

HOUSE No. 00384

The Commonwealth of Massachusetts

PRESENTED BY:

Theodore C. Speliotis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to exclude cities and towns that adopt a housing linkage program from certain provisions of chapter 40b.

PETITION OF:

NAME:

Theodore C. Speliotis

DISTRICT/ADDRESS:

13th Essex

HOUSE No. 00384

By Mr. Theodore C. Speliotis of Danvers, petition (accompanied by bill, House, No. 00384) of Theodore C. Speliotis that cities and towns adopting a housing linkage program be exempt from certain provisions of the regional planning law.. Joint Committee on Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 3462 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to exclude cities and towns that adopt a housing linkage program from certain provisions of chapter 40b.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 21 of chapter 40B of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting, in line 1 before the word “any”, the words: -- “Any
3 community that, by majority vote of the city council or town meeting, shall be exempted from
4 the provisions of section 22 and section 23 of chapter 40B, provided that said community elects
5 to establish a housing linkage program. Said linkage program shall require that developers of
6 commercial, retail, hotel, or institutional structures greater than 25,000 square feet seeking
7 zoning relief pay a fee to construct affordable housing at a site other than the proposed
8 development. Residential developers constructing greater than twenty units of housing shall be

9 required to pay this fee or provide a minimum of ten percent of the units for affordable housing
10 to be located on or off the development site.

11 SECTION 2. The linkage fee shall be determined by a majority vote of the city council or town
12 meeting and shall be not less than one dollar nor greater than seven dollars per square foot. The
13 first 25,000 square feet of construction of commercial, retail, hotel, or institutional structures
14 shall be exempt from said fee. Developers shall have the option of paying such fee in one lump
15 sum at the issuance of a building permit or entering into a schedule of payments not to exceed
16 twelve years.

17 SECTION 3. The local housing linkage fund shall be administered by a seven member board
18 appointed by the mayor of a city or the town manager of a town, and shall consist of at least one
19 representative from the local housing authority to be appointed by the executive director of said
20 authority.

21 SECTION 4. The income eligibility standard for such units made available through this act shall
22 be limited to those families that meet state guidelines for Section 8 housing and individuals
23 eligible for Supplemental Security Income.