the MAPC region, as is evident in the following table.



Source: [www.mapc.org](http://www.mapc.org)

The affordable housing stock in Needham is weighted towards one and two bedroom units. There is a shortage of units that have more than two bedrooms. For example, the Housing Authority (Needham's primary affordable housing provider) operates 316 units, of which 206 are one bedroom. A new development in Needham called Charles River Landing includes 350 units, 88 of which are affordable. Of these, 63 units are one bedroom, 25 units are two bedrooms and no three or more bedroom units are provided. This may tend to disproportionately affect minorities because in the MAPC region, those groups have larger families. For a comprehensive inventory of Needham's Affordable Housing, please see Appendix B.

There is also a demonstrated need for affordable, accessible housing, recognizing that disabilities can be income-limiting. For example, of the population age 18 to 64, 767 or 4.8% claimed a disability. Of the population 65 years of age or older, 1,281 or 29.6% reported some type of disability.

## **Evaluation of Jurisdiction's Current Fair Housing Legal Status**

### Fair Housing Complaints

The Fair Housing Center of Greater Boston received a total of two Fair Housing complaints or inquiries occurring within the Town of Needham. One was in 2006 and involved allegations of discrimination by a private property manager on the basis of source of income (Section 8). The other was in 2007 and involved allegations of discrimination by a private landlord and neighbor on the basis of the caller's disability. Between 1996 and 2008<sup>4</sup>, MCAD received 20 housing related complaints that occurred

<sup>4</sup> MCAD has been contacted for more recent figures but at this time, has not responded.

within Needham, all of which, except one, have been closed. No fair housing discrimination suits have been filed by the Department of Justice or private plaintiffs. There are no trends to note.

### Other Fair housing Concerns

Though economics plays a large role in a person's ability to choose to live in Needham, there are likely other factors involved, as the report, *More than Money* states. Needham does not have evidence that discrimination is occurring within the Town as it relates to housing. There have been few complaints to reference, and it is impossible to tell from the complaints if there is any discrimination of realtors and landlords in Needham.

Between 2005 and 2007, the City of Newton hired two entities to conduct tests to determine whether discrimination was occurring: The Fair Housing Center of Greater Boston (the Fair Housing Center) and The Disability Law Center, Inc. The Fair Housing Center conducted tests to see if discrimination occurred in Newton on the basis of race, national origin, family status and source of income. They conducted testing in both the rental and sales areas. In the rental testing, overall, the results showed discrimination in 11 of the 24 paired tests conducted, which is 45.8% of the paired tests. The report states that three out of six real estate agencies demonstrated evidence of discrimination based on race; four out of six demonstrated evidence based on national origin (two of these were Latin Americans, two were Caribbean Americans); two out of six showed evidence of discrimination on the basis of familial status; and two out of six real estate agencies showed discrimination on the basis of Section 8 Housing voucher (source of income). According to the report, the sales tests found discrimination in four of ten tests, three revealed evidence of discrimination based on race or national origin.<sup>5</sup> The Disability Law Center, Inc. also performed testing for Newton. Their tests found evidence of discrimination in 25 of the 52 tests conducted, or 48%.<sup>6</sup>

Because a thorough investigation of fair housing practices of realtors and landlords in Needham has not been done, it cannot be conclusively determined based on experience in Newton whether comparable behavior is occurring in Needham. In order for Needham to understand whether or not housing discrimination occurs within its own boundaries, testing would have to be done locally. This may be an area for future consideration.<sup>7</sup>

---

<sup>5</sup> For the methodology and more detailed results of the study, please see <http://www.newtonma.gov/gov/planning/hcd/fthbp/reports.asp> or contact the City of Newton.

<sup>6</sup> For the full study, please see <http://www.newtonma.gov/civicax/filebank/documents/46407>

<sup>7</sup> In 2008, the Fair Housing Center charged \$750 per test for rental and public housing testing, and to ensure accuracy, they recommend a minimum of 10 tests. For sales and mortgage testing, the cost was higher. Updated fees for 2013 have not been solicited. The Disability Law Center Inc. has also not been solicited. Grants do exist to cover these costs.

## Identification of Impediments to Fair Housing Choice

---

### Zoning and Site Selection

Both the focus groups conducted in preparation of the 2008 AI and the 2007 Affordable Housing Plan identified regulatory barriers to meeting the fair housing needs in Needham.

The first regulatory barrier identified is the limited extent of multi-family zoning. Multi-family units tend to be smaller in size and are seen as benefitting elderly or disabled people who may not necessarily be interested in a large single family home with multiple floors. There is a near-absence of developable vacant land that is zoned to permit multi-family housing or two-family dwellings. Actual development of multi-family housing generally occurs as redevelopment of already developed sites, through rezoning by town meeting, or through a Chapter 40B override of applicable zoning.

Needham has several Apartment Districts which provide a range of allowable densities up to 18 units per acre. These districts are clearly designed for “garden apartment” configurations. More modern approaches, such as Neo-Traditional Design<sup>8</sup>, would be difficult given the combinations of setback, frontage, height and FAR rules.

The lack of provision in the Zoning By-law for accessory dwellings presents another regulatory barrier. Two-family dwellings are allowed by right either as initial construction or by conversion of a single-family dwelling throughout the General Residence District as well as in the Apartment Districts and certain business districts. In the majority of the Town’s land area, however, two-family dwellings are prohibited, and the Bylaw makes no mention of accessory dwellings, effectively making them a prohibited use in these areas.

Currently, there are few requirements or incentives existing for affordability in housing. The Town’s Downtown Study Committee proposed an Amendment to the Zoning By-Law requiring affordable units for new housing units built in the downtown districts under the new zoning districts. The proposal also provided incentives for including affordable units as a density bonus. Town Meeting approved this Amendment in May 2009. The Planning Board approved a project in July 2012 under this zoning that will provide for one affordable unit that has access to the bus and commuter rail. Such provisions could be considered elsewhere in Needham.

---

<sup>8</sup> Neo-Traditional Design, also called New Urbanism refers to a planning principle that strives to create traditional neighborhoods in the form of more compact communities designed to encourage bicycling and walking for short trips by providing destinations close to home and work, and by providing sidewalks to create a pedestrian welcoming environment.

Neighborhood Revitalization, Municipal and Other Services, Employment-Housing-Transportation linkage

The Town of Needham is served by the Commuter Rail to Boston, which makes it a convenient location for residents employed within the Greater Boston area. The commuter rail line is available from Needham Heights, Needham Center, Needham Junction and Hersey. In addition to the Commuter Rail stations, the Massachusetts Bay Transit Authority (MBTA) services Needham with one bus route, the Number 59 that goes through Newton and into Watertown. According to the U.S. 2007-2011 American Community Survey, 1,304 individuals or 9.8% percent of Needham's workers 16 and older use public transportation to get to work.

Although Needham has the advantage of having four stops on the commuter rail system to Boston, there was some concern expressed in the focus groups that the transit is not easily accessible to disabled people as well as to elderly. Additionally, there is not an easy means to travel within the town by public transit. There is no internal bus or shuttle system.

Public Housing Authority

The Needham Housing Authority (NHA) operates 316 units of affordable housing including 198 one-bedroom units for seniors and disabled individuals of any age and 120 units for families and veterans. The Authority also maintains two staffed apartments that serve eight individuals with special needs and is assigned 120 Section 8 vouchers and certificates.

The NHA housing is categorized as follows:

| Dev #                   | Type               | Name            | # of Units | Unit Type  |           |           |          |
|-------------------------|--------------------|-----------------|------------|------------|-----------|-----------|----------|
|                         |                    |                 |            | 1 BR       | 2 BR      | 3 BR      | 4 BR     |
| 65-1                    | Federal Family     | Cooke's Bridge  | 30         | 0          | 5         | 20        | 5        |
| 65-2                    | Federal Elderly    | Seabeds Way     | 46         | 46         | 0         | 0         | 0        |
| <b>Subtotal Federal</b> |                    |                 | 76         | 46         | 5         | 20        | 5        |
|                         |                    |                 |            |            |           |           |          |
| 200-1                   | State Family       | High Rock       | 80         | 0          | 43        | 37        | 0        |
| 667-1                   | State Elderly      | Linden Street   | 32         | 32         | 0         | 0         | 0        |
| 667-2                   | State Elderly      | Linden Street   | 40         | 40         | 0         | 0         | 0        |
| 667-3                   | State Elderly      | Chambers        | 80         | 80         | 0         | 0         | 0        |
| <b>Subtotal State</b>   |                    |                 | 232        | 152        | 43        | 37        | 0        |
|                         |                    |                 |            |            |           |           |          |
| 689-1                   | State Special Need | Matthew's House | 8          | 8          | 0         | 0         |          |
|                         |                    |                 |            |            |           |           |          |
| <b>Total</b>            |                    |                 | <b>316</b> | <b>206</b> | <b>48</b> | <b>57</b> | <b>5</b> |

Source: The Needham Housing Authority

The Needham Housing Authority has 120 vouchers under the Federal Section 8 Voucher Program. Currently, NHA has a contract with the Dedham Housing Authority to administer this program. There is a considerable wait for these housing vouchers, with the MassNAHRO Centralized Wait list of 120,000 applicants from 88 participating housing authorities, including Needham's.

The Needham Housing Authority's service is well utilized and is sought-after. The Housing Authority has 559 applicants on its wait list for the family units including 359 applicants for two-bedroom units, 167 for three-bedrooms, and 33 for four-bedroom units. Waits for these units extend to three (3) to five (5) years. None of the units are handicapped accessible. In regards to the Needham Housing Authority's elderly/disabled units, there were 227 on the waitlist with waits of approximately six (6) months to a year.

#### Tenant Selection Procedures:

The Needham Housing Authority has different selection procedures for rental and homeownership. For High Rock Homes, their most recent project, the basic qualifications for homebuyers are:

- Be income eligible
- Be a first time homebuyer
- Do not have assets which exceed the limits
- Complete a homebuyer course

Once these qualifications are met, a person would fill out an application. At this time, they will be asked to provide documentation of the stated "Priorities" and "Preferences." The priority status is for those who are a veteran or who have completed a national service (such as the Peace Corps). Preferences are as follows:

- First Preference Pool: Displaced Resident of High Rock or Current Needham Public
- Housing Resident
- Second Preference Pool: Town of Needham Employee
- Third Preference Pool: Needham Connection, such as graduated from Needham High School, or parents live in Needham

All other applicants will be placed in the General Pool. More details on this procedure are found in Appendix C.

#### Sale of Subsidized Housing and Possible Displacement

In Needham's effort to produce new affordable housing units to meet the state's requirement (10% of year-round housing stock affordable to households earning at or below 80% of area median income), it is important that the town not lose ground on the affordable units it currently has in place, but ensure that these units are preserved as affordable as far into the future as possible. The Community Economic Development Assistance Corporation (CEDAC), maintains a list of those subsidized housing

Town of Needham

Analysis of Impediments to Fair Housing Choice 2013

developments that are defined as “expiring use properties,” which are rental units built with federal and/or state subsidies for low- and moderate-income households that incorporate rental agreements to keep the apartments affordable over the long-term but not perpetually. CEDAC has identified eight expiring use developments in Needham that involve 116 subsidized units including: Greendale Residence, High Rock Homes, Highland Avenue/Charles River ARC project, Marked Tree Road, Nehoidan Glen, Webster Street II, Webster Street Residences and West Street Apartments. The Town has been in active discussions with property owners at Nehoidan Glen, who recognize their obligation to maintain affordability of the units since they were created by overriding local zoning (Zoning Board of Appeals of Wellesley vs., Ardmore Apartments). It will be important to monitor these projects and intervene if necessary to maintain affordability well into the future and insure that these units continue to count as part of the state’s Subsidized Housing Inventory.

### Property Tax Policies

As provided by state law, the Needham Board of Assessors administers tax assistance programs for various eligible taxpayers. These programs provide varying levels of tax relief for qualifying, low-income elderly taxpayers, legally blind taxpayers, veterans, and taxpayers suffering a hardship. The Town recently voted to lower the interest rate charged for taxpayers to defer payment of property taxes from 8% to 4%. In FY2013, the following exemptions and abatements were processed: 120 Disabled Veterans’ exemptions in the amount of \$124,190.08; 2 Financial Hardship exemptions in the amount of \$1,552.85; 28 Seniors and Surviving Spouses in the amount of \$17,224.09; 17 Blind exemptions in the amount of \$14,213.04; 60 FY13 abatements in the amount of \$106,319.32; 21 Tax Deferrals were processed in the amount of \$124,930.55; 115 CPA surcharge exemptions approved for \$11,338.74; in addition to any Senior Work Abatements.

### Planning and Zoning Boards

The Board of Appeals is a quasi-judicial body. The Board serves the community by hearing and making decisions on applications brought before the Board for special permits, variances, comprehensive permits, appeals of decisions of the Building Inspector, and renders its decisions by applying Massachusetts General Laws and the Town By-laws. 40B projects are seen through the Board. Three regular members are appointed by the Board of Selectmen for three years in such a manner that the term of one regular member shall expire each year. The Board of Selectmen appoints two associate members for a term of one year.

The Planning Board is charged with broad statutory responsibilities to guide the physical growth and development of Needham in a coordinated and comprehensive manner. More specifically, the Board is legally mandated to carry out certain provisions of the Subdivision Control Law (M.G.L., c. 41, s. 81K-81GG) and of the Zoning Act (M.G.L., c. 40A). The legal responsibilities of the Planning Board are found at the local level in the Subdivision Regulations and Procedural Rules of the Planning Board and in the Town’s

Zoning By-laws. Although Town Meeting must vote by two-thirds to accept any new Zoning changes, the Planning Board can recommend any changes. Cluster Developments and Residential Compounds are issued through this Board. Five members of the Planning Board are elected for five-year terms, so arranged that the term of not more than one member shall expire each year.

#### Building Codes (accessibility)

There are a myriad of access standard guidelines and regulations in the Fair Housing arena, although they are generally applicable to publicly subsidized housing and not to single family homes. The Massachusetts Architectural Access Board's (AAB) regulations are designed to provide full and free use of buildings and facilities so that persons with disabilities may have the education, employment, living and recreational opportunities necessary to be as self-sufficient as possible and to assume full responsibilities as citizens. The AAB requirements are triggered by any construction, renovation, remodeling, or alteration of a public building or facility, or a change in use of building from private to public. In addition, new construction of "Multiple dwellings" (considered to be either lodging facilities or residential facilities for hire, rent, lease, or sale containing three or more dwelling units in a building) must comply with AAB requirements. Most housing in Needham does not fall into this category.

Massachusetts General Law Chapter 151B, sec. 4<sup>9</sup> explains that in the case of publicly assisted housing, multiple dwelling housing consisting of ten or more units, or contiguously located housing consisting of ten or more units, reasonable modification for disabled persons to enjoy the full premises shall be at the expense of the owner. Additionally, for housing not characterized by this description, discrimination on the basis of handicap shall include a refusal to permit or to make, at the expense of the handicapped person, reasonable modification of existing premises occupied or to be occupied by such person if such modification is necessary to afford such person full enjoyment of such premises.

The Fair Housing Act as amended in 1988 adds to other protected classes the protection against discrimination for handicapped or disabled persons. All covered multifamily dwellings consisting of four or more units designed and constructed after 1991 must include accessible design elements. Covered in these accessible features are locations of outlets and light switches, the layout of the house including wide doorways, and reinforcements in bathroom walls to allow later installation of grab bars.<sup>10</sup>

---

<sup>9</sup> Massachusetts General Law Chp. 151B, sec. 4 is available at <http://www.mass.gov/legis/laws/mgl/151b-4.htm>

<sup>10</sup> The Fair Housing Act Design Manual is available through HUD at <http://www.huduser.org/publications/destdtech/fairhousing.html>

## Private Sector Lending Policies and Practices

Federal and Massachusetts Fair Housing law prohibits discrimination in all areas of housing transactions, including, but not limited to, rental, home sales, mortgage lending, home improvement, zoning bylaws, and advertising.

Racial and ethnic inequities in mortgage lending in the Boston area have been documented in two recent reports: *The Color of Money in Greater Boston: Patterns of Mortgage Lending and Residential Segregation at the Beginning of the New Century*, by Jim Campen, prepared for the Metro Boston Equity Initiative of the Harvard Civil Rights Project, and *Changing Patterns XIV: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Greater Boston, 2008*, by Jim Campen, prepared for the Massachusetts Community and Banking Council (MCBC). These documents demonstrate the region's lending patterns. The papers' findings, drawing on Home Mortgage Disclosure Act (HMDA) data, conclude that recent mortgage lending in the region seems to maintain the disparity between white and non-white mortgagees.

*The Color of Money in Greater Boston*, states: "For lending in the Boston NECTA [Boston-Cambridge-Quincy Metropolitan New England City and Town Area] as a whole, findings include: (1) For home-purchase loan applications, the black denial rate of 18.3% was 2.57 times higher than the white rate of 7.1% and the Latino denial rate of 15.3% was 2.14 times higher. (2) These denial rate disparities cannot be explained by the fact that blacks and Latinos have, on average, lower incomes than whites; in fact, Black/White and Latino/White denial rate ratios tend to increase as incomes rise. (3) Black and Latino homeowners who refinanced their existing mortgages were over three times more likely to receive their loans from subprime lenders than were White borrowers. (4) These higher subprime loans shares cannot be explained by the lower income levels of Blacks and Latinos; indeed, the subprime loan share for *upper*-income blacks was more than twice as high as that for *low*-income whites." It would be helpful to the analysis of impediments to fair housing if the research in this area were to include other factors impacting lending, such as debt/equity ratios and credit history. No specific inference can be extrapolated to the Town of Needham from the conclusions of this report.

*Changing Patterns XIV: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Greater Boston, 2008* analyzes the MCBC's commitment to substantially increasing the provision of credit and banking services to low-income and minority communities within the City of Boston. The study contains data that examines loan applicants and loan denial ratios among minorities in communities throughout Massachusetts. The report gives data for individual municipalities, as well as for the state as a whole and for the MAPC region.

The report concluded that "prime lenders denied home-purchase loan applications by Blacks and Latinos about two and one-half times as often as they denied applications by Whites; this was true in Boston, Greater Boston [defined in this report as the MAPC

region], and statewide. In Greater Boston, for example, denial rates were 19% for Blacks, 17% for Latinos, and 7% for Whites. These denial rate disparities cannot be explained by the lower incomes of blacks and Latinos; when applicants are grouped into income categories, the denial rates for Blacks and Latinos are always well above the denial rate for Whites in the same income category.”

The report is prudent to mention that communities should not place too much value in the “denial rates of the individual communities, [and rather, the study should be considered on a regional basis]. This is because in many towns the number of black and Latino applications is very small. And when the number of applications is low, small changes in the number of denials can result in large changes in denial rates – and in the Black/White and Latino/White denial rate ratios.”

In 2006, prime lenders of first-lien home-purchase loans for owner-occupied homes in Needham granted all 23 Asian applications, 4 of 5 Black applications, all 4 Latino applications and 344 of 358 White applications. Proportionally, blacks were denied more often than whites; however, as the report stated, because there were so few applications from Blacks and Latinos in Needham, establishing a pattern or trend or asserting that there was discrimination cannot be demonstrated from the limited data.

#### **First-Lien HOME-PURCHASE Loans for Owner-Occupied Homes, 2006**

|         | Total Loans |       |                | High APR Loans |       |                |
|---------|-------------|-------|----------------|----------------|-------|----------------|
|         | Total       | White | Latino & Black | Total          | White | Latino & Black |
| Needham | 369         | 299   | 3              | 12             | 8     | 0              |
| Newton  | 919         | 661   | 27             | 51             | 27    | 3              |

Source: Changing Patterns XIV: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Greater Boston, 2008

Neither in Needham, nor its abutting community of Newton, was there an imbalanced number of Blacks or Latinos given High APR Loans. The MAPC region as a whole does exhibit this imbalance, but on the detailed level of a town by town basis, some of these patterns cannot be demonstrated.

Another report, *More than Money: The Spatial Mismatch Between Where Homeowners of Color in Metro Boston Can Afford to Live and Where They Actually Reside*, written in a collaboration between the Fair Housing Center of Greater Boston and the Massachusetts Community and Banking Council in 2004 concludes that mere financial affordability (while it might contribute) fails to entirely explain why people of color are not represented more in the suburban neighborhoods of Greater Boston. The report acknowledges that “African-American and Latino homebuyers do face greater affordability constraints on average,” but when the authors controlled for affordability, their study showed that other contributors must be at work. The study shows that affordability is not the only factor affecting minorities’ ability to choose where they live. Other possible factors are lending practices, realtor or landlord discrimination or housing

advertisement that does not outreach to all populations. Additionally, the geographic location of where a person lives may well be affected by other personal choices. No specific explanation can be determined by this study as to where minorities live, except that affordability is not the only contributing factor.

A brief and unofficial examination of real estate advertising online and in the Needham Times did not show any sign of advertising discrimination.

### Fair Housing Enforcement

As discussed earlier in this AI, the Massachusetts Commission Against Discrimination (MCAD) and the Fair Housing Center of Greater Boston have received few fair housing complaints from Needham residents in recent years. In Needham, there is currently no specific person or department or organization to take in fair housing complaints. The Health Department receives complaints by renters whose units may not be meeting certain health-related criteria, such as lack of heat. Upon the recommendation of the Town Manager, Chief of Police, or other official, the Human Rights Committee can help to evaluate, facilitate and education in the fair housing arena. Currently, people who feel their fair housing rights have been violated are directed to either the MACD or the Fair Housing Center of Greater Boston to assist them in dealing with the issue.

### “Visitability” in Housing

Visitability means that: (1) at least one entrance is at grade (no step), approached by an accessible route, such as a sidewalk; (2) the entrance door and interior doors on the first floor have at least 32 inches of clear passage space; and (3) there is a bathroom on the first floor big enough to access in a wheelchair, and close the door. Visitability allows mobility-impaired residents to visit families and friends where this would not otherwise be possible. A visitable home also serves persons without disabilities (for example, a mother pushing a stroller, a person delivering large appliances, a person using a walker, etc.). One difference between “visitability” and “accessibility” is that accessibility requires that all features of a dwelling unit be made accessible for mobility-impaired persons. A visitable home provides less accessibility than an accessible home, and is meant to be those units not required to be accessible.

The Town of Needham does not have a written policy requiring visitability measures in new housing construction; however, its building code requirements provide for accessibility measures in new construction of commercial and multi-family homes, as directed by the AAB.

## **Assessment of Current Public and Private Fair Housing Programs and Activities in the Jurisdiction**

---

### West Metro HOME Consortium

Needham has already been participating in Fair Housing activities locally. As a member of the West Metro HOME Consortium, local realtors, landlords, municipal employees, tenants, have been invited to various trainings through Newton's Fair Housing Initiative Programs (FHIP) grant. The Consortium has also provided the Town with several different Fair Housing pamphlets, including "Your Fair Housing Rights: National Origin/Race/Families with Children/Public Assistance Recipients" in several languages, and "Landlords: Know the Law." The pamphlets are available in the Planning and Community Development Department.

Participation in the Consortium also provides the Town of Needham with funding for affordable housing. To date, the initial funding for High Rock Homes came from the HOME program and the commitment of those funds leveraged funding from other sources, which led to the eventual ability to complete the project. The Town is also working with the Charles River Center, a non-profit agency in Needham, that has been providing advocacy and programs for children and adults with developmental disabilities since 1956, to build a group home with 6 bedrooms (five bedrooms for residents, 1 bedroom for staff) using both HOME funds and Community Preservation Act funds. Both the Department of Developmental Services (DDS) and Massachusetts Commission for the Blind identify individuals each year (based on prioritization) who will need accessible housing. Many of them are young adults turning 22 who have already been living in residential schools because of significant medical and cognitive needs. Others are older adults who are still living at home with elderly parents.

Additionally, Needham community members were invited to participate in a series of educational trainings through the City of Newton's FHIP grant that funded educational opportunities for the HOME Consortium. The trainings included Landlord Trainings, Housing and Social Service Provider Trainings, Realtor Trainings, First Time Homebuyer Trainings, Property Manager Trainings, Lender and Mortgage Broker Trainings and Public Housing Authority Trainings. Two training sessions were held in Needham: October 24, 2007 (Realtor Training) and June 4, 2008 (Landlord & Public Housing Authority Training).

### Community Preservation Act

The Community Preservation Act (CPA) was approved by voters in November 2004. The CPA is a tool to help communities preserve open space and historic sites, and create affordable housing and recreational facilities. Ten percent is the minimum that must be allocated to affordable housing, and since the inception of CPA in Needham, the total amount spent on housing is \$1,384,500.

### Inclusionary zoning

Inclusionary zoning and incentives for affordable housing are included in the Downtown zoning, as approved by Town Meeting in 2009 and the Elder Services Zoning District adopted by Town Meeting in 2010. This inclusionary zoning requires that developers who create a certain number of housing units make a certain percentage of the units affordable.

At the 2009 Annual Town Meeting, the Town approved the Needham Center Overlay District, Chestnut Street Overlay District and Garden Street Overlay District to “encourage redevelopment of existing properties and infill development of an appropriate scale, density, mix of uses and design for a suburban downtown, substantially as set forth in the Needham Center Development Plan dated March 30, 2009, and to establish sub-districts in which to achieve these purposes in a manner compatible with surrounding areas; to create and sustain a vibrant, walkable downtown area; and to create opportunities for housing within walking distance of goods and services, public transportation, and the civic life of the town. The Overlay District includes the Center Business District and Chestnut Street District where the underlying zoning is still in effect with the new zoning providing alternatives to such requirements.

Mixed-use buildings with not more than five (5) dwelling units above the ground floor are permitted by-right with such properties with more units requiring a special permit as well as affordable housing equivalent to one (1) unit for properties with less than ten (10) units and 10% of all units for those with more than ten (10) units. At least half of these affordable units must be affordable to those earning at or below 50% AMI, the remaining units to be sold or rented to those with incomes of up to 100% AMI. Only one (1) parking space is required for the affordable one-bedroom units.

Further, at the 2010 Annual Town Meeting, the Town approved the Elder Services Zoning District “to encourage the establishment of housing and other facilities in close proximity to each other primarily serving individuals 55 years of age or older who wish to live in independent apartments with convenient access to supportive services, while minimizing potential adverse impacts upon nearby residential and other properties”.

The zoning effectively allows individuals to “age in place” in recognition that Needham residents are aging and their life expectancy is increasing as well, resulting in a greater need to provide different types of housing and supportive care for seniors. The area of the Overlay District includes approximately seven (7) acres on Highland Avenue, where the Wingate at Needham Nursing Home is located, and Gould Avenue.

A special permit is required for the allowed uses of Independent Living Apartments, Assisted Living and /or Alzheimer’s/Memory Loss Facilities and other uses allowed by special permit in the General Residence Zoning District. The new zoning also required that 10% of the Independent Living Apartments be affordable with one (1) unit affordable for developments of less than ten (10) units. At least half of these units must

be affordable to those earning at or below 50% AMI, the remainder to be sold or rented to those with incomes of up to 100% AMI.

### Council on Aging

The Council on Aging serves Needham's 60 and over population and their families, by addressing diverse aspects of aging service interests, concerns and needs. The Council's mission is fulfilled by delivering programs and services in a variety of places, and wherever it is needed throughout the town. The Council on Aging also offers a variety of programs and services five days a week at the Stephen Palmer Senior Center (There is a new Senior Center currently under construction on Hillside Avenue). Some of the services and programs provided include, but are not limited to: outreach and counseling services (home visits and office visits available), advocacy, transportation, daily meals, information and referral, health benefits counseling, volunteer opportunities, health & wellness information and screening, creative and social classes, educational programs, special events and trips, drop-in center for socialization, and various learning opportunities.

These activities address fair housing by providing the aging population in Needham with assistance meeting their needs, so that housing difficulties (such as commuting around town and obtaining food, medicine and socialization) can be managed and they can remain residing in Needham.

## **Impediments and Proposed Strategies**

---

### **Impediment #1: Land Use Policies and Zoning can limit the quantity of non-single family housing and the availability of developable land to achieve fair housing.**

- Although nearly one half of Needham's land area is zoned for 10,000 square foot lots, apartment districts and districts that allow for multi-family housing are limited.
- Accessory apartments are not permitted.
- There is no "as-of-right" development option for affordable housing, making the permitting process more time-consuming and adding to the cost of development.
- Complexity of zoning and the process can be overwhelming for small scale non-profits wishing to develop affordable housing.
- There are few incentives and requirements for affordable housing in the zoning.

### **Actions/Ideas:**

- The Commonwealth of Massachusetts' Analysis of Impediments plan states that "Land use regulations can be inclusive of minorities, disabled persons, and other groups that are disproportionately low income and/or disadvantaged in the housing market by increasing housing affordability (i.e. through infrastructure efficiency and housing density) and access to public transit, jobs, schools, hospitals, and by decreasing proximity to health and safety hazards." This broad

Town of Needham

Analysis of Impediments to Fair Housing Choice, 2013

solution could serve as a framework for Needham to guide some decisions in Town to ensure inclusivity of all people.

- Inclusionary zoning and incentives for affordable housing are included in the Downtown zoning, as approved by Town Meeting in 2009 and the Elder Services Overlay District adopted in 2010. This inclusionary zoning requires that developers who create a certain number of housing units make a certain percentage of the units affordable. *(completed)*
- Allowing accessory apartments should be considered by the Planning Board, as noted in Needham's Affordable Housing Plan, dated June 2007. Although they can be difficult to regulate, all abutting Towns to Needham allow some form of Accessory dwellings either through special permit or by right. Anecdotal evidence suggests that there are many illegal apartments of this type in Needham. *(long term)*
- The Planning Board should consider the recommendations regarding multifamily dwellings on page 60 of Needham's Affordable Housing Plan, such as studying the possibility of including multifamily in the New England Business Center and mixed-use 128 Districts. *(long term)*
- Consider waiving fees for affordable housing developments. Consider creating a procedure that offers developers of affordable housing guidance through the zoning and the processes of Town. Consider assigning specific staff to provide this guidance. *(short term)*

## **Impediment #2: Lack of information, education and outreach on Fair Housing.**

- There is a shortage of information in Needham of Fair Housing issues in general. Education for residents, employees, lenders, realtors and landlords has been minimal. Information that is available is often provided by sources that may not be objective.
- Without a greater understanding of Fair Housing issues, there can sometimes be neighborhood opposition to development of compact, dense and affordable development. This is an example of "NIMBYism" (Not In MY Backyard), a sentiment that can often be reduced with more information.
- There has not been any investigative testing or monitoring of real estate agencies, lenders, or landlords to determine if discrimination is occurring in Needham. This lack of information limits Needham's ability to confirm compliance with Fair Housing practices.
- Although there are resources within the Town of Needham (as mentioned in the report, such as the committees and agencies that provide assistance), it is not always clear to people where these resources are and how to access the information they are seeking.
- There is no Town staff person devoted to Housing, making it difficult for the Town to perform outreach, coordination and monitoring of housing issues.

## **Actions/Ideas:**

- Build a base of people who understand fair housing issues and want to work to make improvements. Create a network of people who support working on these issues. Ideally, the network would include people from various sectors of government and community. This could be in the form of a Task Force for Fair Housing. (*short term*)
- Education should also include Town of Needham employees, particularly those involved with land use. (*short term*)
- Education should come *before* a specific development is proposed for approval. There is a need for general education about Fair Housing Law and what some of the issues are. The education should include the fact that the Town has an Affordable Housing Plan and the Selectmen approved it. This effort could include presentations at clubs and houses of worship. (*short term*)
- Education should include the Town educating itself about the possibility of inequitable housing practices. A general assessment of activities in Needham should be performed, by looking at real estate and rental advertisements to ensure they abide by Fair Housing Law, conducting a survey or any other sort of actions that could aid in creating a better understanding of what possible fair housing practices are being violated. Some form of testing could be considered. (*long term*)
- The Task Force and the education effort should be a *continuing* endeavor. (*long term*)
- Identify staff resources to coordinate the efforts of outreach and monitoring of housing issues in Needham. Hire a housing staff person under the supervision of the Director of Planning and Community Development. (*staff person to be added in September 2013*).
- Continue the education effort that was started through Newton's FHIP grant of community stakeholders on Fair Housing laws, including lenders, landlords, tenants and others. Needham could consider applying for a similar grant (*long term*)

### **Impediment #3: Lack of accessible affordable housing & lack of affordable housing.**

- Fair Housing Law requires that the availability of affordable accessible housing in Town be assessed. Seniors and disabled people, whose disabilities can be income-limiting, could benefit from affordable housing. Housing not only must be affordable, but accessible for these populations. Proximity to transportation or commercial areas is additionally helpful for these groups. Needham has many people, of all age groups, who consider themselves disabled; it is important that their housing needs are met.
- This report shows that affordability in housing disproportionately affects people in protected classes. Lack of affordable housing can create a barrier to entry into the Town of Needham.
- High costs of housing in Needham can inhibit low to moderate income individuals and families from moving into Needham or renters to stay in Needham.

- The Housing Authority’s waiting list illustrates the need for affordable housing in Town.
- High cost of land in Needham can deter developers from building affordable housing because the profit margin would be marginal.

### **Actions/Ideas:**

- Needham can boast completion of a development called Charles River Landing. This development has 350 rental units. It began through a “friendly” Chapter 40B process with the Town and as such jointly submitted an application to the state’s Department of Housing and Community Development (DHCD) to participate in the Local Initiative Program (LIP)<sup>11</sup>. While 25% of the units (88 units in total) will be affordable to low- and moderate-income households earning at or below 80% of area median income, all of the units can be counted as part of the state’s Subsidized Housing Inventory and Needham’s affordable housing stock will increase from 4.61% of its year-round housing to 7.86%, bringing it considerably closer to the 10% goal.

The project site is located on Second Avenue at the outer edge of the New England Business Center, adjacent to a residential neighborhood and overlooking the Charles River. The parcel contains 7.9 acres and will promote a number of smart growth principles as it is served by existing infrastructure, is located in proximity to town services, transportation and employment, promotes higher density housing and includes affordable housing.

Most of the units are directed to non-families as they have no more than two bedrooms. The affordable units are distributed among all apartment types, and 70% of the units can be reserved for those living or working in Needham.

This is an example of the kind of project that improves the availability of affordable housing in Town quickly. It is a model of a good partnership between the Town and the developer, and of creative use of funding sources. This type of development will not be able to be replicated often, if ever again, due to a lack of developable land, but the model is nevertheless useful. When future affordable housing is created, it would be useful to consider the impact of three or four bedroom units. (*long term*)

- Continue to utilize HOME funds & CPA funds for the development of affordable housing. The initial funding for High Rock Homes leveraged funding from other sources, which led to the eventual ability to complete the project. Home funds and CPA funds are also being contributed to the Charles River Center group home that will be constructed. This project will create five bedrooms for adults with developmental disabilities. (*short term*)

---

<sup>11</sup> From [www.mass.gov](http://www.mass.gov): “The Local Initiative Program (LIP) seeks to stimulate the production of affordable housing opportunities by fostering cooperation between municipalities and housing developers. The program provides technical assistance to developers and municipalities seeking to develop housing that serves households at or below 80% of the area median income within mixed-income (market and affordable) housing developments.”

- There are possibilities of funds to create affordable housing that the Town could consider. One fund option could be that when developers tear down small houses to put up large ones, they will be required to contribute to a fund that will create affordable housing. Another option would be a Housing Trust Fund. Both of these ideas and any other housing fund ideas should be studied further, but may be a key answer in providing funding for this needed housing. (*long term*).
- Other opportunities are spelled out in the Affordable Housing Plan.

#### **Impediment #4: Lack of accessibility.**

- Elevators are lacking in many town buildings and affordable housing developments, e.g. Linden Chambers and Town Hall. This makes it difficult for some members of this community to access certain resources in Town. Livability for this population decreases when daily activities are difficult or impossible. Communities that have more accessible Town Buildings provide an easier environment for some people to live in.
- Accessibility is required in new construction, but many of the buildings in Needham are older construction that do not have these features.
- Although there are some transportation options, it is not always easily accessible for disabled persons.
- There is no easy way for people to move within the Town by public transit.

#### **Actions/Ideas:**

- The concept of “visitability” (as explained earlier in this AI) should be incorporated into the goals of new housing and development. Requiring these types of elements would not be feasible, nor would it be reasonable; however understanding visitability could help future developments meet the needs of some of the Town’s constituents. (*long term*)
- The issue of accessibility, especially as it relates to the current infrastructure, is an issue that cannot be fixed easily and quickly. It will require long term solutions and planning. For this reason, this AI cannot attempt to come up with the answers; however there are some actions that could be explored. New construction will contain the necessary AAB requirements; however, as time passes, it would benefit the Town to consider how it would be possible to fund the additions of accessible features to existing Town buildings. Discussions with the MBTA to ensure accessibility on all bus and rail routes might help surface this issue and possible solutions. (*long term*)

## **Appendix A**

The following dates depict important events in the work of the original AI:

- January 9, 2008  
West Metro HOME Consortium Meeting with Training Session on writing an AI led by the Fair Housing Center of Greater Boston
- March 19, 2008  
Landlord Fair Housing Training hosted by Newton and the West Metro HOME Consortium
- March 21, 2008  
Focus Group meeting: brainstorm possible Impediments to Fair Housing Choice in Needham
- April 1, 2008  
Brief presentation to the Needham Planning Board to explain the project.
- April 17, 2008  
Second Focus Group meeting: brainstorm possible solutions or strategies to address impediments.
- April 29, 2008  
Presentation to Board of Selectmen
- August 12, 2008  
Public Hearing Analysis of Impediments to Fair Housing Choice with the Board of Selectmen

## **Appendix B**

Subsidized Housing Inventory – the information below comes directly from the Needham Housing Needs Assessment prepared by Karen Sunnarborg in 2013.

The Table below summarizes those units that are included in the Subsidized Housing Inventory (SHI) and thus meet all of the state's requirements of affordability.

**Needham's Subsidized Housing Inventory (SHI), January 2013**

| <u>Project Name</u>                                        | <b># SHI Units</b> | <b>Project Type/<br/>Subsidizing Agency</b>         | <b>Use of a<br/>Comp<br/>Permit</b> | <b>Affordability<br/>Expiration D</b> |
|------------------------------------------------------------|--------------------|-----------------------------------------------------|-------------------------------------|---------------------------------------|
| Cook's Bridge (Captain Robert Cook Drive and Seabeds Way)* | 76                 | Rental/HUD                                          | No                                  | Perpetuity                            |
| High Rock Estates*                                         | 80                 | Rental/DHCD (will be HUD)                           | No                                  | Perpetuity                            |
| 138-158 Linden Street*                                     | 32                 | Rental/DHCD                                         | No                                  | Perpetuity                            |
| 168-188 Linden Street*                                     | 40                 | Rental/DHCD                                         | No                                  | Perpetuity                            |
| 15-42 Chambers Street*                                     | 80                 | Rental/DHCD                                         | No                                  | Perpetuity                            |
| Matthews House/<br>1415 Great Plain Ave.*/**               | 8                  | Rental/DHCD                                         | No                                  | Perpetuity                            |
| Highland Ave./Charles River ARC<br>**                      | 6                  | Rental/HUD and EOHHS                                | No                                  | 2038                                  |
| Marked Tree Corp. **                                       | 4                  | Rental/HUD and EOHHS                                | No                                  | 2038                                  |
| Nehoidan Glen                                              | 61                 | Rental/MassHousing                                  | Yes                                 | Perpetuity                            |
| Webster Street II/929 Webster **                           | 4                  | Rental/HUD                                          | No                                  | 2037                                  |
| Webster Street II/299 Webster **                           | 6                  | Rental/HUD                                          | No                                  | 2037                                  |
| West Street Apartments **                                  | 6                  | Rental/HUD                                          | No                                  | 2043                                  |
| Junction Place                                             | 2                  | Ownership/DHCD and FHLBB                            | Yes                                 | Perpetuity                            |
| Garden Street                                              | 2                  | Ownership/FHLBB                                     | Yes                                 | Perpetuity                            |
| High Cliff Estates                                         | 3                  | Ownership/FHLBB                                     | Yes                                 | Perpetuity                            |
| Chestnut Hollow                                            | 6                  | Rental/DHCD and HUD                                 | No                                  | 2021                                  |
| Suites at Needham                                          | 2                  | Ownership/MassHousing                               | Yes                                 | Perpetuity                            |
| Charles River Landing                                      | 350                | Rental/DHCD                                         | Yes                                 | Perpetuity                            |
| DDS Group Homes **                                         | 69                 | Special Needs Rental/DDS                            | No                                  | NA                                    |
| <u>TOTAL</u>                                               | 837                | 725 rentals, 103 special needs rentals, 9 ownership | 420 40B units                       |                                       |

Source: Massachusetts Department of Housing and Community Development, January 3, 2013

\* Needham Housing Authority units

\*\* Special needs units

Of the 837 units that are considered affordable by the state, 316 or 37.8% are owned and managed by the Needham Housing Authority (NHA) including 198 one-bedroom units for seniors and disabled individuals of any age and 120 units for families and veterans. The Authority also maintains two staffed apartments that serve eight (8) individuals with special needs. These projects are as follows:

- *High Rock Estates*  
State Chapter 200 funding (the Housing Authority is in the process of federalizing this property)  
Single-family housing for families  
80 units (43 three-bedroom units and 37 two-bedroom units)  
  
The Needham Housing Authority redeveloped this property by replacing 20 single-family units with two-family structures.
- *Linden Chambers*  
State Chapter 667 funding, mixed elderly-disabled housing  
152 one-bedroom units
- *Matthews House*  
State Chapter 689 funding for special needs housing  
8-bed group home
- *Captain Robert Cook Drive*  
Federally-financed  
Single-family housing for families  
30 units (5 two-bedroom units, 20 three-bedroom units and 5 four-bedroom units)
- *Seabeds Way*  
Federally-financed  
Mixed elderly, disabled singles housing  
46 one-bedroom units

The Housing Authority has 559 applicants on its wait list for the family units including 359 applicants for two-bedroom units, 167 for three-bedrooms, and 33 for four-bedroom units. Waits for these units extend to three (3) to five (5) years. None of the units are handicapped accessible. In regard to the NHA's elderly/disabled units, there were 227 on the waitlist with waits of approximately six (6) months to a year.

In addition to Matthews House, Needham has five (5) other special needs housing facilities that altogether total 26 additional affordable housing units (including the Highland Avenue ARC project, Marked Tree Road, 299 and 929 Webster Street, and West Street Apartments) as well as 69 units in group homes for state Department of Developmental Services (DDS) clients scattered throughout town.

Needham also has seven (7) other projects that are a part of its SHI (with the exception of the Habitat for Humanity house on Bancroft Street that should be added) and include an additional 165 actual affordable units (total of 427 units that can be counted in the SHI) that have been produced by private, for profit or non-profit developers including:

- Nehoidan Glen  
1035 Central Avenue  
Comprehensive Permit granted in 1976 and subsequent amendments were issued through June 2011.  
Total Rental Units: 61   Affordable Units: 61

This development is for low-income seniors.

- Chestnut Hollow  
141 Chestnut Street  
Variance granted in October 2000 by the Board of Appeals  
Special Permit granted in December 2000 by the Planning Board  
Total Rental Units: 28   Affordable Units: 6

Chestnut Hollow involved the major renovation project of an existing non-conforming building, formerly the Hamilton House nursing home, for conversion into apartments for seniors. The development was processed through a Special Permit and variances and also involved project-based Section 8 vouchers for the six (6) affordable units. There are 12 two-bedroom units, 15 one-bedroom units, and one (1) studio unit.

- Junction Place Townhouses  
32 Junction Place  
Comprehensive Permit granted in October 2000  
Total Condominium Units: 5   Affordable Units: 2

Junction Place is a condominium project comprised of five (5) attached townhouse units, approved by the Town for construction in November of 2001 through a comprehensive permit. The property contains approximately 11,200 square feet of land, previously occupied by a small vacant two-story office building, a garage and parking area on the edge of a commercial district and a short walk to the train station. All five (5) of the townhouses were sold at below market prices to eligible families through a lottery system. Two (2) of the homes were sold for \$165,000 to families earning up to 80% of the area median income with the remaining three (3) sold for \$310,000 to families earning up to 150% of the area median income.

- *High Cliff Estates*  
199 St. Mary Street  
Comprehensive Permit granted April 2002  
Total Condominium Units: 12   Affordable Units: 3

The High Cliff Estates project is a townhouse condominium development with 12 total three-bedroom condominium units in four (4) buildings and with three (3) of the condominiums sold as affordable, selling for between \$105,000 and \$137,500. The market rate units sold for \$447,000 to \$582,300.

- *Garden Street*  
207-213 Garden Street  
Comprehensive Permit granted March 2002  
Total Condominium Units: 6 Affordable Units: 2

The Garden Street project is a condominium development with six (6) total three-bedroom units, two (2) of which are affordable. The development was approved by the Town in March of 2002, and was subject to an appeal filed by an abutter to the property that was subsequently settled. The property contains approximately 27,132 square feet of land. Although within a single-family district, the property is located directly across the street from a business zone, a short walk to the center of Needham and public transportation. The two (2) affordable units sold for \$160,000 with the market rate units priced between \$525,000 and \$759,000.

- *Suites at Needham*  
797 Highland Avenue  
Comprehensive Permit granted in 2006  
Total Units: 8 Affordable Units: 2

The development includes eight (8) townhouses, two (2) of which are affordable. The project is located on Highland Avenue, only a short walk to the MBTA station.

- *Charles River Landing*  
300 Second Avenue  
Comprehensive Permit granted in 2007  
Total Units: 350 Affordable Units: 88 (but all count as part of the SHI)

The Town of Needham entered into an agreement with the developer, Cabot, Cabot & Forbes, to build 350 rental units through a “friendly” Chapter 40B process through the state’s Local Initiative Program (LIP). The project is located at the outer edge of the New England Business Center, adjacent to a residential neighborhood and overlooking the Charles River. The parcel contains 7.9 acres and promotes a number of smart growth principles as it is served by existing infrastructure; is located in proximity to Town services, transportation and employment; promotes higher density housing; and includes affordable housing. About two-thirds of the units have one-bedrooms, the remainder with two-bedrooms.

- *Bancroft/Brookline Habitat for Humanity House*  
5 Bancroft Street  
Total Units: 1 Affordable Units: 1

This parcel was owned by the Town of Needham, which issued a Request for Proposals to secure a developer to build an affordable home on the site. Habitat

for Humanity was the winning respondent and built a single-family house on the lot for a first-time homebuyer. This house is not currently on the SHI but is eligible for inclusion.

The Dedham Housing Authority administers *rental subsidies* for Needham and is assigned 120 Section 8 vouchers. These rental subsidies are provided to qualifying households renting units in the private housing market, filling the gap between an established market rent – the Fair Market Rent (FMR) – and a portion of the household’s income. Based on the high cost of housing in Needham, the Housing Authority has been able to apply up to 110% of the FMR levels for its maximum rent. Preference is granted to applicants who reside or are employed in Needham. Applicants must also have incomes within 50% of area median income, \$44,050 for a family of three (3) based on 2012 income levels. There is a considerable wait for these housing vouchers, with the MassNAHRO Centralized Wait List of 120,000 applicants from 88 participating housing authorities, including Needham’s.

### **Pending Projects**

There are a number of other projects that are planned to include affordable units including the following:

- *Craftsman Village/21 High Street*  
The initial developer, Hemark Realty Trust, filed the comprehensive permit application in 2003, and proposed building twelve three-bedroom condominium units, three (3) to be affordable, on an about 27,000 square foot lot within walking distance to public transportation. The ZBA approved six (6) units but the developer was unwilling to go below eight (8) and appealed the decision to the state’s Housing Appeal Committee. The project is finally moving forward with a new developer, Craftsman Village LLC, with a total of six (6) units including two (2) affordable ones. The market units are being sold for \$609,000. There were 14 eligible applicants for the affordable units included in the lottery that was conducted in 2012, including one (1) Needham resident and nine (9) minority applicants.
- *The Charles River Center*  
The Charles River Center, also know as the Charles River Association for Retarded Citizens (ARC), proposes to construct a group residence at 1285 South Street that is configured as a single-story structure providing a home for five (5) people with significant physical and cognitive disabilities, completely handicapped-accessible. Individuals moving into this home will receive 24/7 staffing and comprehensive nursing care. The home will fulfill or exceed all architectural barrier regulations and will include spacious corridors, roll-in showers, safety and emergency systems, accessible entries and appliances, etc. The Town allocated \$280,000 in HOME Program funding to support development financing.
- *Gould Street Senior Housing*

Pursuant to a zoning change to create an Elder Services Zoning District, approved by Town Meeting in 2010, and Special Permit approval of the Needham Planning Board in 2011, the developer of Wingate at Needham Nursing Home has the go-ahead to build a senior housing facility on Gould Street next to its Nursing Home at 589 Highland Avenue. The building will include 91 total units – 12 Independent Living Apartment units (13 bedrooms), 42 Assisted Living units, and 37 Assisted Living units specializing in Alzheimer's and other memory loss related conditions. The project will also include two (2) affordable units, eligible for inclusion in the Subsidized Housing Inventory (SHI), one (1) reserved for those who live or work in Needham.

- *36-58 Dedham Avenue*

Through the rezoning of Needham Center through a Center Business Overlay District that was approved by Town Meeting in 2009, as well as Special Permit approval by the Planning Board in 2012, the developer, MMM Property LLC, has obtained the necessary approvals to construct a new three + one story mixed-use building on Dedham Street. The property will contain ten (10) residential units, including one (1) affordable unit, as well as two (2) first-floor retail units.

- *28 Webster Street*

The developer, Webster Street Green, LLC, was issued a comprehensive permit in November 2005, which was appealed, amended, and recently issued an extension through the Housing Appeals Committee. The ZBA also recently granted the developers an amendment, and the project is scheduled to begin construction soon on ten (10) units, two (2) of which will be affordable.

- *540 Hunnewell Street*

The developer, High Cliff Estates, Inc., proposed three (3) units, one (1) of which would be affordable, on a small 6,673 square foot lot that is within walking distance to the commuter rail. The developer filed the comprehensive permit in March 2006, and the ZBA issued the permit in 2007. The developer has not acted on the permit to date.

## **Appendix C**

The following describes the eligibility requirements for homebuyers at High Rock Homes.

Homebuyer must meet the Basic Qualifications. Buyers of affordable townhouse condominiums at High Rock Homes must be:

- Income eligible. There are three tiers of affordability based upon the area's median income (AMI) as follows:

| <b>Household Size</b>                    | <b>Tier 1 - 60% of Median</b> | <b>Tier 2 - 80% of Median</b> | <b>Tier 3 -110% of Median</b> |
|------------------------------------------|-------------------------------|-------------------------------|-------------------------------|
| 1 person                                 | \$36,060                      | \$46,300                      | \$66,110                      |
| 2 person                                 | \$41,160                      | \$52,950                      | \$75,460                      |
| 3 person                                 | \$46,320                      | \$59,550                      | \$84,920                      |
| 4 person                                 | \$51,480                      | \$66,150                      | \$94,380                      |
| 5 person                                 | \$55,620                      | \$71,450                      | \$101,970                     |
| 6 person                                 | \$59,700                      | \$76,750                      | \$109,450                     |
| <b># of Units Available at This Tier</b> | 2                             | 12                            | 6                             |

*Income limits as of February 13, 2008, published by HUD.*

- First Time Homebuyers. Applicants must also be first-time homebuyers. First time homebuyers are those who do not currently own a home or who have not owned a home in the past three years. Displaced homebuyers do not have to be first time homebuyers, but must sell their current home or had to sell their home under the terms of a divorce decree, to be eligible to High Rock Homes Application Packet purchase a house in High Rock Homes and must adhere to the asset limits set below.
- Not Have Assets which Exceed Limits. The total gross household asset limitation is \$50,000. If one household member is over the age of 55 and the household currently owns property (to be sold for eligibility for this program), the total amount of allowable equity in the property is \$150,000. Therefore, the combined asset limitation for households over the age of 55 is \$200,000.
- Homebuyer Course. Each Buyer must complete a Homebuyer Course approved by MassHousing prior to closing on a unit. We would encourage applicants to complete the course as early in the process as possible.

Complete An Application. If you meet the basic qualifications, the next step is to complete the enclosed application. You can only submit one application per household. You will need to choose on your application both the income tier as well as the bedroom size. Please note the number of units available at each tier, especially the first tier which has only two units available (one two bedroom and one three bedroom unit). An

application will only be eligible for one affordability tier, the general pool, one other preference pool (if applicable), and one bedroom size. The preference pools are described in more detail below and in the General Information packet.

Please be certain to fill out your application completely and accurately, and provide the required documentation at the time of submission. If your application is not complete or documentation is missing, your application will not be considered and will not be placed on the waiting list.

Qualified, eligible applications received beginning June 2nd will be placed on a waiting list based upon affordability tier and preference pool by date and time, and shall be considered after the lottery selection list for qualified applicants meeting the minimum occupancy standard is exhausted.

At any time during the process, applicants may be asked to provide additional information in order to determine eligibility for the program. If you are notified that you have been selected to purchase a unit, you will be required to provide additional information and documentation prior to the time of the sale.

Please note that applicants if selected must be qualified at the time of application and must remain qualified throughout the process until the time of the sale of the unit.

Provide Documentation for Priority and Preferences. Since the High Rock Home program includes priorities and preferences, it is important for you to understand these priority and preferences and to provide the required documentation so you may qualify for them. The priority and preferences are:

- Priority: You can qualify for priority status if you are a veteran or have completed national service. Specifically, such status will be granted to an application that has a household member who:
  - Is a veteran as defined in clause Forty-third of section seven of chapter four of the Massachusetts General Laws, such person's spouse, surviving spouse, parent or other dependent of such person.
  - Has served in the Peace Corps, Americorp (including Americorp VISTA and Americorps NCCC), and who has successfully completed a full term of participation of at least 10 months.
- Preferences: Three groups qualify for preference as follows:
  - First Preference Pool – Displaced Resident of High Rock or Current Needham Public Housing Resident. First preference is being given to displaced residents of High Rock Homes or current Needham Public Housing residents. Verification will be provided by a High Rock Homes Application Packet lease or relocation agreement with Needham Housing Authority. Residents must be current in their rent and charges. Displaced residents of High Rock receive priority over other Needham Housing Authority residents in this pool.
  - Second Preference Pool – Town of Needham Employee. Second preference is being given to employees of the Town of Needham including the Needham School Department who work at least twenty

hours a week. Verification will be provided by a pay stub or a letter indicating a bona fide offer/acceptance of employment.

- Third Preference Pool – Needham Connection.

Third preference will be given to those applicants who qualify with a Needham Connection. This includes applicants who are current residents, community employees and those with other meaningful connections to Needham. Such connections include having (1) graduated from Needham High School; (2) parents live in Needham; (3) lived in Needham for over twelve months within the past 5 years; and/or (4) a child attending Needham Schools as a current METCO student. Various forms of verification will be accepted including census list, rent receipts, school records, pay stub depending upon the type of connection. See the General Information packet for more information.

- General Pool.

- All applicants are included in the General Pool whether or not they are also included in the First, Second or Third Preference Pool. Applicants in the General Pool is ranked after all the Local Preference Pools.

#### Review of Application.

Once you have submitted a completed application, your application will be reviewed and qualified for the program. We will verify your information, and confirm your placement in an affordability tier and preference pool, and on the waiting list. We may contact you for more information as part of this process. Remember: An applicant will only be eligible for one affordability tier, general pool, one preference pool (if applicable), and one bedroom size. Once our review is complete, we will notify you in writing of your eligibility and which affordability tier and preference pool you qualify for. You will have seven days from this notice to notify us of any inaccuracies or errors in our determination. We will review any additional information you submit and update our determination as needed. Upon completion of this review, our determination of your eligibility will be final.

There is a different set of priorities for rental units at High Rock Estates. Please contact the Needham Housing Authority for the specifics.

## **Appendix D**

As provided by state law, the Needham Board of Assessors administers tax assistance programs for various eligible taxpayers. These programs are summarized below.

**Tax Assistance Programs Offered by  
The Commonwealth of Massachusetts  
and the Town of Needham  
Board of Assessors  
781-455-7500 ext. 238**

A variety of exemptions are available to reduce property tax obligations for certain qualifying taxpayers. Because of the number and complexity of exemptions, the following table is intended only to give you a general idea of what is available. **If you have the slightest suspicion you may be eligible or have any questions, call the Assessors Office for details!**

### **Elderly Exemptions**

| <b>Clause</b> | <b>Basic Qualifications</b>      | <b>Maximum<br/>Income</b> | <b>Maximum<br/>Assets</b> | <b>Minimum<br/>Amount</b> | <b>Maximum<br/>Amount</b> |
|---------------|----------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| 17D           | Age 70 or older                  | None                      | \$ 40,000                 | \$ 175.00                 | \$ 341.25                 |
| 41C           | <b>Age 65</b> or older - single  | <b>20,000</b>             | <b>\$ 40,000</b>          | \$ 500.00                 | \$ 975.00                 |
| 41C           | <b>Age 65</b> or older - married | <b>30,000</b>             | <b>\$ 55,000</b>          | \$ 500.00                 | \$ 975.00                 |

### **Veteran Exemptions**

| <b>Clause</b> | <b>Basic Qualifications</b>    | <b>Minimum<br/>Amount</b> | <b>Maximum<br/>Amount</b> |
|---------------|--------------------------------|---------------------------|---------------------------|
| 22            | 10% Disability of Purple Heart | \$ 400.00                 | \$ 780.00                 |
| 22A           | Loss of foot, hand or eye      | \$ 750.00                 | \$ 1,462.50               |
| 22B           | Loss of two limbs or eyes      | \$ 1,250.00               | \$ 2,437.50               |
| 22C           | Specially adapted housing      | \$ 1,500.00               | \$ 2,925.00               |
| 22E           | 100% Disability                | \$ 1,000.00               | \$ 1,950.00               |
| 22F           | Paraplegic due to war injury   | 100%                      |                           |

### **Others**

| <b>Clause</b> | <b>Basic Qualifications</b>                             | <b>Maximum<br/>Income</b> | <b>Maximum<br/>Assets</b> | <b>Minimum<br/>Amount</b> | <b>Maximum<br/>Amount</b> |
|---------------|---------------------------------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| 37A           | Legally blind                                           | None                      | None                      | \$ 500.00                 | \$ 975.00                 |
| 17D           | Surviving spouse or orphaned<br>minor child             | None                      | 40,000                    | \$ 175.00                 | \$ 341.25                 |
| 42            | Surviving spouse or orphaned<br>Minor of Police Officer | None                      | None                      | 100%                      |                           |
| 18            | Extreme Hardship                                        | Varies                    | Varies                    |                           |                           |